



Development Application exception for solar panels in heritage conservation areas Guideline

The City of Sydney (City) encourages the sensitive installation of solar panels in heritage conservation areas to protect heritage values.

You do not need development consent to install solar panels in heritage conservation areas if the works are in accordance with this guideline.

Instead of a development application, you must complete the Development Application (DA) Exemption - Heritage Works form to qualify for an exemption.

The City must write back advising you that the requirements of this guideline have been satisfied before any work is carried out.

In June 2019 the City unanimously declared that climate change poses a serious risk to the people of Sydney, and it should be treated as a national emergency.

In October 2020 the City resolved to investigate planning policy changes which encourage greater uptake of sustainable and energy efficient infrastructure for dwellings, by giving due consideration to the principles of the *Climate Emergency Response* balanced with the City's heritage protection measures.

This Guideline supports the installation of solar panels in a way that protects the character of our heritage conservation areas. It does so giving due consideration to the climate emergency and steps required to be taken to contribute to the City's *Climate Emergency Response*.

What are solar panels?

For the purpose of this guideline, solar panels means a photovoltaic electricity generating system and any associated fixings, conduit and other equipment like inverters and batteries but not a hot water tank.

Why is development consent and a DA not required?

Development consent is not required under Clause 5.10(3) of Sydney Local Environmental Plan 2012, if the applicant has notified the consent authority (the City of Sydney Council) of the proposed development (located within a heritage conservation area) and the consent authority has advised the applicant, in writing, before any works are carried out, that it is satisfied that the proposed development is of a minor nature and would not adversely affect the heritage significance of the heritage conservation area.

Works that are consistent with this guideline are deemed to be of a minor nature that will not affect the significance of heritage conservation areas.

Protecting the character of heritage conservation areas

The roofscapes of most conservation areas are very important to their character. The requirements of this guideline ensure that solar panels will not substantially disrupt the form and character of roofs that are visible from the street.

As a general principle, installations on rear roofs are preferred and while installations on front roofs are permitted applicants are encouraged to consider if alternatives are available at the rear.

Version	Date
1	March 2021

01 Where solar panels may be granted an exemption from needing a DA

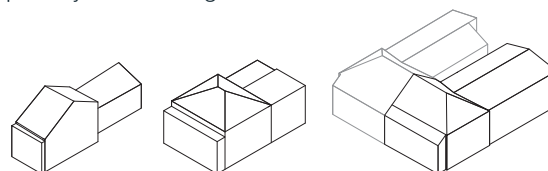
Installation of solar panels and associated equipment within a heritage conservation area may qualify for an exemption **on any building roof** using this guideline **except for**:

- buildings listed as a heritage item that are not individually heritage listed terrace houses (solar panels may be permitted on individually heritage listed terrace houses but not group listed terrace houses), see Sydney Local Environmental Plan 2012 at legislation.nsw.gov.au;
- slate or timber shingled roofs;
- complex *primary street facing roofs* (see Figure 1 and definition below);
- very small *primary street facing roofs* (see Figure 1 and definition below) unless a rectangular grid array of at least 4 solar panels can fit on a roof plane;
- works that require external structural alterations;
- works that require removal of roof elements, such as chimneys, capping, parapet walls; or
- works that do not follow the installation requirements of this guideline.

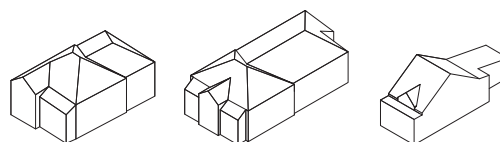
Definition: *primary street facing roofs* are roof planes (and parts of roof planes) that are visible from the primary street, have a slope of more than 15 degrees and are in front of the main ridge of the roof.

Solar panel installations that are not consistent with this guideline may be considered by making a development application.

