



SHIRE OF

Chapman Valley

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**Planning & Development
Policy, Procedures
&
Guidelines Manual**

Version Control

This Is a Controlled Document of the Shire of Chapman Valley

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Version: 2

Amendments

Title new / removed policy	Replacing Policy	Date
Full Manual Review	Minute Reference: 07/18-10	18 th July 2018
Full Manual Review	Minute Reference: 07/19-4	17 th July 2019
Full Manual Review	Minute Reference: 05/20-08	20 th May 2020
Full Manual Review	Minute Reference: 03/21-10	17 th March 2021
Full Manual Review	Minute Reference: 03/22-08	16 th March 2022
Full Manual Review	Minute Reference: 2024/04-8	18 th April 2024
Full Manual Review	Minute Reference: 2025/03-3	20 th March 2025
Full Manual Review	Minute Reference: 2025/05-10	9 th June 2025
Full Manual Review	Minute Reference: 2026/05-6	29 th June 2026

Note: This section of the Manual addresses internal Shire Planning and Development policies and does not include Local Planning Policies which are external policies that are addressed separately through legislative requirements under the *Planning and Development (Local Planning Schemes) Regulations 2015* and the Shire of Chapman Valley Local Planning Scheme No.3.

Key Documents, Policies / Procedures

These are Shire specific policies, procedures and guidelines relevant to the Planning & Development Services section of the organisation and form part of this manual to act as a reference tool.

Policies

CP-012 Road Names

POLICY NO	CP-012
POLICY	ROAD NAMES
RESPONSIBLE OFFICER	DEPUTY CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	15.210
LEGISLATION	LAND ADMINISTRATION ACT 1997 (SECTION 26A)
RELEVANT DELEGATIONS	

OBJECTIVES:

To allow for the efficient allocation of appropriate names to new roads being created in the Shire, or to existing unnamed roads.

The assignment of road names is determined by the Geographic Names Committee, which is a branch of the Department of Lands. In administering this responsibility, the Geographic Names Committee have regard to an extensive set of criteria, which may be summarised as follows:

1. Name duplication within local governments or adjoining local governments should be avoided.
2. Names of living individuals should not be used.
3. Names characterised as follows are to be avoided: incongruous; given/first names; given/first and surname combinations; double names; qualified names; corrupted, unduly cumbersome or difficult to pronounce names; obscene, derogatory, racist or discriminatory names; company names; or, commercialised names.
4. Preferred sources of names include: aboriginal names; pioneers of the State or area; war casualty lists; or thematic names e.g. fauna, ships etc.

Whilst ultimate responsibility for the naming of roads rests with the Geographic Names Committee, they undertake consultation with local authorities as part of the process of assigning names. To assist this process a local authority can develop policies to guide their advice to the Geographic Names Committee. Such policies may, and usually do, include a list of reserved names pre-approved by the Geographic Names Committee.

POLICY STATEMENT

In the case of new roads being created by subdivision, the Shire is supportive of proposed road names, which meet one or more of the following criteria-

Any name which derives from a pioneer of the locality, a previous owner of the land, a traditional name for the property, a physical feature within, adjacent to, or nearby the land.

Where more than three new roads are being created as part of a subdivision; names that follow a consistent theme (where this option is taken at least three new roads must follow the same thematic approach); or any name on the reserved list outlined below:

LOCALITY	ROAD NAME
Nabawa	ALLENDER
Nanson & Yuna	ASCIONE
Naraling	BARCLAY
Nanson	BOOTH
Nabawa & Nanson	CREAM
Yuna	DONALD
Yuna & Naraling	EXTEN
Nabawa	FARMER
South West	FAWCETT
Naraling	FOAT
Nanson	FORBES
Nabawa	HEINSEN
East Yuna & Yuna	HIGGINS
Nabawa	JUPP
Narra Tarra & Nabawa	KEYHOE
Nanson	L'HUILLIER
Nolba	LIPPLE
Durawah	MAYNARD
South West	MCLUSKY
South West	MEEHAN
Buller (Wokarena Heights) – 7/2013-3	DUSK
Buller (Wokarena Heights) – 7/2013-3	ENDLESS
Buller (Wokarena Heights) – 7/2013-3	ETERNAL
Buller (Wokarena Heights) – 7/2013-3	EVENTIDE
Buller (Wokarena Heights) – 7/2013-3	INFINITY
Buller (Wokarena Heights) – 7/2013-3	OVERLOOK
Buller (Wokarena Heights) – 7/2013-3	SUNDOWN
Oakajee Industrial Estate – 2024/04-5	GELIRAH
Oakajee Industrial Estate – 2024/04-5	MINYANOGO
Oakajee Industrial Estate – 2024/04-5	NHANAGARDI
Oakajee Industrial Estate – 2024/04-5	WANNEGARANGEE
Oakajee Industrial Estate – 2026/05-3	JOHN QUILTY

In the case of other roads, which require names, the Shire is supportive of road names, which meet one or more of the following criteria-

Any name which derives from a pioneer of the locality, a previous owner of the land, a traditional name for the property, a physical feature within, adjacent to, or nearby the land;

Names that have traditionally been applied by residents of the area to the road and which is suggested by a person owning land adjacent to the road; or

Any name on the reserved list outlined above.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
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Reviewed/Amended – Council Resolution:	10/05-5A
	03/06-10
	07/13-3 & 2024/04-5
	05/15-23; 06/15-18; 03/17-32; 03/17-32; 07/19-4

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1.1 ANCILLARY DWELLINGS



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 1.1

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 1.1 – Ancillary Dwellings.

2.0 INTRODUCTION

State Planning Policy 7.3 – Residential Design Codes (the 'R-Codes') acknowledges that a local planning policy may be prepared to provide local objectives for housing design and development to guide the consideration of proposals. The R-Codes also acknowledge that a local planning policy may be prepared to address a specific local need to guide the consideration of a proposal that does not satisfy the deemed-to-comply provisions of the R-Codes.

This policy provides local objectives and varies relevant deemed-to-comply provisions of the R-Codes to assist in their implementation. It should be read in conjunction with the R-Codes.

3.0 OBJECTIVES

- 3.1 To alter the deemed to comply provisions of the R-Codes for Ancillary Dwellings.
- 3.2 To provide a clear definition of what constitutes an 'Ancillary Dwelling'.
- 3.3 To ensure that an Ancillary Dwelling is provided, constructed and located in such a way so as to minimise their impact on the amenity of the locality by controlling building size, materials and location.
- 3.4 To ensure that ancillary dwelling is 'ancillary' or 'secondary' to the main house upon the property.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to all ancillary dwellings (more commonly referred to as a 'granny flat').

5.0 APPLICATION REQUIREMENTS

Applications for development are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015* and the R-Codes and the relevant design principles as outlined in the R-Codes.

6.0 POLICY STATEMENT

- 6.1 This policy supports a maximum of one (1) Ancillary Dwelling on any one (1) lot.
- 6.2 In consideration of an application for Ancillary Dwelling the following standards apply:

Zone	Maximum Habitable Floor Area	Maximum total roof area
Residential R10 and higher	70m ²	140m ²
Residential R5 and lower	80m ²	160m ²
Rural-Residential	90m ²	200m ²
Rural Smallholdings	100m ²	300m ²
Rural (smaller than 20ha)	100m ²	300m ²
Rural (larger than 20ha)	No limit	No limit

- 6.3 Ancillary Dwellings can either be attached or detached from the main dwelling, however, when detached the Ancillary Dwelling must be sited within 22m from the main dwelling on lots less than 4ha and within 50m for those lots greater than 4ha in area.
- 6.4 Ancillary Dwellings are required to be sited behind the 'front building line' of an existing dwelling on lots less than 4ha in area in all zones.

6.5 Ancillary Dwelling shall be constructed of colours and/or materials that are matching and/or complementary to existing development upon the property.

6.6 Ancillary Accommodation constructed within a Class 10 structure:

Should Ancillary Accommodation be proposed to be constructed within a Class 10 Outbuilding (i.e. a box or rectangular shaped structure constructed of coated or uncoated metal sheeting which does not include additional features such as eaves, verandahs, windows and other 'house' like features) the Ancillary Accommodation will be considered to be included within the total outbuilding area of a property. However, should the Ancillary Accommodation structure be purposely constructed as a Class 1A building and incorporate design features such as eaves, verandahs, windows and other 'house' like features the building would not be considered within the aggregate outbuilding area permitted upon a property.

7.0 CONSULTATION

Should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be advertised inviting comment in accordance with clause 64 of the Deemed Provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015*.

Applications seeking variations to any part of this policy are required to be accompanied by relevant detailed plans (site plan, floor plan, elevations displaying finished floor level relevant to natural ground level and schedule of materials and colours) and supporting information outlining the reasons for seeking the variation and demonstrating how the development will not result in any adverse effect on the amenity or the aesthetics of the area within it is proposed.

The advertising of the received application that proposes variation to any part of the policy is undertaken to make the proposal available for inspection in order to provide opportunity for public comment and it should not be constructed that final approval will be granted.

The local government in determining the application will take into account the submissions received but is not obliged to support those views.

The requirements of this policy have been formulated with regard for the preservation of the amenity of the surrounding area and as a general principle variation to these requirements will not be supported.

8.0 DEFINITION

8.1 For the purposes of this policy Ancillary Dwelling shall be as defined by the R-Codes.

8.2 For the purpose of this policy 'Habitable Floor Area' does not include areas such as bathroom, laundry, water closet, food storage pantry, walk-in wardrobe, corridor, hallway, lobby, clothes drying room within the building.

8.3 For the purpose of this policy the 'Front Building Line' is to be measured from the closest point of the house to the front boundary drawn parallel to the boundary.

9.0 REFERENCES & ADOPTION

Responsible Business Unit	Planning
LPP Category	1 – Residential
Public Consultation	As required
Adoption Date	20/03/2025
Minute Reference	2025/03-3
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP1.1

1.2 GROUPED DWELLINGS



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 1.2

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 1.2 – Grouped Dwellings.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.5 To alter the deemed to comply provisions of the R-Codes for Grouped Dwellings.
- 3.6 To ensure that Grouped Dwellings are constructed and located in such a way so as to minimise their impact on the amenity of the locality.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to all Grouped Dwellings.

5.0 APPLICATION REQUIREMENTS

Applications for development are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015* and the R-Codes and the relevant design principles as outlined in the R-Codes.

6.0 POLICY STATEMENT

- 6.1 Applications for Grouped Dwellings upon land zoned 'Residential', 'Rural Townsite', 'Urban Development', 'Commercial' and also 'Rural' (where it is within a gazetted townsite), will be assessed on their individual merits and with regard for the provision of water, electricity and effluent disposal services.
- 6.2 Applications for a Grouped Dwelling (second house) will be supported on 'Rural' zoned land (where it is located outside of a gazetted townsite) conditional upon the following:
 - 6.2.a Compliance with all relevant development standards and provisions prescribed in the Local Planning Scheme (i.e. boundary setbacks, building height, etc.).
 - 6.2.b The Grouped Dwellings being clustered.
 - 6.2.c A maximum of two (2) Grouped Dwellings per lot. Applications for greater than two (2) detached dwellings will be referred to Council and may be considered within the 'Rural zone' where the land is managed for 'Agriculture-Intensive' or 'Agriculture-Extensive' and where the occupants are engaged in that predominant land use or activity.
 - 6.2.d Be serviced with a minimum 100,000 litre Rainwater Tank or a 10,000 litre storage tank fed from an on-site dam or under-ground bore for domestic and firefighting purposes. This is to include the installation of a 50mm outlet with gate valve and male coupling located at the base of each tank to be clearly marked "Fire Brigade Connection Point".

Note: The taking of water from a domestic supply for firefighting purposes is only supported where the need arises to protect residential development on the same property or in the event the respective landowner/s has granted consent for the water to be used elsewhere.

- 6.2.e The preparation of a Bushfire Management Plan where it is required under *State Planning Policy 3.7 – Planning in Bushfire Prone Areas* and ongoing compliance with the recommended strategies as contained therein.
- 6.2.f The development of a Grouped Dwelling within the 'Rural' zone should not be considered as a basis for subdivision and/or strata titling of land. Subdivision of land within the 'Rural' zone will generally not be supported by the Local Government unless it is specifically provided for in the Shire's Local Planning Strategy and/or is consistent with the criteria set out in the Western Australian Planning Commission's *State Planning Policy 2.5 – Rural Planning and Development Control Policy 3.4 - Subdivision of Rural Land*.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme before being placed before a meeting of Council for determination.

