

## FLYING MINUTE: Draft Renewable Energy Planning Code Submission

By Kieran McGovern, A/Senior Policy Advisor, Planning

### WALGA RECOMMENDATION

**That State Council endorse the submission to the Department of Planning, Lands and Heritage on the draft Renewable Energy Planning Code, supporting Guidelines and associated regulatory amendments.**

**RESOLUTION 264.FM/2026**

**CARRIED**

### EXECUTIVE SUMMARY

- The Department of Planning, Lands and Heritage is seeking comments on the draft Renewable Energy Planning Code, Guidelines and associated regulatory amendments by 10 April 2026.
- The draft Code proposes a clearer, more consistent assessment framework for renewable energy proposals, aligning with WALGA advocacy.
- The draft Code covers wind farms, but is intended to expand to solar farms, transmission systems and battery energy storage systems.
- The draft Code and Guidelines address key planning issues across 12 elements: safety, noise, single house development potential on non-host lots, landscape, shadow flicker, natural environment, natural hazards, aviation, electromagnetic interference, transport, construction and decommissioning.
- Proposed regulatory amendments would align local planning schemes and classify renewable energy facilities valued at over \$20 million as 'mandatory significant development' requiring determination by the Western Australian Planning Commission (WAPC) under Part 11B of the *Planning and Development Act 2005*.
- The submission generally supports the intent of the draft Code but recommends changes to ensure comprehensiveness and avoid additional risk and cost to Local Governments. The submission does not support mandating these projects under Part 11B and reiterates that community benefits should be mandatory for large-scale projects.
- The Environment Policy Team endorsed the draft submission on 19 March 2026.

### ATTACHMENT

- [Draft Renewable Energy Planning Code - WALGA Submission](#)
- [Draft Renewable Energy Planning Code – Feedback Form](#)
- [Draft Renewable Energy Planning Code and Guidelines](#)
- [Information Sheet - Proposed Amendments to Local Planning Scheme Regulations](#)
- [Information Sheet - Proposed Amendments to Significant Development Regulations](#)

### POLICY IMPLICATIONS

WALGA's proposed advocacy approach is consistent with these WALGA [Advocacy Positions](#):

- 6.1 Planning Principles and Reform
- 6.4 State Development Applications and Decision Making
- 6.16 Energy Transition Engagement and Community Benefit Framework
- 6.17 Renewable Energy Facilities
- 6.18 Priority Agriculture.

## BACKGROUND

In September 2024, WALGA's State Council endorsed three Advocacy Positions to address concerns related to large scale renewable energy projects. Advocacy Position 6.17 Renewable Energy Facilities notes that the existing [WAPC Position Statement: Renewable energy facilities](#) (Position Statement) is inadequate to address these concerns, and calls for changes to the renewable energy state planning framework to ensure it is fit for purpose to guide the ongoing development of this sector.

On 12 December 2025, the State Government released a draft Renewable Energy Planning Code, supporting Guidelines and associated regulatory amendments for public consultation.

The draft Code is a statutory planning instrument that is intended to provide a consistent development assessment framework for renewable energy infrastructure across Western Australia, establishing clear development standards and application requirements.

The initial focus of the Code is on wind farms, but it is intended that it will expand to cover solar farms, transmission systems and battery energy storage systems.

The draft Code and Guidelines addresses 12 planning elements: safety, noise, single house development potential on non-host lots, landscape, shadow flicker, natural environment, natural hazards, aviation, electromagnetic interference, transport, construction and decommissioning.

Amendments are also proposed to the following planning regulations:

- The *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations), to support incorporation of the draft Code into local planning schemes, and introduce standard land-use definitions that will apply to all local planning schemes. These proposed amendments will require development approval for noise-sensitive land uses, including single houses, within the vicinity of existing or approved wind farms.
  - Further consultation on the LPS Regulations amendments will occur once drafted.
- The *Planning and Development (Significant Development) Regulations 2024* (Significant Development Regulations), to classify renewable energy development applications valued at \$20 million or more as mandatory significant developments to be assessed and determined by the WAPC under the State Significant Development Pathway (under Part 11B of the *Planning and Development Act 2005*).

WALGA, with the Department of Planning, Lands and Heritage (DPLH), held two online information sessions on the draft Code on 5 and 9 February 2026 for Local Government officers and Elected Members. 65 officers and Elected Members registered for these sessions.

Consultation on the draft Code and Guidelines closes on 10 April 2026.

