



Shire of Northam
Heritage, Commerce and Lifestyle

LOCAL PLANNING POLICY MANUAL

Local Planning Scheme No. 6

2015

The Local Planning Policy Manual forms part of the Shire of Northam's Policy Manual which is divided into 9 categories. Section 5 is listed below.

Amendments File Reference 2.3.1.2			
Meeting/Review Date	Resolution No	Type	Policy
18/12/2013	C.2190	New	LPP 1 - 15
18/02/2015	C.2382	New	LPP 16
18/03/2015	C.2399	Review	LPP 1
20/05/2015	C.2442	New	LPP 17

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GENERAL PROVISIONS

Relationship of a Policy to Local Planning Scheme No 6 (“the Scheme”)

If a provision of a Local Planning Policy is inconsistent with the Scheme, the Scheme prevails.

A Local Planning Policy is not part of the Scheme and does not bind the Local Government in respect of any application for planning approval but the Local Government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

Note: Local Planning Policies are guidelines used to assist the Local Government in making decisions under the Scheme. Although Local Planning Policies are not part of the Scheme, they must be consistent with, and cannot vary, the intent of the Scheme and the provisions of the Residential Design Codes (“RDC”). In considering an application for planning approval, the Local Government must have due regard to relevant Local Planning Policies.

Requirement for Planning Consent

Determination

All applications for planning consent within the Shire will be assessed against these Policies prior to a decision being made under the provisions of the Scheme.

In determining an application for planning consent, the Shire may:

- (a) Approve the application with conditions; or
- (b) Refuse the application, giving reasons for the refusal.

Planning consent is valid for a period of two (2) years from the date of consent, during which time, the development must be substantially commenced or the consent is extinguished.

Need for a Building Permit

Notwithstanding that planning consent may be granted by the Shire, where an application is proposing the location of a sea container, relocated building and/or the construction of a structure or building, a building permit is required to be sought and issued by the Shire’s building surveyor prior to the construction or the erection/placement commencing including any site works.

Advertising

The Shire may require any application to be advertised in accordance with Clause 9.4 of the Scheme if deemed necessary.

Information to be Supplied with an Application

Applications submitted to the Shire are to be made by completing an Application for Planning Consent form and checklist. The Application for Planning Consent form must be signed by the applicant(s) and the owner(s) of the land. To enable timely determination of the application, the following information must be provided:

Development Applications for the Construction of a Structure or Building

- (a) A cover letter with a description of the development such as oversize or over height outbuilding, metal clad dwelling, relocated dwelling, reduced setbacks to building, what the structure is proposed to be used for etc;
- (b) Accurate details of dimensions of the proposed development in square metres including floor area, roof area, wall height, wall length, ridge height etc;
- (c) Details of the construction and cladding material to be used for roof and walls, including colour etc;
- (d) Three (3) copies of a **SCALED** (1:100, 1:200 or 1:500) site plan of the property showing distance of the proposed development from property boundaries, existing structures and effluent disposal systems;
- (e) Three (3) copies of **SCALED** elevations of all sides of the development, showing height of the wall and roof ridge measured from natural ground level;
- (f) Three (3) copies of **SCALED** floor plan(s) of the proposed development;
- (g) Details of any trees to be removed to allow construction of the development;
- (h) Details of any existing or proposed crossover, verge treatment and/or traffic control devices within the vicinity of the development;
- (i) Details of drainage management for the development; and
- (j) Any other information the Shire may reasonably require to enable the application to be considered by the Shire of Northam.

The information listed above is also listed in the application Checklist issued with each application for planning approval.

All Other Applications for the usage of land such as Home Occupations, Change of Use, Rural Pursuit, Animal Establishment etc

- (a) A cover letter to include a detailed description of the use proposed, construction of any buildings or structures, existing uses, proposed motor vehicles etc;
- (b) If a structure or building is proposed to be constructed as part of the use proposed the following information is required to be submitted with the application: Accurate **SCALED** details of dimensions of any proposed development including floor area, roof area, wall height, wall length, ridge height etc;
 - i. Details of the construction and cladding material to be used for roof and walls, including colour etc;
 - ii. Three (3) copies of **SCALED** elevations of all sides of the development, showing height of the wall and roof ridge measured from natural ground level; and
 - iii. Three (3) copies of **SCALED** floor plan(s) of the proposed development.
 - iv. Three (3) copies of **SCALED** (1:100, 1:200 or 1:500) site plan of the property showing distance of the proposed development from property boundaries, existing structures and effluent disposal systems;
- (c) Details of any trees to be removed to allow for the commencement of the use or for the construction of any associated development; and
- (d) Any other information the Shire may reasonably require to enable the application to be determined.

Failure to provide the information requested above will result in the application for planning approval being returned to the applicant as incomplete.

Fees

The fees payable for applications under these policies are set by the Shire each year in accordance with its budgetary process and in accordance with the *Planning and Development Regulations 2009*.

Should an application for planning approval be returned to the applicant as incomplete to due lack of information provided, all fees paid to the Shire will be forfeited.

Variation of Requirements and Standards

If the Shire is satisfied that a requirement or standard specified in or arising out of this or any succeeding clause of this text is unreasonable or undesirable in the

circumstances of a particular case, the Shire may, at its discretion, permit a variation from that requirement or standard for the purpose of that case subject to such conditions as it thinks fit.

Before permitting a variation from any requirement or standard, the Shire may require that the owner and/or developer enter into a legal agreement with the Shire to use or develop the building or land in a particular manner and, in case of a breach of the legal agreement or of any conditions imposed by the Shire, in addition to any other remedies open to the Shire in respect of such breach, the Shire may enforce the requirements of the Scheme as to any requirement or standard varied.

The Shire shall not, in any event, vary a requirement or standard, unless it has been requested to do so by an applicant in connection with a proposal to commence or carry out development.

Delegated Authority

The Executive Manager, Development Services has delegated authority to approve applications which do not comply with any local planning policy subject to no objections being received from adjoining landowners upon completion of an advertising period as prescribed under Clause 9.4 of the Scheme.

Should objections be received from adjoining landowners, the application shall be presented to Council for determination.

LPP 1 - OUTBUILDINGS

POLICY NO:	LPP 1
POLICY SUBJECT:	OUTBUILDINGS
ADOPTION DATE:	18 December 2013
LAST REVIEW:	18 March 2015

OBJECTIVES

The primary objectives are to:

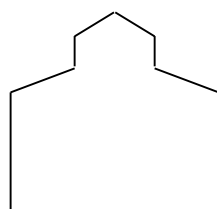
- (a) Ensure that no outbuilding adversely impacts upon the amenity of the area or upon vistas from public roads;
- (b) Provide certainty for landowners of the requirements within the Shire and guidance to the Shire's officers by ensuring that all development issues are considered when applying for planning approval and that the rural nature of the Shire is maintained;
- (c) Limit the impact of outbuildings by specifying such things as maximum floor/roof areas, wall heights, ridge heights, location, material colour and landscaping and natural screening;
- (d) Allow sufficient scope for the siting of outbuildings sympathetic with landscape features, distance from neighbouring properties and roads;
- (e) Ensure that constructed outbuildings are not utilised for unapproved purposes.

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:

“Attached” means that a structure is structurally joined or joined at the roof to another structure.

“Barn” means the same as an outbuilding, however, has a profile similar to the included diagram.



“Building Envelope” means an area of land within a lot marked on a plan approved by the responsible authority within which all buildings and effluent disposal facilities on the lot must be contained.

“Carport” means a roofed structure designed to accommodate one or more motor vehicles unenclosed except to the extent that it abuts a dwelling or a property boundary on one side, and being without a door unless that door is visually permeable. Carports that are included under the main roof of the residence are not subject to this policy.

“Combined Floor Area of Outbuildings” for the purpose of this policy is the total floor area of all of the outbuildings located on the subject land.

“Combined Roof Area of Outbuildings” for the purpose of this policy is the total roof area of all outbuildings located on the subject land.

“Council” means the elected members of the Shire.

“Detached” means that no part of a structure is joined to any part of another structure.

“Development” shall have the same meaning given to it in the Planning and Development Act 2005.

“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.

“Earthworks” means the movement of earth on land which is carried out in conjunction with the construction of a structure or independently and exceeds 0.5m in height at any given point.

“Enclosed” means an area bound on three or more sides by a permanent wall and covered in a water impermeable material.

“Floor Area” shall have the same meaning given to it in and for the purposes of the Building Code of Australia published by the Australian Building Codes Board.

“Garage” Any enclosed roofed structure, other than a **carport**, designed to accommodate one or more motor vehicles provided for the sole use of the dwelling and designed to be integrated with the dwelling. Garages that are included under the main roof of the residence are not subject to this policy.

“Garden Shed” means a prefabricated steel structure with a maximum floor area of 12.25m², a maximum wall height of 1.8m and a maximum ridge height of 2.1m.

“Integrated” means that a garage or outbuilding is constructed of similar roof pitch, colours, materials and design in reference to the existing dwelling’s roof pitch, colours, materials and design.

“Lean To” means a structure with a single sloping roof that is structurally attached to an existing building. Lean to’s that are attached to an outbuilding are subject to this policy.

“LPS 6” means Local Planning Scheme No 6.

“Outbuilding” has the same meaning given to it in the Residential Design Codes and is also a structure used for the housing/storage of machinery or household items which may be provided with power and water and incorporates such structures as sheds and barns and includes detached garages and carports. An outbuilding also means a Class 10A building as defined by the Building Code of Australia, which class 10 refers to a “non-habitable” building.

“Patio” has the same meaning given to it in the Residential Design Codes and is an unenclosed structure covered in a water impermeable material which may or may not be attached to a dwelling. Patios that are attached to the dwelling are not subject to this policy.

“Residential Design Codes” or **“RDC”** means State Planning Policy 3.1 issued by the Department of Planning.

“Ridge Height” means the maximum vertical distance between the finished floor level and the finished roof height directly above.

“Scheme” means Local Planning Scheme No 6.

“Second Hand Materials” means any construction materials that have previously been used in the construction of any other structure.

“Setback” means the distance from boundaries as defined in Local Planning Scheme No 6 or the Residential Design Codes.

“Shed” means, for the purposes of the Scheme, a structure with a floor area of greater than 12.25m² used for the housing / storage of machinery or household items which may be provided with power and water but does not have any ablution facilities and does not include garden sheds and carports. A shed also means a Class 10A building as defined by the Building Code of Australia, which class refers to a “non-habitable” building.

“Shire” means the Shire of Northam.

“Substantially Commenced” means the commencement of the approved development either by way of undertaking associated earthworks, construction,

placement or otherwise of the approved development to a minimum of one third complete.

“Wall Height” means the maximum vertical distance between the finished floor level and the finished wall height directly above.

STATUTORY POWERS

This Local Planning Policy is made pursuant to clause 2.2 of the Shire’s Local Planning Scheme No 6.

POLICY STATEMENT

Application

The policy applies to all outbuildings, detached patios, carports and garages on private property located within the Shire of Northam.

General Requirements

Planning approval is required for any outbuilding that does not meet the requirements of this Policy or is not considered as ‘Permitted Development’ in accordance with section 8.2 of Local Planning Scheme No 6.

Location of Outbuilding

Within the “Residential”, “Rural Residential”, “Rural Smallholdings” and “Rural” (under 40ha) zones, outbuildings other than a carport will not be supported in the area between the house and the front boundary of the property without planning approval from the Shire.

Setback Requirements

Where a building envelope has been allocated, all development involving the construction of a structure must be erected within the confines of the building envelope. Development is not permitted to be erected outside of a building envelope. Building envelopes may be modified subject to planning approval being granted by the Shire.

Where no building envelope has been nominated on the lot, all development shall be subject to the appropriate setback requirements to the external face of a wall of the development. Table 1 outlines the minimum setback requirements below as specified in Local Planning Scheme No.6 (LPS6).

Table 1 - Minimum Setbacks to Outbuildings

Zone	Setback From	Minimum Distance
Residential	Front Boundary Side/Rear Boundaries	As per RDC, refer to Location and Parapet Walls in Residential Zone
Rural Residential	Front Boundary Side Boundary Rear Boundary	As per LPS 6: 15m 10m 10m
Rural Smallholdings	Front Boundary Side Boundary Rear Boundary	As per LPS 6: 25m 20m 20m
Rural	Front Boundary Side Boundary Rear Boundary	As per LPS 6: 25m 20m 20m

Parapet Walls in Residential Zone

Parapet walls can be supported for outbuildings constructed on the side or rear property boundary only:

- (a) On land with a residential density code of “R15” or higher;
- (b) When the written support of the owner(s) of the adjacent property on whose boundary the parapet is to be placed has been obtained;
- (c) With a maximum length of 6m and height of 3m from finished floor level; and
- (d) In accordance with the Design Principles of the RDC for Boundary Walls.

Parapet walls are to be designed to the Building Codes of Australia standards for fire protection, to the satisfaction of the Shire and in consultation with the adjoining landowner.

Cladding Materials and Design Requirements

Within the “Residential”, “Rural Residential” and “Rural Smallholding” zones non-painted steel wall cladding will only be supported for use on outbuildings with a floor area of or less than 12.25m² and where the Shire’s officers are satisfied that reflection will not cause undue impact to neighbouring properties or passing road traffic.

Within the “Rural” zone, non-painted steel wall cladding will only be supported for use on outbuildings where the lot is over 40ha and where the Shire’s officers are satisfied that reflection will not cause undue impact to neighbouring properties or passing road traffic.

For all outbuildings in the “Residential”, “Rural Residential”, “Rural Smallholding” and “Rural” zones, non-painted custom-orn or similar roofing will only be supported where the Shire’s officers are satisfied that reflection will not cause undue impact to neighbouring properties or passing road traffic.

The Shire will support the use of factory applied painted steel wall and roof cladding in a colour that is sympathetic to the surroundings and colour scheme of the dwelling.

Where masonry construction is to be employed, the wall and roof colour and appearance of any outbuilding should be complementary to the design and construction of the dwelling.

The use of second hand materials will only be approved where all materials have been inspected and deemed appropriate by an officer of the Shire prior to construction and an application being approved. The materials are to have an “as new” appearance. The applicant is to comply with any conditions placed upon the use of the materials as outlined in the approval within 30 days of construction commencing.

In the “Residential” zone, barn style outbuildings will not be permitted.

Maximum Combined Floor Area

The maximum floor area is construed to mean the combined floor area of any existing outbuildings on the lot together with any proposed outbuildings yet to be constructed on the lot.

Table 2 outlines the maximum floor area allowable under this policy in each zone.

Table 2 - Maximum Floor Areas

Zone	Maximum Floor Area (combined)
Residential R20 - R40	80m ² or 10% of the site area whichever is the lesser
Residential R10-R15	80m ²
Residential R5	90m ²
Residential R2.5	120m ²
Rural Residential	200m ²
Rural Smallholdings	300m ²
Rural (8ha and under)	300m ²
Rural (over 8ha up to and including 40ha)	500m ²
Rural (over 40ha up to and including 100ha)	1,000m ²
Rural (over 100ha)	Assessed on a Case by Case Basis

In addition to the maximum aggregate floor area permitted for outbuildings, a detached garage or carport up to 40m² in area is permitted provided that there is no garage incorporated under the main roof of the dwelling.

Note that lean-tos attached to an outbuilding are considered to be a part of the outbuilding and therefore the total floor area is included in the aggregate outbuilding floor area calculation.

Maximum Wall and Ridge Heights

The maximum wall height from Finished Floor Level for outbuildings shall be as outlined in Table 3.

Table 3 - Maximum Wall and Ridge Heights

Zone	Wall Height	Ridge Height
Residential	3.5m	4.5m
Rural Residential	4m	5m
Rural Smallholdings	4.5m	5.5m
Rural (8ha and under)	4.5m	5.5m
Rural (over 8ha up to and including 40ha)	5m	5.5m
Rural (over 40ha up to and including 100ha)	5m	6m
Rural (over 100ha)	Assess on Individual Merit	Assess on Individual Merit

Construction Restrictions

Construction of Outbuildings on Land Without a Constructed Dwelling

The construction of an outbuilding on vacant land within the “Residential”, “Rural Residential” and “Rural Smallholding” zones under this Policy will not be permitted without a building permit for the construction of a dwelling having been approved by the Shire’s Building Surveyor and the dwelling having been substantially commenced.

Alternatively, if the applicant/landowner can provide the proof of financial commitment eg: a contract entered into between a builder (providing construction of a dwelling) and the applicant together with a deposit paid as well as financial evidence to demonstrate capability to pay for completion of a dwelling, the Shire may issue planning approval for the construction of an outbuilding prior to the issue of a building permit for the construction of a dwelling. This provision does not apply to property zoned “Residential”.

In the “Rural” zone, the construction of an outbuilding on vacant land which is under 40ha will not be permitted without a building permit for the construction of a dwelling having been received, approved by the Shire’s building surveyor and the dwelling having been substantially commenced.

Construction of the dwelling for which a building permit has been approved by the Shire's Building Surveyor must commence within twelve (12) months and completed and occupied within two (2) years of the date of issue of a building permit of an outbuilding. Should the dwelling fail to be completed within two (2) years without satisfactory justification, the Shire will require the removal of the outbuilding.

Construction of an outbuilding in a "Residential" or "Rural Residential" zone may be permitted under this Policy if the subject vacant land adjoins land which consists of a dwelling and is owned by the applicant. Amalgamation of the lots may be required by the Shire.

Accommodation in Outbuildings

Outbuildings shall not be approved for permanent occupation, tourist accommodation or commercial purposes with the exception of a home based business or cottage industry or other use(s) as approved by the Shire via an application for planning consent or an amendment to the Scheme.

Temporary Accommodation in Outbuildings Whilst Constructing a Dwelling

Outbuildings may be approved by the Shire's Environmental Health Officer for temporary accommodation whilst constructing a dwelling subject to the land being located within the "Rural Smallholdings", "Rural Residential" or "Rural" zone, compliance with Council's policy for temporary accommodation and obtaining approval from the Shire's Building Surveyor and Environmental Health Officer for the use of an outbuilding for temporary accommodation.

Upon completion and occupation of a dwelling, the outbuilding previously approved for temporary accommodation may only be used as a Class 10A building as defined in the Building Codes of Australia. Further, the Shire may request the removal of the installed facilities in the outbuilding.

Carports, Garages and Garden Sheds

Detached Carports and Garages

Carports and garages not incorporated under the main roof of the residence are subject to the relevant requirements outlined in this Policy. Detached garages must be enclosed and designed to accommodate motor vehicles provided for the sole use of the dwelling. The appearance of the garage or carport must reflect the materials of the dwelling in terms of roof pitch, colour and wall cladding and designed to be integrated with the dwelling. Front setbacks for carports and garages will be assessed in accordance with the requirements of the RDC and the provisions of this Policy.

Carports and garages that are incorporated under the main roof of the residence are not subject to this policy and will be assessed under the relevant requirements relating to the dwelling contained in the RDC.

In addition to the maximum aggregate floor area permitted for outbuildings, a detached garage or carport up to 40m² in area is permitted provided that there is no garage incorporated under the main roof of the dwelling.

Garden Sheds

No planning approval is required for one (1) prefabricated garden shed of or less than 12.25m² in floor area with a wall height of or less than 1.8m and a ridge height of or less than 2.1m per "Residential" or "Rural Residential" lot.

No planning approval is required for up to two (2) prefabricated garden shed of or less than 12.25m² in floor area with a wall height of or less than 1.8m and a ridge height of or less than 2.1m per "Rural Smallholdings" or "Rural" lot.

LPP 2 - SITE CONSTRUCTION, GENERAL DEVELOPMENT AND SUBDIVISION GUIDELINES

POLICY NO:	LPP 2
POLICY SUBJECT:	SITE CONSTRUCTION, GENERAL DEVELOPMENT AND SUBDIVISION GUIDELINES
ADOPTION DATE:	18 December 2013
LAST REVIEW:	17 April 2013

OBJECTIVES

The primary objectives are to:

- (a) Ensure that no development adversely impacts upon the amenity of the area or upon vistas from public roads;
- (b) Provide certainty for landowners of the requirements within the Shire and guidance to the Shire's officers by ensuring that all development issues are considered when applying for planning approval and that the rural nature of the Shire is maintained; and
- (c) Limit the impact of development by specifying general guidelines for development and site works.

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:

“Building Envelope” means an area of land within a lot marked on a plan approved by the responsible authority within which all buildings and effluent disposal facilities on the lot must be contained.

“Carport” means a roofed structure designed to accommodate one or more motor vehicles unenclosed except to the extent that it abuts a dwelling or a property boundary on one side, and being without a door unless that door is visually permeable.

“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.

“Garage” means any roofed structure, other than a carport, designed to accommodate one or more motor vehicles and attached to the dwelling or where not attached,

provided for the sole use of the dwelling. Garages that are included under the main roof of the residence are not subject to this policy.