8.0 DEFINITION

For the purposes of this policy Grouped Dwellings shall be as defined by the R-Codes.

9.0 REFERENCES & ADOPTION

Responsible Business Unit	Planning
LPP Category	1 – Residential
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP1.2

1.3 HOME BASED BUSINESS



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 1.3

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 1.3 – Home Based Business.

1.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.7 To ensure that home based businesses do not compromise the amenity of the area.
- 3.8 To ensure that home based businesses remain an ancillary use to the main dwelling or the principle land use on the property.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to applications for a Home Business, Home Occupation, Home Store and Industry – Cottage (more commonly known as 'Cottage Industry').

5.0 APPLICATION REQUIREMENTS

Applications shall include the following information:

- 5.1 Details of the proposed activity inclusive of any equipment used, proposed hours of operation, employees (if any) and their relationship to the occupier of the dwelling, frequency of clients or customers to the site, proposed signage and any other information considered relevant to the proposal.
- 5.2 A site plan (and floor and elevation plans as necessary) showing where the activity is to take place, including the dwelling, associated outbuildings, areas for storage and/or administration and vehicle/visitor access and car parking provision as necessary.

6.0 POLICY STATEMENT

- 6.1 An application will generally not be supported where the proposed activity does not comply with the definition provided in the Local Planning Scheme or the requirements of this policy.
- 6.2 An application will only be supported where the Council is satisfied that the proposal will not result in unacceptable environmental or amenity impacts as a result of noise, dust, light spill, odour, vibration, traffic movement or visual intrusion on the nearby residents or the environment.
- 6.3 Activities must be incidental, ancillary or subordinate to the predominant use of the land as a residence, and are not to be construed as an alternative use.
- 6.4 A business can either be attached or detached from the dwelling located on the site. If new, detached buildings are being developed to accommodate the new use, they should generally be clustered with existing buildings on the site and appropriately constructed using materials that complement the existing development.
- 6.5 The parking of vehicles associated with a business are not permitted within a public carriageway, including the road verge.
- 6.6 For activities involving the preparation of food for commercial purposes, the domestic premises must be provided with facilities in accordance with the applicable health standards.

6.7 In some instances planning consent may only be granted for a period of twelve (12) months upon which renewal of the application is required, including payment of all relevant fees.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme. Should no written, author-identified objection be received during the advertising period the application may be determined under delegated authority. However, should a written, author-identified objection be received during the advertising period, or there be concerns over the potential impact on the amenity of the area from the type of activity proposed, the application (and any received submissions) are to be placed before a meeting of Council for determination.

8.0 DEFINITION

For the purposes of this policy 'Home Based Business' refers to Home Business, Home Occupation, Home Store and Cottage Industry shall be as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* and Shire of Chapman Valley Local Planning Scheme.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	1 – Residential
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-8
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP1.3

1.4 OUTBUILDINGS



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 1.4

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 1.4 – Outbuildings.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

State Planning Policy 7.3 – Residential Design Codes (the 'R-Codes') acknowledges that a local planning policy may be prepared to provide local objectives for housing design and development to guide the consideration of proposals. The R-Codes also acknowledge that a local planning policy may be prepared to address a specific local need to guide the consideration of a proposal that does not satisfy the deemed-to-comply provisions of the R-Codes.

This policy provides local objectives and varies relevant deemed-to-comply provisions of the R-Codes to assist in their implementation. It should be read in conjunction with the R-Codes.

3.0 OBJECTIVES

- 3.1 To alter the deemed to comply provisions of the R-Codes for Outbuildings.
- 3.2 To provide a clear definition of what constitutes an 'Outbuilding'.
- 3.3 To ensure that Outbuildings are not used for habitation, commercial or industrial purposes by controlling building size and location.
- 3.4 To limit the visual impact of Outbuildings.
- 3.5 To encourage the use of Outbuilding materials and colours that complement the landscape and amenity of the surrounding area.
- 3.6 To ensure that the Outbuilding remains an ancillary use of the main dwelling or the principle land use on the property.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to all Outbuildings.

5.0 APPLICATION REQUIREMENTS

Applications for development are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015* and the R-Codes and the relevant design principles as outlined in the R-Codes.

6.0 POLICY STATEMENT

- 6.1 Pre-fabricated garden sheds, "cubby houses", kennels and other animal enclosures (such as aviaries, stables) less than 9m² in total aggregate area and less than 2.5m in height (measured from natural ground level) are exempt from this policy provided they are located to the rear of the residence, satisfy the site and development requirements set out in the Scheme, and are of a design and colour considered in keeping with the amenity of the area by the Local Government.

6.2 In consideration of an application the following maximum standards apply to outbuildings:

Zone	Standard	Maximum
Residential (R10 and higher density)	Area (total aggregate) Wall Height Overall Height (single story)	120m ² 3m* 4.5m*
Townsite	Area (total aggregate) Wall Height Overall Height (single story)	120m ² 3m* 4.5m*
Residential (R5 and lower density)	Area (total aggregate) Wall Height Overall Height (single story)	180m ² 4m* 5m*
Rural Residential Rural Smallholding Rural (lots less than 4ha)	Area (total aggregate) Wall Height Overall Height (single story) Overall Height (double story barn)	240m ² (In addition up to a maximum of 120m ² unenclosed area may be considered subject to prior consultation being undertaken as per Section 7.3 of this policy) 4.5m* 5.5m* 6.5m*
Rural Residential Rural Smallholding Rural (lots greater than 4ha)	Exempt from the area and height requirements of this policy	

* heights are to be measured from natural ground level.

- 6.3 Outbuildings are predominantly intended for general storage of personal domestic items, and purposes associated with the principle agricultural use (within 'Rural' and 'Rural Smallholding' zones). Outbuildings shall not be used for any commercial or industrial use without prior Local Government approval.
- 6.4 The large scale storage of accumulated personal items and any items in connection with a commercial or industrial operation (e.g. cray pots, building materials, earthmoving equipment etc.) is considered contrary to the objectives of this policy and is therefore not considered sufficient justification for an increase in the maximum standards prescribed.
- 6.5 An Outbuilding is required to be sited behind the 'front building line' of a dwelling on lots less than 4ha in area in all zones, unless sufficient justification has been provided by the applicant and the building is consistent in design and materials with the existing dwelling.

Note: For the purpose of this statement the 'front building line' shall be measured from the closest point of the house to the front boundary drawn parallel to the boundary as illustrated in Figures 1 and 2.

Figure 1

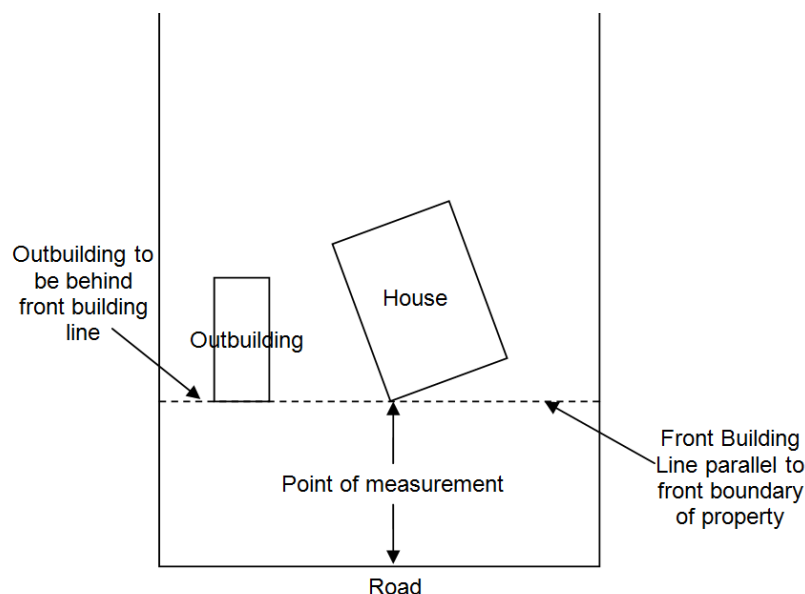
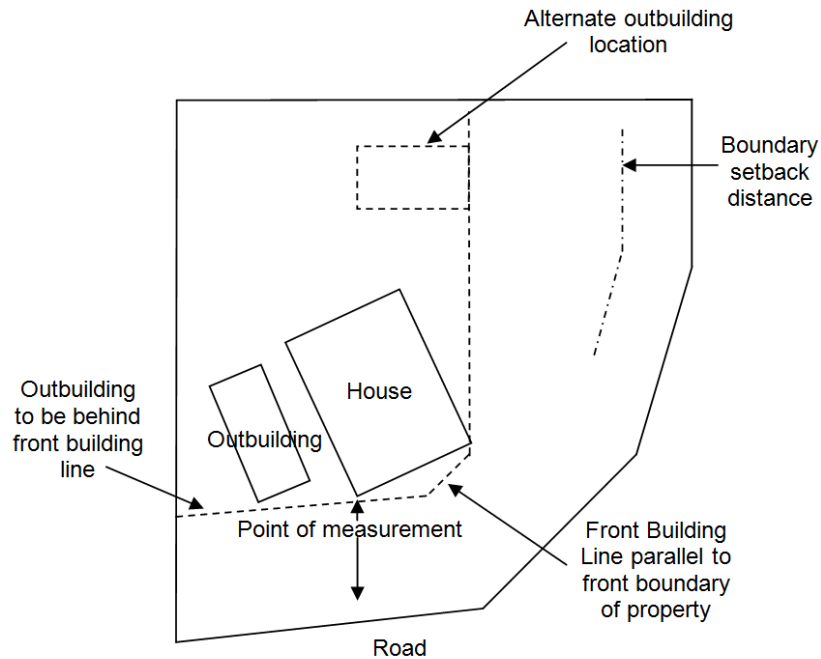


Figure 2



6.6 The development of an Outbuilding on vacant residential land shall not be approved unless the residence has been completed up to, and including, the pouring of a concrete house slab (although variation to this is permitted where the slabs for the residence and outbuilding are poured concurrently).

6.7 Setbacks for outbuildings

- 6.7.a For lots zoned 'Townsite' or 'Residential' lots zoned R5 and higher density the side/rear boundary can be reduced to nil (subject to compliance with the Building Code of Australia) provided written neighbour support is provided. No planning application is required to be lodged in such instances provided the Outbuilding meets with all other Scheme and policy requirements.
- 6.7.b For 'Residential' lots zoned R2.5 and lower density the outbuilding is to be setback in accordance with the Residential Design Codes, or if applicable located within a defined building envelope (Variation to a 5m side and/or rear boundary setback for Outbuildings may be considered subject to prior consultation being undertaken as per Section 7.4 of this policy).
- 6.7.c For lots zoned 'Rural-Residential', 'Rural Smallholding' and 'Rural' the Outbuildings are to be setback in accordance with the Local Planning Scheme, or if applicable located within a defined building envelope.

6.8 Materials

- 6.8.a The use of uncoated metal sheeting (i.e. zincalume or corrugated iron) is only supported upon land zoned 'Rural Smallholdings' or 'Rural'.
- 6.8.b The use of uncoated metal sheeting may be considered in the 'Townsite' zone or where existing buildings have been constructed with the use of uncoated metal sheeting or similar upon a property or another property located in close proximity.

6.9 Should Ancillary Accommodation be constructed within a Class 10 Outbuilding (i.e. a box or rectangular shaped structure constructed of coated or uncoated metal sheeting which does not include additional features such as eaves, verandahs, windows and other 'house' like features) the Ancillary Accommodation will be considered to be included within the total outbuilding area of a property. However, should the Ancillary Accommodation structure be purposely constructed as a Class 1A building and incorporate design features such as eaves, verandahs, windows and other 'house' like features the building would not be considered within the aggregate outbuilding area permitted upon a property.

7.0 CONSULTATION

Should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be advertised inviting comment in accordance with Clause 64 of the Deemed Provisions of the Planning and Development (Local Planning Scheme) Regulations 2015.

