

Moorabool Wind Farm and the Assessment Process for Proposed New Dwellings

Introduction

Moorabool Wind Farm wishes to facilitate appropriate ongoing development of the area surrounding the Moorabool wind farm. This is to protect the amenity at future dwelling locations and to manage risk to all parties involved in the process.



This document outlines the planning system against which applications for a new dwelling would be assessed by Moorabool Shire Council.

It also discusses the Moorabool Wind Farm recommendation for assessment of proposed new dwellings to allow input to the planning process to safeguard residential amenity.

Overview of the Victorian Planning System

The Moorabool Planning Scheme controls land use and development within the Moorabool Shire Council (MSC) through State and local planning policies, zones, overlay controls and other particular provisions. State and local planning policies establish key strategic planning direction, land use development objectives and zoning controls for every parcel of land within the Shire. Land use zones either:

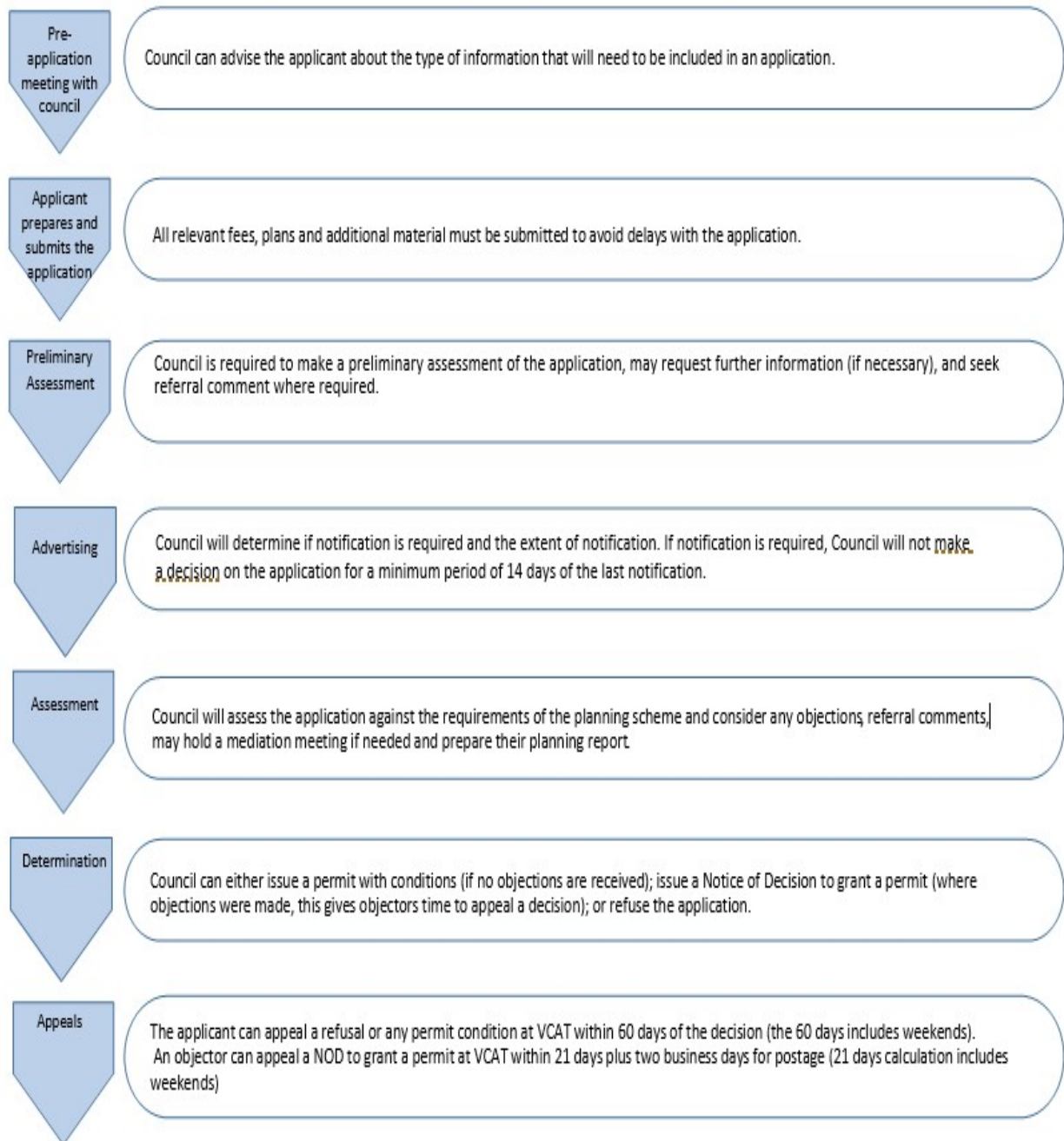
- allow a use to occur without the need for a planning permit;
- trigger a planning permit requirement for some uses; or
- prohibit other uses to reduce potential land use conflict.