“Earthworks” means the movement of earth on land which is carried out in conjunction with the construction of a structure or independently and exceeds 0.5m in height at any given point.

“LPS 6” means Local Planning Scheme No 6.

“Outbuilding” has the same meaning given to it in the Residential Design Codes and is also a structure used for the housing/storage of machinery or household items which may be provided with power and water and incorporates such structures as sheds, garages and barns. An outbuilding also means a Class 10A building as defined by the Building Code of Australia, which class 10 refers to a “non-habitable” building.

“Residential Design Codes” or **“RDC”** means State Planning Policy 3.1 issued by the Department of Planning.

“Scheme” means Local Planning Scheme No 6.

“Second Hand Materials” means any construction materials that have previously been used in the construction of any other structure.

“Setback” means the distance from boundaries as defined in LPS 6 or the RDC.

“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

General Development Guidelines

All buildings in the “Rural Residential”, “Rural Smallholdings” and “Rural” zones intended for use as a residential dwelling, except those occupied on a temporary basis, must provide for the catchment and storage of at least 92,000 litres of water unless it can be shown that the residence can be connected to and supplied from an existing reticulated water supply or to an alternative supply of potable water.

No building shall be so constructed, finished or left unfinished so that its external appearance would, in the opinion of the Shire, create glare or in any other way whatsoever significantly detract from the amenity of the locality. All premises shall be so used and maintained so as to preserve the local amenity to the satisfaction of the Shire.

The roof of carports and garages are to be of the same materials and, where possible, pitch as the roof of the dwelling.

Dwellings are encouraged to be designed and oriented to the North, address all available street and parkland frontages, and East and West facing windows be protected with wide eaves.

In all cases where earthworks and retaining are to be “by owner”, a separate building permit shall be required to be applied for by the owner and issued to the owner simultaneously with the builder being issued with a building permit to construct the dwelling. An application for planning approval will be required in addition to a building permit if earthworks are undertaken prior to building approval.

Setbacks for Residential Buildings

Setbacks in the “Residential” Zone shall comply with the provisions of the RDC. Unless otherwise provided for in the Scheme, the development of land for any of the residential purposes dealt with by the RDC is to conform to the provisions of those Codes.

Setbacks in the “Rural”, “Rural Smallholdings” and “Rural Residential” zones for all buildings shall comply with the provisions of Clause 5.5 of the Scheme, which requires that the minimum setback for any building to be in accordance with the below table.

Table 4 – Setbacks for Residential Buildings

Zone	Setback From	Minimum Distance
Rural Residential	Front	15m
	Side	10m
	Rear	10m
Rural Smallholdings	Front	25m
	Side	20m
	Rear	20m
Rural	Front	25m
	Side	20m
	Rear	20m

Building Materials

Where a residential dwelling is proposed to be clad in factory applied, non reflective painted steel or non-painted steel, an application for planning approval will be required to be lodged with the Shire. Non-painted steel is not permitted as a wall cladding material.

Minimum Roof Pitch

All residential dwellings shall have a minimum roof pitch of 15 degrees unless otherwise approved by the Shire.

Building On Boundaries

When buildings on boundaries comply with the acceptable development requirements of the RDC, applicants shall have plans signed by affected neighbours, prior to submission of a building permit application, certifying that the neighbour has been consulted and has no objection to the proposed wall on the common boundary.

Where applicants seek the Shire's determination of a building on a boundary under the performance criteria of the RDC, an application for planning approval shall be submitted for determination by the Shire, prior to a building licence application being made.

Should a planning application be received, the Shire will consult affected neighbours to comment on any building proposed on a boundary in all cases where their agreement has not been submitted with the application for planning approval. If the neighbour objects, the builder, the owner and the objector will be requested to negotiate a mutually acceptable outcome, and submit an amended proposal if necessary, prior to the Shire determining the application.

When there is a dispute between the neighbour and applicant about the wall facing the neighbour's property, the wall shall be finished to the satisfaction of the Shire.

Car Parking In Residential, Rural Residential and Rural Smallholdings Zones

In the "Residential" zone, carparking shall comply with the provisions of the RDC.

In the "Rural Residential" and "Rural Smallholdings" zones, designated carparking facilities shall be provided either by a carport attached or detached from the dwelling or contained within an outbuilding or garage unless otherwise approved by the Shire.

Earthworks, Retaining Walls and Fencing

If earthworks are not being undertaken as a component of the building permit then separate planning approval for earthworks are to be obtained. Earthworks should be contained within the setbacks applicable to each lot or within the designated building envelope (if applicable).

Any earthworks or retaining walls, whether proposed separately or under a building permit, in the "Rural Residential" or "Rural Smallholdings" zones that exceed 1000mm in height will be required to be submitted to the Shire for approval.

All fencing, including privacy and screen fencing shall comply with the Shire's Fencing Local Laws and the Dividing Fences Act. The Shire encourages residents to maintain street verges outside their homes in accordance with Shire Policy.

In the interests of streetscape amenity, the Shire will require fences along street frontages and forward of the building line within the Residential zone to be limited to a height of 1200mm.

The Shire may permit fences above the height specified above provided they do not exceed a height of 1800mm and are visually permeable above 1200mm to provide a clear view between buildings and the street.

Grouped Dwellings

The Shire has powers under the provisions of Clause 5.3 of the Scheme to permit development at the higher density for those lots designated as dual coded. Density bonuses will be considered in dual coded areas where the proposed developments:

- (a) Are designed for aged persons' accommodation, or provide a variety of housing types for an identified market;
- (b) Are connected to the Water Corporation's sewerage system;
- (c) Justify the density bonus through good quality and innovative design; and
- (d) Are located outside of SCA-1 Avon and Mortlock River Special Control Area.

A density bonus may be allowed subject to compliance with provisions of the RDC and the Shire's design guidelines.

Use Of Second Hand Materials

The use of second hand building materials are generally not supported within the "Residential", "Rural Residential", "Rural Smallholdings", "Tourist", "Mixed Use" and "Commercial" zones and require the specific approval of the Shire of Northam.

The use of second hand material within the "General Industry", "Light and Service Industry" and "Rural" zones may be considered by the Shire providing the following criteria are met:

- (a) The location of the development proposed to utilise second hand material is not visually prominent and is not easily seen from a public road;
- (b) All materials must be near new in appearance and be free of rust, damage and be of the same colour or finish;
- (c) All cladding is to be of the same profile and colour. If the same colour can not be achieved or the colours have significantly faded then the cladding is to be painted to the satisfaction of the Shire;

- (d) As a component of the building permit application the Shire's Building Surveyor will inspect the materials prior to any approval being granted.

Setback Of Smaller Lots Within The Rural Zone

For those lots less than 6,000m² that are located within the "Rural" zone the setbacks shall be as provided for in the RDC (refer to Tables 1 & 2 of RDC) corresponding to the applicable lot size the subject of the application.

Development On Land Identified As Possibly Having Unexploded Ordnance

Any application for development proposal or subdivision in an area which may be considered a high danger area for unexploded ordnance, the following conditions over and above determined conditions will apply:

- (a) The area to be searched by the Western Australian Police Force (UXO) Branch and clearance given;
- (b) The purchasers of blocks within a proposed subdivision are to be made aware of the history of the land and the likelihood of unexploded ordnance;
- (c) A restricted covenant being placed on the title explaining the area may be subject to unexploded ordnance; and
- (d) Statutory Declaration from the land owner, both current and future, that a restricted covenant placed on the land recognises the implications of the restricted covenant and that it is understood.

Battleaxe Subdivision

Rural, Rural Residential and Rural Smallholding Zones

Extensive use of the battleaxe configuration in the subdivision of new or broad acre areas is not favoured. Proposed battleaxe subdivision of lots shall be recommended for refusal on the following grounds:

- (a) Creation of this type of subdivision results in not being able to provide for two-way access and egress to residents and emergency services;
- (b) Creation of long battleaxe legs in areas with particular physical or topographical constraints is inappropriate; and / or
- (c) Not be used within areas that are bush fire prone areas.

In any event, should the WAPC approve a battleaxe subdivision which the Shire has not supported, the Shire shall, as a minimum, require a 6 metre wide sealed and

drained access leg with truncation at the front property boundary to allow for access sightlines.

Additionally, it is important to note that any refusals for battleaxe subdivision will be provided with the Shire's advisory comments.

LPP 3 - NEW TRANSPORTABLE, RELOCATED AND SECOND HAND DWELLINGS

POLICY NO:	LPP 3
POLICY SUBJECT:	NEW TRANSPORTABLE, RELOCATED AND SECOND HAND DWELLINGS
ADOPTION DATE:	18 December 2013
LAST REVIEW:	17 April 2013

OBJECTIVES

The primary objectives are to:

- (a) Ensure that no development adversely impacts upon the amenity of the area or upon vistas from public roads;
- (b) Provide certainty for landowners of the requirements within the Shire and guidance to the Shire's officers 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 general guidelines for new transportable, relocated and second hand dwellings; and
- (d) To promote high quality sustainable housing within the Shire of Northam.

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:

“Building Envelope” means an area of land within a lot marked on a plan approved by the responsible authority within which all buildings and effluent disposal facilities on the lot must be contained.

“Carport” means a roofed structure designed to accommodate one or more motor vehicles unenclosed except to the extent that it abuts a dwelling or a property boundary on one side, and being without a door unless that door is visually permeable.

“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.

“Garage” means any roofed structure, other than a carport, designed to accommodate one or more motor vehicles and attached to the dwelling or where not attached, provided for the sole use of the dwelling.

“Earthworks” means the movement of earth on land which is carried out in conjunction with the construction of a structure or independently and exceeds 0.5m in height at any given point.

“LPS 6” means Local Planning Scheme No 6.

“Outbuilding” has the same meaning given to it in the Residential Design Codes and is also a structure used for the housing/storage of machinery or household items which may be provided with power and water and incorporates such structures as sheds, garages and barns. An outbuilding also means a Class 10A building as defined by the Building Code of Australia, which class 10 refers to a “non-habitable” building.

“Residential Design Codes” or **“RDC”** means State Planning Policy 3.1 issued by the Department of Planning.

“Scheme” means Local Planning Scheme No 6.

“Second Hand Materials” means any construction materials that have previously been used in the construction of any other structure.

“Second Hand Relocated Dwelling” means a dwelling which has previously been located on another site other than on the lot upon which it is to be placed, has previously been used for human habitation and includes a skid mounted transportable unit, donga and/or a light weight prefabricated building.

“Setback” means the distance from boundaries as defined in the Scheme or the RDC.

“Shire” means the Shire of Northam.

“Transportable Dwelling” means any dwelling which is designed and constructed to be transported in one or more parts from its place of construction to its intended location and has not previously been utilised for human habitation or located or erected on a land parcel, other than its construction origin, prior to application.

STATUTORY POWERS

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

POLICY STATEMENT

Transportable Dwellings

All new purpose built transportable dwellings under 100m² require planning approval.

No Planning Application is required for new purpose built transportable dwellings, if not constructed of sea containers or dongas, are over 100m² in size and if all other planning considerations are met.

The Shire considers that the location of a new transportable building (consisting of dongas or sea containers) can be detrimental to the amenity of the area in which it is located. The Shire does not support this form of construction.

The location of new transportable dwellings constructed of dongas is not supported in the “Residential”, “Rural Residential”, “Rural Smallholdings”, “Rural” (under 40ha) and “Development” zones.

The Shire will consider Planning Applications on their merits for new transportable buildings, including those constructed of dongas, in the “Rural” (over 40ha) zone. In considering whether or not to grant planning approval for a transportable building, the Shire shall have regard to, but not be limited to, the Policy provisions and objectives and Clause 10.2 of LPS 6.

Design Criteria for New Transportable Dwellings

All transportable dwellings:

- (a) shall be designed to reflect the existing character of development surrounding the subject site;
- (b) shall have a minimum roof pitch of 15° if the majority of the surrounding dwellings are of similar design;
- (c) shall have cladding of materials to the satisfaction of the Shire. Finishes such as brick vaneer, hardiplank sheets, spray render and factory painted steel are acceptable materials. Other finishes will require consideration by the Shire.
- (d) where deemed necessary by the Shire, verandah(s), carports and/or painting/recladding shall be undertaken to enhance the dwelling;
- (e) where deemed necessary by the Shire, landscaping shall be undertaken around the dwelling;
- (f) where the Shire requests any work to be carried out to enhance the appearance of the building and/or its surrounds, it may seek the payment of a bond/bank guarantee to ensure that such works are completed; and

- (g) within 8 weeks of the building being located on the approved site, an Officer of the Shire will carry out a final inspection to ensure that all the conditions of approval have been complied with. If these have not been met, then the Shire may consider issuing an order to have the building removed from the site.

Relocated Dwellings (Second Hand Dwellings)

Application for Planning Approval under the Scheme shall be a prerequisite to a building permit for relocated (second hand) dwellings. The application is to be accompanied by plans, photographs of each elevation and a report of the condition of the dwelling to be relocated.

When considering applications for planning approval, particular attention will be paid to the impact of relocating a dwelling on the amenity of the area, and the extent to which similar housing exists. This emphasis is in addition to all other matters the Shire is to consider under Clause 10.2 of the Scheme.

Second hand dongas will not be supported for relocation within the “Residential”, “Rural Residential”, “Rural Smallholdings”, “Rural” (under 40ha) and/or “Development” Zones.

The Shire will consider Planning Applications on their merits for second hand transportable buildings, including those constructed of dongas, in the “Rural” (over 40ha) zone. In considering whether or not to grant planning approval for a second hand transportable building, the Shire shall have regard, but not be limited to the Policy provisions and objectives and Clause 10.2 of Local Planning Scheme No 6.

Preservation of Amenity

The Shire may refuse to approve the transportation of a relocated second hand dwelling if, in its opinion, the proposed building would have an adverse effect on the amenity of the locality. The Shire shall have regard to, but not limited to, the following:

- (a) The external appearance of the second hand dwelling and any associated structures and landscaping;
- (b) Whether the structure is a donga;
- (c) The design of all elevations of the second hand dwelling where applicable, particularly those visible from a public road;
- (d) The dimensions and proportions of the second hand dwelling;
- (e) The use of compatible building and landscape materials, taking into consideration tone, texture, scale, shape and colour;
- (f) The effect on existing buildings on nearby properties and on the occupants of those buildings;

- (g) The environment resulting from the second hand dwelling itself and the effect of that environment, on the occupants of the building and the Shire's intentions for the development of the surrounding locality;
- (h) The effect of the building on existing and future services and community facilities. In particular, drainage, sewerage, water reticulation and existing or proposed community facilities such as schools, parks, civic buildings and pedestrian links;
- (i) The effect on the landscape and environment generally; and
- (j) Any other matter which, in the opinion of the Shire, is relevant to the amenity of the locality.

Removal of Asbestos

Removal of asbestos materials from any dwelling(s) is to be carried out in compliance with the Health (Asbestos) Regulations 1992, by a licensed contractor and at the expense of the applicant/landowner.

Should the dwelling require transport from a location outside of the Shire boundaries, all asbestos materials are to be removed from the dwelling prior to transport.

Should the dwelling require transport from a location within the Shire, every reasonable effort must be made to remove the asbestos materials from the dwelling prior to transport. If the removal of asbestos materials prior to transport is not possible, permission from the Shire must be obtained prior to transport of the dwelling.

All asbestos materials disposed within the Shire shall be at a Shire authorised disposal facility and at the cost of the applicant.

Legal Agreement requiring the payment of bonds

For second hand relocated dwellings in the "Residential", "Rural Residential", "Rural Smallholdings" and "Development" zones, a legal agreement, at the cost of the applicant, is required to be entered into to ensure that there is a bank guarantee of \$30,000 relating to specific stages of the building project that will need to be subsequently completed. Upon completion of the specific stages outlined below, the bond amount can be progressively extinguished, as follows:

Stage One:

Release \$6,000 if, within 6 months of the date of planning approval being issued:

- (a) The dwelling is correctly positioned on site as depicted on the approved plan issued with the Shire's planning approval;

- (b) The dwelling is correctly stumped or suitably affixed to the ground and the site is filled and/or drained satisfactorily, such that it is structurally adequate in accordance with the engineer's certification; and
- (c) The dwelling is up to lock up stage (all external windows, doors and fittings/fixtures installed/repaired).

Stage Two:

Release \$6000 if, within 8 months of the date of planning approval being issued:

- (a) All gutters, fascia and downpipe work is completed to the satisfaction of the Shire
- (b) All roof end/roofing work is completed (flashings on ridge and gable ends installed); and
- (c) All external surfaces are painted or reclad to a tradesman like standard in accordance with the painting and building approvals (including wall, doors, windows surrounds, sills etc).

Stage Three:

Release \$12,000 if, within 10 months of the planning approval being issued:

Compliance with planning conditions has taken place;

- (a) An approved effluent disposal system has been installed. The system has been inspected by the Shire's Environmental Health Officer and a permit to use has been issued;
- (b) Completion and certification of all electrical work;
- (c) Completion and certification of all plumbing work;
- (d) All wet area tiling completed in accordance with the Building Code of Australia;
- (e) Kitchen fit-out completed (cupboards/benches and stove/hotplate installed etc); and
- (f) Building has reached practical completion stage.

Stage Four:

Release \$6,000 if, within 12 months of the planning approval being issued:

- (a) Landscaping is planted and established to the Shire's satisfaction.

- (b) Landscaping has measures in place to ensure its maintenance to the Shire's satisfaction.

Note: Landscaping may not be required if the second hand relocated dwelling is located in the "Rural Smallholdings" or "Rural" zones. Land size and prevailing land use will govern whether the landscaping component is applicable and is at the discretion of the Shire. Should landscaping be determined to be irrelevant in the circumstances, the \$6,000 applicable to stage four will be refunded at the completion of stage 3 or may not be required at all.

Compliance with Planning Conditions

Shire officers shall ensure that the progress and maintenance of all conditions imposed on any approval for the relocation of a second hand dwelling are fully advanced and in accord with the intent of the Policy.

The relocated dwelling must be completed to the satisfaction of the Shire within twelve (12) months of the date of planning approval.

The Shire shall ensure that the progress and maintenance of all landscaping requirements associated with the Approval are fully advanced, and in accord with the intent of the Policy.

Time Limit of Works and Forfeiture of Bond

The time for completion of all work is twelve (12) months from the relocation of the dwelling or prior to occupation, whichever comes first. Should the Shire not be satisfied with works undertaken to date at the time of expiry of the time limit, the Shire will take measures to ensure the works are completed as soon as is practicable. These measures may include the use of the bond to complete outstanding works.

Failure to comply with all conditions placed by the Shire on the planning consent will result in forfeiture of the bond and removal of the building unless otherwise determined by the Shire. The Legal Agreement in relation to the Bond is required to contain a clause relating to forfeiture of the bond to the Shire for failing to comply with conditions imposed.

LPP 4 - HOME EMPLOYMENT (HOME BUSINESS, HOME OCCUPATION, HOME OFFICE, HOME STORE, INDUSTRY-COTTAGE AND RURAL HOME BUSINESS)

POLICY NO:	LPP 4
POLICY SUBJECT:	HOME EMPLOYMENT (HOME BUSINESS, HOME OCCUPATION, HOME OFFICE, HOME STORE, INDUSTRY-COTTAGE AND RURAL HOME BUSINESS)
ADOPTION DATE:	18 December 2013
LAST REVIEW:	17 April 2013

OBJECTIVES

The primary objectives are to:

- (a) Support and encourage home employment as a suitable local enterprise of economic and social importance to the Shire.
- (b) Maintain residential areas as primarily a place to live, not primarily a place to work whilst recognising that working from home is an expanding area of employment and a significant contributor to the economy.
- (c) Protect the amenity and character of residential and rural areas by ensuring that potential impacts associated with home employment such as noise, traffic, pollution, people and advertising signs are minimised and adequately controlled.
- (d) Ensure that home employment development is compatible with the residential/rural character of surrounding built areas.
- (e) Take into account additional requirements to the Local Planning Scheme No 6 which the Shire will consider in its determination of a development application.
- (f) Provide a consistent and equitable approach for the Shire in the assessment of applications and complaints in relation to home employment.

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:

“Building Envelope” means an area of land within a lot marked on a plan approved by the responsible authority within which all buildings and effluent disposal facilities on the lot must be contained.

“Carport” means a roofed structure designed to accommodate one or more motor vehicles unenclosed except to the extent that it abuts a dwelling or a property boundary on one side, and being without a door unless that door is visually permeable. Carports that are included under the main roof of the residence are not subject to this policy.

“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.

“Garage” means any roofed structure, other than a carport, designed to accommodate one or more motor vehicles and attached to the dwelling or where not attached, provided for the sole use of the dwelling. Garages that are included under the main roof of the residence are not subject to this policy.

