

SHIRE OF DENMARK

~~DRAFT~~ TOWN PLANNING SCHEME POLICY

RAINWATER TANKS, RENEWABLE ENERGY SYSTEMS & GREYWATER RE-USE SYSTEMS

1. INTRODUCTION

The Shire of Denmark has prepared this policy to encourage landowners, developers and builders to incorporate residential rainwater tanks, renewable energy and greywater re-use systems ~~within residential areas~~. This will ~~to~~ achieve a number of environmental benefits including:

- Reduced risk of future water restrictions ~~in the future~~,
- Increased local awareness of water scarcity and sustainable usage,
- Promotes responsible use of water supplies and ~~can~~ reduce ~~the~~ demand on the Water Corporation supply network,
- Promote reduced energy consumption and ~~usage to reduce~~ reliance on the present Western Power supply network ~~which is at capacity~~,
- Encourage waterwise developments through recycling of greywater and other initiatives, and
- Promote an ~~overall~~ increased level of sustainability within the Shire residential areas.

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. ~~The desire to~~ encourage 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 Shire'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~~ create some concern to adjoining property owners ~~local disharmony or disquiet~~, these are only expected in the short-term as ~~people~~ the residents become used to these new systems being implemented over time. For example, the main visual impacts from wind turbines relate to flicker ~~from the blades~~, glint or reflection from the blades, ~~and~~ overshadowing and increased noise generated by the rotors and through mechanical wear as the system ages. ~~The main visual impacts from~~ Solar energy systems can cause ~~relate to~~ reflection from ~~the panels~~ surfaces into adjoining properties. ~~There is also potential noise impacts from the operation of wind energy systems, particularly the movement of the rotors and this will increase over time as the generator becomes aged and mechanical parts wear.~~

2. OBJECTIVES OF THE POLICY

The objectives of the Policy are ~~as follows~~ to:

- 1 Improve the environmentally sustainability of housing and other developments within the Shire by lowering consumers' individual 'carbon footprints'.
- 2 Encourage ~~the~~ installation of rainwater tanks and, renewable energy and greywater re-use systems for within residential developments.

- 3 Ensure that ~~the~~ streetscape and local amenity values of the local area are not adversely affected through unacceptable visual or acoustic impacts from the operation of ~~any~~ renewable energy systems.
- 4 Introduce standards for the siting and development of rainwater tanks and, renewable energy and greywater re-use systems.

3. DEFINITIONS AND APPLICATION OF THE POLICY

3.1 Policy Definitions

For the purpose of this Policy, the following ~~definitions~~ main terms ~~apply~~ are defined:

‘wind energy system’	<i>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 shall <u>includes</u> any equipment used in the activity such as base, blades, generator, <u>pole</u>, tower, transformer, vane, wire, inverter, batteries etc.</i>
‘domestic wind energy system’	<i>shall mean any wind energy system that is used to <u>generate</u> electricity for domestic energy consumption with <u>and has</u> a rated capacity of <u>2.2kW</u> or less <u>and having a blade diameter of 2m or less</u>.</i>
‘solar energy system’	<i>shall mean any equipment that is used to convert and then store and/or transfer energy from the sun into usable energy including electricity, <u>heat</u>, steam or air through the use of solar or photovoltaic panels. The term shall <u>includes</u> any equipment used in the activity such as frame, panels, generator, transformer, inverter, batteries etc.</i>
‘greywater re-use system’	<i>shall mean any equipment designed and used to treat and re-use domestic greywater from a <u>residential</u> dwelling.</i>
‘total height’	<i>shall mean the vertical height from natural ground level to the highest point of the system such as tip of generator blade or <u>highest point of photovoltaic frame/cell</u>.</i>

3.2 Policy Application

This policy applies to all land within the ~~r~~Residential, ~~s~~Special ~~r~~Residential, ~~s~~Special ~~r~~Rural, ~~r~~Rural ~~m~~Multiple ~~o~~Occupancy, ~~l~~Landscape ~~p~~Protection and ~~R~~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. ~~In these cases~~, proposals will also need to comply with ~~the~~ these requirements ~~also~~.

~~Those~~ ~~p~~Proposals that meet ~~achieve compliance with~~ all ~~of~~ the acceptable development provisions below will ~~do~~ not require planning consent approval to be issued by the Shire of Denmark as they are deemed acceptable ~~and satisfy the established criteria set down~~.

~~Those p~~Proposals that do not ~~meet~~achieve all ~~of~~ the acceptable development provisions will require planning consent approval to be issued by the Shire of Demark before the system can be installed. Applicants will be required to submit details to show how the proposal can achieve the objectives of the policy.

~~Whilst~~Though not all rainwater tanks and renewable energy systems require formal approval, the ~~Council~~Shire expects that the proponents will ~~still~~strive to achieve the objectives of the policy.

The use of rainwater tanks for water supplies requires careful management and regular maintenance and upkeep (including cleaning gutters, de-sludging tanks, first flush bypass systems and mosquito control) to ensure that water quality is not affected by environmental and/or health contaminants. The Department of Health has prepared several factsheets on rainwater use including information about collection, storage and disinfection (see 'Water' link at <http://www.public.health.wa.gov.au/>). Proponents are encouraged to use these resources if considering the installation of rainwater tanks for potable water supplies.

4. POLICY

4.1 Acceptable Development Criteria

~~All rainwater tanks, renewable energy and greywater re-use systems which~~Proposals that ~~meet~~achieve all of the acceptable development criteria ~~table below~~ do will not require planning consent to be issued, as they are deemed acceptable.