Without specific reference to the Moorabool Wind Farm project, a piece of land can be controlled by several existing overlay provisions that may also trigger or exempt the need for a planning permit. It is important that anyone wishing to develop their land for a particular use or development understands the Moorabool Planning Scheme controls that apply over their land parcel(s).

Any new planning permit applications will need to be lodged with the MSC for approval where the use and development for a dwelling triggers a planning permit requirement. The MSC will decide on any planning permit applications for a new dwelling within the Moorabool Shire Council. Any new planning permit applications will be assessed against the Moorabool Planning Scheme, the Planning & Environment Act 1987 (P&E Act) and any other environmental legislation or planning law, where applicable.

Planning Application Process for New Dwellings

The diagram below has been prepared in consultation with Moorabool Shire Council



Position Statement – Moorabool Wind Farm and New Dwellings

Moorabool Wind Farm permit requirements

The Moorabool Wind Farm Planning Permit (Permit No. 2009012877A) requires the wind farm to comply with noise and shadow flicker conditions for dwellings that existed at the date the Planning Permit was issued (which was 29 October 2010). The management of noise and shadow flicker at dwellings constructed after the Planning Permit issue date is not a requirement of the Planning Permit. However, in the interests of supporting ongoing development, Moorabool Wind Farm wishes to have appropriate input into ongoing development of the area surrounding the wind farm.

New proposed dwellings that do not attract a permit compliance requirement

Moorabool Wind Farm is committed to following the process outlined below to determine its position for a new proposed dwelling and ensure an acceptable level of residential amenity to the project's neighbours. With Council's support, Moorabool Wind Farm looks forward to implementing the process detailed below to facilitate sound development of the area surrounding the wind farm, protecting the amenity at future dwelling locations and managing risk to all parties involved in the process.

Moorabool Wind Farm's Assessment process for new dwellings

Moorabool Wind Farm is willing to undertake the following process for any new proposed dwelling with a setback distance of less than 1.5km from a wind turbine at the Moorabool Wind Farm (see attached map):

1. Council to notify Moorabool Wind Farm of the proposed dwelling via a Section 52 (of the P&E Act 1987) notification process. Notification of the proposed dwelling would allow Moorabool Wind Farm to enter into early discussions with the applicant or provide advice through the council planner to discuss details of the wind farm.
2. Moorabool Wind Farm will assess the amenity of the new proposed dwelling to determine predicted noise and shadow flicker levels at the proposed house location. The relevant standards for compliance levels (at the time of writing this document) for noise is the NZ6808:2010 Noise Standard for Wind Farms, and for shadow flicker, the Draft National Wind Farm Development Guidelines (2010).
3. Depending on Moorabool Wind Farm's assessment outcome, Moorabool Wind Farm will consider:
 - o Supporting the development, if the assessment determines compliance with relevant amenity limitation standards and guidelines.
 - o Supporting the development conditionally, on entering into an agreement with the dwelling applicant relating to matters including noise and shadow amenity levels at the dwelling.
 - o Objecting to the development on the grounds that it is not deemed an acceptable land use within the vicinity of the wind farm.

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