“Earthworks” means the movement of earth on land which is carried out in conjunction with the construction of a structure or independently and exceeds 0.5m in height at any given point.

“home business” means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which -

- (a) does not employ more than 2 people not members of the occupier’s household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 50 square metres;
- (d) does not involve the retail sale, display or hire of goods of any nature;
- (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
- (f) does not involve the use of an essential service of greater capacity than normally required in the zone.

“home occupation” means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which -

- (a) does not employ any person not a member of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 20 square metres;
- (d) does not display a sign exceeding 0.2 square metres;
- (e) does not involve the retail sale, display or hire of goods of any nature;
- (f) in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (g) does not involve the use of an essential service of greater capacity than normally required in the zone.

“home office” means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not -

- (a) entail clients or customers travelling to and from the dwelling;
- (b) involve any advertising signs on the premises; or
- (c) require any external change to the appearance of the dwelling.

“home store” means any shop with a net lettable area not exceeding 100 square metres attached to a dwelling and which is operated by a person resident in the dwelling.

“industry - cottage” means a trade or light industry producing arts and crafts goods which does not fall within the definition of a home occupation and which -

- (a) not cause injury to or adversely affect the amenity of the neighbourhood;
- (b) where operated in a residential zone, does not employ any person other than a member of the occupier's household;
- (c) is conducted in an out-building which is compatible with the principal uses to which land in the zone in which it is located may be put;
- (d) does not occupy an area in excess of 50 square metres; and
- (e) does not display a sign exceeding 0.2 square metres in area.

“LPS 6” means Local Planning Scheme No 6.

“Outbuilding” has the same meaning given to it in the Residential Design Codes and is also a structure used for the housing/storage of machinery or household items which may be provided with power and water and incorporates such structures as sheds,

garages and barns. An outbuilding also means a Class 10A building as defined by the Building Code of Australia, which class 10 refers to a “non-habitable” building.

“Residential Design Codes” or **“RDC”** means State Planning Policy 3.1 issued by the Department of Planning.

“Rural Home Business” means a business, service or profession carried out in a dwelling or on land around a dwelling by the occupier of the dwelling which -

- (a) Does not employ more than 2 people not members of the occupier's household;
- (b) Will not cause injury or adversely affect the amenity of the neighbourhood;
- (c) Does not occupy an area greater than 200 square metres;
- (d) Does not involve the retail sale, display or hire of goods of any nature;
- (e) In relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of more than 3 vehicles, with vehicles not being more than 25 tonnes gross weight; and
- (f) Does not involve the use of an essential service of greater capacity than normally required in the zone.

“Scheme” means Local Planning Scheme No 6.

“Setback” means the distance from boundaries as defined in Local Planning Scheme No 6 or the Residential Design Codes.

“Shire” means the Shire of Northam.

STATUTORY POWERS

This Local Planning Policy is made pursuant to clause 2.2 of the Shire’s Local Planning Scheme No 6.

POLICY STATEMENT

Application

Home employment includes a Home Occupation, Home Business, Rural Home Business, Home Store and/or Industry - Cottage. All home employment landuses require an application for planning approval.

An approval issued for a home employment landuse is personal to the applicant and shall not run with the land, nor can it be transferred from one person to another.

A Home Office is an exempted landuse under the Scheme and is not subject to this policy.

Home Store

A Home Store must be “in addition” to a dwelling and is not permitted to be located within any existing dwelling ie: within a functional room of a dwelling such as a bedroom.

On site car parking must be provided at the rate of 1 for every 20m² of net lettable area (area of shop).

A Home Store will not be permitted in areas zoned Residential R30 or higher.

Industry Cottage

The following uses are included as being an industry - cottage:

- Manufacture and sale of sculptures (wood, metal, clay etc);
- Production and sale of artwork (painting, flower arranging etc);
- Boutique manufacture and sale of textiles eg: handmade knitwear, wool spinning, handmade craft items etc;
- Boutique manufacture and sale of (subject to compliance with Food Regulations) specific food items such as pickles, jams, preserves, olive oil etc.

Internet Based Home Employment

Home employment which involves internet trading is considered to fall under the category of a Home Occupation.

No retail sales from the dwelling of any description are permitted with internet based business.

The delivery of goods from the dwelling to customer locations are acceptable.

Bulk storage of saleable items is not permitted.

Amenity

Protection of amenity will take priority in all considerations relating to home employment. Applicants should understand that if they exceed the limits set down in conditions of approval or complaints are received, and the Shire considers that local

amenity is being adversely affected, the Shire may refuse to issue the yearly renewal certificate for the home employment.

Should this occur, the carrying on of a home employment without a valid yearly renewal certificate is considered to be a breach of the Planning and Development Act 2005 and may result in prosecution.

Dongas are not supported to house home employment landuses.

Chemical Storage

In the interests of safety, home employment approvals will contain a condition specifically controlling the storage of dangerous or toxic materials in residential premises (including outbuildings) in accordance with the relevant Australian Standards.

Complaints

The Shire will consider all complaints in a manner consistent with the spirit of home employment. In particular, the provision that home employment shall not, in any way, detract from residential amenity.

In the event of any doubt, the Shire will rule in favour of the complainant, accepting that no security of tenure is implied for home employment and may refuse to issue the yearly renewal certificate for the home employment.

Should this occur, the carrying on of a home employment without a valid yearly renewal certificate is considered to be a breach of the Planning and Development Act 2005 and may result in prosecution.

Employees

Consistent with home employment remaining incidental to the residential use of premises, employees are limited by the Scheme, and appropriate conditions will be imposed.

Food Handling

In the interests of public health, the Shire requires applicants for home employment involving food handling to be made aware of and comply with the Food Hygiene Regulations 1993.

The Regulations prohibit the preparation of food for sale in residential premises except in limited circumstances.

(NOTE: Applicants are asked to obtain an information sheet on preparation of food at home, from the Shire's Environmental Health Officer).

Machinery

All appliances or machinery to be used in a home employment shall be specified by the applicant and shall be of domestic scale or type. The use of what the Shire considers to be industrial appliances or machinery will be prohibited.

Residential Use

As home employment is conducted from residential premises, the residential use of the premises is to remain the predominant use. Specialised or purpose-built accommodation that cannot readily be used for purposes related to the residential use of the premises will not be implied or allowed.

Time Limits

Where home employment involves activities other than office administration, approval may be given subject to a specified time limit. The hours of operation of all home employment shall be 0900 to 1700 hours and be permitted on all days except Sundays and Public Holidays.

Traffic

Home employment shall not give rise to vehicular traffic, nor require the provision of parking facilities beyond that which the Shire regards as normal in the neighbourhood concerned. No deliveries or collection of goods by commercial transport vehicles will be permitted.

LPP 5 - USE OF SEA CONTAINERS & OTHER SIMILAR STORAGE STRUCTURES

POLICY NO:	LPP 5
POLICY SUBJECT:	USE OF SEA CONTAINERS & OTHER SIMILAR STORAGE STRUCTURES
ADOPTION DATE:	18 December 2013
LAST REVIEW:	17 April 2013

OBJECTIVES

The primary objectives are to:

- (a) To provide guidelines for the placement, use, size and construction of sea containers or other similar storage structures.
- (b) To maintain a high level of visual amenity in the areas in which the sea containers will be located.

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:

“Building Envelope” means an area of land within a lot marked on a plan approved by the responsible authority within which all buildings and effluent disposal facilities on the lot must be contained.

“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.

“Other similar storage structure” is a prefabricated structure with a flat roof, regular in shape and is capable of being transported (includes a donga and a railway carriage).

“Residential Design Codes” or **“RDC”** means State Planning Policy 3.1 issued by the Department of Planning.

“Scheme” means Local Planning Scheme No 6.

“Sea Container” means a large metal container originally manufactured to carry goods on a sea vessel.

“Setback” means the distance from boundaries as defined in Local Planning Scheme No 6 or the Residential Design Codes.

“Shire” means the Shire of Northam.

STATUTORY POWERS

This Local Planning Policy is made pursuant to clause 2.2 of the Shire’s Local Planning Scheme No 6.

POLICY STATEMENT

The location of sea containers and other similar structures within the Shire is regarded as development and will require planning approval.

All applicants will also be required to obtain a Building Permit.

For the purposes of assessment and approval, the local government will classify a sea container or other similar relocatable storage units as an outbuilding ancillary to the approved use of the land.

No sea container or other similar structure is permitted to be used for human habitation.

There will be no sea containers or other similar structures permitted in “Residential” zoned land within the Shire area. Sea containers and other similar structures used for temporary storage during the conduct of building works will be exempt from this requirement, provided that the following criteria are achieved:

1. The structure is only being used for the secure storage of materials, plant, machinery or building equipment on a building site.
2. The building site has a current building permit and, when necessary, planning approval.
3. Construction works are actively being undertaken on the site and do not lapse for any period greater than 30 days.
4. The structure does not impact on pedestrian or vehicle movements in any way or obstruct vehicle sight lines.
5. The structure may not be permitted on the building site for a period longer than 6 months, unless specific approval from the Shire is obtained.

6. The structure is removed from the building site at the completion of the building works.

One smaller sea container (6m or less) or other similar structure may be temporarily or permanently used for storage on a property located in the “Rural Residential” and “Rural Smallholdings” zones subject, but not limited, to the following conditions:

- (a) The sea container or other similar structure shall be located to the rear of the dwelling and, in any event, within the allocated building envelope and shall not be visible from the street;
- (b) The sea container or other similar structure shall be located to be compliant with setbacks under the Scheme;
- (c) The sea container or other similar structure shall be fitted with doors and/or windows that can be opened from inside to ensure safety of users;
- (d) The sea container or other similar structure shall be painted to match the colour of the house and/or outbuilding and/or surrounding landscape;
- (e) The sea container or other similar structure shall not to be located over septic tanks, leach drains, utilities or easements;
- (f) That applicants shall obtain the written consent of surrounding landowners;
- (g) That the sea container or other similar structure shall be landscaped to screen it from surrounding landowners; and
- (h) That if the sea container or other similar structure falls into disrepair and/or becomes unsightly, the Shire will require its removal.

One larger sea container (up to 12m) or other similar structure may be used for temporary or permanent storage only on a property in the “General Industry”, “Light and Service Industry” and “Rural” zones with the Shire’s approval subject to, but not limited to, the following conditions:

- (a) The sea container or other similar structure shall be located to the rear of buildings and that it is not prominently visible from the street;
- (b) The sea container or other similar structure shall be located to be compliant with setbacks under the Scheme;
- (c) The sea container or other similar structure shall be able to be opened from inside to ensure safety of users;
- (d) The sea container or other similar structure shall be painted to match the buildings on the lot;

- (e) The sea container or other similar structure shall not be located over septic tanks, leach drains or utilities;
- (f) The sea container or other similar structure obtain the written consent of the surrounding landowners; and
- (g) That if the sea container or other similar structure falls into disrepair and/or becomes unsightly, the Shire will require its removal.

Sea containers or other similar structures will generally not be permitted in the “Commercial”, “Mixed Use”, “Development” and “Tourist” zones or on Reserves (including road reserves).

LPP 6 - CONSTRUCTION OF ADDITIONAL DWELLINGS ON RURAL ZONED LAND

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.

LPP 7 - DEVELOPMENT AND SUBDIVISION CONTRIBUTION

POLICY NO:	LPP 7
POLICY SUBJECT:	DEVELOPMENT AND SUBDIVISION CONTRIBUTION
ADOPTION DATE:	18 December 2013
LAST REVIEW:	17 April 2013

OBJECTIVES

The primary objectives are to:

- (a) to promote the efficient and effective provision of public infrastructure and facilities to meet the demands arising from new growth and development;
- (b) to ensure that development contributions are necessary and relevant to the development to be permitted and are charged equitably among those benefiting from the infrastructure and facilities to be provided;
- (c) to ensure consistency and transparency in the system for apportioning, collecting and spending development contributions;
- (d) to ensure the social well-being of communities arising from, or affected by, development.

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:

“Administrative costs” means such costs as are reasonably incurred for the preparation and (with respect to standard infrastructure items) implementation of the development contribution plan.

“Administrative items” means the administrative matters required to be carried out by or on behalf of the local government in order to prepare and (with respect to standard infrastructure items) implement the development contribution plan, including legal, accounting, planning engineering, and other professional advice.

“Cost apportionment schedule” means a schedule prepared and distributed in accordance with State Planning Policy 3.6 - Development Contributions for Infrastructure.

“Cost contribution” means the contribution to the cost of infrastructure and administrative costs.

“Council” means the elected members of the Shire.

“Development contribution area” means shown on the scheme map as DCA with a number and included in Schedule 13 to the Scheme.

“Development contribution plan” means a development contribution plan prepared in accordance with the provisions of *State Planning Policy 3.6 Development Contributions for Infrastructure* and the provisions of this Policy.

“Development contribution plan report” means a report prepared and distributed in accordance with State Planning Policy 3.6 - Development Contributions for Infrastructure.

“Infrastructure” means the standard infrastructure items (services and facilities set out in appendix 1 to State Planning Policy 3.6 - Development Contributions for Infrastructure) and community infrastructure, including recreational facilities; community centres; child care and after school centres; libraries and cultural facilities and such other services and facilities for which development contributions may reasonably be requested having regard to the objectives, scope and provisions of this policy.

“Infrastructure costs” means such costs as are reasonably incurred for the acquisition and construction of infrastructure.

“LPS 6” means Local Planning Scheme No 6.

“Owner” means an owner of land that is located within a development contribution area.

“Scheme” means 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

A contribution will be sought when development and subdivision of land within the Shire occurs for items of infrastructure that are necessary to support the orderly development of a specified area. Standard requirements include, but are not limited to, the provision of roads, water and sewerage facilities, utilities and public open space. Development contributions for infrastructure that does not fall within the standard requirements for community infrastructure may only be sought for such items to the extent that they have been identified in a development contribution plan which has been incorporated into the Shire’ Scheme, or otherwise through voluntary agreement with the relevant developer/s.

These guidelines (based on the Commission's State Planning Policy 3.6) set out the principles underlying development contributions and the form, content and process for the preparation of a Development Contribution Plan. Development contributions are necessary and relevant to the development being permitted and are charged equitably among those benefiting from the infrastructure and facilities that are to be provided.

Development contributions can be sought for:

- (i) A new item of infrastructure;
- (ii) Land for infrastructure;
- (iii) An upgrade in the standard of provision of an existing item of infrastructure;
- (iv) The total replacement of infrastructure once it has reached the end of its economic life; and
- (v) Other costs reasonably associated with the preparation, implementation and administration of a development contribution plan.

The contributions are for the initial capital requirements only and not for the ongoing maintenance and/or operating costs of the infrastructure. Developers will only fund the infrastructure and facilities which are reasonable and necessary for the development and to the extent that infrastructure and facilities are necessary to service the development.

Development Contribution Plans

Development Contribution Plans need to identify growth trends based on service catchment areas, translate these trends into the infrastructure and facilities necessary to meet these increasing needs within the catchment and allocate the costs of meeting these increasing needs to existing residents and new residents proportional to their contribution to the need for the infrastructure and facilities. Development Contribution Plans must have a strategic basis and be linked to the Local Planning Strategy and strategic infrastructure plan and program which identify the infrastructure and facilities required over the next 5-10 years and the cost and revenue sources for the provision of the infrastructure.

Development Contributions

For development and/or subdivision of land resulting in 1- 5 lots, the Shire will require the developer/subdivider to pay a contribution aligned with the Shire's Schedule of Fees and Charges. For developments/subdivisions resulting in more than 5 lots the Shire will require the developer/subdivider to submit a development contribution plan that addresses the following criteria:

- (a) The development contribution area to which the development contribution plan applies;
- (b) The infrastructure and administrative costs to be funded through the development contribution plan;

- (c) The method of determining the cost contribution of each owner; and
- (d) The priority and timing for the provision of infrastructure.

A Development Contribution Plan may specify the period during which it is to operate.

Where a Development Contribution Plan is required to be made, the Shire is **not** to:

- (a) Consider or recommend approval for subdivision; or
- (b) Consider or approve development of land within a development contribution area until:
 - (i) A Development Contribution Plan is in effect; or
 - (ii) The owner who has applied for subdivision or development approval has made arrangements for the payment of the owner's cost contribution.

Where a Development Contribution Plan is not in effect, the Shire may support subdivision or approve development where the owner has made other arrangements, satisfactory to the Shire, with respect to the owner's contribution towards the provision of infrastructure and administrative costs in the development contribution area.

Principles underlying Development Contributions

Development contributions may be charged in accordance with the following principles:

(a) Need and the nexus

The need for the infrastructure included in any development contribution plan must be clearly demonstrated (need) and the connection between the development and the demand created should be clearly established (nexus).

(b) Transparency

Both the method for calculating the development contribution and the manner in which it is applied should be clear, transparent and simple to understand and administer.

(c) Equity

Development contributions should be charged from all developments within a development contribution area, based on their relative contribution to need.

(d) Certainty

All development contributions should be clearly identified and methods of accounting for escalation agreed upon at the commencement of a development.

(e) Efficiency

Development contributions should be justified on a whole of life capital cost basis consistent with maintaining financial discipline on service providers by precluding over recovery of costs.

(f) Consistency

Development contributions should be applied uniformly across a development contribution area and the methodology for applying contributions should be consistent.

(g) Right of consultation and review

Land owners and developers have the right to be consulted on the manner in which development contributions are determined. They also have the opportunity to seek a review by an independent third party if they believe the contributions are not reasonable.

(h) Accountability

There must be accountability in the manner in which development contributions are determined and expended.

Land Excluded

In calculating both the area of an owner's land and the total area of land in a development contribution area, the area of land provided in that development contribution area for:

- (a) Roads designated as Primary Regional Roads and Other Regional Roads;
- (b) Existing public open space;
- (c) Government primary and secondary schools; and
- (d) Such other land as is set out in the development contribution plan is to be excluded.

Cost Apportionment Schedule

Within 90 days of the gazettal date of the endorsed development contribution plan, the Shire is to make available a Cost Apportionment Schedule to all owners in the development contribution area. The Cost Apportionment Schedule shall set out in detail the calculation of the cost contribution for each owner in the development contribution area. The Cost Apportionment Schedule does not form part of the Scheme.

COST APPORTIONMENT SCHEDULE - example

LANDOWNER CONTRIBUTIONS FOR DC1 – AAAAA		\$ est.
Land acquisition costs		
<i>District Community Centre</i>		\$
Planning and design costs		
<i>District Community Centre</i>		\$
Construction costs		
<i>District Community Centre</i>		\$
Landscaping costs		
<i>District Community Centre</i>		\$
Parking provisions		
<i>District Community Centre</i>		\$
Etc		
Administration costs		
<i>Costs to prepare the plan (and for standard infrastructure items) and administer</i>		
<i>Costs to prepare and review estimates</i>		
<i>Costs to prepare the cost apportionment schedule</i>		
<i>Total projected demand for the district community</i>		XX,XXX
<i>Less demand from existing residents</i>		X,XXX
<i>Less demand from external users</i>		XXX
<i>Less future demand outside of the development contribution plan timeframe</i>		X,XXX
Total demand associated with development contribution plan		X,XXX

Lot Description	Demand generated	Infrastructure requirement	Percentage of total demand %
1			
2			
3			
4			
5			
6			

Cost Contributions Based on Estimates

The value of infrastructure and administrative costs is to be based on the amounts expended, but when expenditure has not occurred, it is to be based on the best and latest estimated costs available to the Shire. Where a Cost Apportionment Schedule contains estimated costs, such estimated costs are to be reviewed at least annually by the Shire:

- (a) In the case of land to be acquired, in accordance with determination of the value of land acquired;
- (b) In all other cases, in accordance with the best and latest information available to the Shire; and
- (c) Until the expenditure on the relevant item of infrastructure or administrative costs has occurred.

The Shire is to have such estimated costs independently certified by an appropriately qualified person and must provide such independent certification to an owner where requested to do so.

Where any cost contribution has been calculated on the basis of an estimated cost, the Shire:

- (a) Is to adjust the cost contribution of any owner in accordance with the revised estimated costs; and
- (b) May accept a contribution, based on estimated costs, as a final cost contribution and enter into an agreement with the owner accordingly.

Where an owner's cost contribution is adjusted, the Shire, on receiving a request in writing from an owner, is to provide the owner with a copy of estimated costs and the calculation of adjustments.

Valuation of Land

If an owner objects to a valuation made by the valuer, the owner may give notice to the Shire requesting a review of the amount of the value, at the owner's expense, within 28 days after being informed of the value.

If the valuer does not change the value of the land to a figure acceptable to the owner, the value is to be determined:

- (a) By any method agreed between the Shire and the owner; or
- (b) If the Shire and the owner cannot agree, by arbitration in accordance with the *Commercial Arbitration Act 1985*.