Applications seeking variation to any part of this policy are required to be accompanied by relevant detailed plans (site plan, floor plan, elevations displaying finished floor level relevant to natural ground level and schedule of materials and colours) and supporting information outlining the reasons for seeking the variation and demonstrating how the development will not result in any adverse effect on the amenity or the aesthetics of the area within which it is proposed.

The advertising of a received application that proposes variation to any part of the policy is undertaken to make the proposal available for inspection in order to provide opportunity for public comment and it should not be construed that final approval will be granted.

The local government in determining the application will take into account the submissions received but is not obliged to support those views.

The requirements of this policy have been formulated with regard for the preservation of the amenity of the surrounding area and as a general principle variation to these requirements will not be supported.

The Shire will only consider variations to the maximum standards in exceptional circumstances and the accumulation of personal items or vehicles is not considered an exceptional circumstance.

8.0 DEFINITION

For the purpose of this policy an Outbuilding means a building structure not under the main roof of a dwelling and is measured by the total floor area (whether enclosed or open).

Responsible Business Unit	Planning
LPP Category	1 – Residential
Public Consultation	As required
Adoption Date	20/03/2025
Minute Reference	2025/03-3
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP1.4

1.5 SECOND HAND & REPURPOSED BUILDINGS



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 1.5

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 1.5 – Second Hand and Repurposed Buildings.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.1 To ensure that any development proposing to use a second hand building or repurposed building or second hand cladding material meets acceptable aesthetic and amenity requirements in the locality for which it is proposed.
- 3.2 To ensure that any second hand building or repurposed building or second hand cladding does not detract from an existing (or reasonably desired) streetscape.
- 3.3 To enable the local government to retain such monies (bonds) to ensure the desired standard of development is achieved.
- 3.4 To address the issue of exposure risks from asbestos cement cladding.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to all applications for second hand buildings and repurposed buildings (more commonly referred to as 'transportables' or 'relocatables' or 'dongas') or applications proposing to use second hand materials.

5.0 APPLICATION REQUIREMENTS

- 5.1 The use of second hand cladding materials and second hand and repurposed buildings can result in unacceptable development by reason of poor aesthetic result and by adversely affecting the amenity of an area. The Local Government requires that an applicant demonstrate that the proposed use of a second hand or repurposed building and/or the use of second hand cladding material will not result in any adverse effect on the amenity or the aesthetics of the area within which it is proposed.
- 5.2 Applications shall include the following information:
 - 5.2.a Completed *Form of Application for Planning Approval* signed by the owner(s) of the property upon which the building will be located.
 - 5.2.b Plans that have been drawn to scale and include at a minimum:
 - i. photographs of each elevation of the building that clearly illustrate the in-situ condition and appearance of the entire building;
 - ii. site plan.
 - iii. floor plan and elevations for the building, these plans need to demonstrate any proposed works/upgrades that are required to be undertaken to the building (i.e. new cladding, extension works, additional verandahs etc.) to ensure the building's presentation is of an acceptable standard to that of the locality.
 - iv. a clear timeframe for the completion of the above works, with such timeframe to be as short as practicable and a maximum of 12 months.
 - v. any other additional information required to demonstrate that the development will be aesthetically acceptable and comply with the objectives of this policy and the relevant building and health standards as required.

- vi. (if deemed required by the Local Government) a detailed report on the structural integrity of the relocated building prepared by a qualified building surveyor or a certified structural engineer.

5.2.c Planning Application fee based on the cost of the building plus any transportation, installation and upgrade costs. This is calculated as per Item 1 of the Shire's current Planning Services Fees.

6.0 POLICY STATEMENT

- 6.1 Buildings (and materials) that are second hand or repurposed are, in some instances, of poor condition and as such the Local Government may impose conditions to ensure the building presentation is of an acceptable standard to enhance the streetscape appearance. Such conditions may include (but are not limited to) the following:
 - 6.1.a Need for additional setbacks over and above the prescribed minimum and the need for screening/landscaping.
 - 6.1.b A bond and agreement to ensure the external appearance of the development has been completed to the approval of the Local Government.
 - 6.1.c The space between the ground level and the floor level being suitably enclosed.
 - 6.1.d The roof and/or walls being re-clad in materials and colours, and/or re-painted in colours, that are consistent or complementary in colour with the surrounding natural landscape features or desired streetscape.
 - 6.1.e The required works are to be completed within a specified time frame to ensure the building presentation is of an acceptable standard.
- 6.2 Unless specific approval is given, all external asbestos cement cladding must be removed and replaced with new material prior to the relocation of a transported building to its new site.
- 6.3 Prior to the issue of any building permit for a second hand or repurposed building the Local Government shall require the lodging of:
 - 6.3.a a bond, of at least 5% of the estimated value of an equivalent new building, to a maximum of \$5,000 and minimum of \$1,000.
 - 6.3.b agreement, signed by the applicant(s) that the bond will be forfeited to the Local Government if the approved works are not carried out within the approved timeframe indicated.
 - 6.3.c bond moneys will only be refunded (if not forfeited) after works required to prevent forfeiture have been carried out to the satisfaction of the Local Government.

7.0 CONSULTATION

Applications for Second Hand Dwellings and Repurposed Dwellings are required by the Local Planning Scheme to be advertised within the 'Residential', 'Rural Townsite', 'Urban Development', 'Rural Residential' and 'Rural Smallholdings' zones. In the event that at the conclusion of the advertising period no written, author-identified objections have been received then the application may be determined by Shire staff under delegated authority (However, should the application not be considered to meet the requirements of the Policy or in the opinion of Shire staff require further consideration, the matter may be placed before a meeting of Council for determination). In the event that a written, author-identified objection is received then the application and the received submission(s) will be placed before a meeting of Council for consideration.

Should applications for Second Hand Dwellings and Repurposed Dwellings within the 'Rural' zone be considered to meet the requirements of this Policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the Policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme before being placed before a meeting of Council for determination.

8.0 DEFINITION

For the purposes of this policy Second Hand Dwelling and Repurposed Dwelling shall be as defined by the Shire of Chapman Valley Local Planning Scheme.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	1 – Residential
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-8
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP1.5

2.1 EXTRACTIVE INDUSTRY



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 2.1

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 2.1 – Extractive Industry.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.1 To detail the specific requirements and minimum standards for the establishment of an Extractive Industry.
- 3.2 To set out matters which may be taken into account when considering applications for Extractive Industry.
- 3.3 To ensure extractive industry occurs with minimal detriment to the local amenity and environment, and in a manner which allows for future use and development consistent with the long term planning intentions for the area.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

- 4.1 This policy applies to applications for the extraction of basic raw materials i.e. Industry - Extractive (more commonly referred to as 'Extractive Industries').
- 4.2 The extraction of basic raw materials to a depth of 1m or less to be used for improvements upon the same farming property or for local government purposes within the local government area that the extraction takes place, including the building of roads, is exempt from obtaining planning consent.
- 4.3 The extraction of materials other than basic raw materials (e.g. minerals) are addressed separately under the *Mining Act 1978* which is administered by the Department of Mines, Industry Regulation & Safety.

5.0 APPLICATION REQUIREMENTS

- 5.1 Applications shall include the following information:
 - 5.1.a Planning application form duly signed by the owner(s) of the property and payment of the relevant fee.
 - 5.1.b Plans that have been drawn to scale and include:
 - site plan with existing and proposed land contours and areas of remnant vegetation relevant to the proposed excavation area illustrating the location and depth of the proposed excavation of the land and setback distances from property boundaries.
 - cross section of the proposed extraction area showing the depth of extraction, height and battering of the pit walls and face, and access ramp/area.
 - rehabilitation plan for the area of extraction illustrating the re-contouring of the land and areas of re-planting.
 - location of existing and proposed internal access roads or other means of vehicle access to and egress from the extraction area and to public thoroughfares in the vicinity of the land.
 - location of buildings, treatment plant, tanks and other improvements and developments existing on, approved for or proposed in respect of the land.
 - location of existing power lines, telephone cables and any associated poles or pylons, sewers, pipelines, reserves, bridges, railway lines and registered easement or other encumbrances over or in the vicinity of the land.
 - location of all existing dams, watercourses, drains or sumps on or adjacent to the land.
 - location and description of existing and proposed fences, gates and warning signs around the land.

- location of the areas proposed to be used for stockpiling excavated material, treated material, overburden and soil storage on the land and elsewhere.

5.1.c Management Plan containing:

- the type and quantity of material to be extracted.
- the nature and estimated duration of the proposed excavation.
- the stages and the timing of the stages in which it is proposed to carry out the excavation.
- details of the methods to be employed in the proposed excavation and a description of any on-site processing works.
- hours of operation.
- details of the depth and extent of the existing and proposed excavation of the site.
- estimate of the depth of and description of the nature and quantity of the overburden to be removed.
- description of the methods by which existing vegetation is to be cleared and topsoil and overburden removed or stockpiled.
- description of the means of access to the excavation site and the types of thoroughfares to be constructed.
- details of the proposed number and size of trucks entering and leaving the site each day and the route or routes to be taken by those vehicles (the Local Government may require contributions towards the upgrade of roads).
- description of any proposed buildings, water supply, treatment plant, tanks and other improvements.
- details of drainage conditions applicable to the land and methods by which the excavation site is to be kept drained.
- description of the measures to be taken to minimise sand drift, dust nuisance, erosion, watercourse siltation and dangers to the general public.
- source, timing, duration and frequency of noise, and description of the measures to be taken to comply with the *Environmental Protection (Noise) Regulations 1997*.
- storage of fuel and/or other potential contaminants.
- maintenance of equipment and machinery.
- management of waste.
- description of the existing site environment and a report on the anticipated effect that the proposed excavation will have on the environment in the vicinity of the land.
- details of the nature of existing vegetation, shrubs and trees and a description of measures to be taken to minimise the clearing of existing vegetation.
- description of the measures to be taken in screening the excavation site, or otherwise minimising adverse visual impacts, from nearby thoroughfares or other areas.

5.1.d Rehabilitation and decommissioning plan indicating:

- the objectives of the program, having due regard to the nature of the surrounding area and the proposed end-use of the excavation site.
- whether restoration and reinstatement of the excavation site is to be undertaken progressively or upon completion of excavation operations.
- how any face is to be made safe and batters sloped.
- the method by which topsoil is to be replaced and revegetated.
- the numbers and types of trees and shrubs to be planted and other landscaping features to be developed.
- how rehabilitated areas are to be maintained.
- the program for the removal of buildings, plant, waste and final site clean-up.

5.1.e Applications for Extractive Industry proposed within the Moresby Range as defined by the Moresby Range Management Strategy (WAPC, 2009) are expected to demonstrate due regard for the recommendations of that Strategy and the Moresby Range Management Plan (2010).

5.2 Additional information that may be required

Should the Local Government determine that the proposed extractive industry has the potential to, or is likely to, create adjoining landowner impacts, such as noise, dust, vibration, lightspill, odour or environmental impacts, then further information may be required to support the development application, including but not limited to the following:

5.2.a Baseline data to be provided for wind, noise, dust and/or environmental data at specified locations.

5.2.b Vibration abatement and control measure details.

5.2.c Timing, frequency and duration of blasting/crushing/excavation activities.

- 5.2.d A Visual Impact Assessment where the proposed extractive industry has the potential to, or is likely to, create visual intrusion impacts upon adjacent landholdings, major roads or places of heritage, cultural or landscape significance.

