

2010-2011-2012

The Parliament of the  
Commonwealth of Australia

THE SENATE

*Presented and read a first time*

**Renewable Energy (Electricity)  
Amendment (Excessive Noise from Wind  
Farms) Bill 2012**

**No.     , 2012**

*(Senators Madigan and Xenophon)*

**A Bill for an Act to amend the *Renewable Energy  
(Electricity) Act 2000*, and for related purposes**



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### **3 Schedule(s)**

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

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## Schedule 1—Amendments

### *Renewable Energy (Electricity) Act 2000*

#### **1 Subsection 5(1)**

Insert:

*creates excessive noise*: for when a wind farm *creates excessive noise*, see subsection 14(6).

#### **2 Subsection 5(1)**

Insert:

*wind farm* means a power station that generates some or all of its power from wind.

#### **3 After paragraph 14(2)(a)**

Insert:

(aa) if the power station is a wind farm—the Regulator is satisfied that the wind farm does not, and will not, create excessive noise (see subsection (6)); and

#### **4 At the end of section 14**

Add:

(6) For the purposes of this Act, a wind farm *creates excessive noise* if the level of noise that is attributable to the wind farm exceeds background noise by 10 dB(A) or more when measured within 30 metres of any premises:

- (a) that is used for residential purposes; or
- (b) that is a person's primary place of work; or
- (c) where persons habitually congregate.

#### **5 At the end of Subdivision A of Division 4 of Part 2**

Add:

1 **20AB Wind farms—publishing on internet information about noise,**  
2 **wind speed and direction, weather conditions and power**  
3 **output**

- 4 (1) The nominated person for an accredited power station that is a  
5 wind farm must ensure that information prescribed by the  
6 regulations relating to the following is published on the internet:  
7 (a) noise attributable to the wind farm;  
8 (b) wind speed and direction at the wind farm;  
9 (c) weather conditions at the wind farm;  
10 (d) power output of individual turbines at the wind farm.

- 11 (2) The information must be published on the internet in accordance  
12 with any requirements prescribed by the regulations for the  
13 purposes of this subsection.

14 Example: A requirement that the information be published in real time.

15 **6 Subsection 30E(3)**

16 Omit “may”, substitute “must”.

17 **7 Subsection 30E(3)**

18 Omit “law of”, substitute “law (whether written or unwritten) of or in  
19 force in”.

20 **8 After subsection 30E(4)**

21 Insert:

22 *Wind farms—excessive noise*

- 23 (4A) The Regulator must, by written notice, suspend the accreditation of  
24 an accredited power station that is a wind farm if the Regulator  
25 believes on reasonable grounds that the wind farm is creating  
26 excessive noise (see subsection 14(6)).
- 27 (4B) The accreditation is suspended until the Regulator believes on  
28 reasonable grounds that the wind farm is not creating excessive  
29 noise. The notice must include a statement to that effect.