Liability for Cost Contributions

An owner is required to make a cost contribution in accordance with the applicable Development Contribution Plan. An owner's liability to pay the owner's cost contribution to the Shire arises on the earlier of:

- (a) The Commission endorsing its approval on the Diagram or Plan of Survey or the subdivision of the owner's land within the development contribution area;

- (b) The commencement of any development or commencing any new or extended use on the owner's land within the development contribution area;
- (c) The time of applying to the Shire or Commission for approval of any development or new or extended use, on the owner's land within the development contribution area; or
- (d) At the expiry of the Development Contribution Plan.

Notwithstanding the above, an owner's liability to pay the owner's cost contribution does not arise if the owner commences development of the first single house or outbuildings associated with that first single house on an existing lot which has not been subdivided since the gazettal of the Development Contribution Plan.

Payment of Cost Contribution

The owner, with the agreement of the Shire, is to pay the owner's cost contribution by:

- (a) Cheque or cash;
- (b) Transferring to the Shire, or a public authority, land in satisfaction of the cost contribution;
- (c) Some other method acceptable to the Shire; or
- (d) Any combination of these methods.

The owner, with agreement of the Shire, may pay the owner's cost contribution in a lump sum, by instalments or in such other manner acceptable to the Shire.

Payment by an owner of the cost contribution, including a cost contribution based on estimated costs, constitutes full and final discharge of the owner's liability under the Development Contribution Plan.

Charge of Land

The amount of any cost contribution for which an owner is liable, but has not paid, is a charge on the owner's land to which the cost contribution relates and the Shire may lodge a caveat, at the owner's expense, against the owner's title to that land. The Shire, at the owner's expense and subject to such other conditions as the Shire thinks fit, is to withdraw a caveat lodged to permit a dealing and may then re-lodge the caveat to prevent further dealings. If the cost contribution is paid in full and, if required to do so by the owner, the Shire, at the expense of the owner, is to withdraw any caveat lodged.

Administration of Funds

The Shire is to establish and maintain a reserve account in accordance with the Local Government Act 1995 for each development contribution area into which cost contributions for that development contribution area will be credited and from which all payments for the cost of infrastructure and administrative costs within that development contribution area will be paid. The purpose of such a reserve account or the use of money in such a reserve account is limited to the application of funds for that development contribution area. Interest earned on cost contributions credited to a reserve account is to be applied in the development contribution area to which the reserve account relates. The Shire is to publish an audited annual statement of accounts for that development contribution area as soon as practicable after the audited annual statement of accounts becomes available.

Shortfall or Excess in Cost Contributions

If there is a shortfall in the total cost contribution when all cost contributions have been made or accounted for in a particular development contribution area, the Shire may:

- (a) Make good the shortfall;
- (b) Enter into agreements with owners to fund the shortfall; or
- (c) Raise loans or borrow from a financial institution.

But nothing listed above restricts the right or power of the Shire to impose a differential rate to a specified development contribution area in that regard.

If there is an excess in funds available to the development contribution area when all cost contributions have been made or accounted for in a particular development contribution area, the Shire is to apply the excess funds for the provision of additional facilities or improvements on that development contribution area.

Powers of the Shire

The Shire, in implementing the Development Contribution Plan, has the power to:

- (a) Acquire any loan or buildings within the Scheme area under the provisions of the *Planning and Development Act 2005*; and
- (b) Deal with or dispose of any land which it has acquired under the provisions of the *Planning and Development Act 2005* in accordance with the law and, for such purpose, may make such agreements with other owners as it considers fit.

Arbitration

Any dispute between an owner and the Shire in connection with the cost contribution required to be made by an owner is to be resolved by arbitration in accordance with the *Commercial Arbitration Act 1985*.

Stages of Creating Structured Development Contributions

There are three stages to the creation of development contributions.

(a) Formulated and agreed

A Development Contribution Plan is used to prescribe the cost contribution for owners in a development contribution area. Areas requiring a Development Contribution Plan, and the infrastructure needs and costs for such area, will generally be identified as part of the process of developing or amending planning schemes.

(b) Calculated and applied

Development contributions may be calculated and applied as:

- (i) standard conditions of subdivision or strata subdivision;
- (ii) conditions of development.

Alternatively, contributions can be implemented through voluntary legal agreements. This applies to subdivisional works such as roads, drainage, and the provisions of power, water and utilities. They may also be applied as conditions of development. The calculation will be to apply the detail of the Developer Contribution Plan to the development, including any offsets for the ceding of land or construction of infrastructure.

(c) Due and Payable

Development contributions become due and payable as part of the subdivision clearance process or prior to the commencement of development. Clearance of deposited plans, or strata plans as the case may be, to enable the issue of titles, should not occur until full payment, as calculated and applied, has been finalised. Development contributions are only payable on the proportion of land within a plan being requested for clearance in a development.

Process for Determining Development Contributions for Community Infrastructure

The Shire requirements for development contributions for community infrastructure are to be calculated on the basis of:

- (a) the need for that infrastructure based on analysis of the demand;
- (b) the nexus where the relationship between the need for infrastructure and the new development is clearly established;

- (c) catchment areas that the infrastructure would service, identifying both existing demand and new demand that is associated with the development; and
- (d) the cost of providing the infrastructure, which should be based on the latest or best estimates available to the Shire and should include provision for regular adjustments to account for cost escalation over time.

Where the Shire is seeking contributions for community infrastructure, these need to be supported by:

- (a) a community infrastructure plan for the area, identifying the services and facilities required over the next 5 to 10 years (supported by demand analysis and identification of service catchments);
- (b) a capital expenditure plan (with at least 5 out years), which identifies the capital costs of facilities and the revenue sources (including capital grants) and programs for provision;
- (c) projected growth figures, including the number of new dwellings to be created at catchment level (suburb or district); and
- (d) a methodology for determining the proportion of costs of community infrastructure to be attributed to growth and the proportion to be attributed to existing areas.

Forms of Contributions

Conditions relating to development contribution requirements can be satisfied by:

- (a) the ceding of land for roads, public open space, school sites, drainage and other reserves;
- (b) construction of infrastructure works which are transferred to public authorities on completion;
- (c) monetary contribution to acquire land or undertake works by or on behalf of public authorities; or
- (d) a combination of the above.

The Application of a Credit in a Development Contribution Plan

A Development Contribution Plan may identify infrastructure that:

- (a) needs to be actioned with the first development in a development contribution area, such as a major road extension/connection;

- (b) is predominantly located on the developer's land, such as construction of a recreation facility to service the larger development contribution area.

The Shire may mandate that this work is undertaken, creating an in-kind contribution above that identified in the development contribution plan for that area (for example, the provision of physical infrastructure). In this instance, the developer and the Shire must negotiate a fair and reasonable outcome in relation to this credit. Appropriate negotiated outcomes may include:

- (a) Where a developer has other land holdings in the area, the credit is held by the Shire until it is required to be used by the developer to offset future contributions.
- (b) Where a developer has no further holdings in the area, the amount is held by the Shire as a credit to the developer until payments into the development contribution plan are received from subsequent developers. The credit is then reimbursed to the developer.
- (c) Where the development contribution plan is in credit from developer contributions already received, the credit should be reimbursed on completion of the works/ceding of land.

Any indexing of the Developer Contribution Plan should be equally applied to such credits.

Implementation

Implementation of Development and Subdivision Contribution to Community Infrastructure will be undertaken by local planning strategies, structure plans and local planning schemes and the day-to-day consideration of zoning, subdivision, strata subdivision and development proposals and applications, together with the actions and advice of agencies in carrying out their responsibilities.

LPP 8 - RETROSPECTIVE PLANNING APPLICATIONS AND FEES

POLICY NO:	LPP 8
POLICY SUBJECT:	RETROSPECTIVE PLANNING APPLICATIONS AND FEES
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 or upon vistas from public roads;
- (b) Provide certainty for landowners of the requirements within the Shire by ensuring that all development issues are considered when applying for retrospective planning approval and that the rural nature of the Shire is maintained;
- (c) Ensure that constructed developments are not utilised illegally; and
- (d) Provide guidance to the Shire's officers when considering applications made under this policy.

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:

“**Act**” means the Planning and Development Act 2005.

“**Council**” means the elected members of the Shire.

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

“**Owner**” means an owner of land that is located within a development contribution area.

“**Scheme**” means 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

All applications for the retrospective approval of land use and/or development will be assessed against this policy prior to a decision being made under the provisions of the Scheme. Where an application is deemed to be consistent with the objectives and provisions of the Policy, consent may not be required from Council.

In determining the application, the Shire may:

- (a) Approve the application; or
- (b) Approve the application with conditions; or
- (c) Refuse the application and require removal of the unapproved development or cessation of the unapproved landuse; and/or
- (d) Initiate legal prosecution against the landowner.

Planning consent is valid for a period of two (2) years from the date of consent, during which time, a Certificate of Building Compliance must be obtained or the consent will be extinguished.

Need for a Certificate of Building Compliance

Notwithstanding that retrospective planning approval may be granted by the Shire, a Certificate of Building Compliance is required to be sought and issued by the Shire's building surveyor within twenty one (21) days of retrospective planning approval being issued.

Advertising

All applications for retrospective planning approval are required to be advertised in accordance with Clause 9.4 of the Scheme.

Approval Without Referral to Council

Development that complies with the criteria as set out in Table 1 may be approved by delegated authority without referral to Council.

Referral to Council

Development that fits one or more of the criteria outlined in Table 2 will be referred to Council for determination.

Table 1 - Development That May be Approved Without Referral to Council

Development Type	Zone	Design/Location
Structures	All Zones	Where the development: (a) Complies with a permissible or discretionary use under the Scheme; (b) Complies with the provisions of the Scheme and/or the provisions of any Local Planning Policy created under that Scheme; (c) Following advertising, no objections based on planning grounds, in the opinion of the delegated officer, are received; and (d) In the opinion of the delegated officer does not warrant the attention of Council.
Keeping of Stock	All Zones	(a) Where the keeping of stock is a permissible or discretionary use under the Scheme; (b) Where the keeping of stock complies with the provisions of the Scheme and the provisions of any Local Planning Policy created under that Scheme; (c) No environmental damage has occurred in the opinion of the Shire; (d) The applicant submits an acceptable stock management plan; (e) Following advertising, no objections based on planning grounds, in the opinion of the delegated officer, are received; and (f) In the opinion of the delegated officer, does not warrant the attention of Council.
Change of Use	All Zones	Where the land use: (a) Complies with a permissible or discretionary use under the Scheme; (b) Complies with the provisions of the Scheme and/or the provisions of any Local Planning Policy created under that Scheme; (c) Following advertising, no objections based on planning grounds, in the opinion of the delegated officer, are received; and (d) In the opinion of the delegated officer, does not warrant the attention of Council.
Earthworks	All Zones	Where the earthworks: (a) Do not exceed 1m of fill; (b) Does not comprise more than one third of the total land area; (c) Would be consistent with the requirements, in the opinion of the Shire's Executive Manager Development Services, under the building program; and (d) In the opinion of Shire staff, does not constitute negative amenity impact to the local area or to adjoining landowners.

Table 2 - Development That Will be Referred to Council for Determination

Development Type	Zone	Design/Location
Structures	All Zones	Where the development: (a) Is not a permissible or discretionary use under the Scheme; (b) Does not comply with the provisions of the Scheme and/or the provisions of any Local Planning Policy created under that Scheme; (c) Following advertising, objections based on planning grounds, in the opinion of the delegated officer, are received; and (d) In the opinion of the delegated officer, does warrant the attention of Council.
Keeping of Stock	All Zones	(a) Where the keeping of stock is not a permissible or discretionary use under the Scheme; (b) Where the keeping of stock does not comply with the provisions of the Scheme and/or the provisions of any Local Planning Policy created under that Scheme; (c) Where environmental damage has occurred in the opinion of the Shire; (e) Following advertising, objections based on planning grounds, in the opinion of the delegated officer, are received; and (d) In the opinion of the delegated officer, does warrant the attention of Council.
Change of Use	All Zones	Where the landuse: (a) Is not a permissible or discretionary use under the Scheme; (b) Does not comply with the provisions of the Scheme and/or the provisions of any Local Planning Policy created under that Scheme; (c) Following advertising, objections based on planning grounds, in the opinion of the delegated officer, are received; and (d) In the opinion of the delegated officer, does warrant the attention of Council.
Earthworks	All Zones	Where the earthworks: (a) Exceeds 1m of fill; (b) Comprises more than one third of the total land area; (c) Would not be consistent with the requirements, in the opinion of the Shire's Executive Manager Development Services, under the building program; and (d) In the opinion of Shire staff, constitutes negative amenity impact to the local area or to adjoining landowners.

Part 13 - Division 3 of the Act - Infringement Notices

The Shire, at its discretion, may issue an infringement notice to the landowner for the commencement of unapproved development as prescribed in the *Planning and Development Act 2005*.

Fees

The fees payable for applications under this policy are set by Council each year in accordance with its budgetary process and in accordance with the *Planning and Development Regulations 2009*.

Retrospective fees (twice the original designated application fee) are also applicable to any application assessed against this policy.

Legal prosecution and/or a planning infringement notice may also be initiated against the landowner for any unapproved development and/or land use undertaken in the Shire without prior approval of the local government as provided for under the Scheme.

LPP 9 - NORTHAM AIRPORT DEVELOPMENT

POLICY NO:	LPP 9
POLICY SUBJECT:	NORTHAM AIRPORT DEVELOPMENT
ADOPTION DATE:	18 December 2013
LAST REVIEW:	17 April 2013

OBJECTIVES

The primary objectives are to:

- (a) provide certainty for lease holders at the Northam Airport in terms of private and commercial hangar development by ensuring that all development issues are considered when applying for planning approval and that the amenity of the Northam Airport is preserved;
- (b) ensure that private and commercial hangars are constructed with appropriate materials;
- (c) ensure that private and commercial hangars proposed to be constructed are assessed against minimum design standards as set out in this policy; and
- (d) provide guidance to Council and Council's officers when considering applications made under this policy.

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.

"Owner" means an owner of land that is located within a development contribution area.

"Scheme" means 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

Private Hangar Development

Setbacks

Private hangars shall comply with the following minimum building setbacks:

Front: Nil Setback
Rear: Nil Setback
Sides: 0.5m Setback

Building Materials to be Used

All private hangars are to be clad to a minimum standard of factory applied non reflective painted steel to the walls and roof.

Building Height

All private hangars are to have a maximum wall height of 4.5 metres.

Car Parking

All vehicles are to be parked entirely within the leased area or in the public car parking area provided on the Northam Airport site.

Fuel Storage

Aviation fuel and combustible chemicals are to be stored in accordance with established guidelines/regulations from the Department of Consumer & Employment Protection (Dangerous Goods Safety). No more than 410 litres of aviation fuel is to be stored on a lease area without Shire approval.

Ablutions

Developers of private hangars are not obligated to provide private ablution facilities within the hangar. There are public ablution facilities at the Northam Airport site that can be accessed.

Storage of Equipment

Storage of all equipment used in the operation of the private hangar is to be contained within the hangar(s) at all times.

Maintenance of Buildings and Surrounds

The owners of private hangar sites shall maintain the hangar in a neat and tidy manner and ensure the surrounding lease site is kept free of disused materials and rubbish.

Use of Hangar

No person shall use a private hangar site for commercial or industrial purposes or for human habitation.

Rainwater Tank

A minimum of 2,000 litre rain water tank is to be installed within the leased area.

Commercial Hangar Development

Setbacks

Commercial hangars shall comply with the following minimum building setbacks:

Front: Nil Setback
Rear: Nil Setback
Sides: 0.5m Setback

Building Materials to be Used

All commercial hangars are to be clad to a minimum standard of factory applied non reflective painted steel including walls and roof.

Building Height

All commercial hangars are to have a maximum wall height of 4.5 metres.

Car Parking

Car Parking bays are to be provided within the leased area at a minimum rate of one bay per employee. The general public utilising the services of the commercial hangar are to use the public car parking facility unless additional car parking is provided.

Fuel Storage

Aviation fuel and combustible chemicals are to be stored in accordance with established guidelines/regulations from the Department of Consumer & Employment Protection (Dangerous Goods Safety). No more than 410 litres of aviation fuel is to be stored on a lease area without Shire approval.

Ablutions

A minimum of one unisex, accessible toilet is to be provided per commercial hangar, as per the requirements of the BCA.

Storage of Equipment

Storage of all equipment pertaining to the operation of the commercial hangar is to be fully contained within the hangar(s) at all times.

Signage

Prior to any signage being erected on a commercial hangar site, a signage application is to be submitted to and approved by the Shire.

Maintenance of Buildings and Surrounds

The owners of commercial hangar sites shall maintain the hangar in a neat and tidy manner and ensure the surrounding lease site is kept free of disused materials and rubbish.

Use of Hangar

No person shall use a commercial hangar site for industrial purposes or for human habitation.

Advisory Notes for all Applicants

All applicants proposing development at the Northam Airport should be made aware of the limitations in relation to the supply of water pressure.

No hangar site, private or commercial, is to be used for the purpose of human habitation.

LPP 10 - DEVELOPMENTS ABUTTING RIGHTS OF WAY

POLICY NO:	LPP 10
POLICY SUBJECT:	DEVELOPMENTS ABUTTING RIGHTS OF WAY
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 or upon vistas from public roads;
- (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) Ensure the provisions of the Laneway Strategy are accommodated and accomplished;
- (d) Allow sufficient scope for the siting of buildings sympathetic with landscape features, distance from neighbouring properties and roads;
- (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.

"LPS 6" means Local Planning Scheme No 6.

"Owner" means an owner of land that is located within a development contribution area.

"Residential Design Codes" or "RDC" means State Planning Policy 3.1 issued by the Department of Planning.

"ROW" means any Right of Way or Laneway.

"Scheme" means 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

Unless otherwise stated in the Scheme, where there is a conflict between this policy and other policies this policy shall prevail. The following standards are in addition to the Acceptable Development standards contained in the Residential Design Codes of Western Australia (“R-codes”).

This Policy applies to all developments abutting a Rights of Way (“ROW”) or a dedicated road which was originally created as a ROW. Reference to ROW hereinafter includes ROW and includes dedicated laneways that were recognised by the Shire’s Laneway Strategy adopted by Council on 17th August 2011.

The Shire is seeking to promote the use of some ROWs for primary access. (Reference to ‘primary access’ in this policy means a road or ROW which provides the principal access to the major entry (front door) of a dwelling.)

General Development Provisions

In assessing an application for planning approval for development abutting all ROW the following provisions shall apply:

- (a) Provide sufficient reversing and manoeuvring area for vehicular access to the satisfaction of the Shire (as per Australian Standards AS/NZS 2890);
- (b) Provide a minimum 1.5 metre wide pedestrian / service access to the pre-existing primary street where a development uses a ROW for primary access (Refer to ‘Service Access’ section below);
- (c) Provide a visual truncation to provide a sight line to allow safe reversing for all developments utilising a ROW for vehicular access or abutting a development utilising a ROW for vehicle access;
- (d) Provide corner truncations free of costs to the Crown for corner lots abutting ROW including:
 - (i) 3.0m x 3.0m corner truncation for lots at the intersection of two ROW for ROW at least 6.0 m wide;
 - (ii) 2.0m x 2.0m corner truncations for lots at the intersection of a ROW at least 6.0m wide and a street;
 - (iii) Corner truncations to Shire’s satisfaction for ROW less than 6.0 metres wide; and
 - (iv) Provide sealing and drainage to ROW to the satisfaction of the Shire where a development utilises an unmade ROW for vehicle access.

Specific Development Provisions

Commercial Developments

Commercial Developments are required to provide lighting in parking areas accessed from the ROW. Commercial developments providing parking areas accessed from the ROW will be encouraged and may be required to provide pedestrian access from parking areas to the commercial property. Commercial developments providing parking areas accessed from the ROW will be required to integrate this with parking of abutting commercial properties, wherever possible. . The location of multi-storey car parking adjacent to a ROW is not permitted.

Consideration of the impact of the development potential and streetscape of the ROW will be required in location and design of abutting buildings, fencing, bin stores, storage etc. Bin stores along ROW with residential land opposite should be screened, well maintained and managed to limit noise, odour emissions and pests.

Residential Developments

Residential developments involving residential infill are required to use the ROW for primary access;

Where residential developments abut commercial development across a ROW, applications will be assessed on their merits to ensure that residential amenity is protected and traffic problems are avoided. This may involve the relaxation of some or all of the provisions below including the requirement to orientate to the ROW. In particular, where a ROW is dominated by commercial developments or where the significant majority of abutting lots have no development potential, setbacks will be assessed on a case by case scenario;

Where a development uses a ROW for primary access, the R-Codes provisions relating to primary streets shall apply, except where they conflict with the provisions below. This includes the requirement to ensure adequate surveillance between the dwelling and the ROW, but excepting provisions relating to setbacks from that street. Setbacks are specified below; and

Residential developments utilising a ROW for vehicle and/or pedestrian access are required to provide adequate porch or carport light, preferably sensor activated.