6.0 POLICY STATEMENT

- 6.1 Extractive Industry will only be supported where the Local Government is satisfied that the proposal will not result in unacceptable environmental or amenity impacts as a result of noise, dust, light spill, odour, vibration, traffic movement, visual intrusion or contamination on the nearby residents or environment.
- 6.2 Depending on the nature of the proposed Extractive Industry, local wind, topography and vegetation conditions, setback distances from site boundaries and existing watercourse or bodies may need to be increased. When determining such setbacks the Local Government shall consider existing and potential land-uses on adjoining and nearby properties.
- 6.3 The Local Government may require the preservation and/or planting of a vegetated buffer strip ensuring that the extraction activities are adequately screened from the road and adjoining properties.
- 6.4 Where an Extractive Industry has direct access to a sealed road and the projected number of vehicle movements from the site would justify such a requirement (as determined by the Local Government), the Local Government may require crossover and vehicle access areas within 50m of the road to be constructed with a stable, impervious surface, with stormwater runoff being controlled. In this regard the construction of a crossover shall be in accordance with the Local Government's existing Crossover Policy.
- 6.5 Where an Extractive Industry is being developed with or without direct access to a sealed road, the Local Government may require assistance to upgrade and maintain the road/s that will be affected by heavy vehicle movements associated with the Extractive Industry. Such upgrading contributions may be financial or in-kind and shall be calculated on a case-by-case basis.
- 6.6 The Local Government will not support the operation of Extractive Industry outside of the following hours, unless it can be demonstrated the proposed extraction area/activity is at least 1km from the closest neighbouring residence upon which the Local Government may entertain extended operating times:
- Monday to Saturday – 7:00am to 6:00pm; &
 - Sundays and Public Holidays - no operations
- 6.7 Applications for Extractive Industry that are supported will generally be approved for a one (1) year period from the date of issue, upon which application for renewal of the approval is required. This is the responsibility of the applicant and the Local Government will not automatically re-issue approvals. Operations that seek to continue beyond one (1) year's duration will be subject to a renewed application for planning consent that may be approved on a recurring basis (with subsequent approval periods to generally not exceed five (5) years without requirement for renewed application for planning consent to be lodged).

7.0 CONSULTATION

Applications for Extractive Industry are required by the Local Planning Scheme to be advertised within the 'Rural', 'Rural Smallholdings', 'Light Industry' and 'General Industry' zones. In the event that at the conclusion of the advertising period no written, author-identified objections have been received then the application may be determined by Shire staff under delegated authority (However, should the application not be considered to meet the requirements of the Policy or in the opinion of Shire staff require further consideration, the matter may be placed before a meeting of Council for determination). In the event that a written, author-identified objection is received then the application and the received submission(s) will be placed before a meeting of Council for consideration.

Should applications for Extractive Industry within the 'Strategic Industry' zones be considered to meet the requirements of this Policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the Policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme before being placed before a meeting of Council for determination.

Extractive Industry is listed as a use that is not permitted by the Local Planning Scheme within all other zones.

8.0 DEFINITION

- 8.1 For the purposes of this policy Industry - Extractive shall be as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*.

- 8.2 Basic Raw Materials are considered to be materials that are used in the construction industry for both private and public works such as housing, site preparation, concrete and cement manufacturing, railway and road construction. These materials include sand, limestone, limesand, clay, hard-rock and gravel aggregate (limestone and limesand also have important uses in agriculture).

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	2 – Commercial & Industrial
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP2.1

2.2 RURAL INDUSTRY



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 2.2

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 2.2 – Rural Industry.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.9 To detail the specific requirements and minimum standards for the establishment of a Rural Industry.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to applications for Industry – Rural (more commonly known as ‘Rural Industry’).

5.0 APPLICATION REQUIREMENTS

- 5.1 Applications for development are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 5.2 Applications for Rural Industry are expected to demonstrate due regard for the following criteria and minimum development standards:

Criteria	Minimum Standard
General Location	Buildings are to be sited in a clustered format well away from hills, mesa tops, and ridge-lines
Setbacks *	40m from all boundaries; 200m from neighbouring residences; 100m from any water course or water body.
Effluent & Waste Disposal	As determined by Local Government Environmental Health Officer.
Building Materials & Colours	Non reflective building materials and colours complementary to the surrounding landscape to be used in areas of high visual amenity such as the Moresby Range and Chapman Valley area.
Property Access	Property access is to be via a 12m form/8m gravel paved road.
On-site Carparking and Service Areas **	Carparking and service areas to be constructed to a delineated, drained and compacted gravel standard. The number of parking bays to be calculated at 1 bay for every 50m ² gross area.
Landscaping	Landscaping is to be provided around all associated buildings, parking, storage and loading areas.

6.0 POLICY STATEMENT

- 6.1 Applications for Rural Industry will only be supported where the Local Government is satisfied that the proposal will not result in unacceptable environmental or amenity impacts as a result of noise, dust, light spill, odour, vibration, traffic movement, visual intrusion or contamination on the nearby residents or environment.
- 6.2 Depending on the nature of the proposed Rural Industry, local wind, topography and vegetation conditions, setback distances from site boundaries and existing watercourse or bodies may need to be increased. When determining such setbacks the Local Government shall consider existing and potential land-uses on adjoining and nearby properties.

- 6.3 The Local Government may require the preservation and/or planting of a vegetated buffer strip ensuring that the Rural Industry activities are adequately screened from the road and adjoining properties.
- 6.4 Where Rural Industry has direct access to a sealed road and the projected number of vehicle movements from the site would justify such a requirement (as determined by the Local Government), the Local Government may require crossover and vehicle access areas within 50m of the road to be constructed with a stable, impervious surface, with stormwater runoff being controlled. In this regard the construction of a crossover shall be in accordance with the Local Government's existing Crossover Policy.
- 6.5 Where Rural Industry is being developed with or without direct access to a sealed road, the Local Government may require assistance to upgrade and maintain the road/s that will be affected by heavy vehicle movements associated with the extractive industry. Such upgrading contributions may be financial or in-kind and shall be calculated on a case-by-case basis.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be placed before a meeting of Council for determination.

8.0 DEFINITION

For the purposes of this policy 'Rural Industry' shall be as defined as 'Industry – Rural' by the Shire of Chapman Valley Local Planning Scheme.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	2 – Commercial & Industrial
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP2.2

2.3 RURAL TOURISM



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 2.3

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 2.3 – Rural Tourism.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.1 To provide for a range of low impact accommodation and other low impact tourist related uses in the rural and rural lifestyle areas of the Shire in a manner that is complementary and sensitive to the agricultural and environmental fabric of the municipality.
- 3.2 To set out the circumstances under which the Local Government may approve low impact tourist development in the rural and rural lifestyle areas of the municipality as provided in the Scheme.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to applications for Art Gallery, Bed & Breakfast, Camping Ground, Caravan Park, Holiday Accommodation, Holiday House, Reception Centre, Restaurant/Café and Tourist Development in the 'Rural' and 'Rural Smallholding' zone.

5.0 APPLICATION REQUIREMENTS

- 5.1 Applications for development are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 5.2 Applications shall include the following information:
 - 5.2.a Planning application form duly signed by the owner(s) of the property and payment of the relevant fee.
 - 5.2.b Plans that have been drawn to scale that identify the proposed development in relation to the natural features (e.g. existing vegetation, watercourses, contours) and built existing features (including building and services) both on the subject land and on the adjoining land (the latter being dependant upon the subject lot size and boundary setbacks).
 - 5.2.c Written submission detailing how the proposed development:
 - can fit in with the locality. This means showing a sympathetic and well-mannered design without unreasonable impacts either on the agricultural, natural or cultural environment and that any impacts will be contained within the site.
 - will satisfy bushfire requirements and other hazards.
 - will provide a high level of amenity and services to the tourist occupants.
 - will continue to attend to matters of environmental concern, rural amenity and the well being and safety of the tourist occupants (once the development is established) i.e. Management Plan.

6.1 POLICY STATEMENT

- 6.1 Applications for Rural Tourism will only be supported where the Local Government is satisfied that the proposal will not result in unacceptable environmental or amenity impacts as a result of noise, dust, light spill, odour, vibration, traffic movement, visual intrusion or contamination on the nearby residents or environment and that the quality of the development will present a positive image of the locality.

- 6.2 Depending on the nature of the proposed Rural Tourism, local wind, topography and vegetation conditions, setback distances from site boundaries and existing watercourse or bodies may need to be increased. When determining such setbacks the Local Government shall consider existing and potential land-uses on adjoining and nearby properties.
- 6.3 The Local Government may require the preservation and/or planting of a vegetated buffer strip ensuring that the Rural Tourism activities are adequately screened from the road and adjoining properties.
- 6.4 Where Rural Tourism has direct access to a sealed road and the projected number of vehicle movements from the site would justify such a requirement (as determined by the Local Government), the Local Government may require crossover and vehicle access areas within 50m of the road to be constructed with a stable, impervious surface, with stormwater runoff being controlled. In this regard the construction of a crossover shall be in accordance with the Local Government's existing Crossover Policy.
- 6.5 Where Rural Tourism is being developed with or without direct access to a sealed road, the Local Government may require assistance to upgrade and maintain the road/s that will be affected by vehicle movements associated with the Rural Tourism development. Such upgrading contributions may be financial or in-kind and shall be calculated on a case-by-case basis.
- 6.6 The Local Government will not be bound to accept any request for additional maintenance or upgrading of roads directly resulting from increases in traffic volumes from an approved Rural Tourism development, unless a financial contribution for such works has been agreed to and received from the respective business owner/proprietor.
- 6.7 With the exception of Bed and Breakfast and Holiday House, all other forms of tourist/holiday accommodation will only be approved subject to the landowner entering into a legal agreement, which shall bind the owner, their heirs and successors in title, requiring that the tourist accommodation will only be used for Short Stay Accommodation purposes.
- 6.8 Subdivision and/or strata subdivision of rural land on which tourism development is proposed or existing will generally not be supported by the Local Government. Such proposal are not considered appropriate because they create circumstances where tourist activities can be operated independently of the principal agricultural or rural use of the land, thereby fragmenting rural land and leading to an increased likelihood of land use incompatibilities.
- 6.9 All signage associated with the uses specified in this policy is to be the subject of a separate application (unless specifically referenced within the application and conditions of approval).
- 6.10 Larger scaled developments and land uses will not be approved under this policy and will require, if found to be justified, an amendment to the Scheme to incorporate specific zoning for the development proposed.
- 6.11 Rural Tourism will generally be approved where the Local Government is satisfied that the following minimum criteria and standards can be achieved:

Use	Criteria	Standard
Art Gallery	<ol style="list-style-type: none"> 1. Public Road Access 2. Potable Water Supply 3. Ablutions 4. Car Parking 5. Lot size 6. Setback 7. Siting 8. Clearing 9. Screening 10. Design & Materials 11. Management 	<ol style="list-style-type: none"> 1. Type 3 – 12m form/8m gravel paved 2. 46,000 litres storage (10,000 gals) 3. As per Health Act 1911, including provision for disabled 4. 1 car bay for every 3m² of public area – gravel std/Local Government specs. 5. 10ha 6. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by the Local Government. 7. Away from sand dunes, ridge lines and side slope/breakaway areas 8. No removal of remnant vegetation 9. Well screened from view of neighbouring properties 10. Complementary with landscape – earth tones – no reflection 11. On site managers residence
Bed & Breakfast	<ol style="list-style-type: none"> 1. Public Road Access 2. Potable Water Supply 3. Guest Ablutions 4. Car Parking 5. Lot size 6. Management 	<ol style="list-style-type: none"> 1. Type 2 – 10m formed 2. 92,000 litres storage (20,000 gal) 3. 1 shared bathroom 4. 1 car bay per room – gravel standard 5. Nil 6. Within the same building
Caravan Park & Camping Ground	<ol style="list-style-type: none"> 1. Location 2. Public Road Access 	<ol style="list-style-type: none"> 1. Within close proximity to public recreation areas/natural attractions – beaches, walk trails, scenic lookouts etc & distances from other Caravan Parks/Camp Sites as prescribed by <i>Caravan Parks and Camping Grounds Act 1995</i>

