



Renewable Energy Facility Local Planning Policy

Version 1

<p>Scheme Provisions: LPS #11 3.2 Zoning Table LPS #10 4.1 Zoning and Development Table</p>	<p>Other References: Shire of Northampton Local Planning Scheme No. 10 Shire of Northampton Local Planning Scheme No. 11 Planning and Development Act 2005 Position Statement: Renewable energy facilities(WAPC 2020)</p>	<p>Special considerations: procedural</p>
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RESPONSIBILITY	Chief Executive Officer as per the Delegations Policy and Register.		
ADOPTION	V1 15 September 2023	Advertising	
	V1 17 November 2023	Final Adoption	

1.0 CITATION

This is a local planning policy prepared under the *Planning and Development (Local Planning Schemes) Regulations 2015* and the *Shire of Northampton Local Planning Schemes: No. 10 - Northampton District, and No. 11 - Kalbarri Townsite* ('the Scheme'). It may be cited as the Renewable Energy Facility local planning policy.

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area. In making a determination under the Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with the Scheme.

2.0 OBJECTIVE

- 2.1 Provide guidance around what forms part of the land use definition "Renewable Energy Facility" in regard to resource processing and/or chemical manufacturing developments;
- 2.2 Provide guidance for the development of renewable energy facilities on land controlled under Local Planning Scheme No. 10 and Local Planning Scheme No. 11;
- 2.3 Provide for the protection of the quality of the surrounding landscape and amenity (particularly visual and acoustic amenity) of nearby properties and surrounding areas in the Shire of Northampton, including those areas afforded protection under Special Control Area provisions.
- 2.4 Ensure adequate protection of the region's built and cultural heritage features, including Aboriginal heritage;
- 2.5 Ensure the environmental, landscape, visual and amenity impacts of renewal energy facilities are adequately addressed by minimising disturbance to the environment (including landscape) and loss of public amenity in the establishment, operation, maintenance and decommissioning of the facility;
- 2.6 Ensure consideration of the wider environmental, economic and social impacts and benefits of the proposal for renewable energy.

3.0 POLICY STATEMENT

3.1 Definitions

'Renewable Energy Facility' means premises used to generate energy from a renewable energy source and includes any building or other structure used in, or in connection with, the generation of energy by a renewable resource. It does not include solar panels or a wind turbine located on a lot with a single house where the energy produced only supplies that house or private rural use or anemometers.

'Total height' means the vertical distance from natural ground level to the highest point of a wind turbine system.

'Industry' means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes -

- (a) the storage of goods;
- (b) the work of administration or accounting;
- (c) the selling of goods by wholesale or retail;
- (d) the provision of amenities for employees;
- (e) incidental purposes.

'Social Impact Assessment' (SIA) – includes the processes of analysing, monitoring and managing the intended and unintended social consequences including impact on community wellbeing, both positive and negative, of a land use planning decision to be made in respect of a particular development proposal and any social change process that results from that decision.

‘Social Impact Statement’ ‘(SIS)’ – A statement prepared pursuant to the requirements of the provisions of the SIA Local Planning Policy that provides specific information relevant to the SIA of a proposal and consequential planning decision.

3.2 Application of Policy

- 3.2.1 This Policy applies to the ‘Rural’ zone of Local Planning Schemes 10 and 11, where ‘Renewable Energy Facility’ is listed as an ‘A’ use.
- 3.2.2 This policy does not apply to additional industrial land uses that may be associated with a ‘Renewable Energy Facility’ such as resource processing, chemical manufacture and/or transportation of the end product.

3.3 Policy Measures

The local government shall have regard to the following provisions when assessing proposals or renewable energy facilities.

- 3.3.1 Renewable energy facilities shall be designed in a manner that minimises adverse impacts upon flora and fauna, environmentally sensitive areas, or landscape character and amenity and encourages the use of existing cleared land.
- 3.3.2 Renewable energy facilities should be positioned so as not to significantly impact adjacent properties or the surrounding area in terms of noise, visual or traffic impacts. They should be located at, or as close as possible to, the land use requiring that particular technology.
- 3.3.3 Height restrictions in the LPS10 and LPS11 may be varied where wind energy systems are proposed to allow for these systems to function properly. The height and location of these systems will be determined through preparation of a detailed visual impact assessment, consultation with community and key stakeholders and compliance with relevant planning documents, including Local Planning Schemes No. 10 or 11 where relevant, the objectives of the Zone and the provision of this policy when considering any such height variation.
- 3.3.4 Some locations may have Aboriginal heritage, natural or built heritage significance which may impact site suitability and will require compliance with the relevant statutes.
- 3.3.5 Some locations may have biodiversity and conservation values, such as threatened ecological communities, environmentally sensitive areas and National Parks and will require compliance with the relevant statutes.
- 3.3.6 Setbacks and separation distances should be in keeping with existing Scheme requirements, and also be performance based such that the amenity of the neighbouring properties is maintained, and that development rights are not unduly affected.
- 3.3.7 Applications for wind energy development shall demonstrate the following:
- Wind turbines are to be constructed of non-reflective materials so as to blend the structure with the surrounding environment;
 - Wind turbines shall be separated from any residential or other sensitive premises so as not to result in detrimental visual or amenity impacts;
 - There will be no unacceptable electromagnetic interference to communications installations, radar or air traffic control systems, emergency service communications or other telecommunication systems so as to comply with the relevant statutes.