Setbacks

All buildings are to be setback from the ROW:

- (a) A minimum of 2.0 m at ground floor level;
- (b) A minimum of 3.0 m at upper storey level;

- (c) Carports, garages and car-bays to residential developments using a ROW are to be setback a minimum of 5.5 m (to allow for casual visitor parking within the setback area as parking is not permitted in a ROW). A reduced setback of 2.0m may be acceptable where primary access to the dwelling is available from the primary street (note: primary access via a pedestrian access leg does not qualify for setback reduction); and
- (d) Carports, garages and car-bays to non-residential developments are to be setback a minimum of 2.0 m.

All setback provisions from the ROW are to be determined after allowing for any ROW widening requirement from the lot;

Where a development orientates to the ROW, the location of courtyards in the ROW setback will generally not be permitted, because of the need for these to have the ability to be adequately fenced and screened;

These setbacks apply to commercial developments, single houses and strata developments (grouped and multiple dwellings). Averaging of setbacks is not permitted. All other setbacks are as per the R-Codes. The setback provisions apply to all developments abutting a ROW even if it is not used for access. In case of lots abutting more than one ROW or a ROW and a secondary street, the secondary street setbacks specified in the R-Codes apply to the ROW not used for access;

Where a development on a corner lot has direct frontage to a street, the garage / carport setback to the ROW may be reduced to comply with the secondary street setback provision of the R-Codes, whether or not it orientates to the street or the ROW, provided that sufficient maneuvering space is provided to the Shire's satisfaction;

Setback to shading structures such as pergolas, patios and sails that are open on the 3 sides closest to the ROW may be reduced to a minimum of 1.0m from the ROW where a 2.0m setback is unreasonable or impossible due to the location of an existing building. In such cases, the roof component must be setback at least 1.0 m from the ROW.

Landscaping

Where a development uses a ROW for primary access, a significant component of soft landscaping within the setback of the ROW will be required to contribute to the creation of an attractive streetscape.

Commercial developments whether utilising the ROW for access or not, are required to provide a significant component of soft landscaping within the ROW setback area where the ROW also provides primary access to residential developments.

Fencing & Gates

Where a development uses a ROW for primary access, fencing within the ROW setback area is generally not permitted in order to contribute to the creation of an open and attractive streetscape.

Any fencing within the ROW setback area must be in accordance with Fencing Local Law 2010.

No fencing or gates are to be constructed in front of garages, carports or parking bays in such a fashion as to prohibit casual visitor parking.

Where a development does not use the ROW for primary access, a feature fence is required (to compensate for the loss of streetscape), fibro cement, metal deck, concrete slot-in and untreated pine timberlap fencing are not acceptable. The inclusion of a visually permeable section of fencing to facilitate passive surveillance is encouraged.

All fencing and retaining walls are to be setback a minimum of 0.5m from the ROW boundary unless land has been ceded from the lot for the widening of the ROW or the ROW is at least 6.0m wide.

Up-Grading of ROW

Developments are required to comply with the relevant construction and/or development contribution requirements of the Shire in terms of the following:

- (a) Where a ROW is sealed and drained, Council seeks a cash-in-lieu contribution at subdivision/development stage equivalent to the cost of paving and drainage a 3.0m width of ROW abutting the development.
- (b) If a ROW is unsealed, owners/developers are required, at the time of development or subdivision, to seal and drain the ROW adjacent to their lot and make trafficable to the nearest street.
- (c) Developments which do not front the ROW (i.e. ROW not used as primary access) are also required to make a cash-in-lieu contribution.
- (d) Widening is sought for the majority of ROW to a width of 6.0m.

Service Areas

Notwithstanding whether a ROW has been dedicated or not, adequate provision for service access and rubbish collection must be made. In most instances, where a development utilises a ROW for primary access, this is required through provision of a 1.5m wide pedestrian access leg to the street.

Council *may* waive this requirement where all the following conditions are met:

- (a) The ROW is dedicated and sealed in its length;
- (b) The ROW is at least 6.0m wide;
- (c) The ROW has direct vehicular access to a normal public street at both ends (i.e. it is not at a 'T junction' with another ROW or a dead end); and
- (d) The ROW is less than 100m long or the walking distance from the development to the nearest full-width public street is not more than if the pedestrian access leg was provided.

A reduction in the width of the pedestrian access leg to 1.0m *may only* be considered where it is required to allow the retention of an existing house.

Variations

Only Council, subject to previous Council determinations, may vary any provisions contained within this policy.

LPP 11 - TREE PRESERVATION - GREVILLEA STREET SUBDIVISION AREA

POLICY NO:	LPP 11
POLICY SUBJECT:	TREE PRESERVATION - GREVILLEA STREET SUBDIVISION AREA
ADOPTION DATE:	18 December 2013
LAST REVIEW:	17 April 2013

OBJECTIVES

The objective of this policy is to protect 8 trees recommended for retention within the policy area. Without the protection mechanism's identified within this policy tree health and stability can be compromised, resulting in risk and hazard to habitat and to the trees and subsequently landowners.

Throughout the development of the GSSA, TPZs have been identified and applied to selected trees because of their attributes and links with the adjacent bushlands.

The purpose of implementing TPZs is to ensure that damage to above ground and below ground parts of the tree is limited to what the trees can reasonably be expected to tolerate. This is being achieved by regulating activities around the trees in a way that avoids onerous remedial measures being imposed on responsible parties.

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:

“Building Envelope” means the area identified on Schedule B to this policy as the building envelopes applicable to the GSSA.

“Grevillea Street Subdivision Area” (“GSSA”) means the area delineated on Schedule A to this policy.

“LPS 6” means Local Planning Scheme No 6.

“Scheme” means Local Planning Scheme No 6.

“Shire” means the Shire of Northam.

“Tree Protection Zone” (“TPZ”) means an area identified and applied to specific trees in the GSSA to ensure preservation of those trees.

STATUTORY POWERS

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

POLICY STATEMENT

Introduction

During assessment and development of plans to subdivide land within the GSSA, a number of trees worthy of retention were identified. These trees were identified as habitat and feed supply for Black Cockatoo's, and were identified as a priority for retention.

The successful preservation of the selected trees will rely on the measures identified within this policy. This policy has been formulated to advise purchasers and landowners of the lots affected by the Policy.

Empowerment

This policy is adopted under Clause 2.2 of the Scheme.

Application and Policy Area

This policy applies to the GSSA identified within the attached Schedule "A" to protect 8 trees recommended for retention, situated on Lots 2, 6, 9, 12, 13, 14 and 15 Grevillea Street, Wundowie.

Policy Statement

Three Types of trees affect various lots within the subdivision area (see attached "Schedule A"):

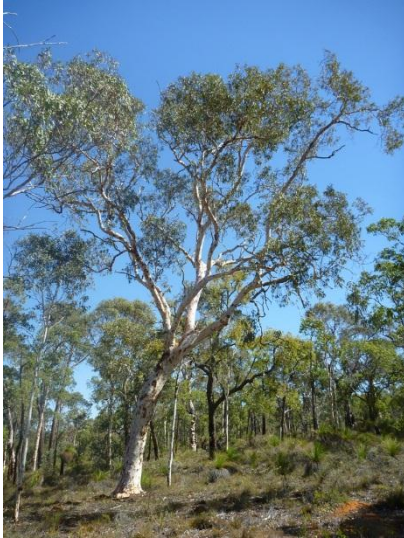
Tree Type	Tree ID	Lot/s Affected
Eucalyptus wandoo (Wandoo)	A	2
Eucalyptus Marginata (Jarrah)	B, C & D	6, 9 & 12
Corymbia calophylla (Marri)	E, F, G & H	13, 14 & 15

Tree Type - Eucalyptus wandoo (Wandoo)

The *Eucalyptus wandoo* (Wandoo) located on lot 2 has been retained and incorporated into the GSSA based on its health, structure and the significance of the tree to the native fauna; in particular the native Black Cockatoo.

Wandoo is highly susceptible to root zone disturbance however, there are measures that can be taken to utilise space within the TPZ, without further compromising the tree. These measures are specific to the site (and how it will be utilised), and would require site specific arboricultural input for appropriate recommendations.

Tree A



Tree Location:	Lot 2
Lots affected by TPZ:	Lot 2
Recommended TPZ:	9.1 meter radius

Tree Type - *Eucalyptus marginata* (Jarrah)

The *Eucalyptus marginata* (Jarrah) trees located on lots 6, 9 and 12 have been retained and incorporated into the GSSA based on their health, structure and the significance of the tree to the native fauna; in particular the native Black Cockatoo.

Jarrah is highly susceptible to root zone disturbance however, there are measures that can be taken to utilise space within the TPZ, without further compromising the tree. These measures are specific to the site (and how it will be utilised), and would require site specific arboricultural input for appropriate recommendations.

Tree B



Tree Location:	Lot 6
Lots affected by TPZ:	Lot 6
Recommended TPZ:	8.2 meter radius

Tree C



Tree Location:	Lot 9
Lots affected by TPZ:	Lot 9
Recommended TPZ:	7.9 meter radius

Tree D



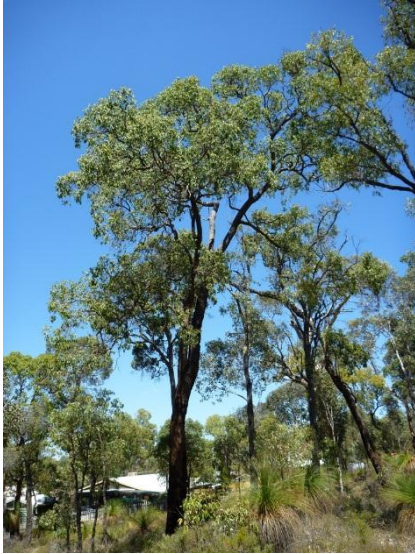
Tree Location:	Lot 12
Lots affected by TPZ:	Lot 12
Recommended TPZ:	12.8 meter radius

Tree Type - *Corymbia calophylla* (Marri)

The *Corymbia calophylla* (Marri) located on lot 13 has been retained and incorporated into the GSSA based on its health, structure and the significance of the tree to the native fauna; in particular the native Black Cockatoo.

Marri is highly susceptible to root zone disturbance however, there are measures that can be taken to utilise space within the TPZ, without further compromising the tree. These measures are specific to the site (and how it will be utilised), and would require site specific arboricultural input for appropriate recommendations.

Tree E



Tree Location:	Lot 13
Lots affected by TPZ:	Lot 13
Recommended TPZ:	7.6 meter radius

Tree F



Tree Location:	Lot 13
Lots affected by TPZ:	Lot 13
Recommended TPZ:	8.2 meter radius

Tree G



Tree Location:	Lot 14
Lots affected by TPZ:	Lot 14
Recommended TPZ:	9.3 meter radius

Tree H



Tree Location:	Lot 15
Lots affected by TPZ:	Lot 15
Recommended TPZ:	7.2 meter radius

POLICY PROVISIONS

Method of measurement for the TPZs

For the purpose of this Policy, a specified distance from a tree is to be measured from the centre of the tree trunk at ground level. TPZs [TPZ] are identified on the attached Schedule A.

Tree Protection Measures:

1. Tree Protection Penalties

This policy is adopted under Clause 2.2 of Town Planning Scheme No 3. As such, it is a Local Planning Policy adopted with the full force of the Planning and Development Act.

Any event that leads to the irreversible damage or death of an identified tree shall result in action being taken by the Shire, and penalties may be applicable. Penalties under the Planning and Development Act can be up to \$250,000, with ongoing fines of \$25,000 per day.

2. Clearing on Lots Affected by this Policy

- i. All lot clearing (if required) shall be undertaken outside of the specified TPZ. All care is to be taken during clearing operations to avoid any damage to the trees canopy or activities that could result in the loss of limbs.
- ii. No mechanical grubbing out shall occur within the TPZ. If required, removal of organics within the TPZ should be undertaken by hand and limited to the top 100mm of soil only. No mechanical equipment to be utilised without the prior written advice of an Arboriculturist being provided to and approved by the Shire.
- iii. All grubbing or removal of roots and/or removal of deleterious material below ground that is within 1 meter of the TPZ boundary, shall be preceded by root pruning consistent with written advice from an Arboriculturist being provided to and approved by the Shire [see policy provision 4].

3. Development on Lots Affected by This Policy

All development, including, but not limited to, dwellings, outbuildings, animal shelters etc shall be contained within the building envelopes specified on “Schedule B”. No development will be permitted outside of the building envelope without written advice from an Arboriculturist being provided to and approved by the Shire prior to the construction of the development.

4. Root Pruning

All trenches and excavations near the TPZ boundary of trees should be preceded by root pruning where the diameter of the root(s) exceed 20mm. Root pruning shall be undertaken in five (5) stages as follows:-

- i. A *dissecting cut* – a preliminary cut made at a distance away from the intended final root pruning alignment. Dissection cut made to relieve pressures on the individual roots.

- ii. *Localised excavation around the individual root* - This is the removal of soils such that any tearing of bark can be observed to its source on the tree side of the root and the final cut zone made accessible for cutting with the pruning implement being used (Including sharp secateurs, loppers, handsaw or chainsaw that is fit for the purpose).
- iii. *Final cut* - Made with a sharp pruning tool (i.e sharp secateurs, loppers, handsaw or chainsaw that is fit for the purpose) at the position where the bark is attached around the circumference of the root. The final cut is not governed by the root pruning alignment if the tearing of the bark extends toward the tree and goes beyond the intended alignment. However, should the final cuts end up being closer to the tree than the intended alignment, the methodology should be modified such that steps (i) and (ii) are carried out further away from the intended alignment and the final cut made at the intended alignment.
- iv. *Cover the exposed roots* - On completion of the final cut, the root(s) are to be covered with either soil (backfilled immediately following pruning), or a layer of hessian (or alike material approved by the Arboriculturist), that is secured and draped over the root exposed area. This cover should be put in place progressively with the root pruning (within hours), and the hessian regularly moistened as directed by the Arboriculturist.
- v. *Following root pruning* - Supplementary watering may be required. Rates will be subject to amount of root loss incurred and seasonal variation as determined by the Arboriculturist.

5. Services

No services, excavation or trenching shall pass through the specified TPZ without the prior written advice from an Arboriculturist being provided to and approved by the Shire.

This includes trenching or excavation required for reticulation and garden lighting.

This advice will be at the landholders expense, and the Shire will not be liable for any costs associated with this advice.

6. Boundary Fencing

Boundary fencing that is required to pass through the TPZ should be post and rail type. Locations for footings within the TPZ shall be subject to exploratory excavations to avoid damage or loss of roots exceeding 20mm diameter.

It is recommended that the advice of an Arboriculturist is obtained and submitted to the Shire for approval prior to construction of any fencing within the TPZ.

7. Canopy Pruning

Pruning or removal of any part of the canopy shall not be undertaken without the prior written advice from an Arboriculturist being provided to and approved by the Shire.

All pruning works to comply with the Australian Standards AS 4373 *“Pruning of amenity trees”* 2007.

8. TPZ restrictions:-

Restricted activities within the TPZ:

- Traversing and/or Parking of plant machinery or vehicles;
- Storage for construction or deleterious materials;
- Vehicle refuelling;
- Storage of surplus fill;
- Preparation of chemicals and/or cement products;
- Areas to dump construction and general waste;
- Wash down or cleaning;
- Locations for site offices or toilets;
- Or activities that may harm or injure the tree above or below ground.

9. Landscaping

No Landscaping shall occur within TPZ without written advice from an Arboriculturalist being submitted to and approved by the Shire prior to any landscaping works commencing.

Landscaping advice will be at the landholders expense, and the Shire shall not be liable for any costs associated with this advice.

Arboricultural input shall form part of any landscaping design for any of the properties affected by this policy. Of particular concern will be issues such as (but not limited to):

- Soil level changes;
- Landscape lighting;
- Irrigation methods;
- Hard landscaping;
- Retaining walls;
- Footings;
- Fencing;
- Turf;
- Placement and location of sheds;
- Drainage implications.

10. Arboricultural Inspections

The long term welfare of the tree and its safety would best be served by undertaking regular Arboricultural inspections (approximately 3-4 years) by a suitably qualified Arborist to assess, identify and report any change or tree related problems that may cause future issues.

It is recommended that landholders undertake regular inspections of the nominated trees.

These inspections and advice will be at the landholders expense, and the Shire will not be liable for any costs associated with this advice.

11. Unavoidable TPZ encroachments

No encroachment into a TPZ is permitted without written advice from an Arboriculturalist being submitted to and approved by the Shire prior to any works commencing.

This advice will be at the landholders expense, and the Shire will not be liable for any costs associated with this advice.

Where encroachment into the TPZ is unavoidable, variations to the TPZ may be possible subject to compensation measures being afforded the tree and appropriate Arboricultural advice being provided. i.e. increasing area of the TPZ elsewhere and/or via remedial arboricultural works within the TPZ area.

LPP 12 - ANIMAL ESTABLISHMENT

POLICY NO:	LPP 12
POLICY SUBJECT:	ANIMAL ESTABLISHMENT
ADOPTION DATE:	18 December 2013
LAST REVIEW:	17 April 2013

OBJECTIVES

The primary objectives are to:

- (a) Ensure that animal establishments are undertaken in a sustainable manner;
- (b) Ensure that animal establishments do not have a significant negative impact on the natural environment; and
- (c) Ensure that animal establishments do not impact detrimentally on the amenity of adjoining landowners.

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:

“Animal Establishment” means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry - intensive or veterinary centre.

“Building Envelope” means an area of land within a lot marked on a plan approved by the responsible authority within which all buildings and effluent disposal facilities on the lot must be contained.

“Cattery” means the keeping of five or more cats over the age of six months for the purpose of boarding, breeding or training whether for commercial sale or for domestic purposes.

“Council” means the elected members of the Shire.

“Equine Facility” means the keeping, agistment or breeding of horses outside of the recommended Stocking Rates for commercial or domestic purposes and also includes a riding school or training facility.

“Horse(s)” means any breed or size of equine animal including donkeys, mules or ponies.

“Kennel” means the keeping of five or more dogs over the age of three months for the purpose of boarding, breeding or training whether for commercial sale or for domestic purposes.

“Large Animal” includes, but is not limited to, alpacas, llamas, goats, cattle, deer, sheep, poultry, camels, birds, emus and ostriches.

“Other Establishment” means the keeping of any other large animal for commercial purposes.

“Owner” means an owner of land that is located within a development contribution area.

“Scheme” means Local Planning Scheme No 6.

“Shire” means the Shire of Northam.

“Stables” and **“stabling”** shall be taken to mean facilities for the accommodation of horses or other large animals where each animal is housed or kept within an individual loose box, stall or yard.

STATUTORY POWERS

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

POLICY STATEMENT

Introduction

The Shire supports small business as part of a vibrant and diverse community and has a responsibility to regulate animal establishments to ensure these landuses are carried out in a safe and sanitary manner whilst preventing nuisances to neighbours and the surrounding environment. Compliance with this Policy will assist in providing a safe and sanitary service.

Empowerment

This policy is adopted under Part 2 of Local Planning Scheme No 6 (“LPS 6”).

Application and Policy Area

This policy applies to the area defined in LPS 6.

Policy Statement

Kennels, Catteries, Equine Facilities and Other Establishments are classed as Animal Establishments and are not permitted in the Shire except in the “General Industry”,

“Rural”, “Rural Smallholdings” and “Rural Residential” zones where they are a discretionary use under LPS6.

The Shire will not permit the establishment or maintenance of an animal establishment in any area if, in its opinion, such an establishment would adversely affect the environment, be a nuisance to or in any way be detrimental or prejudicial to adjoining residents and land.

An application for an animal establishment in the “Rural Residential” zone will be carefully scrutinised and may be refused due to the size of the land. An animal establishment will not be approved on land zoned “Rural Residential” if it is located within 1 kilometre of any “Residential” zoned land.

Nothing in this policy precludes compliance with the relevant State Government Legislation eg: the *Dog Act 1976*, the *Dog Regulations 1976*, the *Cat Act 2011* and the *Cat Regulations 2012* this includes the issuing of a licence for a kennel, cattery or a stable under the Shire Local Law as well as obtaining planning approval.

Applicants are reminded of general environmental responsibilities, as required by the *Environmental Protection Act 1986*, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm or a detriment to the locality.