Use	Criteria	Standard
	3. Potable Water Supply 4. Ablutions 5. Car Parking 6. Lot size 7. Setback 8. Siting 9. Clearing 10. Screening 11. Design & Materials 12. Management	2. Type 5 – 7m bitumen seal + bitumen seal crossover to Local Government specifications or Type 3 – 12m form/8m gravel paved at Local Government discretion 3. As per Caravan & Camping Regs 1997 4. As per Caravan & Camping Regs 1997 & Building Code of Australia 5. 1car bay per caravan/camp site + 1 bay for manager – gravel std/Local Government specs 6. 15ha 7. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by the Local Government. 8. Away from sand dunes, ridge lines and side slope/breakaway areas 9. No removal of remnant vegetation 10. Well screened from view of neighbouring properties 11. Buildings to be complimentary with landscape – earth tones – no reflection 12. On site managers residence
Holiday Accommodation	1. Public Road Access 2. Potable Water Supply 3. Car Parking 4. Floor Area 5. Lot size 6. Setbacks 7. Siting 8. Clearing 9. Screening 10. Design & Materials 11. Management	1. Type 3 – 12m form/8m gravel paved 2. 92,000 litres storage per chalet (20,000 gals) 3. 1 car bay per chalet – gravel std/Local Government specs 4. 100m ² (internal) 5. 15ha 6. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by The Local Government. 7. Away from ridge line and side slope/breakaway areas – clustered together 8. No removal of remnant vegetation 9. Partially screened from view of neighbouring properties 10. Complementary with landscape – earth tones – no reflection 11. On site manager's residence
Holiday House	1. Public Road Access 2. Potable Water Supply 3. Guest Ablutions 4. Car Parking 5. Lot size 6. Setbacks 7. Siting 8. Clearing 9. Screening 10. Landscaping 11. Design & Materials 12. Management	1. Type 3 – 12m form/8m gravel paved 2. 92,000 litres storage per 8 beds (20,000 gals) 3. Ensuite bathroom per bedroom 4. 1 car bay per room – gravel standard 5. 10ha 6. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by the Local Government. 7. Away from sand dunes, ridge lines and side slope/breakaway areas 8. No removal of remnant vegetation 9. Partially screened from view of neighbouring properties 10. Peripheral native landscaping around Guesthouse building 11. Complementary with landscape – earth tones – no reflection 12. Within the same building
Holiday House (continued)		
Tourist Development	1. Location 2. Public Road Access 3. Potable Water Supply 4. Guest Rooms/Ablutions 5. Car Parking 6. Lot size 7. Setback 8. Siting 9. Clearing 10. Screening 11. Design & Materials 12. Management	1. Within close proximity to public recreation areas/natural attractions – beaches, walk trails, scenic lookouts etc 2. Type 5 – 7m bitumen seal + bitumen seal crossover to Local Government specifications 3. 92,000 litres storage per 8 beds (20,000 gals) 4. Per standards prescribed for Guesthouse, chalets, Caravan Parks including provision for disabled 5. 1 car bay per unit or caravan/camp site + 1 bay for manager – gravel standard 6. 20ha 7. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by the Local Government. 8. Away from sand dunes, ridge lines and side slope/breakaway areas – clustered together 9. No removal of remnant vegetation 10. Well screened from view of neighbouring properties 11. Buildings to be consistent in design and complementary with landscape – earth tones – no reflection 12. On site managers residence
Reception Centre	1. Location 2. Public Road Access 3. Potable Water Supply 4. Ablutions 5. Car Parking 6. Lot size 7. Setback 8. Siting 9. Clearing 10. Screening 11. Design & Materials 12. Management	1. With an established guesthouse, restaurant or rural holiday resort. 2. Type 3 – 12m form/8m gravel paved 3. 92,000 litres storage (20,000 gals) 4. As per Health Act 1911, including provision for disabled 5. 1 bay per 4 seats – gravel standard 6. 20ha 7. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by the Local Government. 8. Away from sand dunes, ridge lines and side slope/breakaway areas 9. No removal of remnant vegetation 10. Well screened from view of neighbouring properties 11. Complementary with landscape – earth tones – no reflection 12. On site managers residence
Restaurant / Café	1. Location	1. With an established intensive agriculture/rural pursuit and/or rural holiday resort.

Use	Criteria	Standard
	2. Public Road Access 3. Potable Water Supply 4. Ablutions 5. Car Parking 6. Lot size 7. Setback 8. Siting 9. Clearing 10. Screening 11. Design & Materials 12. Management	2. Type 3 – 12m form/8m gravel paved 3. 92,000 litres storage (20,000 gals) 4. As per Health Act 1911, including provision for disabled 5. 1 bay per 4 seats – gravel standard 6. 15ha 7. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by the Local Government. 8. Away from sand dunes, ridge lines and side slope/breakaway areas 9. No removal of remnant vegetation 10. Well screened from view of neighbouring properties 11. Complementary with landscape – earth tones – no reflection 12. On site managers residence
Tourist Development	1. Location 2. Public Road Access 3. Potable Water Supply 4. Guest Rooms/Ablutions 5. Car Parking 6. Lot size 7. Setback 8. Siting 9. Clearing 10. Screening 11. Design & Materials 12. Management	1. Within close proximity to public recreation areas/natural attractions – beaches, walk trails, scenic lookouts etc 2. Type 5 – 7m bitumen seal + bitumen seal crossover to Local Government specifications 3. 92,000 litres storage per 8 beds (20,000 gals) 4. Per standards prescribed for Guesthouse, chalets, Caravan Parks including provision for disabled 5. 1 car bay per unit or caravan/camp site + 1 bay for manager – gravel standard 6. 20ha 7. 30m from the front boundary and 75m from water features with all other boundaries to comply with Local Planning Scheme requirements unless otherwise determined by the Local Government. 8. Away from sand dunes, ridge lines and side slope/breakaway areas – clustered together 9. No removal of remnant vegetation 10. Well screened from view of neighbouring properties 11. Buildings to be consistent in design and complementary with landscape – earth tones – no reflection 12. On site managers residence
Tourist Development (continued)		

7.0 CONSULTATION

Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be placed before a meeting of Council for determination.

8.0 DEFINITION

- 8.1 For the purposes of this policy Art Gallery, Bed & Breakfast, Caravan Park, Holiday Accommodation, Holiday House, Reception Centre, Restaurant/Café and Tourist Development shall be as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 8.2 For the purposes of this policy Camping Ground shall be as defined by the *Caravan Park & Camping Grounds Act 1995* and also include Nature Based Park as defined by the *Caravan Parks and Camping Grounds Amendment Regulations (No.2) 2014*

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	2 – Commercial & Industrial
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP2.3

2.4 WORKFORCE ACCOMMODATION



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 2.4

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 2.4 – Workforce Accommodation.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.4 To ensure that applications for the development of Workforce Accommodation are assessed in a consistent, fair, thorough and timely manner.
- 3.5 To provide guidance to the Local Government, State Government agencies, landowners, developers, consultants and the general public regarding the assessment of applications for Workforce Accommodation.
- 3.6 To provide, where necessary, for the development of Workforce Accommodation in a way that maximises social benefits whilst minimising social costs.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to applications for Workforce Accommodation.

5.0 APPLICATION REQUIREMENTS

The following information is to be provided with an application for planning consent:

- 5.1 Accurately scaled and dimensioned locality plans, site plans, floor plans, elevations (generally north, south, east and west elevations showing all buildings proposed for the site, rather than elevations of individual buildings, or as otherwise agreed by the Local Government).
- 5.2 An analysis of the physical characteristics of the site (on sloping sites topographic mapping may be required).
- 5.3 Details regarding the maximum number of persons to be housed at the site.
- 5.4 Details of how development is to be staged.
- 5.5 Information regarding how essential services are to be provided to the site.
- 5.6 Details of underlying purpose for proposed development (i.e. whose workforce is the camp intended to house and why the workforce cannot be housed in existing accommodation).
- 5.7 Written submission detailing the suitability of the proposal to meet the required accommodation needs (i.e. type, size, location, layout, facilities, parking, loading/unloading and detailed design does it meet their requirements for accommodating their workforce).
- 5.8 Details of any prior consultation with local communities and government agencies.
- 5.9 Details of any ongoing community benefit that will result from development of the camp.
- 5.10 In urban or near-urban situations, details of landscaping, fencing, internal access roads and building materials and finishes.

- 5.11 Applications must demonstrate the camp will be effectively and appropriately managed, with management practices outlined in a **Management Plan** to be submitted with the application for planning consent. The Management Plan should address:
- strategies ensuring that noise, dust, odour, lightspill and litter are acceptably managed.
 - strategies resolving conflict with owners and/or occupiers of land within the vicinity of the site that may be affected by the operation of the camp.
 - transportation of workers to the site where construction is taking place.
 - strategies for managing the consumption of alcohol in the camp (if applicable).
 - strategies for preventing the consumption of illicit drugs in the camp.
- 5.12 Applications shall be accompanied by a **Decommissioning Plan** (that may in the event of the Local Government giving approval be made subject to condition requiring the applicant entering into legal agreement) that addresses the following issues:
- when the camp shall be decommissioned.
 - works that shall remain in place following decommissioning.
 - the clean-up and rehabilitation of the site.
 - the transfer of assets to public ownership where this has been committed to.
- 5.13 Applications are to indicate the time period over which the camp is expected to be required (generally for a period of between 6 months and 5 years);

6.0 POLICY STATEMENT

- 6.1 Applications must demonstrate that there is a need to develop a camp facility of the size and at the location proposed for the period of time for which approval is sought.
- 6.2 For Industrial and Port Development, Workforce Accommodation site/s should:
- be located on 'Rural' zoned land.
 - be strategically located within close proximity (i.e. 10km radius) to the primary construction site, and is within reasonable commuting distance to a range of services including social, recreational, commercial, retail and medical.
 - have direct access to an established 'road of regional significance' as classified by Main Roads WA.
 - in the opinion of the Local Government, not be located in an area of perceived environmental, social or visual sensitivity.
 - accord with the Local Government's current planning instruments (i.e. Local Planning Strategy, Coastal Management Strategy) in demonstrating a 'value added' benefit for re-use of the camp infrastructure, either in part or in whole, beyond the life of the temporary workforce accommodation camp use.
- 6.3 For Rail and Infrastructure/Services, Workforce Accommodation site/s should:
- be strategically located within reasonable commuting distance (i.e. 50km radius) to the primary construction site and provide a range of services on-site including social, recreational, small retail and medical.
 - where possible have direct access to a bitumen seal road.
 - in the opinion of the Local Government, not be located in an area of perceived environmental, social or visual sensitivity.
 - where possible demonstrate some level of 'value added' benefit for re-use of the camp infrastructure, either in part or in whole, beyond the life of the temporary workforce accommodation use.
- 6.4 Workforce Accommodation:
- is not supported within close proximity to 'socially sensitive' facilities such as schools or day-care centres.
 - is to be located within reasonable proximity to commercial, educational, recreational and community facilities that are capable of coping with the anticipated increases in demand.
 - is to be well screened from view and result in minimal site disturbance.
 - is to be adequately serviced by way of constructed road access to 7m bitumen seal and availability of services and infrastructure.

7.0 CONSULTATION

The following process is to be undertaken in assessment of an application for Workforce Accommodation:

- 7.1 Step 1 – Preliminaries

The proposal should generally be discussed with the Local Government prior to an application being submitted and in some instances preliminary, written advice will be provided. Applicants should ensure, in consultation with the Local Government, that their application contains all the required information.

7.2 Step 2 – Initial consideration by the Local Government

Local Government staff will present a report to Council detailing the application and addressing all aspects of the policy and any other relevant considerations, including details of a site inspection.

7.3 Step 3 – Referral & advertising

The application will be advertised for public comment and referred to relevant stakeholders in accordance with Scheme requirements. During that period adverts may be placed in local newspaper/s, a sign/s erected on site and plans/documents detailing the application made available for inspection at the Local Government offices.

7.4 Step 4 – Final consideration by Council

The application will be considered in light of any submissions received during the comment period. Local Government staff will present a report to Council presenting relevant facts and discussion sufficient to enable Council to make an informed decision.

8.0 DEFINITION

For the purposes of this policy Workforce Accommodation shall be as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	2 – Commercial & Industrial
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP2.4

3.1 TREE FARMS



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 3.1

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 3.1 – Tree Farms.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.10 To achieve a consistent, efficient, and equitable system for assessing and approving Tree Farm applications.
- 3.11 To enable the establishment of Tree Farms in appropriate locations.
- 3.12 To enable Tree Farms in areas subject to land degradation, including areas of high salinity, water logging, and high levels of chemical contamination where there are clear natural resource management benefits.
- 3.13 To ensure Tree Farm development is not undertaken upon land that is considered to be of high agricultural value.
- 3.14 Consider impacts on local road network infrastructure, and to protect surface gravel deposits for the maintenance and construction of these road networks.
- 3.15 Suitable gravel deposits must be made available to the Shire when deemed necessary by the Shire for adjoining road networks.
- 3.16 Recognise that gravel acquisition for adjoining road networks is essential.
- 3.17 To minimise the potential for any loss of population or agricultural land through the use of whole farms and encourage Tree Farms that are ancillary to an existing agricultural land use (i.e. broadacre cropping or grazing).
- 3.18 Manage fire risk/management issues for all applications.
- 3.19 Consider the visual impact of Tree Farms in close proximity and/or viewing distance to town sites, roads of local and regional significance, and areas of scenic beauty.
- 3.20 Encourage operators, managers, government and non-government agencies, investors, and landowners to work in partnership wherever possible.
- 3.21 Encourage operators to abide by the Industry Code of Practice, relevant legislation, Western Australia's Strategy for Plantations and Farm Forestry and this policy.
- 3.22 Outline the matters required to be addressed for assessment to be undertaken under the planning system and other legislation.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to applications for a Tree Farm (more commonly referred to as 'Agroforestry' or 'Carbon Farming' or 'Plantations').