## COMMENT

The submission supports the intent and objectives of the draft Code and Guidelines as an important step towards establishing a consistent planning framework for renewable energy development across WA, providing clearer development standards, application requirements, and guidance for applicants, decision makers, and Local Governments.

To ensure all large scale renewable energy projects are captured, the submission recommends that the draft Code be extended to solar farms, transmission systems and battery energy storage systems as a priority.

The draft Code and associated regulation changes will have implications for Local Government resources, including an increased volume of development applications for single houses, management and upgrades of local road networks and the expanded roles for Local Government bushfire brigades. The submission reinforces the importance of establishing mechanisms for Local Government to recover associated expenses, such as regulatory amendments that would allow WA Local Governments to appropriately levy rates on large-scale renewable energy facilities.

The submission recommends that some elements of the draft Code and Guidelines should be reviewed to consider their ongoing implications and costs on Local Governments, in particular:

- Noise;
- Single House Development Potential on Non-Host Lots;
- Natural Hazards (Fire);
- Transport;
- Construction; and
- Decommissioning.

In relation the LPS Regulations, the submission:

- Supports local planning framework provisions which retain the rights of Local Governments to modify or supplement parts of the draft Code through local planning instruments, to enable context appropriate outcomes and reflect the unique characteristics of individual communities.
- Reiterates that Local Governments will require additional support to implement the draft Code and associated regulatory changes effectively, such as the provision of model scheme amendment wording to support consistent integration of the draft Code into local planning schemes across the sector.

In relation to the Significant Development Regulations, the submission does not support renewable energy facilities valued at over \$20 million being 'mandatory significant development' requiring determination by the WAPC under Part 11B of the *Planning and Development Act 2005*. This is consistent with WALGA's position that planning decisions should be informed by the level of government closest to, and most impacted by, a planning proposal.

The draft Code and Guidelines make reference to Landowner and Community Benefit Agreements, stating that community benefit-sharing agreements sit outside the planning system and that proponents are encouraged, but not mandated to provide community benefits.

The submission reiterates WALGA's position that community benefits should be mandated. There are several options that should be examined as potential mechanisms to mandate community benefit-sharing agreements, including (but not limited to) amendments to existing planning or energy legislation or new, standalone legislation.

Consistent with WALGA's advocacy positions, the submission also requests further guidance on protection of rural land for agricultural purposes.

WALGA's submission is accompanied by a detailed response to the DPLH submission form (attached).

The submission has been informed by feedback from the Environment Policy team, information sessions, Local Government feedback, WALGA's advocacy positions and previous submissions, specifically Advocacy Position 6.17 Renewable Energy Facilities and the [Draft Guideline on Community Benefits for Renewable Energy Projects submission](#).

The Environment Policy team endorsed the draft submission at its meeting on 19 March 2026.

### FLYING MINUTE OUTCOME

Poll created: 23/03/2026 at 12:00

Poll closed: 30/03/2026 at 17:00

| Name             | Completed Date   |
|------------------|------------------|
| Chris Antonio    | 28/03/2026 8:29  |
| Phillip Blight   | 29/03/2026 8:44  |
| Laurene Bonza    | 30/03/2026 17:05 |
| Donelle Buegge   | 30/03/2026 15:45 |
| Scott Crosby     | 26/03/2026 18:27 |
| Patrick Hall     | 23/03/2026 17:48 |
| Cate McCullough  | 30/03/2026 13:27 |
| Lewis Hutton     | No response      |
| Paul Kelly       | 23/03/2026 20:58 |
| Terresa Lynes    | 28/03/2026 20:29 |
| Paige McNeil     | 27/03/2026 13:16 |
| Chris Mitchell   | 30/03/2026 14:35 |
| Matthew Niikkula | No response      |
| Les Price        | 24/03/2026 5:59  |
| Helen Sadler     | No response      |
| Robert Schmidt   | 30/03/2026 00:10 |
| Eman Seif        | 30/03/2026 12:58 |
| Audra Smith      | 30/03/2026 15:02 |
| Stephen Strange  | 30/03/2026 13:51 |
| Liz Sudlow       | No response      |
| Mike Walmsley    | 30/03/2026 14:35 |
| Karen Wheatland  | 30/03/2026 18:10 |
| Barry Winmar     | 25/03/2026 22:16 |

**The submission was endorsed.**

*Following State Council feedback, additional commentary has been added in the Noise section regarding introducing noise-related setbacks.*