



SHIRE OF DENMARK

TOWN PLANNING SCHEME No.3

POLICY No. 41

RENEWABLE ENERGY SYSTEMS

ADOPTED AT THE ORDINARY COUNCIL MEETING ON 22 JUNE 2010

1. INTRODUCTION

The Shire of Denmark has prepared this policy to encourage landowners, developers and builders to incorporate renewable energy systems. This will achieve a number of environmental benefits including:

- Increased local awareness of electricity scarcity and sustainable usage,
- Promote reduced energy consumption and reliance on the Western Power supply network,
- Promote an increased level of sustainability within the Shire.

Whilst the introduction of this policy may result in additional costs for housing developments in the short-term, the economic benefits over the long-term are considerable. Encouraging residents to become more sustainable in their use of water and energy will also deliver benefits to the community as a whole over time.

The policy delivers on the Council's commitment to the community to promote environmentally sensitive development and create a sustainable community.

Whilst it is expected that some of the systems may initially cause some concern to adjoining property owners, these are only expected in the short-term as people become used to these new systems being implemented over time. For example, the visual impacts from wind turbines relate to flicker, glint or reflection from the blades, overshadowing and increased noise generated by the rotors and through mechanical wear as the system ages. Solar energy systems can cause reflection from panel surfaces into adjoining properties.

2. POLICY BASIS

Clause 8.2 of the Shire of Denmark's Town Planning Scheme No. 3 ('the Scheme') provides for the preparation of Local Planning Policies. This Policy has been prepared in accordance with the Scheme.

This Policy does not bind the local government in respect of any application for development approval but the local government will have due regard to the provision of the Policy and the objectives which the Policy is designed to achieve before making its determination.

3. OBJECTIVES

The objectives of the Policy are to:

- Improve the environmental sustainability of housing and other developments within the Shire by lowering consumers' individual 'carbon footprints'.
- Encourage installation of renewable energy for residential developments.
- Ensure that streetscape and local amenity values of the local area are not adversely affected through unacceptable visual or acoustic impacts from the operation of renewable energy systems.
- Introduce standards for the siting and development of renewable energy systems.

4. APPLICATION OF THE POLICY

This policy applies to all land within the Residential, Special Residential, Special Rural, Rural Multiple Occupancy, Landscape Protection and Rural zones in the scheme area. In addition, certain areas of the Shire including heritage places and some residential areas are covered by other planning scheme provisions or policies and proposals will also need to comply with these requirements.

5. DEFINITIONS

For the purpose of this Policy, the following definitions apply:

‘wind energy system’ shall mean any equipment that is used to convert and then store and/or transfer energy from the wind into usable electrical energy. The term includes any equipment used in the activity such as base, blades, generator, pole, tower, transformer, vane, wire, inverter, batteries etc.

‘domestic wind energy system’ shall mean any wind energy system that is used to generate electricity for domestic energy consumption with a rated capacity of 2.2kW or less and having a blade diameter of 2m or less.

‘solar energy system’ shall mean any equipment used to convert and then store and/or transfer energy from the sun into usable energy including electricity, heat, steam or air through the use of solar or photovoltaic panels. The term includes any equipment used in the activity such as frame, panels, generator, transformer, inverter, batteries etc.

‘total height’ shall mean the vertical height from natural ground level to the highest point of the system such as tip of generator blade.

6. POLICY STATEMENT

6.1 Acceptable Development

Proposals that meet all of the acceptable development criteria as set out Table 1 will not require planning consent to be issued, as they are deemed acceptable.

Though not all renewable energy systems require formal approval, the Council expects that the proponents will strive to achieve the objectives of this policy.

6.2 Planning Consent Requirements

Proposals that do not meet all the acceptable development provisions as set out in Table 1 will require planning consent approval before the system is installed. Applicants will be required to submit details to show how the proposal can achieve the objectives of the policy.

Applicant shall provide the following information for assessment.