5.0 APPLICATION REQUIREMENTS

- 5.1 Applications shall include the following information:

- 5.1.a Planning application form duly signed by the owner(s) of the property and payment of the relevant fee.
Note: An application may be made upon land that is not in the ownership of the applicant where the application form is signed by the owner(s) of the land as specified upon the Certificate of Title and the applicant(s).
An application can cover multiple Tree Farm plantings, which may be on different titles under separate ownership, provided they are under the management of one Applicant (the form is required to be signed by the relevant landowners of each title).
- 5.1.b Site plan showing location of trees, access roads, structures and buildings, natural features (including native vegetation and water courses), surface gravel deposits and other relevant information, such as hazards and significant features (drawn to scale and to a professional standard).
Note: Proposed new buildings and structures relating to a Tree Farm development may be subject to additional/other applications and approvals of the Local Government and other agencies.
Should the application propose the clearing of existing remnant vegetation the applicant is required to liaise with the Department of Water and Environment Regulation to obtain the relevant approvals.
- 5.1.c A species list (including approximate density and number to be planted) for the proposal.
- 5.1.d Management Plan that displays due regard for the 'Code of Practice for Timber Plantations in Western Australia' (Forest Industries Federation WA, 2014) and 'Guidelines for Plantation Fire Protection' (Department of Fire & Emergency Services, 2011) and/or subsequent superseding documents.
- 5.1.e Information pertaining to the projected volume of water usage.
Note: The Shire may seek advice from the Department of Water and Environment Regulation to assist in determining the application, with specific reference to ground and surface water impacts. Should the Department of Water and Environment Regulation raise significant concerns or objections to the proposal the application may ultimately be refused by the Local Government. Applicants are therefore encouraged to consult with the Department of Water and Environment Regulation prior to lodging their application and include relevant information arising from this consultation within their lodged application.
- 5.1.f A visual impact assessment may be required where the development site is in close proximity and/or viewing distance from townsite boundaries, roads of regional or local significance, or areas deemed by the Local Government to have a high level of scenic or heritage value.
- 5.1.g Provide estimated harvest time(s) (where applicable). It will be a condition of any development approval that a Harvest/Transport Plan be submitted to Council for separate approval 12 months prior to the commencement of harvesting that details expected transport routes, and proposed machinery requirements.
Note: The Local Government recognises the future locations of processing facilities in or near the Mid-West region is currently unknown, and it is therefore difficult to prepare a transport plan prior to commencement of tree crop development. Nevertheless, the Local Government will require an understanding of expected harvest and transport routes through the Local Government at the application stage, with the requirement a transport plan/strategy to be prepared and submitted twelve (12) months prior to the commencement of harvesting depending on scale and nature of harvest.
Where the Shire considers the existing road infrastructure is not adequate to service the future harvest, the applicant/operator will be required to make suitable and safe access arrangements. If a suitable and safe arrangement cannot be identified and there is likelihood that this cannot be secured or improved, the Council may refuse the application.

6.0 POLICY STATEMENT

- 6.1 Traditional agricultural activities such as cropping, grazing and food production should generally remain the predominant landuse with Tree Farms as an ancillary and complementary use.
- 6.2 This policy does not attempt to introduce maximum planting areas by means of a percentage of the lot area, simply because some flexibility needs to be afforded. As a general rule the Local Government will assess if a plantation area is 'ancillary' having regard for:
- the area of each lot.

- the proportion or percentage of the plantation area on a lot by lot basis. Generally a 50% maximum planting area is encouraged, although each application will be assessed on its merits on a 'case by case' basis.
 - the extent of existing remnant vegetation areas.
 - whether a significant portion of each lot can continue to be used for agriculture.
- 6.3 The Local Government will be able to clearly identify whether agriculture remains as the primary use, given that detailed site plans are lodged for all applications and show the extent of planting areas.
- 6.4 This policy aims to actively encourage the integration of tree planting with agricultural farms. Whilst there are other factors contributing towards reductions of rural population, the Local Government wishes to ensure that new land uses do not exacerbate an existing ongoing problem.
- 6.5 The Local Government will not generally support the planting of whole lots or farms for tree planting due to the potential for the displacement of agricultural pursuits and loss of agricultural land.
- 6.6 The Local Government may require as a condition of approval a Management Plan to be prepared, or modified, to its satisfaction, before planting commences, and the applicant's subsequent adherence to the requirements therein.
- 6.7 Management Plans shall include ongoing commitments relating (but not limited) to the following:
- Pest Control (inclusive of weeds and animals) that displays due regard for the 'Code of Practice for Timber Plantations in Western Australia'.
 - Water Management Plan that outlines estimated water requirements, available water sources, their capacity and access points, water impact management and monitoring.
 - Fire Management (inclusive of access, perimeter and internal fire breaks/barriers, water supplies, separation distances between plantings and setbacks from on-site and off-site dwellings) that displays due regard for the requirements of the Department of Fire and Emergency Services 'Guidelines for Plantation Fire Protection' (2011).
- Note: It is an expectation that the minimum width of perimeter fire breaks/barriers shall be 30m, and that tree planting areas exceeding 200ha shall have 30m minimum width fire breaks/barriers between them (i.e. internal breaks between planting cells), and strategies be outlined regarding their maintenance.*

7.0 CONSULTATION

Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be placed before a meeting of Council for determination.

8.0 DEFINITION

For the purposes of this policy Tree Farm shall be as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	3 – Environment, Natural Resources & Waste
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP3.1

3.2 INTENSIVE AGRICULTURE



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 3.2

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 3.2 – Intensive Agriculture.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.23 To provide clarity and direction with regard to the approval of intensive agriculture uses in consideration of potential conflict issues with other land uses.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to applications for Intensive Agriculture (more commonly referred to as 'Aquaculture' 'Floriculture', 'Horticulture', 'Market Gardens', 'Orchards', 'Turf Farms' or 'Viticulture').

5.0 APPLICATION REQUIREMENTS

- 5.1 Applications for development are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 5.2 Applications for development are expected to include written submission demonstrating:
- an acceptable water supply exists on the property.
 - the proposed Intensive Agriculture use/development will not adversely affect a known drinking water source.
 - the proposed Intensive Agriculture use will not impact on any neighbouring agricultural practice or be detrimental to the subject land, surrounding locality or environment by way of land degradation or erosion, noise, dust, odour, spray drift, effluent disposal or leaching, waste water disposal or runoff etc.
 - how it will satisfy bushfire requirements and other hazards.

Note: The Shire may seek advice from the Department of Water and Environment Regulation to assist in determining the application, with specific reference to ground and surface water impacts. Should the Department of Water and Environment Regulation raise significant concerns or objections to the proposal the application may ultimately be refused by the Local Government. Applicants are therefore encouraged to consult with the Department of Water and Environment Regulation prior to lodging their application and include relevant information arising from this consultation within their lodged application.

Proposed new buildings and structures relating to an Intensive Agriculture development may be subject to additional/other applications and approvals of the Local Government and other agencies. Should the application propose the clearing of existing remnant vegetation the applicant is required to liaise with the Department of Water and Environment Regulation to obtain the relevant approvals.

6.0 POLICY STATEMENT

- 6.1 Intensive Agriculture will generally be supported where the Local Government is satisfied that the following minimum criteria and standards can be achieved:

Intensive Agriculture Use	Min. Lot Size	Min. Boundary Setback	Min. Setback from Neighbouring Residence	Min. Setback from Dam or Watercourse	Min. Vegetation Screening & Buffers
Horticulture	20ha	40m	200m	100m	5m

Viticulture	30ha	40m	200m	100m	5m
Floriculture	10ha	15m	100m	100m	5m
Aquaculture	10ha	15m	100m	100m	-
Turf Farm	20ha	15m	100m	100m	-

Note: Depending on the nature of the proposed intensive agriculture use, local wind, topography and vegetation conditions, setbacks may need to be varied to those specified above. When determining such setbacks the Local Government will consider existing characteristics and potential land-uses on adjoining and nearby properties.

- 6.2 The Local Government will generally only support the establishment of buildings for an Intensive Agriculture use where they are clustered with other buildings on the site and are located well away from hills, mesa tops, and ridge-lines.
- 6.3 The Local Government will generally not support the damming of a watercourse or valley area for the purpose of servicing a proposed Intensive Agriculture use/development unless subject to the following:
- 6.3.a a separate application for planning consent for the proposed dam has been submitted detailing
- the overall area and holding capacity of the dam.
 - a profile of the dam wall including the provision of an overflow so as not to prohibit or substantially restrict the flow of water downstream.
 - the location of the dam in relation to property boundaries and existing residential development.
- 6.3.b the Department of Water & Environment Regulation has given its endorsement for the proposed dam.
- 6.4 The Local Government will generally only support direct retailing of produce from the property subject to the following:
- 6.4.a Separate application for planning consent for a Produce Stall, Home Store or Market has been submitted (or specifically referenced within the overall submitted application) detailing:
- location and form of building
 - vehicular access
 - disabled access (may be required in some instances)
 - provision for on-site car parking
 - provision of landscaping
 - hours of operation
- 6.4.b The retailing is incidental to an approved Intensive Agriculture use/development.
- 6.4.c Access to the property is by an 8m gravel standard road.
- 6.4.d The proposed development will not result in unacceptable environmental impacts as a result of noise, odour, light spill, or visual intrusion, contamination.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be placed before a meeting of Council for determination.

8.0 DEFINITION

For the purposes of this policy Intensive Agriculture shall be 'Agriculture-Intensive' as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	3 – Environment, Natural Resources & Waste
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP3.2

4.1 DEVELOPMENT ADJACENT TO THE PROPOSED OAKAJEE TO NARNGULU INFRASTRUCTURE CORRIDOR AND THE OAKAJEE TO TALLERING PEAK RAIL CORRIDOR



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 4.1

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 4.1 – Development adjacent to the proposed Oakajee to Narngulu Infrastructure Corridor and the Oakajee to Talling Peak Rail Corridor.

2.0 INTRODUCTION

Oakajee was selected by the Western Australian State Government in 1992 as a site for future strategic industry and a port. From 1997 to 2009 the State Government acquired and rezoned approximately 6,400ha of land for the purpose of securing the industrial estate and port site and the surrounding buffer area.

Corridors linking the Oakajee Industrial Estate to the wider regional road, rail and services network and mine sites have been identified through State Government planning studies and these corridors are of state significance and will assist in delivering wide-ranging economic and social benefits to the community.

However, the corridors have yet to be secured and in the interim this Local Planning Policy has been prepared to guide assessment of development to give due regard for the proposed alignments. Further, it is recognised that road and rail noise can have an adverse impact on amenity, and this Local Planning Policy seeks to ensure that the policy objectives and measures in determining setback distances as outlined in State Planning Policy 5.4 - Road and Rail Noise are given due regard in relation to the assessment of development in proximity to the proposed corridors.

3.0 OBJECTIVES

- 3.1 To protect the proposed Oakajee to Narngulu Infrastructure Corridor and the proposed Oakajee to Talling Peak Rail Corridor from incompatible development.
- 3.2 To protect the community from unreasonable levels of transport noise associated with the proposed Oakajee to Narngulu Infrastructure Corridor and the proposed Oakajee to Talling Peak Rail Corridor.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to development proposed within 200m of the proposed Oakajee to Narngulu Infrastructure Corridor and the proposed Oakajee to Talling Peak Rail Corridor.

5.0 APPLICATION REQUIREMENTS

Applications for development within 200m of the of the proposed Oakajee to Narngulu Infrastructure Corridor and the proposed Oakajee to Talling Peak Rail Corridor are expected to demonstrate due regard for the policy objectives and measures in determining setback distances as outlined in State Planning Policy 5.4 - Road and Rail Noise and the accompanying Road and Rail Noise Guidelines.

