

Owner	Planning and Sustainability
Implementation	10 August 2021
Next Review	August 2025

PART 1 – POLICY OPERATION

Policy Development and Purpose

This Local Planning Policy (Policy) has been prepared under Schedule 2, Part 2 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

This purpose of this policy is to provide guidance on the development of Renewable Energy Systems within the City that provide power to a dwelling or a business primarily for its needs and is not a commercial power generation land use.

This policy does not apply to power generation land uses designed principally to supply power to the electrical grid.

Policy Objectives

The objectives of this Policy are:

1. To provide guidance for the installation and development of Renewable Energy Systems throughout the City that provide power to the principle use of the land;
2. To ensure that Renewable Energy Systems do not unreasonably detract from the streetscape or amenity of adjoining properties and the area generally; and
3. To facilitate the environmental and sustainability benefits of utilising renewable energy systems such as wind and solar systems to power buildings and commercial activities within Wanneroo.

Relationship to Other Policies, Guidelines and Documents

This policy is to be read in conjunction with the development standards and requirements of District Planning Scheme No. 2 and its associated policies.

PART 2 – POLICY PROVISIONS

Definitions

For the purposes of this policy, the following definitions apply. For other definitions, the District Planning Scheme No. 2 definitions apply.

Renewable energy means energy derived from resources that are regenerative or for all practical purposes cannot be depleted.

Renewable energy facility means premises used to generate energy from a renewable energy source and includes any building or other structure used in, or relating to, the generation of energy by a renewable resource. It does not include renewable energy electrical generation where the energy produced principally supplies a domestic and/or business premises and any on selling to the grid is secondary.

Renewable energy System means a system that uses renewable energy sources to produce energy (electricity being the most common form) with zero or very low greenhouse gas emissions and may include solar, wind, geothermal and biomass energy among others.

Solar energy system means a system that converts energy from the sun into usable forms of energy for electricity or, heating water or air or a similar function through the use of solar panels.

Wind energy system means equipment that converts and then stores or transfers energy from the wind into usable forms of energy.

This Policy applies throughout the City when considering proposals for renewable energy systems.

The provisions in this policy do not limit the City's ability to determine proposals for a renewable energy system that arise through advances in technology. In this regard, where a proposal does not meet the specific requirements of this policy, discretion shall be applied in determining any development application in accordance with the objectives of this policy where the City is satisfied that the variations limit the potential impact on surrounding properties and the amenity of the locality.

General policy provisions

The City supports the use of renewable energy resources through the use of technology and systems that enable their utilisation in both domestic and commercial applications where they are appropriately located, designed and scaled so as not to adversely affect the amenity of adjoining properties, streetscapes and the locality in general.

For the purposes of this policy, a Renewable Energy System:

- Proposed within a site zoned for residential purposes is to be assessed against the standards and requirements of District Planning Scheme No. 2 (DPS 2), the Residential Design Codes (R-Codes), this Policy and any other applicable requirement;
- Proposed on a site zoned for non-residential purposes is to be assessed against the standards and requirements of DPS 2, this Policy, the Western Australian Planning Commission Position Statement: Renewable energy systems and any other applicable requirement.
- All wind energy system installations must comply with the Environmental Protection (Noise) Regulations 1997.

Development requirements:

Where a renewable energy system is not exempt from the need to obtain development approval or does not comply with development standards of DPS 2, the R-Codes or any other applicable document then Development Approval is required to be obtained prior to the installation.

1. Dwellings incorporating Renewable Energy Systems

This section applies to the use of renewable energy systems that are designed principally to provide power to one or more dwellings on a site.

1.1 Residential Zones:

Solar: Solar energy systems are exempt from the need to obtain development approval where solar panels are parallel to the angle of the roof and the works are not located in a heritage-protected place.

Where a solar installation is ground mounted or forms part of another structure it shall not be located in the front setback area or forward of the building line. The R-Codes provisions will be used to determine suitability of the works as if the installation were a **building** as defined in the R-Codes.

Wind: A wind energy system may be considered to be an external fixture as defined in the R-Codes and is exempt from the need to obtain development approval where:

- the R-Codes apply;
- the works comply with the deemed to comply provisions of the R-Codes; and
- they are not located in a heritage-protected place.

