



LOCAL PLANNING POLICY

POLICY NO:	LPP 6
POLICY SUBJECT:	CONSTRUCTION OF ADDITIONAL DWELLINGS ON RURAL ZONED LAND
ADOPTION DATE:	18 December 2013
LAST REVIEW:	17 April 2013

OBJECTIVES

The primary objectives are to:

- (a) Ensure that no development or use adversely impacts upon the amenity of the area, upon vistas from public roads and/or primary agricultural functions of land;
- (b) Provide certainty for landowners of the requirements within the Shire by ensuring that all development issues are considered when applying for planning approval and that the rural nature of the Shire is maintained;
- (c) Limit the impact of development by specifying such things as maximum number of additional dwellings;
- (d) Allow sufficient scope for the siting of buildings sympathetic with landscape features, distance from neighbouring properties and roads; and
- (e) Provide guidance to the Shire's officers when considering applications made under these policies.

DEFINITIONS

The following are definitions that may be used as part of this policy in addition to the definitions included in Local Planning Scheme No 6:

"Council" means the elected members of the Shire.

"Dwelling" means a building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family.

"Donga" means a transportable building typically utilised as workers' accommodation throughout the mining industry and/or utilised as site offices and/or has the general appearance of mine site accommodation.

"LPS 6" means Local Planning Scheme No 6.



“**Scheme**” means Local Planning Scheme No 6.

“**Setback**” means the distance from boundaries as defined in Local Planning Scheme No 6.

“**Shire**” means the Shire of Northam.

STATUTORY POWERS

This Local Planning Policy is made pursuant to clause 2.2 of the Shire’s Scheme.

POLICY STATEMENT

On land zoned “Rural”, the Shire may permit the construction of an additional dwelling provided that:

- (a) The lot has an area of not less than 50 hectares;
- (b) The total number of dwelling houses on the lot will not exceed two; and
- (c) Where the second dwelling is to be used for purposes other than rural worker accommodation, the Shire is satisfied that:
 - (i) The additional dwelling is to be occupied only by an owner of the land or a member of the family;
 - (ii) The land does not have a high or very high capacity for agricultural activities;
 - (iii) The lot is capable of accepting a second dwelling by reason of soil type and stability, access to adequate roads and services, drainage, disposal and absorption of effluent and such other matters as shall be deemed appropriate by the Shire in the circumstances of the case.

Notwithstanding subclause (a) above, the Shire may approve a second dwelling on a lot of less than 50 hectares, but not less than 40 hectares, in an area where the Shire is satisfied that the second dwelling is to be used solely for the purposes of worker accommodation.

In considering an application for a second dwelling, the Shire shall have regard for the maintenance and enhancement of the rural landscape and shall take into consideration:

- (a) The location of the second dwelling on the lot;



- (b) Compliance with minimum construction guidelines;
- (c) The type and colour of exterior building materials;
- (d) The requirement for a second dwelling in any area to be located or screened so as not to be visible from a public street or way and are not encroaching on the relevant boundary setbacks; and
- (e) Such other matters as shall be deemed appropriate by the Shire in the circumstances of the case.

In assessing the capability of the land for agricultural activities, the Shire may seek advice from appropriate Authorities and may have regard for land capability studies prepared by such Authorities.

The Shire may refuse its consent or grants its consent with or without conditions.

The grant of consent by the Shire to the erection of a second dwelling does not, in any way, indicate that the Shire considers or will consider the subject land to be suitable for future subdivision.

A third or more dwellings may be permitted on a property where it can be shown and proved to the Shire the development will not be detrimental to the aesthetics to the area. In considering an application for more than two dwellings, the following must be taken into consideration:

- (a) The lot to have an area of 100 hectares or more;
- (b) The dwellings must be so located as to ensure they are not obtrusive and are not encroaching on the relevant boundary setbacks;
- (c) The dwellings should not create “ribbon development” on any road within the Shire or “residential” style development;
- (d) The type of construction and the size of the dwellings;
- (e) Approval to allow more than two dwellings is not a prelude or indication that subdivision would be supported; and
- (f) The accessibility to water and the provision of adequate water supply either by way of supply from a reticulated water supply or tank with at least 90,000 litre storage.

A donga is not an acceptable form of dwelling for the purposes of this Policy and will not be permitted as a second dwelling.