6.0 POLICY STATEMENT

- 6.1 Applications for development within 200m of the proposed Oakajee to Narngulu Infrastructure Corridor and the proposed Oakajee to Talling Peak Rail Corridor will be assessed with regard for the policy objectives and measures in determining setback distances as outlined in State Planning Policy 5.4-Road and Rail Noise.
- 6.2 The Shire will request that subdivision/amalgamation applications relating to properties adjoining the proposed Oakajee to Narngulu Infrastructure Corridor and the proposed Oakajee to Talling Peak Rail Corridor have condition that a notification be placed on the certificate(s) of title that states that the lot is affected by the alignment of the proposed corridor, and (where applicable) that land may be required in the future for the construction of the corridor, and the lot may in the future be affected by transport noise.

7.0 CONSULTATION

- 7.1 Upon receipt of a development application within 200m of the proposed Oakajee to Narngulu Infrastructure Corridor and the proposed Oakajee to Talling Peak Rail Corridor the Shire shall invite comment upon the application from the following:
- Department of Jobs, Tourism, Science & Innovation.
 - Environmental Protection Authority.
 - Department of Water and Environment Regulation.
 - Department of Planning, Lands and Heritage.
 - Main Roads WA (in relation to applications concerning the Oakajee to Narngulu Infrastructure Corridor, but not the proposed Oakajee to Talling Peak Rail Corridor).
 - key proponents as identified by the Shire (e.g. parties in current negotiation with the State Government to develop a port or industry at Oakajee).
- 7.2 The development application, and any received submissions, shall be presented to a meeting of Council for its consideration.

8.0 DEFINITION

- 8.1 For the purposes of this policy, the **proposed Oakajee to Narngulu Infrastructure Corridor** shall be considered to be the alignment (located within the Shire of Chapman Valley) as identified in the Department of Planning, Lands & Heritage's Oakajee Narngulu Infrastructure Corridor Draft Alignment Definition Report (2014), or a State Government adopted superseding study/report (refer to **Figure 1** of this Local Planning Policy).
- 8.2 For the purposes of this policy, the **proposed Oakajee to Talling Peak Rail Corridor** shall be considered to be the alignment (located within the Shire of Chapman Valley) as identified in the Oakajee Rail Development (Oakajee Port and Rail Pty Ltd) Report and Recommendations of the Environmental Protection Authority (2011), or a State Government adopted superseding study/report (refer to **Figure 2** of this Local Planning Policy).
- 8.3 For the purposes of this policy **Incompatible Development** means a land use or development which may be considered to be sensitive to or impacted by transport noise.

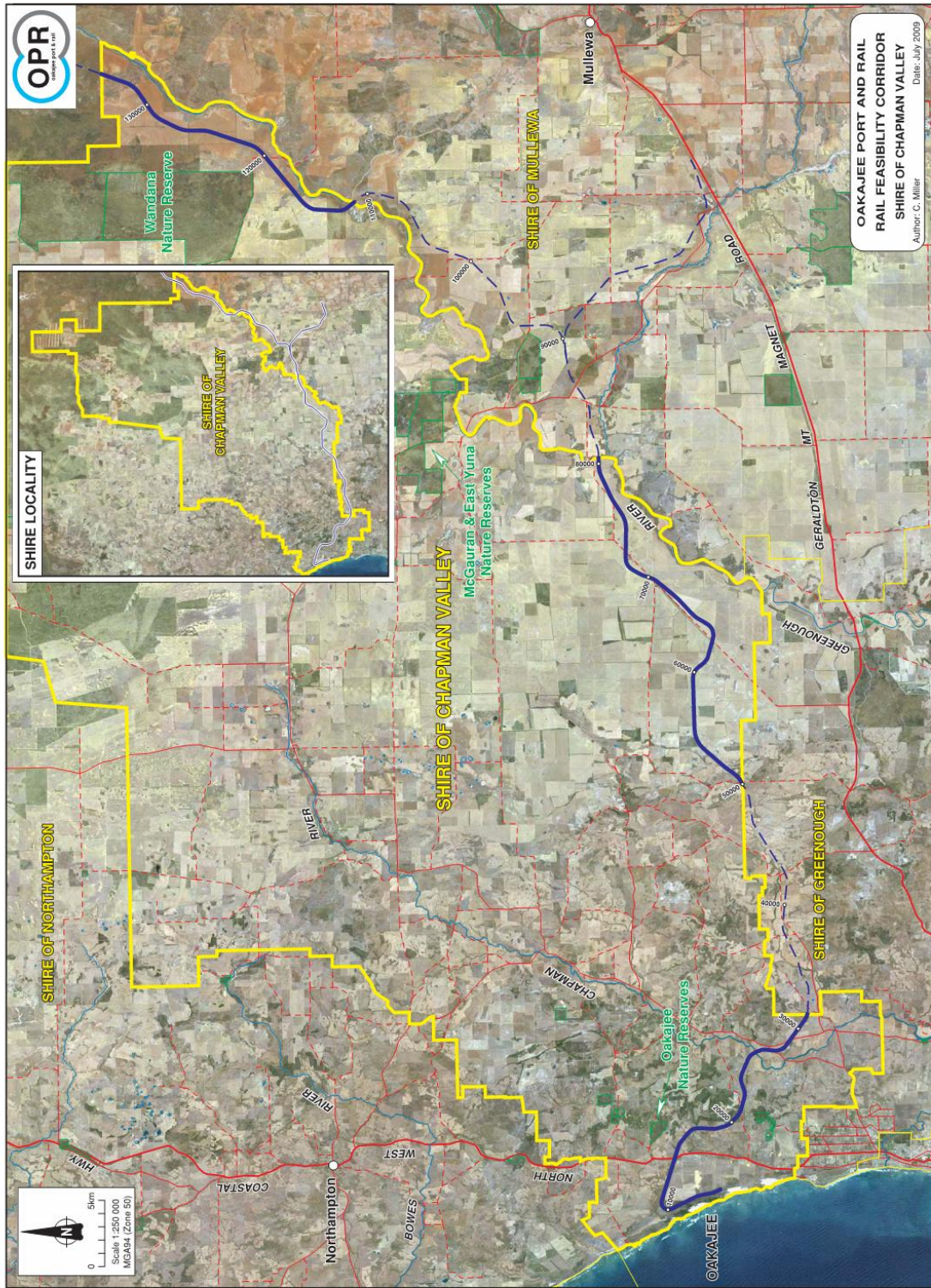
9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	4 – Transport and Infrastructure
Public Consultation	No
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP4.1

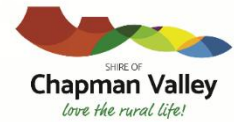
Figure 1 – Proposed Oakajee to Narngulu Infrastructure Corridor



Figure 2 – Proposed Oakajee to Tallering Peak Rail Corridor (Shire of Chapman Valley)



5.1 BUILDING ENVELOPES



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 5.1

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 5.1 – Building Envelopes.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.24 To provide guidance with respect to the amendment of a building envelope (relocation, expansion) that will not lead to unacceptable impacts on surrounding properties.
- 3.25 To provide criteria by which the amendment of a building envelope should be considered to assist in protecting the integrity of the application of building envelopes.
- 3.26 To provide guidance in relation to the information required to be submitted as part of an application for the amendment of a building envelope.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to applications seeking to amend, relocate, remove or develop outside a Building Envelope.

5.0 APPLICATION REQUIREMENTS

In submitting an application for planning consent to amend, relocate or site development outside of a designated building envelope on a particular lot the proponent shall:

- 5.1 Demonstrate due regard for the requirements as outlined in Section 40 of the Shire of Chapman Valley Local Planning Scheme.
- 5.2 Provide justification, relevant building plans (sketch floor plan and elevations, and schedule of materials and colours), and information addressing visual amenity, privacy and screening, vegetation loss, access, and proximity to natural features.
- 5.3 Mark the revised/amended building area on-site to clearly delineate the change or new location for assessment purposes.

6.0 POLICY STATEMENT

- 6.1 In considering an application to relax the development standards pursuant to Section 40 of its Local Planning Scheme, the Local Government will give particular consideration to:
 - 6.1.a justification for the proposed amendment.
 - 6.1.b the secondary nature of the development should the application be to site a building/s outside of the envelope (e.g. horse stables, bore sheds).
 - 6.1.c unacceptable visual clutter, especially in elevated areas of high landscape quality or visually exposed locations, such as the edge of hill or mesa tops within prominent parts of the Moresby Range.
 - 6.1.d unnecessary clearing of remnant native vegetation.

- 6.1.e visual obtrusiveness and/or impact on an adjoining property by way overlooking, noise, odour or light spill.
- 6.1.f suitability for landscape screening using effective screening vegetation and the availability of a proven water supply for this purpose.
- 6.1.g use of materials and colours to assist in softening any perceived visual impact.
- 6.1.h compliance with the land-use, setback, building height, development exclusion, vegetation protection, bushfire requirements and other pertinent provisions of the Local Planning Scheme and associated Planning Policies.

6.2 Building envelopes are generally imposed at the time of rezoning or subdivision to provide an area in which buildings upon a property will be clustered and provides an understanding for surrounding landowners of the potential location of future built form. Whilst this Policy provides guidelines for an application to be submitted to amend a building envelope it should not be construed that approval will be granted with each application assessed on its individual merits.

7.0 CONSULTATION

An application for the relocation, removal or expansion of a building envelope may be advertised to surrounding landowners prior to being placed before a meeting of Council for consideration.

8.0 DEFINITION

For the purposes of this policy Building Envelope shall be as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* and as referenced in the Shire of Chapman Valley Local Planning Scheme.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	5 – Design Guidelines & Precinct Plans
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP5.1

6.1 CONSULTATION



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 6.1

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 6.1 – Consultation.

2.0 INTRODUCTION

The Local Government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the Local Government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.27 To provide a method by which proposals can be classified according to their likely impact.
- 3.28 To clearly define the different levels of consultation that will be undertaken and advice that will be provided in respect of a range of land use and development proposals, to provide the community with adequate and appropriate opportunities to be kept informed and comment on and respond to issues and proposals.
- 3.29 To detail the requirements for consultation based on the level of impact of the proposal.
- 3.30 To outline the process the Council will use when undertaking consultation and considering submissions.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

The over-arching principle of this policy is that the Local Government (where appropriate or required) will advise and consult with the community about initiatives involving proposed new or extended land uses and developments, in an endeavour to ensure openness and accountability in the decision making processes and to gauge public opinion.

The need to engage the community will be based firstly on any legislative requirement and then the degree to which the proposal impacts upon the site itself, the land immediately surrounding the site, the locality within which the site is situated or, in some cases, the whole Local Government.

In relation to complex issues, the Local Government will exercise flexibility in determining the level of consultation that is required and the best means by which maximum public feedback may be obtained.

The Local Government will predominantly consult with owners of land and, where appropriate, will also consult with occupiers of the land.

5.0 APPLICATION REQUIREMENTS

Applications for development are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015* and the R-Codes and the relevant design principles as outlined in the R-Codes.

6.0 POLICY STATEMENT

The method of consultation used will relate to the legislative requirements and (in the opinion of the Local Government) the likely extent of the impact on the community or the interest likely to be generated by the community with respect to the proposed land use or development. In any event the Local Government has the discretion to publicly advertise any town planning proposal.

7.0 CONSULTATION

7.1 Consultation level requirement by Development Proposal Type

The below matrix is the basis upon which the appropriate level of consultation with affected persons and the community will generally be determined for land use and development proposals.

Where proposals occur that do not clearly fall within the matrix, or where circumstances indicate that the standard level would not be appropriate, the Local Government shall use its discretion to establish the consultation process required.

Notwithstanding compliance, proposals that are considered to have a substantial impact due to their scale, size or nature may require consultation.

