Planning and Sustainability
Local Planning Policy 4.29 – RENEWABLE ENERGY SYSTEMS

1.0 CITATION

This Local Planning Policy (Policy) has been prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy 4.29 (LPP 4.29): Renewable Energy Systems.

2.0 INTRODUCTION

The 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.

3.0 OBJECTIVES

The objectives of this Policy are:

- 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;
- To ensure that Renewable Energy Systems do not unreasonably detract from the streetscape or amenity of adjoining properties and the area generally; and
- 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.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This Policy applies throughout the City when considering proposals for renewable energy systems. This policy is to be read in conjunction with the development standards and requirements of the R-Codes, District Planning Scheme No. 2 and its associated policies. This policy does not apply to power generation land uses designed principally to supply power to the electrical grid.

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.

5.0 APPLICATION REQUIREMENTS

Where a proposed renewable energy system is considered to adversely impact a sensitive land use, the City may upon request, require that the Applicant provide additional documentation to demonstrate that the amenity of the adjoining sensitive land use is not adversely impacted.

6.0 POLICY STATEMENT

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, this policy and the R-Codes, then development approval is required.

6.1 General Provisions

a) 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.

b) Renewable energy systems are to be adequately maintained at all times, in accordance with the manufacturer's specifications.

c) 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.

6.2 Exemptions

6.2.1 Dwellings

Where a renewable energy system is associated with a residential land use and the **R-Codes apply** it is exempt from the need to obtain development approval where compliant with the following requirements:

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.

Wind: Wind energy systems is considered to be an external fixture and the works comply with the relevant deemed-to-comply provisions of the R-Codes and comply with the following:

- They are not located in a heritage-protected place;
- 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 to the highest point of the system;
- Are limited to no more than one wind energy system per dwelling;
- May only be used for domestic or private use and not for commercial generation of energy;
- 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;
- That incorporate blades shall be a minimum height of 2.75 metres above ground level; and

- All wind energy system installations must comply with the *Environmental Protection (Noise) Regulations 1997*.

6.2.2 Non Residential Zones:

Where renewable energy systems is associated with a residential land use where the **R-Codes do not apply**, they are exempt from the need to obtain development approval where compliant with the following requirements:

Solar:

a) Rooftop mounted solar energy systems that are integrated with the design of the structure; or

b) Systems that form part of the façade or structure of buildings such as solar glass.

c) Where a solar installation is ground mounted or forms part of another structure and is used in association with the dwelling. It shall not be located in the front setback area, forward of the building line and secondary street.

6.2.3 Non Residential Development:

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.

6.3 Development Approval Requirements:

Development approval is required in the following circumstances:

a) Solar energy systems that are not integrated with the roof or façade of a building or where the solar energy system does not satisfy the exemption criteria above;

b) All wind energy systems located in zones where the R-Codes don't apply or where a wind energy system does not satisfy the exemption criteria above; and

c) All other forms of renewable energy systems not referred to in this policy.

Where renewable energy systems are proposed that do not satisfy the exemptions above they should be considered with regard to the following:

All: All development applications for a renewable energy systems are to be considered with regard to the following:

- Matters to be considered by Local Government as contained within Clause 67 of the Deemed Provisions as contained within the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- Designed to minimise amenity impacts to sensitive land uses;
- Objectives of the applicable zone in which the development is located;
- Applicable development requirements as contained within DPS 2;
- The requirements of the Western Australian Planning Commission Position Statement: Renewable energy facilities (as amended from time to time);
- Provisions of the R-Codes (as applicable); and

- The general provisions of this Policy.

Wind: In addition to the above, wind energy systems are to also be considered with regard to the following:

- Shall be located behind the street setback of a lot where the appearance of the structure/s will negatively impact the established streetscape;
- 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 to the highest point of the wind energy system;
- Should balance the need for efficient operation of the system and the impact on adjoining properties and the established streetscape character;
- Whether wind energy systems are 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 that incorporates blades, shall be designed to ensure that the blades are a minimum height of 2.75 metres above ground level; and
- All wind energy system installations must comply with the *Environmental Protection (Noise) Regulations 1997*.

6.4 Conditions of approval

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 land uses, including limiting the scale of the development and restricting the times during which the renewable energy system may operate.

7.0 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.

8.0 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.

Sensitive land uses are typically those where people live or regularly spend extended periods of time, such as but not limited to: residential development, hospitals, hotels, motels, hostels, caravan parks, schools, nursing homes, child care facilities, shopping centres, playgrounds and some public buildings. Some commercial, institutional and industrial land uses which require high levels of amenity or are sensitive to particular emissions may also be considered "sensitive land uses". Examples include some retail outlets, offices and training centres, and some types of storage and manufacturing.

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.

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