In considering an Application for Planning Approval, the Shire will require the following:

1. A cover letter to include:
 - (a) The breed of animal proposed for the Animal Establishment;
 - (b) The number of animals proposed to be housed in the Animal Establishment;
 - (c) Whether the Animal Establishment is for boarding or breeding purposes or both;
2. If a structure or building is proposed to be constructed as part of the application the following information is required to be submitted with the application:
 - (ii) Accurate **SCALED** (1:100, 1:200 or 1:500) floor plans incorporating the specific design criteria contained in this Policy including what materials are proposed to be utilised;
 - (iii) Three (3) copies of **SCALED** (1:100, 1:200 or 1:500) elevations of all sides of the structure, showing height of the wall and roof ridge measured from natural ground level;

3. Three (3) copies of **SCALED** (1:100, 1:200 or 1:500) site plan of the property showing distance of any proposed structure from property boundaries, existing structures and effluent disposal systems.
4. Details of any trees to be removed to allow for the commencement of the use or for the construction of any associated development.
5. Any other information the Shire may reasonably require to enable the application to be determined.

Design Criteria for a Kennel

The following describes the minimum standard of construction for a Kennel within the Shire:

1. The walls of each kennel shall be constructed of concrete, brick, stone or steel framing sheeted internally and externally with good quality factory painted non-reflective steel sheeting or fibrous cement sheeting or other durable material approved by the Shire.
2. Dogs are to be housed singularly within walk in modules with an exercise yard attached to the module.
3. All internal and external surfaces are to be impervious and maintained as impervious.
4. The lowest internal height of any kennel shall be 2.4 metres from the floor.
5. The upper surface of the kennel floor shall be at least 10 centimetres above the surface of the surrounding ground, be constructed of concrete with a smooth impervious acid resistant finish graded to not less than 1:100 to a drain which shall be properly laid, ventilated and trapped in accordance with the effluent the wastewater disposal guidelines contained in this Policy.
6. Each yard for any kennel shall be kept securely fenced with a fence not less than 2 metres in height constructed of link mesh or netting, galvanised iron or timber.
7. Each kennel shall have a floor area of not less than 2.5 square metres for every dog kept therein over the age of three months.
8. All painted external surfaces shall be kept in good condition and be repainted with good quality paint every three years.
9. Gates for each yard shall be provided and fitted with proper catches or means of secure fastening.

10. The area of the yard adjacent to a kennel or group of kennels shall not be less than three times the area of the kennel or group of kennels.
11. Kennels are to be provided with adequate natural light and ventilation.
12. Kennels are to be designed and constructed to eliminate noise nuisance.
13. A separate food room is required. This room is to contain a sink of sufficient size to wash equipment, sealed to prevent vermin and fly access and have an external fly screened window for ventilation. The food is to be stored in metal cabinets and or refrigerators installed a minimum of 50mm above the finished floor level.
14. Kennels must have an isolation room to quarantine any sick or injured animals.
15. Kennels must have a separate “maternity” section to accommodate females and their litters.

Kennels Operation

The Shire will require that where an Applicant seeks to keep dogs in a kennel, the Applicant shall demonstrate to the satisfaction of the Shire:

1. That the kennel and yards are appropriate for the breed or kind of dog, sited and maintained in accordance with the requirements of public health and sufficiently secured.
2. That the dogs will be prevented to escape from the kennel or yard in which it is kept nor wander at large except for the purpose of reasonable exercise whilst under the control of a person.

Kennel Management Plans

An application for a Kennel must be accompanied by a Management Plan which demonstrates that:

1. The kennel, the yards, feeding and drinking vessels are to be maintained in a clean condition and be cleaned and disinfected at least once per day.
2. Reticulated water is available at the Kennel at all times via a properly supported stand pipe and hose cock for the hosing down of the Kennel and floored yard.
3. Bedding for all dogs must be a minimum 300mm above the finished floor level.
4. A person in charge of the dogs must either reside on the Kennel establishment premises or within such reasonable close proximity as to enable effective control over the dogs.

5. Every part of the Kennel establishment must be maintained in a hygienic and clean condition, free from odour, flies, fleas, ticks and vermin.
6. Fire extinguishers are present within the Kennel.
7. All refuse, faeces and food wastes will be disposed of and how this will be achieved. All waste must be disposed of daily into an approved apparatus.

Design Criteria for a Cattery

The following describes the minimum standard of construction for a cattery within the Shire:

1. The walls of each cattery shall be constructed of concrete, brick, stone or steel framing sheeted internally and externally with good quality factory painted non-reflective steel sheeting or fibrous cement sheeting or other durable material approved by the Shire.
2. Cats may be housed in walk-in modules that include a sleeping compartment and an exercise area or in colony pens. Cats may be multiple housed in colony pens. Each cat should have a floor area of two square metres plus an individual sleeping area. Only sterilised compatible cats should be housed in this type of accommodation.
3. Walk-in modules must have minimum floor areas of 1.5 square metres and contain at least two levels including raised sleeping quarters. This size is for one cat only and an additional one square metre floor space is required for a second cat. No more than two cats may be housed together in this type of accommodation.
4. All internal and external surfaces are to be impervious and maintained as impervious.
5. The lowest internal height of any cattery shall be 2.4 metres from the floor.
6. The upper surface of the cattery floor shall be at least 10 centimetres above the surface of the surrounding ground, be constructed of concrete with a smooth impervious acid resistant finish graded to not less than 1:100 to a drain which shall be properly laid, ventilated and trapped in accordance with the effluent the wastewater disposal guidelines contained in this Policy.
7. Each yard for any cattery shall be kept securely fenced with a fence not less than 2 metres in height constructed of link mesh or netting, galvanised iron or timber and be securely and completely roofed with link mesh or solid materials.
8. All painted external surfaces shall be kept in good condition and be repainted with good quality paint every three years.

9. Gates for each yard shall be provided and fitted with proper catches or means of secure fastening.
10. The area of the yard adjacent to a cattery or group of catteries shall not be less than three times the area of the cattery or group of catteries.
11. Catteries are to be provided with adequate natural light and ventilation.
12. Catteries are to be designed and constructed to eliminate noise nuisance.
13. A separate food room is required. This room is to contain a sink of sufficient size to wash equipment, sealed to prevent vermin and fly access and have an external fly screened window for ventilation. The food is to be stored in metal cabinets and or refrigerators installed a minimum of 50mm above the finished floor level.
14. Catteries must have an isolation room to quarantine any sick or injured animals.
15. Catteries must have a separate “maternity” section to accommodate females and their litters.

Catteries Operation

The Shire will require that where an Applicant seeks to keep cats in a cattery, the Applicant shall demonstrate to the satisfaction of the Shire:

1. That the cattery and yards are appropriate for the breed or kind of cat, sited and maintained in accordance with the requirements of public health and sufficiently secured.
2. That the cats will be prevented to escape from the kennel or yard in which it is kept nor wander at large except for the purpose of reasonable exercise whilst under the control of a person.

Cattery Management Plans

An application for a Cattery must be accompanied by a Management Plan which demonstrates that:

1. The cattery, the yards, feeding and drinking vessels are to be maintained in a clean condition and be cleaned and disinfected at least once per day.
2. Reticulated water is available at the Cattery at all times via a properly supported stand pipe and hose cock for the hosing down of the cattery and floored yard.
3. Bedding for all cats must be elevated a minimum of 1.2m from the ground for higher level bedding and 300mm above the finished floor level for lower level bedding.

4. A person in charge of the cats must either reside on the Cattery establishment premises or within such reasonable close proximity as to enable effective control over the cats.
5. Every part of the Cattery establishment must be maintained in a hygienic and clean condition, free from odour, flies, fleas, ticks and vermin.
6. Fire extinguishers are present within the Cattery.
7. All refuse, faeces and food wastes will be disposed of and how this will be achieved. All waste must be disposed of daily into an approved apparatus.

Equine Facility

When considering an application for an Equine Facility, the Shire requires the following information, in addition to the information described in this Policy:

1. A letter describing the specific activities proposed for the Equine Facility eg: training, agistment, riding school etc.
2. For a riding school, a copy of the current Public Liability Insurance held.
3. Any additional equipment that is proposed to be utilised by the activity such as carriages, floats, jumps etc.

Paddock stocking levels are to be in accordance with the Department of Agriculture and Food Western Australia's *Stocking Rate Guidelines For Rural Small Holdings*. This document is applied to all land zoned "Rural" under LPS 6.

When the proposed Equine Facility exceeds the stocking rates contained within the *Stocking Rate Guidelines For Rural Small Holdings*, a Stock Management Plan must be lodged which contains the following information:

1. Insect and odour management.
2. Stock rotation.
3. Erosion management.
4. Paddock recovery measures.
5. Identification of any remnant vegetation or exclusion zones required to be fenced.
6. Stable management.
7. Manure collection and removal
8. High quality fencing
9. Landscaping including windbreaks, tree planting with double-fencing, constructed horse paths.
10. Dust management.
11. Nutrient/runoff management plan.
12. Horse exercise program.

13. Neighbour liaison.

Other Establishment

When considering an application for Other Establishments, the Shire requires the following information, in addition to the information described in this Policy:

1. A letter describing the specific activities proposed for the Establishment including what type of animal, how many animals, purpose of keeping the animals eg: fur/wool production, meat production, domestic pets etc.
2. For an Establishment involving attendance by members of the public, a copy of the current Public Liability Insurance held.

Paddock stocking levels are to be in accordance with the Department of Agriculture and Food Western Australia's *Stocking Rate Guidelines For Rural Small Holdings*. This document is applied to all land zoned "Rural" under LPS 6.

When the proposed Other Establishment exceeds the stocking rates contained within the *Stocking Rate Guidelines For Rural Small Holdings*, a Stock Management Plan must be lodged which contains the following information:

1. Insect and odour management.
2. Stock rotation.
3. Erosion management.
4. Paddock recovery measures.
5. Identification of any remnant vegetation or exclusion zones required to be fenced.
6. Manure collection and removal.
7. High quality fencing.
8. Landscaping including windbreaks, tree planting with double-fencing, constructed horse paths.
9. Dust management.
10. Nutrient/runoff management plan.
11. Horse exercise program.
12. Neighbour liaison.

Pigs

Pigs are not permitted on any land within the Shire unless applied for under the provisions of LPS 6 as "Animal Husbandry - Intensive".

Effluent & Waste Water Disposal

Effluent includes sewerage from toilets and staff facilities, floor waste water, cleaning rinse water and animal excrement. This waste must be treated and retained within the property.

If the anticipated waste water flow, including cleaning rinse water is less than 5,000 litres per day, a permit is required from the Shire to install and use a septic tank system.

Waste water from dog kennels and catteries will be high in organic matter, suspended solids, animal hair and cleaning chemicals which can be harmful to the environment. To prevent waste water harming soil and plants or posing disease risks the following effluent disposal method is required:

1. Any floor waste water or cleaning rinse water should be passed through a septic tank or other holding tank such as a grease trap to remove solids and animal hair.
2. This waste water should then be disposed on site using subsoil absorption trenches or leach drains to prevent odours, mosquitoes and the risk of disease transmission.
3. Silt traps should be installed before the septic tank or grease trap to stop animal hair and solids blocking the tanks or absorption trenches.
4. Waste water cannot be used for drip or spray irrigation unless it meets EPA requirements and is treated in an approved ATU.
5. Animal excrement should be regularly collected and disposed of onsite by burial or composting.

LPP 13 - ANCILLARY ACCOMMODATION

POLICY NO:	LPP 13
POLICY SUBJECT:	ANCILLARY ACCOMMODATION
ADOPTION DATE:	18 December 2013
LAST REVIEW:	17 April 2013

OBJECTIVES

The primary objectives are to:

- (a) Provide flexibility in providing accommodation opportunities to residents within the same lot to meet the needs of local residents;
- (b) Minimise the potential for inappropriate residential development in rural areas, which could lead to fragmentation of rural zoned land;
- (c) Minimise the potential for inappropriate residential development in the SCA 1 - Avon and Mortlock Rivers Special Control Area; and
- (d) Ensure that ancillary accommodation is provided, constructed and located in such a way as to minimise its impact on the amenity of the locality.

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:

“Ancillary Accommodation” means self-contained dwelling on the same lot as a single house which may be attached to, integrated with or detached from the single house.

“Grouped Dwelling” means a dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property.

“Shire” means the Shire of Northam.

STATUTORY POWERS

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

INTRODUCTION

This policy is designed to provide flexibility in providing accommodation opportunities to family members within the same lot to meet the needs of local residents and to ensure that ancillary accommodation is provided, constructed and located in such a way as to minimise its impact on the amenity of the locality whilst satisfying the requirements of local families.

BACKGROUND

In addition to the approval of ancillary accommodation or a new granny flat, the policy also addresses the scenario where a landowner wishes to construct a new single residence, rendering the existing dwelling as the ancillary accommodation, or alternatively demolishing the original dwelling or modifying the fixtures to the original dwelling to render it non-habitable once the new dwelling is constructed. This involves removal of any of the facilities required under the health provisions of the Building Code of Australia.

The policy sets out criteria for ancillary accommodation that can be approved without referral to neighbours (see Table 1), ancillary accommodation that requires referral to neighbours before being determined, and ancillary accommodation the Shire will generally not support (see Table 2).

This will provide certainty for residents and Shire Staff on how different ancillary accommodation applications will be assessed and determined, and also assist residents in re-designing their ancillary accommodation applications where desired, to obtain a more favourable assessment or determination in a reduced time frame.

POLICY STATEMENT

Criteria

Ancillary accommodation will only be approved where it meets all of the specific criteria as outlined in Table 1 of this Policy in addition to the following general criteria:

1. Ancillary accommodation that complies with all of the criteria corresponding to the relevant zone (for the applicable lot size) in Table 1 of this Policy, and the relevant general criteria below, will not require advertising to neighbours, subject to compliance with other relevant clauses of this Policy, as set out below and, specifically:
 - (a) The Shire's Health Service will consider the use of the existing septic tanks with an extension to leach drain length and/or number.
 - (b) If the existing residence and ancillary accommodation combined equates to 6 or more bedrooms, the Shire's Health Service will require the provision of a separate effluent disposal system to service the ancillary accommodation or upgrading the existing system in terms of septic tank capacity and effluent disposal area.

- (c) If the total floor area of the ancillary accommodation is over 60m² in area, the development will be deemed a density development and assessed under the provisions of the Government Sewerage Policy (1996).
 - (d) In any instance, effluent disposal systems will be required to comply with the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974
2. Ancillary Accommodation that does not comply or exceeds any one or more of the criteria corresponding to the relevant zone in Table 1 of this Policy, or the relevant general criteria above, will be referred to Council for determination and will generally not be recommended for approval unless in the Shire's opinion the size, appearance and location and particulars of the subject site will not have a detrimental impact on the landscape and amenity of the area. In forming this opinion the Shire may have regard to the submissions (if any) from affected neighbours.
 3. Consideration could be given for ancillary accommodation to be located at a greater distance than that specified in Table 1 to take into account topographical reasons, effluent disposal issues or other similar constraints on the land. Such a relaxation would only be granted following advertising to neighbours.
 4. An existing single residence may be approved as ancillary accommodation to a new proposed dwelling subject to the residence ultimately forming the ancillary accommodation not exceeding the requirements of Table 1 unless varied pursuant to Clause 2 above and a formal legal agreement (caveat) including a deed being registered on the Certificate of Title of the property, limiting its use to this purpose.
 5. An existing residence may be temporarily approved for ancillary accommodation exceeding the requirements of Table 1, for a maximum period of 6 months following the practical completion of a new dwelling as described in 4 above. The ancillary accommodation shall thereafter be refitted to render it non-habitable in accordance with the Health Act, or to comply with the maximum criteria specified in Table 1. The legal agreement (caveat) is to include a deed to this effect.
 6. Any discretionary standards prescribed in the Policy or enclosed Table are at the discretion of Council, or its delegate.

Design Elements

1. The maximum floor area of the ancillary accommodation is calculated excluding verandahs, patios, pergolas, carports and garages and is measured to the external walls of the dwelling.

2. The appearance of the ancillary accommodation must be complementary in style to the existing dwelling.
3. The Shire strongly prefers that all ancillary accommodation be contained under the existing roofline of the main dwelling. Otherwise, the building should be transportable and of a high design standard that is compatible with the surrounding development.
4. Second hand transportable buildings such as mine site dongas, buildings resembling a donga and/or site offices will not be approved as ancillary accommodation.
5. A minimum of 1 additional parking space must be provided.
6. The ancillary accommodation must be connected to an approved effluent disposal system (sewer or septic where sewer is unavailable).
7. All ancillary accommodation must be located behind the main dwelling or existing outbuilding or be sufficiently screen so as to not be visible from the street, or adjoining properties.

Legal Requirements

A Notification may be placed on the Certificate of Title (under Section 70A of the Transfer of Land Act) for land zoned other than “Residential” advising subsequent owners of usage restrictions that apply to ancillary accommodation prior to the issue of a Building Licence.

SCA - 1 Avon and Mortlock Rivers Special Control Area

Ancillary accommodation will not be permitted on land partially or wholly within SCA - 1 Avon and Mortlock Rivers Special Control Area despite the zoning as the provisions of the Scheme prevent further intensification of development within this area.

The provisions of Tables 1 and 2 do not apply to land located partially or wholly with the SCA 1 area.

Land Zoned Residential Without Reticulated Sewer

Ancillary accommodation will not be permitted on land zoned Residential that is not able to be connected to the reticulated sewerage system.

The provisions of Tables 1 and 2 do not apply to land that is not able to connect to the reticulated sewer system.

Second Hand Relocated or New Transportable Dwellings

Ancillary accommodation comprising either a second hand relocated dwelling or a new transportable dwelling shall comply with all the provisions of the Shire's LPP 3 New Transportable, Relocated and Second Hand Dwellings.

TABLE 1

Zoning	Criteria
Residential R20 and higher	<ul style="list-style-type: none"> • Minimum lot size of 450m² • Maximum floor area shall be up to 70m². • Distance between the ancillary accommodation and the main dwelling shall be no greater than 10 metres. • Maximum of 1 bedroom, 1 living room, 1 laundry, 1 kitchen and 1 bathroom.
Residential R10 and R15	<ul style="list-style-type: none"> • Maximum floor area shall be up to 70m². • Distance between the ancillary accommodation and the main dwelling shall be no greater than 10 metres. • Maximum of 1 bedroom, 1 living room, 1 laundry, 1 kitchen and 1 bathroom.
Residential R5 and lower	<ul style="list-style-type: none"> • Maximum floor area shall be up to 70m². • Distance between the ancillary accommodation and the main dwelling shall be no greater than 10 metres. • Maximum of 1 bedroom, 1 living room, 1 laundry, 1 kitchen and 1 bathroom.
Rural Residential	<ul style="list-style-type: none"> • Maximum floor area shall be up to 120m². • Distance between the ancillary accommodation and the main dwelling shall be no greater than 20 metres. • Maximum of 2 bedrooms, 1 living room, 1 laundry, 1 kitchen and 1 bathroom.
Rural Smallholdings or Rural up to 40ha	<ul style="list-style-type: none"> • Maximum floor area shall be up to 150m². • Distance between the ancillary accommodation and the main dwelling shall be no greater than 20 metres. • Maximum of 2 bedrooms, 1 living room, 1 laundry, 1 kitchen and 1 bathroom.
Rural over 40.1ha	<ul style="list-style-type: none"> • Maximum floor area shall be assessed on a case by case basis and in accordance with LPP 6 Construction of Additional Dwellings on Rural Zoned Land. • Distance between the ancillary accommodation and the main dwelling shall be no greater than 50 metres. • Maximum of 3 bedrooms, 1 living room, 1 laundry, 1 kitchen and 2 bathrooms.

LPP 14 - FARMSTAY ACCOMMODATION AND BED AND BREAKFAST ESTABLISHMENTS

POLICY NO:	LPP 14
POLICY SUBJECT:	FARMSTAY ACCOMMODATION AND BED AND BREAKFAST ESTABLISHMENTS
ADOPTION DATE:	18 December 2013
LAST REVIEW:	17 April 2013

OBJECTIVES

The primary objectives are to:

- (a) Support a diversity of accommodation within the Shire;
- (b) Provide an effective framework of guidelines within the Shire to develop Farmstay Accommodation and Bed & Breakfast Establishments;
- (c) Ensure the maintenance of a satisfactory standard of facility, which has planning as well as Environmental Health and Building approval;
- (d) Maintain the amenity of both the property and the neighbourhood/locality where Farmstay Accommodation or Bed and Breakfast Establishment is located;
- (e) Ensure the facility is adequately signposted as required;
- (f) Ensure the appropriate location of Farmstay Accommodation and Bed & Breakfast Establishments so as to increase the safety of motorists and guests.

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:

“**BCA**” means the Building Code of Australia.

“**Bed and Breakfast**” means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short term commercial basis and includes the provision of breakfast;

“**Farmstay**” means self-contained accommodation, with separate kitchen and bathroom facilities or non-self-contained accommodation, with shared facilities, for two persons, which may be either attached to or detached from a dwelling and includes chalet accommodation.

“Dwelling” has the same meaning as the Residential Design Codes of Western Australia;

“Scheme” means Local Planning Scheme No 6.

“Short Term Stay” means where the room or bed is not occupied for more than 90 days in any 12 month period by the same guest.