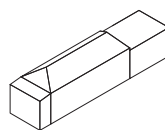
Figure 1: Examples of simple and complex primary street facing roofs



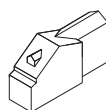
Simple primary street facing roofs – may be exempt



Complex primary street facing roofs – no exemption



Simple but very small primary street facing roof – may be exempt if a rectangular grid array of at least 4 solar panels can fit on the front roof plane



Simple primary street facing roof with a front dormer – may be exempt if solar panels are arranged in a symmetrical pattern (see installation requirements)

Note:

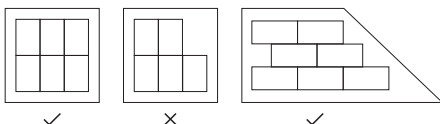
There is a risk that future nearby development will result in overshadowing of solar panels. To minimise this risk, owners are encouraged to check the planning controls that apply to surrounding land when considering where to locate their panels.

02 Installation requirements

On *primary street facing roofs* and parts of side boundary facing roofs that are visible from the primary street:

- Alignment: mount solar panels with one edge parallel to the slope of the roof face (i.e. the panels must not be crooked to the slope of the roof face);
- Projection: solar panels do not extend over the edges of the roof plane and are not located within 300mm of the ridge(s) of the roof;
- Maximum height: solar panels are mounted at the same angle as the roof plane (not propped at a greater angle than the roof) and protrude no more than 250mm above the roof plane;
- Location: solar panels are not located on primary street facing verandah or dormer roofs;
- Visibility: only solar panels and associated fixings and clips are visible from adjacent streets and parks – this means conduit and other equipment like inverters do not protrude from under the panels and that mounting rails are trimmed to the extent of the panels and clips;
- Pattern: solar panels are arranged in orderly rows with consistent offsets from the roof edges (see Figure 2); and
- Pattern: solar panels on roof planes containing parapets, dormer windows, skylights and chimneys must be arranged in a symmetrical pattern on the roof plane.

Figure 2: Solar panel pattern



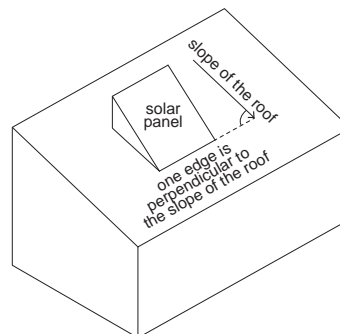
On all other roof planes (including *primary street facing roofs* that have a slope of less than 15 degrees):

- Alignment: mount solar panels with one edge perpendicular to the slope of the roof face (see Figure 3);
- Projection: solar panels do not extend over the edges of the roof plane and are not located within 300mm of the ridge of the roof;
- Maximum height: the solar panels and associated equipment protrude no more than 1.0m from the attached roof plane; and
- Position: if solar panels protrude more than 0.5m from the attached roof plane, they are located at least 1m from any property boundary.

On walls:

- Location: equipment associated with a solar energy system, other than solar panels, may be installed on building walls (for example an inverter);
- Position: where associated equipment is located on a wall facing the primary street it must not cover building features like windows or decorative elements and must be installed neatly; and
- Batteries: must not be installed on a wall facing the primary street but may be installed on the side walls of a front verandah.

Figure 3: Solar panel alignment



Installation requirement notes:

- it is the applicant's responsibility to make sure that all building works are carried out in accordance with any applicable legislation, codes etc. (for example the Building Code of Australia).
- applicants are strongly encouraged to consider providing clear access paths around solar panels to allow for maintenance of the roof. The City recommends applicants provide at least 300mm clearance around the solar panels from boundaries and obstructions like dormer windows.
- there is no limit on how much of the roof may be covered in solar panels except as noted in this guideline.
- applicants are encouraged to use solar panels that have a design that is visually recessive in colour and pattern, particularly where they are visible from the street. For example there are now solar panels available that are entirely dark grey/black with no prominent silver banding patterns.

03 How to complete the exemption form

Insert and provide the following for Part 4 of the *Development Application (DA) Exemption - Heritage Works* form.

Brief description of development proposed

"Install solar panels on the roof. Works are in accordance with the requirements of the *Development Application exception for solar panels in heritage conservation areas – Guideline*."

Existing use of site

"Single residential" or "Not single residential"
[choose whichever is appropriate].

Location of Development within the existing site and / or building

"Front, side or rear roof planes." [choose whichever is appropriate].

Supporting Documentation

[Provide only a scale plan or aerial photograph showing the location and arrangement of the proposed solar panels, noting the angle and maximum height of the panels protruding above the roof plane and location of associated equipment like inverters, meters, etc. Your supplier may be able to provide this for you.]