- Wind turbines in bushfire prone areas shall be assessed in accordance with State Planning Policy 3.7 *Planning in Bushfire Prone Areas*;
- A management plan for visitors may be required if the wind farm is to be accessible or visible to the public detailing additional services for visitor facilities;
- That above-ground redundant plant (including turbines), buildings and associated infrastructure shall be removed, and the site restored to an agreed standard appropriate to its location within twelve months of the plant being decommissioned.

3.3.8 A Social Impact Statement is to be prepared for all development proposals which are subject to this policy. Refer to Local Planning Policy *Social Impact Assessment*.

Table 1: Wind energy systems – Design and locational criteria

Large Renewable Energy Systems	
Zone	Rural Zone
Planning Approval	Required for all proposals.
Development Standards	
Blade Diameter	Unrestricted.
Number of Systems	Unrestricted.
Total Height	Determined on a case-by-case basis.
Noise	Compliance with an approved noise impact study and any applicable statutory noise requirements
Setback	<p>a) Proposals involving development greater than 9 metres will be assessed having regard to the potential impact on the amenity of adjacent land and the locality in general.</p> <p>b) Not withstanding compliance with minimum setback requirements, all applications will be considered having regard to the requirements of clause 67(20) of the Deemed to Apply provisions, including the compatibility of the development with its settings.</p>

Table 2: Solar energy systems – Design and locational criteria

Large Renewable Energy Systems	
Permitted zones	Rural zone
Planning Approval	Required for all proposals.
Setback	In accordance with the Local Planning Scheme setback requirements.

3.5 Application Requirements

- 3.5.1 In addition to standard application requirements as set out in the LPS 10 and LPS11, approval for a Renewable Energy Facility is required to include:
- a) Detailed specifications of the renewable energy system to be installed, including site plans detailing setbacks, access, floor plans and elevation plans for any building structures;
 - b) A visual and landscape management assessment that includes but is not limited to photomontages and artist perspectives in accordance with *Visual Landscape Planning in Western Australia* (WAPC, 2007) that addresses:
 - Landscape significance and sensitivity to change, site earthworks, topography, extent of cut and fill, the extent and type of vegetation, clearing and rehabilitation areas, land use patterns, built form character, public amenity and community values;
 - Likely impact on views including visibility of the facility using view shed analysis and simulations of views from significant viewing locations including residential areas, major scenic drives and lookouts;
 - Layout of the facility including the number, height, scale, spacing, colour, surface reflectivity and design of components, including any ancillary buildings, signage, access roads, power lines, substations and incidental facilities;
 - Details of the likely effects, if any, on the surrounding area including noise spills, light spill, shadow flicker or glare; and
 - Measures proposed to minimise unwanted, unacceptable or adverse visual and noise impacts.
 - c) A Construction Management Plan;
 - d) Preparation of specific environmental assessments, particularly where the proposal may result in potential impacts upon flora and fauna;
 - e) Where the Renewable Energy Facility is located in an area at risk of being affected by coastal hazards, a Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) may be required.
 - f) A Noise impact assessment to be submitted, demonstrating compliance with applicable statutory noise requirements;
 - g) If the facility is to be connected to the electric utility supply, a copy of the commercial agreement between the proponent/applicant and the Agency will be provided to the local government;

- h) A decommissioning and rehabilitation plan should be developed in relation to removal of the facility and include the following:
 - a detailed and costed closure plan with demonstration of funds required to enact the closure to be held in trust;
 - any rehabilitation requirements to be identified and include all above-ground redundant plant (including turbines);
 - buildings and associated infrastructure shall be removed and the site restored to an agreed standard appropriate to its location;
 - include reference to waste management over the operating life of the project.
- i) A detailed Traffic Assessment should be developed in accordance with the Western Australian Planning Commission's *Transport Assessment Guidelines*.

3.6 Advertising and Consultation Requirements

- 3.6.1 In accordance with the Scheme, where a "Renewable Energy Facility" is an 'A' use, applications are required to be advertised for public comment in accordance with cl. 64 of Schedule 2, Part 8 of the 'Deemed Provisions' of the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) prior to being determined.
- 3.6.2 In accordance with the relevant provisions of the LPS Regulations, as a minimum all 'A' applications will be referred to the adjoining/nearby landowners located within buffer distance identified within the Noise Management Plan-
- 3.6.3 Where warranted by wider implications that a large renewable energy facility may have, the local government may refer a development application to adjacent local governments and relevant agencies and community groups for comment.
- 3.6.4 Some locations in the vicinity of airfields and flight paths shall require consultation with relevant government authorities and airport operators to minimise potential impact upon the safety of aircraft and the operation of airfields.