STATUTORY POWERS

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

POLICY STATEMENT

General Provisions

All Bed and Breakfast establishments are required to be applied for by lodging an application for planning approval. As part of the Bed and Breakfast, an application for a Food Premises License will be required to be applied for and be granted by the Shire. This Food Premises License will be valid for one year and will be required to be renewed annually.

All Farmstay Accommodation are required to be applied for by lodging an application for planning approval for a use not listed under the Scheme. Farmstay Accommodation will also be required to submit an application for a Food Premises License. This Food Premises License, if granted, will be valid for one year and will be required to be renewed annually.

Bed and Breakfast establishments are not permitted in the “Commercial”, “Tourist”, “General Industry” and “Light and Service Industry” zones.

Farmstay Accommodation is a use not listed under the Scheme and will only be permitted in the “Tourist”, “Rural” and “Rural Smallholdings” zones. Farmstay Accommodation will not be permitted in the “Residential”, “Rural Residential”, “Commercial”, “Mixed Use”, “General Industry” or “Light and Service Industry” zones.

Establishments must be accessible via a constructed and sealed road as determined by the Shire.

Off street parking is to be provided at a rate of one car bay for every guestroom, in addition to the 2 bays required by the resident, car bays to be easily accessible by patrons and of a standard and location deemed suitable by the Shire.

Appearance of the dwelling shall remain predominantly residential and any additional structures forming part of a Farmstay shall be sympathetic to the existing dwelling.

Signage size restrictions shall apply as 2m² for “Residential” zoned proposals and 4m² for proposals in zones other than “Residential” zone.

Adequate fire fighting equipment is recommended ie 1kg BE Extinguisher and 1 x 1m fire blanket, close to kitchen or power board, hose for external use.

Change of ownership will not forfeit Shire approval. However, notification to the Shire of the intentions of the new owners will be required to enable Shire records to be updated.

Refuse disposal to be adequate to prevent nuisance being created or bin(s) being overloaded.

Permission must be given for an Environmental Health Officer to inspect the premises used for food preparation at any reasonable time with reasonable notice.

Advertising

All applications for Bed and Breakfast Establishments and Farmstay Accommodation are to be advertised in accord with Clause 9.4 of the Scheme.

The Shire is to seek the views of relevant Government agencies, as appropriate.

Any application for a proposal abutting a highway reserve is to be referred to Main Roads Western Australia.

Bed and Breakfast Establishments in Residential Areas

Building Requirements

- Maximum of 3 bedrooms for guest purposes.
- The dwelling is to be of acceptable standard for tourist use.
- Separate guestrooms shall comply with size, light and ventilation requirements as outlined in the Shire’s Health Local Laws relating to lodging houses.
- Building is to be in compliance with the BCA. If the accommodation was built after 1997, this includes smoke alarms in every bedroom.
- Any building extensions or alterations will require building approval and modification of the annual licence.

Health Requirements

Sanitary Facilities

- Separate toilet, hand basin and shower or bath is to be supplied, where practical as determined by the Shire. Any shared bathroom and WC are to be provided with lockable doors.

- All wastewater to be directed to an acceptable effluent treatment system to the satisfaction of the Shire's Environmental Health Officer. Upgrading of the existing system may be required if it is deemed inadequate by the Shire's Environmental Health Officer.
- Bathroom/WC to be kept clean at all times.
- Clean linen is to be provided for every new guest and at least once per week if no change of guest.

Kitchen

- The kitchen is to be kept clean and tidy at all times, and in good order and repair.
- Suitable facilities for hygienic preparation, storage and cooking of food shall be provided, including hand basin and sinks.
- An adequate supply of potable water to the satisfaction shall be provided.
- An adequate supply of hot and cold water shall be provided.
- A basic knowledge of safe food handling principles must be demonstrated.
- Preparation of breakfast to be undertaken by the keeper of the accommodation only.
- No domestic animals to have access into the establishment.
- Food preparation only to be undertaken in areas approved by the Shire.
- Children under the age of 5 years and persons not employed in the food preparation are to be excluded from the food preparation area during times of food preparation.
- Premises to be fully sealed to control vermin, including rodents.
- All food is to be protected from contamination, such as dust and flies.

Bed and Breakfast and Farmstay Accommodation in Areas Other than Residential

Bed and Breakfast Establishments

Building Requirements

- Maximum of 5 bedrooms for guest purposes.
- The dwelling is to be of acceptable standard for tourist use.
- Separate guestrooms shall comply with size, light and ventilation requirements as outlined in the Shire's Health Local Laws relating to lodging houses.
- Building is to be in compliance with the BCA. If the accommodation was built after 1997, this includes smoke alarms in every bedroom.
- Any building extensions or alterations will require building approval and modification of the annual licence.

Sanitary Facilities

- Separate toilet, hand basin and shower or bath is to be supplied, where practical as determined by the Shire. Any shared bathroom and WC are to be provided with lockable doors.
- All wastewater to be directed to an acceptable effluent treatment system to the satisfaction of the Shire's Environmental Health Officer. Upgrading of the existing system may be required if it is deemed inadequate by the Shire's Environmental Health Officer.
- Bathroom/WC to be kept clean at all times.
- Clean linen is to be provided for every new guest and at least once per week if no change of guest.

Kitchen

- The kitchen is to be kept clean and tidy at all times, and in good order and repair.
- Suitable facilities for hygienic preparation, storage and cooking of food shall be provided, including hand basin and sinks.
- An adequate supply of potable water to the satisfaction of the Shire shall be provided.
- An adequate supply of hot and cold water shall be provided.
- A basic knowledge of safe food handling principles must be demonstrated.
- Preparation of breakfast to be undertaken by the keeper of the accommodation only.
- No domestic animals to have access into the establishment.
- Food preparation only to be undertaken in areas approved by the Shire.
- Children under the age of 5 years and persons not employed in the food preparation are to be excluded from the food preparation area during times of food preparation.
- Premises to be fully sealed to control vermin, including rodents.
- All food is to be protected from contamination, such as dust and flies.

Farmstay Accommodation

In the "Rural Smallholdings" zone, the minimum lot size for farmstay accommodation is 8ha and the maximum density is one suite/chalet for each two hectares, in addition to a dwelling occupied by the landowner.

In "Rural" zone, the minimum lot size for rural tourist accommodation is 20ha and the maximum density is one suite/chalet per hectare, in addition to a dwelling occupied by the landowner.

Farmstay accommodation in the "Tourist" zone is assessed on a case by case basis.

Building Requirements

- Building of acceptable standard for tourist use and must be fully self contained or provided with detached ablution facilities.

- Buildings are required to be in compliance with the BCA.
- Any building extensions or alterations will require building approval and modification of the annual licence.

Health Requirements

Sanitary Facilities

- Separate toilet, hand basin and shower or bath is to be supplied, where practical as determined by the Shire. Any shared bathroom and WC to be provided with lockable doors.
- All wastewater to be directed to an acceptable effluent treatment system to the satisfaction of the Environmental Health Officer. Upgrading of the existing system may be required if it is deemed inadequate by the Environmental Health Officer.
- Bathroom/WC/ablution facilities to be kept clean at all times.
- Clean linen is to be provided for every new guest and at least once per week if no change of guest.

Kitchen

- Kitchen to be kept clean and tidy at all times, and in good order and repair.
- Suitable facilities for hygienic preparation, storage and cooking of food shall be provided, including hand basin and sinks.
- An adequate supply of potable water to the satisfaction of the Shire shall be provided.
- An adequate supply of hot and cold water to be provided.
- A basic knowledge of safe food handling principles must be demonstrated.
- Preparation of breakfast to be undertaken by the keeper of the accommodation only.
- No domestic animals to have access into the dwelling occupied by the landowner.
- Food preparation only to be undertaken in areas approved by the Shire's Environmental Health Officer.
- Children under the age of 5 years and persons not employed in the food preparation are to be excluded from the food preparation area during times of food preparation.
- Premises to be fully sealed to control vermin, including rodents.
- All food is to be protected from contamination, such as dust and flies.

ADDITIONAL INFORMATION SHEET TO ACCOMPANY AN APPLICATION FOR A
HOME BUSINESS OR RURAL HOME BUSINESS (BED AND BREAKFAST
ESTABLISHMENT OR FARMSTAY ACCOMMODATION)

Location of premises: _____

Materials of construction: _____

Maximum number of lodgers to be accommodated: _____

Number of rooms used to accommodate lodgers: _____

Description of room to be used by lodgers as a sleeping apartment	Measurement in metres – length, width, height	Cubic capacity in metres	No. of boarders

Signature: _____

Address: _____

Date: _____

LPP 15 - ROAD AND SUBDIVISION REQUIREMENTS IN THE RURAL RESIDENTIAL ZONE

POLICY NO:	LPP 15
POLICY SUBJECT:	ROAD AND SUBDIVISION REQUIREMENTS IN THE RURAL RESIDENTIAL ZONE
ADOPTION DATE:	18 December 2013
LAST REVIEW:	17 April 2013

OBJECTIVES

The primary objectives are to:

- (a) To provide a safe, efficient and effective road system for Rural Residential subdivisions;
- (b) To facilitate the upgrading of existing Rural Residential roads to preferred widths, alignments and standards of construction;
- (c) To enable the protection of remnant roadside vegetation and the provision of roadside landscaping treatments;
- (d) To create a visually appealing streetscape for Rural Residential subdivisions;
- (e) To provide sufficient road reserve width to accommodate all required public utilities required as part of a Rural Residential subdivision; and
- (f) To provide a rational and consistent basis for the construction of Rural Residential roads and any financial contributions required for such construction.

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:

“Consulting Engineer” or **“Consultant”** means the Engineer appointed by the subdivider to design, document and supervise construction of the works.

“Council” means the Council of the Shire of Northam (Local Government Act 1995)

“Council’s Engineer” or **“Engineer”** means the Shire Engineer or firm of Consulting Engineers, or their representatives, appointed by Council from time to time to act on its behalf.

“Developer” has the same meaning as owner.

“Highway” means Great Eastern Highway within the Shire.

“Executive Manager of Works and Services” means the person appointed by the Shire of Northam to that position or his nominated representative

“LPS 6” means Local Planning Scheme No 6.

“Major Road” means those roads as shown on the Scheme Map and Legend thereto.

“Owner” has the same meaning as in TPS No.3.

“Road” means the road reserve, inclusive of pavement, shoulders, drains, bridges, fords and verges.

“Scheme” means Local Planning Scheme No 6.

“Shire” means the Shire of Northam.

“Subdivider” has the same meaning as owner.

“Street” shall have the same meaning as the definition of the term contained in the Local Government Act 1995 which reads:

“Street” includes a highway and a thoroughfare which the public are allowed to use and includes every part of the highway or thoroughfare, and other things including bridges and culverts, appurtenant to it.”

The meaning of all the other terms not specifically defined in this policy shall be the same as the definitions contained in the Local Government Act 1995.

STATUTORY POWERS

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

POLICY STATEMENT

All Rural Residential road works are to be carried out to the complete satisfaction of the Shire and in accordance with best accepted engineering practice. As a guide, developers should refer to the Shire’s adopted policies:

General Engineering Requirements for Subdivisions; and
Technical Specifications for Construction of Roads and Drainage.

Road Reserve Widths & Pavement

The required minimum road reserve width for a Rural Residential subdivision road shall be twenty (20) metres. Council may require an increased road reserve width in accordance with the requirements of this policy.

Rural Residential pavements shall be subject to a seal width of 6.2 metres with 1.5 metre road shoulders on a 20 metre road reserve (Local Access Road) and a seal width of 7.2 metres with 1.5 metre shoulders on a 30 metre road reserve (Local Distributor) and have constructed embayments required for any public transport stops, stipulated by the Shire of Northam.

All road reserve widths are subject to the lands topography, the existing and proposed vegetation and site specific analysis to ensure the road reserve width proposed is sufficient and able to incorporate drainage infrastructure.

Verges shall have sufficient width for the provision of trunk and reticulation services and property connections, and shall be a minimum width of 5.0m unless noted otherwise.

Any Geotechnical Report must include any existing and/or proposed service locations to verge/reserves including depth and orientation.

Where roadside drainage, by nature of contour, flows at a rate exceeding 1 metre per second in an unlined drain or 2 metres per second in a lined drain, a Shire approved treatment is to be employed to restrict flows to below these limits.

Road Design

Rural Residential roads should generally be designed in accordance with relevant Austroads (NAASRA) and ARRB guidelines and publications which include:

- (a) Guide to Traffic Engineering Practice – Parts 1 to 14 (Austroads);
- (b) Turning Path Templates (Austroads, 1995);
- (c) Sealed Local Roads Manual (ARRB);
- (d) Rural Road Design – Guide to the Geometric Design of Rural Roads (Austroads, 1989);
- (e) Policy for Installations of Public Utility Authorities within the Road Reserve;
- (f) Pavement Design – A guide to the Structural Design of Road Pavements (Austroads 1995); and
- (g) Street (Road) Lighting Code AS 1158

Other aspects to be considered include the design of roads to minimise environmental impacts, designing road grades as close to existing contours as practicable and the provision of adequate lot access.

The minimum design speed for access roads shall be 60km/h, collector roads 70 km/h and arterial roads 90km/h.

Road signage denoting aspects of road design are to be incorporated where applicable to indicate changes in road alignments or junctions eg: “T”, “Floodways”, “S” for sharp turns, “Crest”, Street Names, “No Through Road” for cul-de-sac configuration etc.

The preliminary design and final design drawings for all Rural Residential roads must be prepared by a qualified Civil Engineer or suitably qualified or experienced person (as approved by the Manager of Works and Services). Design drawings and specifications should be to the extent and in accordance with that recommended in Council’s adopted Policies:

General Engineering Requirements for Subdivisions; and
Technical Specifications for Construction of Roads and Drainage.

Road Access

Every Rural Residential lot is entitled to one access where it adjoins a public road, provided that:

- (a) Access is to be located considering vehicular safety factors, to the satisfaction of the Shire;
- (b) access to Great Eastern Highway is to be to the satisfaction of Main Roads Western Australia;
- (c) where the property has two road frontages, access is to be to the road of lesser importance as determined by the Council’s Engineer; and
- (d) Only one access to each property is permitted unless otherwise approved by the Shire.

Rural Residential roads shall be designed to enable access to lots at an absolute maximum grade of 16%.

All crossovers to Rural Residential lots are to be constructed in accordance with the Shire’s specifications. It is recommended that contact be made with the Shire in respect to crossover design and construction standards and requirements.

Road Upgrading Conditions

Council may request contributions for construction to upgrade existing roads as a condition of approval of adjoining applications for:

- (a) subdivisions, when any additional lots are created; and
- (b) development, other than single dwellings and outbuildings.

If the proposed Rural Residential subdivision is located some distance along an unsealed road, the developer will be required to contribute to connect the road construction to a sealed road in the immediate locality including services and drainage.

Construction Standards

All construction works shall be carried out in accordance with the approved engineering drawings and specifications and shall be subject to inspection at various stages of the works by the Council's Engineer. Final approval of the road works shall only be given when the whole of the works have been constructed to the true meaning and intent of the approved engineering drawings and specifications and to the satisfaction of the Council's Engineer.

Clearing & Stripping

The clearing and stripping of land for Rural Residential roads shall only be to the minimum extents necessary to accommodate the proposed road works and public utility services. Any excessive clearing beyond the necessary limits shall be rehabilitated at the Subdivider's expense.

Adequate precautions must be taken to ensure that no damage occurs to trees, vegetation, fences, services and other installations outside the designated areas of the road works. Any survey pegs or marks which are disturbed shall be reinstated by a licensed land surveyor at the Subdivider's cost.

Earthworks

Earthworks shall be performed in a safe manner at all times. No material shall be obtained from borrow pits within road reserves and no surplus material shall be disposed of in road reserves.

All fill used in earthworks shall be clean, granular material obtained from general and road works excavations and shall not be contaminated with roots or other impurities. The fill shall be placed in even layers not greater than 300mm thick and each layer shall be compacted to at least 93% of the modified maximum dry density (MMDD) of the material.

Traffic control devices, sign posts, guide posts, street nameplates, guide signs and warning signs shall be provided by the subdivider in accordance with AS 1742 to the satisfaction of the Council's Engineer.

The Shire Engineer and/or the Manager of Works and Services will direct all notices, requests, instructions and approvals to the Consulting Engineer, except in urgent circumstances when they may be given directly to other parties involved in the subdivision.

Geotechnical Report

A geotechnical report is required to determine “best practice” for aspects of subdivision drainage plans and outcomes. Rural Residential drainage design is the responsibility of the developer and must be designed and constructed in an accepted engineering manner with Shire approved outcomes. A geotechnical report should be considered prior to preparation of subdivision engineering drawings.

Street Lighting

Street Lighting is a requirement at intersections, roundabouts and cul-de-sac heads. A street lighting design plan is required to comply with:

- (a) AS 1158.3.1 - 1999 pedestrians or later editions; and/or
- (b) AS 1158.2.1 - 1999 traffic or later editions;

and is required as part of subdivision submission.

LPP 16 - **ADVERTISING SIGNS**

POLICY NO:	LPP 16
POLICY SUBJECT:	ADVERTISING SIGNS
ADOPTION DATE:	18 February 2015
LAST REVIEW:	

OBJECTIVES

The primary objectives are to:

- (a) Provide a consistent approach to signage within the Shire of Northam.
- (b) Ensure the type and size of signs is appropriate for the location.
- (c) Reduce the proliferation of advertisements.
- (d) Ensure advertisements do not adversely impact on traffic circulation and management, or pedestrian safety.
- (e) Ensure advertisements are generally erected on land where advertised business or sale of goods or service being carried out.
- (f) Ensure signs are constructed and maintained to the essential standards of public safety.

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:

“Advertisement” means the same as sign.

“Amenity” means all those factors which combine to form the character of an area and include the present and likely future amenity.

“Council” means the elected members of the Shire.

“Scheme” means Local Planning Scheme No 6.

“Shire” means the Shire of Northam.

“Sign” means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or adapted for use, for the display of

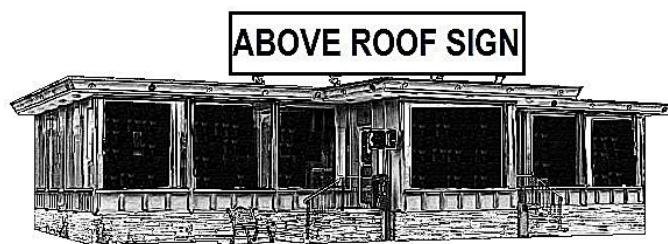
advertisements. The term includes any airborne device anchored to any land or building and any vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising.

“Sign Infill” means a panel which can be fitted into a pylon sign framework

“Verandah” for the purposes of this policy includes cantilever verandahs and balconies whether over thoroughfares or over private land

Sign Types

“Above roof sign” means a sign which is affixed to a building and protrudes above the eaves or parapet of the building with little or no relation to the architectural design of the building.



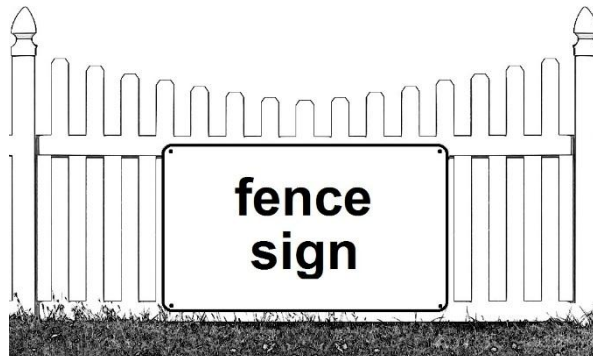
“Bill” means the sticking of a bill or painting, stencilling or affixing any advertisement on a building, structure, fence, wall, signpost, pole, blind or awning, so as to be visible to any person in a street, public place, reserve or other land.

“Billboard” see “Hoarding”.

“Created Roof Sign” means a sign which is affixed to the fascia or roof of the building and compliments the architectural design of the building but does not include an above roof sign.



“Fence Sign” means a sign attached to a fence.



“Fly Posting” means advertising by means of placing posters on fences, walls, trees, buildings and like structures.

“Hoarding” means a large, freestanding or detachable structure that is erected for the sole purpose of displaying a sign or signs, and which has an overall height less than the sign’s horizontal dimension, and includes a poster panel, a wall panel and an illuminated panel, but does not include a pylon sign or a remote sign.



“Monolith sign” means a freestanding sign where the overall height is greater than the horizontal dimension of the sign, and portions of the sign face are less than 1.2m above ground level; and may include a number of modules or sections.