In addition to the requirements of DPS 2, this Policy, the R-Codes or any other applicable document, wind energy systems:

- are not to be located in the front or secondary setback area of a lot;
- shall be setback from a boundary a distance equal to or greater than the total height of the system as measured from the natural ground level;
- are limited to no more than one wind turbine per dwelling;
- may only be used for domestic or private use and not for commercial generation of energy.

Wind energy systems shall be fitted with an automatic or manual braking system and an over-speed protection device to prevent noise impacts on adjoining properties during periods of high wind speeds.

Wind energy systems shall be positioned so that the blades are a minimum height of 2.75 metres above ground level.

Other: Other renewable energy systems (such as geothermal) that may be used to generate power to supply the needs of one or more dwellings on a site will be considered against the objectives of DPS2, the R-Codes and Clause 67 of the Deemed Provisions.

1.2 Non Residential Zones:

Solar: Rooftop mounted systems that are integrated with the design of the structure shall be exempt from the need to obtain development approval.

Systems that form part of the façade or structure of buildings such as solar glass shall be exempt from the need to obtain development approval.

Where a solar installation is ground mounted or forms part of another structure it shall not be located in the front setback area or forward of the building line.

Wind: Development approval is required for all wind energy systems in non-residential zones and are to be considered against the standards in DPS2 for the relevant zone and the following points:

- are not to be located in the front setback area of a lot where the appearance of the structures will impact negatively on the established street scape;
- shall be setback from a boundary a distance equal to or greater than the total height of the system as measured from the natural ground level;
- height on non residential lots will be determined with regard to the need for efficient operation of the system and the impact on adjoining properties and the established streetscape character.

In addition to the requirements of DPS 2 and this Policy, wind energy systems shall be subject to the requirements of the Western Australian Planning Commission Position Statement: Renewable energy systems and any other applicable requirement.

Wind energy systems shall be fitted with an automatic or manual braking system and an over-speed protection device to prevent noise impacts on adjoining properties during periods of high wind speeds.

Wind energy systems shall be positioned so that the blades are a minimum height of 2.75 metres above ground level.

Other: Other renewable energy systems (such as geothermal) that may be used to generate power to supply the needs of one or more dwellings on a site will be considered against the objectives of DPS2, and Clause 67 of the Deemed Provisions.

2. Non Residential Development incorporating Renewable Energy Systems

This section applies to the use of renewable energy systems that are designed principally to provide power to businesses that are operating at a site.

2.1 Development approval will be required for:

- a) all wind energy systems;
- b) solar energy systems that are not integrated with the roof or façade of a building; and
- c) for all other forms of renewable energy systems.

2.2 Where a business or other activity seeks to generate all or part of their power needs from renewable energy systems, the systems shall be designed to minimise impacts on adjoining properties that arise from the bulk, scale, noise or appearance of the systems. This is particularly the case where the adjoining properties include sensitive uses such as residential, child care, aged and dependent persons dwellings, hospitals, tourist accommodation and the like.

2.3 In addition to the requirements of DPS 2 and this Policy, wind energy systems shall be subject to the requirements of the Western Australian Planning Commission Position Statement: Renewable energy systems and any other applicable requirement.

2.4 Wind energy systems shall be fitted with an automatic or manual braking system and an over-speed protection device to prevent noise impacts on adjoining properties during periods of high wind speeds.

3. General Provisions

3.1 Renewable Energy Systems shall be designed, constructed and finished using non-reflective materials and be compatible with the colours that complement the context of the immediately surrounding area.

3.2 Renewable Energy Systems are to be adequately maintained at all times, in accordance with the manufacturer's specifications.

3.3 Renewable energy systems shall be designed to minimise impacts on occupants of surrounding properties by addressing any noise, light reflection, vibration, electrical interference, visual amenity, safety and any other reasonable matter that may detract from the amenity of the area.

4. Consultation

Consultation with landowners of adjoining properties who may be impacted by a proposed renewable energy system, that proposes variations to an applicable development standard, shall be undertaken in accordance with the City's Planning Consultation Procedure.

5. Conditions of approval

In its determination of any application for renewable energy system, in addition to any other powers provided for under DPS 2, the City may impose conditions designed to minimise the impact on the amenity of adjoining uses, including limiting the scale of the development and restricting the times during which the renewable energy system may operate.