- 1 Completed Planning Consent Application Form and payment of application fee.
- 2 Four (4) copies of plans to scale and written information providing the following details:

Site Details

- Site plan showing all boundaries, proposed position and setbacks of rainwater tank or renewable energy system, lot number, dimensions, contours, north point and street names.
- Details of all buildings on any adjoining properties.

Proposal Details

- Details of the renewable energy system design including purpose for the system, capacities/volumes, information on noise and visual impacts on adjoining properties and public roads, streetscape etc.
- If proposing to connect the system to the Western Power grid, a copy of the agreement between the proponent and the Agency that the system complies with their requirements.

Applications will be referred (for a period of 21-days) to adjoining landowners for comment and consideration in the assessment of the application.

All applications will be subject to conditions as determined by Council

6.3 Compliance with Environmental Protection (Noise) Regulations 1997

Proponents must ensure that the installation, maintenance and operation of a renewable energy system effectively minimises any impacts, particularly visual and/or noise generation and does not exceed the prescribed limits in the *Environmental Protection (Noise) Regulations* or other relevant legislation. If in the opinion of Council, the system or its use is causing nuisance or annoyance to neighbours or owner/occupiers of the land in the vicinity of the approved use, Council may under its planning scheme controls require the system to be modified to remove the nuisance or annoyance.

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TABLE 1: ACCEPTABLE DEVELOPMENT CRITERIA

TYPE	SIZE, SITING & AMENITY	TOTAL HEIGHT	NOISE	SETBACKS
WIND ENERGY SYSTEMS	<ul style="list-style-type: none"> • Is a domestic wind energy system. • Is not located between front of building and street or is within the approved building envelope. • The turbine is fitted with an automatic and/or manual braking system or over speed protection device. • The generator, blades and tower structure shall be made of non-reflective materials or coloured, toned or painted to reduce reflection into adjoining properties. • Electrical components and wiring shall not be visible from adjoining properties or public road etc. • Any system that connects to the electricity or water supply shall comply with the requirements of the relevant government agency. • In the Rural Zone, has a capacity of 5kW or less. 	<p><u>Pole or Tower Mounted:</u> 6m (maximum) in Residential, Special Residential and Landscape Protection Zones; 12m (maximum) in Tourist, Special Rural and Rural Multiple Occupancy Zone; 15m (maximum) in Rural and Industrial Zones.</p> <p><u>Roof Mounted:</u> 3m above roof (maximum)</p>	<p>Comply with <i>Environmental Protection (Noise) Regulations 1997</i>. (Note: In the event of Council receiving neighbourhood noise complaints, the applicant will be responsible for providing evidence from a suitably qualified acoustic consultant to prove the system's compliance with the EP Noise Regulations).</p>	<p><u>Pole or Tower Mounted:</u> To be setback from side and rear boundaries equal to the total height of the system.</p> <p><u>Roof Mounted:</u> To be setback a minimum of 7.5m from any major opening of any building on adjoining properties.</p>
SOLAR ENERGY SYSTEMS – ROOF MOUNTED	<ul style="list-style-type: none"> • Be affixed directly to the roof. • Be positioned to not detract from the building aesthetics or streetscape. • The frame and structure shall be coloured, toned or painted to complement the roof colours of the existing dwelling and/or outbuilding. • Any system that connects to the electricity supply shall comply with the requirements of the relevant government agency. 	n/a	n/a	n/a
SOLAR ENERGY SYSTEMS - SOLAR TRACKING	<ul style="list-style-type: none"> • Is affixed to a purpose-designed tracking structure. • Is designed and positioned to not detract from building and site aesthetics or streetscape. • The frame and structure shall be coloured, toned or painted to complement the colours of the existing dwelling and/or outbuilding. • Any system that connects to the electricity supply shall comply with the requirements of the relevant government agency. 	6m		<p>To be setback from side and rear boundaries equal to the total height of the system.</p>