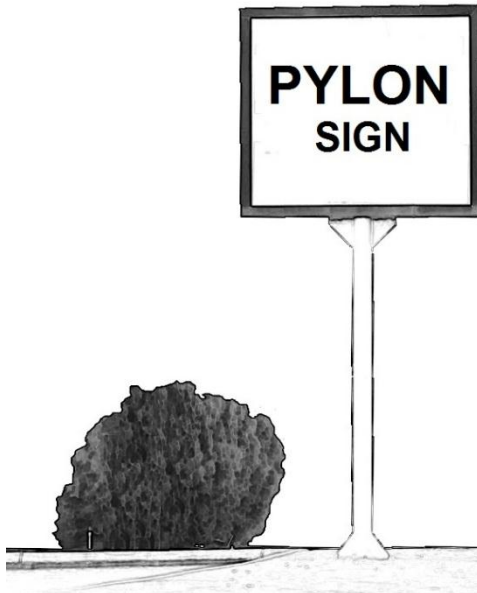


“Portable Sign” means a freestanding sign that is not permanently installed in its location and can be moved.

“Projecting Sign” means a sign which is attached to and protrudes more than 200mm perpendicular from a building or structure below the eaves or parapet of the building, but does not include a fence sign.



“Pylon Sign” means a freestanding sign supported by one or more piers where the overall height (including piers) is greater than the horizontal dimension of the sign, and all portions of the sign face are more than 1.2m above ground level; and includes a detached sign framework supported by one or more piers to which sign infills may be added.



“Remote Sign” means a sign located on private property but not directly related to the business being carried out on that property.

“Tethered Sign” means a sign which is suspended from or tethered to any structure, pole or tree (with or without supporting framework) and made of paper, fabric, plastic or similar materials. The term includes inflatables, bunting, banners, flags and similar.

“Under Verandah Sign” means a sign which is located under a verandah or awning and placed perpendicular to the façade of the building.



“Verandah Sign” means a sign fixed to the face or underside of a verandah or awning, but does not include an under verandah sign.



“Wall Sign” means a sign attached to or painted directly onto an external wall or fascia of a building, and does not project more than 200mm from the wall or fascia to which it is attached and no part of which is above the lowest point of the eaves of the building.



“Window Sign” means a sign attached to or painted directly on to the internal or external surface of a window, or located within 0.5m of a window inside the building for the purpose of advertising to the street.

STATUTORY POWERS

This Local Planning Policy is made pursuant to clause 2.2 of the Shire’s Local Planning Scheme No 6.

POLICY STATEMENT

1. Application

- 1.2 The policy applies to all signage or advertising devices on private property located within the Shire of Northam which can be viewed from a public place, thoroughfare or adjoining property, with the exception of:
- (a) Existing and proposed signage or advertising devices to be located within a Heritage Precinct;
 - (b) Existing and proposed signage or advertising devices to be located on land subject to adopted Design Guidelines for signage; and
 - (c) Advertising signs which are explicitly provided for in the Activities on Thoroughfares and Public Places and Trading Local Law 2008; and
 - (d) Existing approved signage in the Shire of Northam.
- 1.3 If a provision of this Policy is inconsistent with the Scheme, the Scheme prevails.

2. General Requirements

- 2.1 No person shall construct a sign within the Shire without first obtaining written approval of the Council subject to the restrictions within this policy, except where the sign is exempt from requiring planning approval in accordance with Schedule 5 of the Scheme.
- 2.2 Signs which are exempt from requiring planning approval in accordance with Schedule 5 of the Scheme are still required to comply with the provisions of this policy.
- 2.3 All advertising signs shall:
- (a) Not be erected or displayed in a position so as to obstruct access to or from a door, fire escape or window, other than a window designed for the display of goods;
 - (b) Not pose a threat to public health and safety;
 - (c) Be securely fixed to any structure which supports it;
 - (d) Be maintained in good order and clean condition;
 - (e) Not contain any offensive material; and
 - (f) Be compatible with the scale and architecture of the building and the character of the street.

3. Design Requirements

- 3.1 A sign shall be designed to be compatible with the proposed surroundings, including buildings, landscapes and other signs.
- 3.2 Every sign attached to buildings shall be incorporated into the architectural features of the building in placement, style, proportions, materials and finish and shall be designed, constructed, finished, installed and professionally maintained.
- 3.3 Signs may only contain any or all of the following information:
 - (a) The name of the occupier
 - (b) The business carried out on the property
 - (c) The occupiers contact details
 - (d) Hours of operation of the business
 - (e) The logo of the business
 - (f) A description of the goods sold or offered for sale on the property to which the sign is affixed or which is relates
 - (g) Any other information specific to the business or use undertaken specifically approved by the Shire
 - (h) In the case of a remote sign, information related to a tourism business or goods or services for the travelling public, where the remote sign design and content is in accordance with Table 1 and has been approved by the Shire.

4. Signage in the Residential Zones

- 4.1 Where signage is proposed on a non-residential property in a predominantly residential area, it is not to detract from the amenity of the area or the streetscape, or cause a nuisance to residential properties.
- 4.2 The following sign types will not generally be permitted on land zoned residential or surrounded by land predominantly zoned residential:
 - (a) Above Roof;
 - (b) Hoarding;
 - (c) Pylon;

(d) Monolith; and

(e) Tethered.

4.3 Signage for Home Occupations and Home Businesses shall:

(a) Be limited to a maximum of one sign per street frontage of the dwelling;

(b) Be either a fence sign or a wall sign affixed to the ground floor walls of the dwelling;

(c) Not exceed 0.2m² in area; and

(d) Not be illuminated.

5. Signage in the Rural Zones

5.1 Where signage is proposed in the rural zones, it is not to detract from the amenity of the area, and is not to be a hazard to rural activities or road users.

5.2 Signage in rural zones shall:

(a) Be limited to a maximum of one sign per street frontage of the total landholding;

(b) Be either a fence sign, wall sign or hoarding sign;

(c) Not exceed 4m² in area; and

(d) Not be illuminated.

5.3 Signage in the rural zone that is considered to be remote signage is to be assessed in accordance with clause 10 and Table 1 of this Policy.

6. Non-Specified Sign Types

6.1 Any proposed signage that is not listed or defined in this Policy shall be assessed on its merits and with regard to the objectives of this Policy and the objectives of the Scheme.

7. Signage Strategies

7.1 The Shire may request as a condition of development approval that a signage strategy be prepared for any site where development of signage requires a coordinated approach or special consideration to the objectives of The Scheme. Such situations may include, but are not limited to, multi-tenancy commercial or

industrial developments, heritage precincts, commercial developments in residential areas or sporting complexes.

- 7.2 All proposals for remote signs shall be consistent with an approved signage strategy for the whole site.
- 7.3 Where an approved signage strategy is in place, the Shire will not generally approve applications for signage that is not consistent with the approved signage strategy.

8. Standards for Specific Sign Types

8.1 Above Roof Sign

- (a) Above roof signs may be considered where the sign compliments design of the building and does not adversely affect the character or amenity of the area.
- (b) A maximum of one above roof sign per building may be permitted. Where a building houses multiple tenancies or businesses, above roof signs may only be considered when in accordance with an approved signage strategy.
- (c) Above roof signs shall:
 - (i) not project more than 2.0m above the top of the eaves or parapet of the building; and
 - (ii) not project laterally beyond the walls of the building.

8.2 Bill / Fly Posting

- (a) A person shall not post a bill or paint, stencil, place or affix an advertisement on a street or on a building, structure, fence, wall, footpath, sign post, blind or awning with the exception of an advertisement affixed to or painted on a commercial building window by the occupier of the building.
- (b) No person shall fly post at any place or location within the Shire.

8.3 Created Roof Sign

- (a) A created roof sign shall:
 - (i) Be affixed parallel to the fascia or portion of the building to which it is attached;
 - (ii) Not be within 500 millimetres of either end of the fascia, roof or parapet of the building to which it is attached; and
 - (iii) Be no more than 3m² in area.

8.4 Hoarding

- (a) Hoarding may be considered in the rural, and industrial zones or as remote signage in accordance with clause 5 and clause 10 of this Policy.
- (b) Construction site hoardings may be considered in the commercial, mixed use or industrial zones, provided that:
 - (i) It is demonstrated that there is no undue safety risk for pedestrians or conflict with vehicles accessing the site; and
 - (ii) The hoarding is to be erected for no longer than 12 months at a time, and will be removed in its entirety upon completion of construction.
- (c) Hoardings shall:
 - (i) Not exceed 6 m in height.
 - (ii) Be no more than 20 m² in area.

8.5 Fence Signs

- (a) Fence signs shall:
 - (i) Be limited to a maximum of one fence sign per frontage on each lot;
 - (ii) Not exceed 3m² in the Rural, Commercial or Mixed Use Zones;
 - (iii) Not exceed 5m² in the General Industry or Light & Service Industry Zones;
 - (iv) Shall not exceed the height or length of the fence; and
 - (v) Shall not project beyond the fence.

8.6 Portable Sign

- (a) Portable signs are to be in accordance with the Activities on Thoroughfares and Public Places and Trading Local Law 2008.

8.7 Projecting Signs

- (a) A projecting sign shall:
 - (i) Be limited to a maximum of one projecting sign per lot;
 - (ii) Not project more than 1.0m outward from the wall to which they are attached;
 - (iii) Not project beyond the boundaries of the lot or past the edge of any adjacent awning or verandah;
 - (iv) No part of the sign to protrude above the top of the wall to which they are attached;
 - (v) Not exceed 2m² in area; and
 - (vi) Have a minimum clearance from ground level to the lowest part of the sign of 2.1m.

8.8 Pylon Signs and Monolith Signs

- (a) Pylon signs and monolith signs may be considered on:

- (i) Properties in the Commercial or Mixed Use Zones with multiple tenancies or businesses;
 - (ii) Properties in the Commercial or Mixed Use Zones with a lot area greater than 2000m²; or
 - (iii) Properties in the General Industry or Light & Service Industry Zones.
- (b) Pylon signs and monolith signs shall be restricted to one pylon sign and one monolith sign only for each frontage of the property. Where the property has multiple tenancies or a series of businesses, the Shire may require that any proposed pylon sign or monolith sign be designed so as to incorporate one infill, module or section, or sufficient framework to accommodate one infill, for each tenancy or business on the lot.
- (c) A pylon sign shall:
 - (i) Have no part of the sign face less than 2.1m, or more than 6m above the ground level immediately below the sign
 - (ii) Have a maximum width of 2m, measured horizontally across the extremities of the pylon sign structure
 - (iii) Have a sign face area no greater than 4.5 m²
 - (iv) Not be within 2m of the side boundaries of the lot on which it is erected
 - (v) Be supported by one or more piers or columns of brick, stone, timber or steel of sufficient size and strength to support the signs under all conditions. The Shire may require engineering certification of the construction of a pylon sign.
- (d) A monolith sign shall:
 - (i) Have a maximum clearance of 1.2m from natural ground level;
 - (ii) Have no part of the sign face more than 8m above the natural ground level immediately below the sign
 - (iii) Have a maximum width of 2m, measured horizontally across the extremities of the pylon sign structure
 - (iv) Have a sign face area no greater than 8m²
 - (v) Not be within 2m of the side boundaries of the lot on which it is erected
 - (vi) The Shire may require engineering certification of the construction of a monolith sign.

8.9 Tethered Signs

- (a) A tethered sign shall:
 - (i) Be wholly located within the boundaries of the lot;
 - (ii) Not be located so as to distract the attention of motorists;
 - (iii) Have no part of the sign face more than 6m, above the ground level immediately below the sign.
 - (iv) have a maximum vertical dimension of 2000mm and a maximum area of 2 m²;
 - (v) Not be within 10m of a pylon sign

- (b) Notwithstanding the above, tethered signs which consist of balloon type or inflatable objects shall:
 - (i) Be limited to the Commercial, Light Industry and General & Service Industry zones;
 - (ii) Not exceed 6m in diameter or 6m in height;
 - (iii) Not be displayed for more than 30 days;
 - (iv) Be accompanied by certificate from a structural engineer certifying that the connection of the tethered sign to the building or lot is of a sound design.

8.10 Under Verandah Signs

- (a) A sign attached to the underside of a verandah or awning shall:
 - (i) Be limited to a maximum of one under verandah sign per tenancy;
 - (ii) Have a minimum clearance from ground level to the lowest part of the sign of 2.1m;
 - (iii) Not project beyond the outer frame or surround of the verandah; and
 - (iv) Not exceed 2.5m in length or 0.6m in height.

8.11 Verandah Signs

- (a) A sign fixed to the fascia of a verandah or awning:
 - (i) Shall not exceed the height or length of the fascia; and
 - (ii) Shall not project beyond the fascia.

8.12 Wall Signs

- (a) A wall sign shall:
 - (i) Not extend beyond either end of a wall, or above the top of the wall or eaves;
 - (ii) Not have an aggregate area greater than 30% of the total area of each frontage, up to a maximum of 10m², for each tenancy.

8.13 Window Sign

- (a) A window sign:
 - (i) May cover up to 100% of the total area of any window
 - (ii) Shall not have an aggregate area greater than 10m² for each frontage.

Note: This section of the Policy does not apply to Real Estate Agents.

9. Remote Signs

- 9.1 Remote signs are not permitted unless the Shire has granted approval in accordance with this policy.

- 9.2 Remote signs may be considered on property fronting Great Eastern Highway where these are located in accordance with Table 1 of this policy.
- 9.3 The Shire may require that any proposed remote sign be designed so as to incorporate multiple infills, modules or sections for the promotion of multiple businesses and services.
- 9.4 Remote signs that are located in accordance with Table 1 shall:
- (a) Be associated with a tourist related business or a business that provides goods or services to the travelling public that has been approved by the Shire;
 - (b) Not adversely affect the character or amenity of the area;
 - (c) Be erected within private property in a location approved by the Shire and Main Roads WA;
 - (d) Be located not less than 500m from any other remote sign;
 - (e) Be oriented in the direction of passing traffic and may be double-sided;
 - (f) Not be located within a gazetted town site;
 - (g) Have maximum total sign height of 4.0m;
 - (h) Have maximum total sign width of 8.0m; and
 - (i) Have no movable parts, reflective surfaces, flashing lights, or other design features that the Shire or Main Roads WA consider to be a distraction to road users.
- 9.5 Remote signs that do not comply with Table 1 or clause 10.3 may be considered when these are in accordance with an approved signage strategy.
- 9.6 The Shire will maintain a Remote Signage Register of signs approved in accordance with this Policy.
- 10. Relationship Between Requirements for Remote Signage and Signage in the Rural Zone**
- 10.1 In addition to any approved remote sign located within a rural property, one additional sign that directly relates to the use of the land on which it is located may be approved in accordance with clause 4.
- 10.2 Remote signage is to be located no closer than 200m to any sign approved in accordance with clause 4.

11. Signs in Proximity to State Controlled Roads

- 11.1 All signs on or in the vicinity of a State Road, other than types exempt under the Main Roads (Control of Advertisements) Regulations 1996, or types that can be approved by the Shire under delegation, require the approval of MRWA.
- 11.2 All signs on or in the vicinity of a State road are to comply with the specifications as set by MRWA.
- 11.3 In assessing an application for signage under delegation from MRWA, the Shire may refer the application to MRWA for assessment and comment. [AD1]

12. Franchise Signs

- 12.1 In assessing applications for non-compliant signage for franchises the Shire will consider them based on their merit, providing the application can justify the signage and has attempted to meet the requirements of this policy.
- 12.2 This is based on the understanding the franchise owner has little control over the implementation of a new sign

TABLE 1: REMOTE SIGNAGE ON GREAT EASTERN HIGHWAY

Location along Great Eastern Highway	Maximum sign density	Sign Content
From 500m to the south of the intersection with Mitchell Avenue up to 3km to the south of Mitchell Avenue intersection	6 signs in 2.5km of road length	Businesses providing goods and services to the travelling public located within the Northam townsite; Events, community and tourism services located within the Northam local government area
From 500m to either side of the intersection with Spencers Brook Road up to 1km either side of the intersection with Spencers Brook Road	2 sign per 1km of road length	Businesses providing goods and services to the travelling public located within the Spencers Brook townsite; Events, community and tourism services located within a 10km radius of the sign
From 500m to either side of the intersection with Hawke Avenue up to 1km either side of the intersection with Hawke Avenue	2 sign per 1km of road length	Businesses providing goods and services to the travelling public located within the Wundowie townsite; Events, community and tourism services located within a 10km radius of the sign
From 500m to the east of the intersection with Yilgarn Avenue up to 1km to the east of the intersection with Yilgarn Avenue	2 sign per 1km of road length	Businesses providing goods and services to the travelling public located within the Northam townsite; Events, community and tourism services located within the Northam local government area

LPP 17 - AVON INDUSTRIAL PARK GUIDELINES

POLICY NO:	LPP 17
POLICY SUBJECT:	AVON INDUSTRIAL PARK DESIGN GUIDELINES
ADOPTION DATE:	20 May 2015
LAST REVIEW:	1 May 2015

OBJECTIVES

The primary objectives are to:

- (a) To achieve an attractive and unified development with an emphasis on quality landscaping and well-designed buildings;
- (b) To achieved a degree of consistency and compatibility in the built form and landscaping, whilst allowing for individuality and a well presented corporate or market image; and
- (c) To avoid unsightly and poorly planned development and enhance and protect the investment of all owners within the estate.

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:

“AIP” Avon Industrial Park.

“Council” means the elected members of the Shire.

“Development” shall have the same meaning given to it in the *Planning and Development Act 2005*.

“Earthworks” means the movement of earth on land which is carried out in conjunction with the construction of a structure or independently and exceeds 500mm in height at any given point.

“Floor area” shall have the same meaning given to it in and for the purposes of the Building Code of Australia.

“LPS6 or Scheme” means Local Planning Scheme No 6.

“Owner” means the owner of land.

“Setback” means the buildings distance from boundaries as specified in this policy and/or 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

All development within the Avon Industrial Park will require planning approval.

To ensure a consistent built form throughout the Avon Industrial Park Estate, and avoid large bare expanses of wall which gives off the appearance of the traditional bulky "shed" type development.

The Shire will consider Planning Applications on their merits for new developments. In considering whether to grant planning approval the Shire shall have regard to, but not limited to, the Policy Provisions and Objectives and Clause 10.2 of LPS 6.

Site Development Provisions

Setbacks

All development shall comply with the following minimum setbacks;

- Front setback: Minimum 20m
- Secondary street setback: Minimum 20m
- Rear setback: Minimum 7.5m
- Side setback: Minimum 5m

Site Cover and Plot Ratio

Site cover as per the Shire's Local Planning Scheme No. 6.

Building Height

Maximum building height 9m or 2 storeys.

Building Orientation and Shading

Prevailing breezes should be utilized to provide cross-ventilation to warehouse spaces using wall vents.

Portions of the building with windows or skylights should gain the benefit of accessing passive solar gain in winter and preclude solar gain in summer by placement of openings and use of shading devices.

Office areas in the building/s, with areas of glazing, should oversee entry areas of the site and increase passive security for the building operations.

Site Levels

The undulating rural character of the site is to be maintained as part of its appeal.

Adjustments to site level through cut & fill are to be a minimum of 500mm & must be detailed in the plans that form part of the application for planning approval.

Vehicles, Access & Car parking

As per Local Planning Scheme No 6 requirements.

A car parking, landscaping and stormwater design plan will need to be included with the plans submitted with the application for planning approval.

In addition to the landscaping requirements specified in LPS6 the following is required;

- A minimum of 1 shade tree per 4 car parking bays;
- Landscaping is to be used as screening around refuge and service areas;
- For corner lots, a minimum landscape strip width of 5m to both road frontages is required.
- Where practicable existing trees are to be retained
- Refer to Schedule 1 for a list of recommended plant species

Built form

All buildings:

- (a) Shall be designed to address the street frontage.
- (b) Shall have cladding of materials to the satisfaction of the Shire, to prevent large unrelieved expanses of wall or roof.
- (c) Where more than one building is proposed, the buildings shall be constructed using the same colour scheme and overall design.
- (d) Shall incorporate a variety of forms, features, materials and colours.
- (e) Shall be consistent with the existing style of buildings in the surrounding area.
- (f) Shall provide a protected (roofed) entry point.
- (g) Where screening of plant and equipment occurs, the screening shall be incorporated into the built form.

Service and Storage Areas

All service and storage areas are to be set back behind the front building line and screened so as not to be visible from the street. Landscaping and approved obscure fencing can be utilised to screen these areas. Gates should be provided to contain the refuse receptacles.

Fencing

- Standard height for fencing is 1800mm
- Barb wire strands on the top of fencing and electric fencing is discouraged.
- Standard galvanized link-mesh fencing is preferable.

Signage

In addition to the provisions specified within Local Planning Scheme No 6, Draft Local Planning Policy 16 – Advertising signage and the Shire of Northam Trading in Thoroughfares Local Law, the following guidelines should be taken into consideration.

- A uniform approach to signage should be used on each site, including consistency in design elements such as size, graphics, colours and details of mounting or support.