~~All p~~Proponents must ensure that the installation, maintenance and operation of ~~any~~ renewable energy system ~~is undertaken to ensure that~~effectively minimises any impacts, particularly ~~through~~ visual and/or noise generation ~~are managed effectively~~ and ~~does~~ not exceed the prescribed limits in the *Environmental Protection (Noise) Regulations* or other relevant legislation. ~~In accordance with the planning scheme controls,~~ If in the opinion of Council, the approved 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 ~~and address these concerns.~~

4.2 Conditional Development

Any proposal that does not meet ~~all of~~ the acceptable development criteria is required to obtain planning consent approval before the system can be installed and ~~shall~~will be subject to ~~planning consent approval~~ conditions as determined by the Shire upon application:

ACCEPTABLE DEVELOPMENT CRITERIA				
TYPE	SIZE, SITING & AMENITY	TOTAL HEIGHT	NOISE	SETBACKS
<p>RAINWATER TANK</p> <p><u>The use of rainwater tanks for water supplies requires careful management and regular maintenance and upkeep (including cleaning gutters, de-sludging tanks, first flush bypass systems and mosquito control) to ensure that water quality is not affected by environmental and/or health contaminants.</u></p>	<ul style="list-style-type: none"> Is used in accordance with the Department of Health's standard on water tanks. This includes but is not limited to a 'First Flush Water Diverter' (for detailed information refer: http://www.health.wa.gov.au/home/) see 'Water' link at http://www.public.health.wa.gov.au/). ForIn Residential, Special Rural, Rural Multiple Occupancy, Landscape Protection and Special Rural Zones, has a capacity of less than 45,000l and in the Rural zone has a capacity of less than 200,000l. Is not located between front of building and street. The tank (and any pumping equipment or structure) shall be coloured, toned or painted to complement the colours of the existing dwelling and/or outbuilding. Any runoff from the tank must not overflow onto adjoining properties. 	n/a	n/a	<p>Residential Zone: In accordance with R-Codes.</p> <p>Special Residential, Special Rural, Landscape Protection and Rural Multiple Occupancy Zones: Is within approved building envelope or setbacks.</p> <p>Rural Zones: Is in accordance with setbacks prescribed by Town Planning Scheme No.3.</p>
<p>WIND ENERGY SYSTEMS</p>	<ul style="list-style-type: none"> Is a domestic wind energy system. Has a maximum blade diameter of 2m or less. Is not located between front of building and street and 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 <u>made of non-reflective materials or</u> 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. <u>Any system that connects to the electricity or water supply shall comply with the requirements of the relevant government agency.</u> <u>In the Rural Zone, has a capacity of 5kW or less.</u> 	<p>Pole or Tower Mounted: 6m <u>(maximum) in Residential, Special Residential and Landscape Protection Zones;</u> 12m <u>(maximum) in Tourist and Rural Multiple Occupancy Zone;</u> 15m <u>(maximum) in Rural and Industrial Zones.</u></p> <p>Roof Mounted: 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 tofor providing evidence from a suitably qualified acoustic consultant to prove the system's compliance with the <u>EP #Noise #Regulations</u>).</p>	<p>Pole or Tower Mounted: To be setback from side and rear boundaries setbacks equal to the total height of the system.</p> <p>Roof Mounted: To be setback a minimum of 7.5m from any major opening of any building on adjoining properties.</p>
<p>SOLAR ENERGY SYSTEMS = <u>ROOF MOUNTED</u></p>	<ul style="list-style-type: none"> Be affixed <u>directly</u> to the roof. Be positioned to not detract from the building aesthetics or streetscape. The frame and structure shall be coloured, toned or 	n/a	n/a	n/a

	<p>painted to complement the roof colours of the existing dwelling and/or outbuilding.</p> <ul style="list-style-type: none"> Any system that connects to the electricity supply shall comply with the requirements of the relevant government agency. 			
<u>SOLAR ENERGY SYSTEMS - SOLAR TRACKING</u>	<ul style="list-style-type: none"> <u>Is affixed to a purpose-designed tracking structure.</u> <u>Is designed and positioned to not detract from building and site aesthetics or streetscape.</u> <u>The frame and structure shall be coloured, toned or painted to complement the colours of the existing dwelling and/or outbuilding.</u> <u>Any system that connects to the electricity supply shall comply with the requirements of the relevant government agency.</u> 	<u>6m</u>		<u>To be setback from side and rear boundaries equal to the total height of the system.</u>
GREYWATER RE-USE SYSTEM	<ul style="list-style-type: none"> <u>Is an approved system that is endorsed by the Department of Health for domestic greywater re-use purposes.</u> <u>Is installed and maintained in accordance with the manufacturers recommendations by a licensed plumber and is subject to an annual inspection.</u> Is used for non-potable (not drinking) purposes. 	n/a	n/a	n/a

Note: Rainwater tanks in Tourist, Commercial, Industrial and Professional Office are to comply with Town Planning Scheme No.3 development standards in accordance with Clause 5 of this Policy.

5. APPLICATION REQUIREMENTS

Where a proposal does not meet all of the acceptable development criteria, applicants 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 rainwater tank or renewable energy system design including proposed purpose for the rainwater tank or renewable energy system, capacities/volumes, estimates of water use/savings, ~~and~~ 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 or Water Corporation sewer or water supply networks, a copy of the agreement between the proponent and the Agency that the system complies with their requirements.

~~All a~~ Applications that do not comply fully with the acceptable development criteria will be referred (for a period of 21-days) to adjoining landowners ~~to enable~~for comment to be received prior to the application being considered by the Shire.