Development Proposal Type	Consultation Level
Design Guidelines	D
Local Planning Policies	D
Management Plans (local)	C
Outline Development Plans	C
Planning Applications (permitted uses)	A
Planning Applications (discretionary)	B
<ul style="list-style-type: none"> • likely to impact on surrounding owners; or • not likely to impact on surrounding owners 	A
Planning Applications (discretionary after advertising)	C
<ul style="list-style-type: none"> • impacts are confined to adjoining properties and the immediate vicinity of the proposal; or • impacts affect the broader locality in addition to adjoining properties 	D
Residential Design Codes Performance Criteria Assessment	B
Structure Plans - General	D
Structure Plans - Oakajee	E
Strategic Plans / Documents:	
<ul style="list-style-type: none"> • impacting on the Shire in general; or • impacting on specific sectors / areas of the community 	E
Subdivision Referrals	A
Local Planning Scheme Amendments	D
Local Planning Scheme Review	E
Townsite Plans / Strategies	D

7.2 Level A – No Consultation

No consultation will occur where the proposal:

- 7.2.a Is determined by the Chief Executive Officer as having no predictable detrimental impact on the character or amenity of the immediate or general locality.
- 7.2.b Is determined by the Local Government as not being required or is precluded under relevant legislation.
- 7.2.c Has previously occurred, and only minor modifications or modifications that address concerns previously raised are proposed.

7.3 Level B – Consultation with owners of adjoining land

- 7.3.a Where, in respect of any proposal, the Acceptable Development Provisions of the Residential Design Codes are not complied with, the owner(s) of land adjoining the application site affected by the non-compliance will be consulted unless the proponent has already undertaken the necessary consultation and secured agreement or obtained comment.
- 7.3.b Where (in respect of other proposals) a proposed development will be visible from any road or other public place and/or will be likely to have an impact on the streetscape, visual amenity and ambience of properties in immediate proximity to the site, the owners of properties adjoining, and those on the other side of any street immediately opposite the application site, will be consulted.
- 7.3.c The Local Government may undertake one or more of the following:
- Consult with the owners of properties determined as being potentially affected by a development proposal in writing providing a minimum of 14 days (or such other period as may be prescribed by the relevant legislation) for the lodgement of any submissions.
 - Where an affected land owner is consulted by the proponent of a development proposal, evidence of the acceptability of the proposal should be provided by way of a signed letter of no-

objection and endorsement by way of no-objection comment, signature, printed name and full address on a copy of the plan(s) submitted for approval.

7.4 Level C – Consultation with owners of nearby land

7.4.a Where a proposed land use or development is determined by the Local Government as having the potential to impact on not only the use or enjoyment of land adjoining the application site but also other surrounding land, the owners of those properties within the catchment specified below will be consulted.

7.4.b The Local Government may undertake one or more of the following:

- The owners of properties determined as being potentially affected by a development proposal (generally owners of all land within a radius of 60m of the boundary of the application site for land within an urban area or within an existing settlement) will be consulted in writing providing a minimum of 14 days for the lodgement of any submissions.
- Dependent upon the level of impact in the area, the Local Government may also publish a notice of the development proposal in a newspaper circulating in the area inviting comment within a specified period, with an additional fee to be levied on the applicant pursuant to the Local Government's schedule of fees and charges.

7.5 Level D – Consultation with owners of land in the locality

7.5.a Where a proposed land use or development is determined by the Local Government as having the potential to impact upon the use or enjoyment of land within an area or a settlement, but not extending to the whole of the municipality or specific interest groups within that area, the community within the affected area will only be consulted.

7.5.b The Local Government may undertake one or more of the following:

- publish a notice of the proposal in a newspaper circulating in the area.
- arrange for a sign or signs to be placed in a prominent position(s) on the site.
- consult the owners of all land within a radius of 100m of the boundary of the application site for land within an urban area or within an existing settlement, or 500m radius for land within a rural area, except where it is determined by the Local Government that the proposal will not have any significant impact on certain portions of the area.
- consult with the owners of land beyond the foregoing areas where, in the opinion of the Local Government, there will be an impact along key transportation facilities, tourist routes or view-sheds. and/or
- consult as necessary with other affected government agencies or statutory authorities as the case requires.

7.5.c Drawing attention to the form of the development proposal and inviting comment within a period not being less than 14 days or, where appropriate, such longer period as may be necessary to comply with relevant legislation (Schedule 2 Part 2 Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires a minimum of 21 days in the case of Local Planning Policies).

7.6 Level E – State Wide Consultation

Where proposals or projects are of State, regional or shire wide significance the community will be consulted in a manner as determined by the Local Government. In relation to complex issues, the Local Government may exercise flexibility to determine the level of consultation that is required and the best means by which maximum public feedback may be obtained.

7.7 Submissions

7.7.a The Local Government will only accept submissions where:

- it has been signed by the respondent and contact details, including address for correspondence, is provided.
- comments on the development are provided in eligible written English.

7.7.b A petition will only be considered where it:

- is addressed to the Chief Executive Officer.
- is made entirely by electors of the Local Government.
- states the request/reason(s) on each and every page of the petition.
- contains the names, addresses and signatures of the electors making the request, and the date each elector signed.

- states the name of a single person upon whom, and an address at which, notice to the all the petitioners can be given.

7.7.c All submissions received will be summarised for reporting to Council with:

- submissions treated in confidentiality (unless otherwise prescribed by the relevant legislation), although Councillors may request a copy of any/all submissions.
- matters taken into account from submissions being based on valid planning grounds, including, but not limited to:
 - considerations outlined in the relevant Local Planning Scheme, Local Government policy and/or strategy.
 - potential for detrimental impact on the enjoyment of nearby properties from such causes as the effect on views to and from the development site, overshadowing, privacy, noise impact, or the scale, height, external appearance and bulk of proposed new developments.
 - impact of the proposal on streetscape and the amenity of the locality.
 - heritage values or significance.
 - adequacy of access, egress, parking and manoeuvring including disabled access.
 - traffic generation and probable effect on safety and traffic movement.
 - removal of, or increased threat to, natural vegetation.
 - the assessed fire hazard appropriate to the land and the proposed new land use and development.
 - any other environmental consideration including but not limited to potential for soil erosion or land degradation, water quality degradation, or increased environmental risk.
 - potential loss of any community service or benefit.
 - adequacy of community and public utility services.
 - any other matter relevant to orderly and proper planning.

7.7.d The Local Government upon determination the application may either:

- send to each respondent a letter.
 - acknowledging receipt of the submission.
 - advising of the determination of the development proposal concerned, providing reasons for that determination. and
 - advising the name and position of the officer of the Local Government from whom further information can be obtained.
- place an advertisement in the local paper providing public advice as to the outcome of the matter.

7.8 Delegation

Authority is delegated to the Chief Executive Officer for the following:

- to accept submissions received shortly after the formal comment period.
- determine the level of consultation required for each application.

8.0 DEFINITION

For the purposes of this policy the following definitions are provided:

“Adjoining” means any land (or owner of land) which abuts an application site or is separated from the site only by a pathway, driveway, right-of-way or similar thoroughfare (excluding a public road reserve).

“Affected Person” means a person who owns (or occupies) land that adjoins an application site or the enjoyment of which, may be detrimentally affected by the use or development on an application site.

“Nearby Land” means any land (other than adjoining land) which may be adversely affected by a development proposal and, where appropriate, may include owners (or occupiers) within a neighbouring Local Government.

“Notify” means written communication by the Local Government or the proponent of a development proposal containing relevant information about the development proposal for the purpose of advice or seeking comment.

“Relevant Information” means the principle details of a development proposal as determined by the author of any notification to be sufficient to describe the proposal and its potential impacts. Each notification is to provide further information as to where and when full particulars of the development proposal can be inspected during the period during which comments are sought.

“Respondent” means those affected persons who have provided written comment on a proposal within the formal comment period, or shortly thereafter at the discretion of the Local Government.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	6 – Planning Procedures
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP6.1

7.1 COMMERCIAL VEHICLES



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 7.1

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy 7.1 – Commercial Vehicles.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.31 To ensure that the parking of such a vehicle will not adversely affect the amenity of the locality nor have any adverse effect upon the occupiers or users of properties adjacent or in the locality.
- 3.32 To set out the criteria against which an application will be assessed and standards that should be observed such that commercial vehicles can be parked in residential and rural residential zones without compromising the objectives of those zones.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to the parking of a commercial vehicle upon land zoned 'Residential', 'Rural Townsite', 'Rural Residential' and 'Rural Smallholding'.

5.0 APPLICATION REQUIREMENTS

- 5.1 Applications for development are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 5.2 An application made to the Shire is also required to include:
 - written submission that provides details as to the purpose of the vehicle (what commercial/industrial activity the vehicle is used for), the length, width, height and carrying capacity of the vehicle and envisaged departure and arrival times.
 - photograph(s) of the commercial vehicle proposed to be parked at the property.

6.0 POLICY STATEMENT

6.1 Parking Location

- 6.1.a The commercial vehicle must be parked entirely within the subject property, and should be contained behind the building setback line. Parking must meet with the crossover, turning and manoeuvrability requirements of the R-Codes.
- 6.1.b Preferably the commercial vehicle should be parked to the rear of the residence and screened from view of the street and from neighbouring properties.
- 6.1.c Only one (1) commercial vehicle will be permitted to be parked on a property, unless it can be demonstrated that an additional commercial vehicle can be parked on the property in compliance with the objectives of this policy.
- 6.1.d Access to the property on which the commercial vehicle is to be parked is to be via a crossover which has been constructed to the specifications of the Local Government. The parking of the commercial vehicle should not preclude domestic vehicles from parking at the property.

6.2 Use of the commercial vehicle

- 6.2.a The local government is unlikely to support the parking of a commercial vehicle that is, or has been, used for the commercial transportation of animals, disposal of liquid wastes, or other dangerous, hazardous or contaminated substances (which either requires a special permit for their transportation, or which if spilled or discharges from the vehicle would either cause pollution or pose a danger or threat to the health or inhabitants of the locality).
- 6.2.b Applications are only considered on the principle that the parking of the commercial vehicle is incidental to the predominant residential use of the property and therefore the parking of commercial vehicles on vacant land, or where no residence exists, are considered to be a land use application in themselves and contrary to the objectives of this policy.
- 6.2.c Where planning consent has been granted for a Rural Tourism Development, Intensive Agriculture, Rural Industry or Rural Pursuit, and in some instances a Cottage Industry on 'Rural Smallholding' zoned land, the parking of a vehicle associated with these activities may be considered provided it can be demonstrated that there will be no undue impact on the environment or the amenity of the surrounding locality.

6.3 Amenity

- 6.3.a The parking of a commercial vehicle should not adversely impact upon the amenity of the locality. Amenity is considered to relate to what can be reasonably expected in the subject residential/rural residential environment. Amenity can be affected by the undue generation of noise, fumes, odours and the like. Visual amenity is another component which relates to the manner in which the property is viewed from the street or adjacent properties.
- 6.3.b Minor maintenance of a commercial vehicle whilst parked at a property will only be considered where it can be demonstrated to the satisfaction of the Local Government that such maintenance will not impact on the amenity of the locality, and can be suitably managed to ensure all wastes are disposed of appropriately.
- 6.3.c Activities such as spray painting, panel beating or mechanical repairs that have the potential to adversely impact upon the amenity of the locality by the emission of noise, odours, by-products or otherwise, will not be permitted to be undertaken on a commercial vehicle parked in a Residential, Rural Townsite or Rural Residential zone.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this Policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the Policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme before being placed before a meeting of Council for determination.

8.0 DEFINITION

For the purposes of this policy Commercial Vehicle shall be as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	7 – Miscellaneous
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP7.1

7.2 EVENT APPLICATION



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 7.2

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy 7.2 – Event Application.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.33 Encourage events that enhance a wide variety of opportunities to residents and visitors.
- 3.34 Protect the health and safety of persons attending events.
- 3.35 Provide an efficient and timely approval process and response.
- 3.36 Ensure compliance with regulatory requirements and standards.
- 3.37 Incorporate controls to minimise any adverse impacts of events and protect the amenity of residents in adjoining and nearby properties.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to all major events in the Shire of Chapman Valley.

5.0 APPLICATION REQUIREMENTS

Applications for an event are to include at a minimum:

- 5.1 Completed Shire Event Application Form.
- 5.2 Event Checklist which is to be read in conjunction with the Event Application Form.
- 5.3 Applicants to identify approvals and forms as required for the event and attached a copy when submitting application to the Shire.
- 5.4 Event Site Plan and other plans as required or requested.
- 5.5 Copy of Liability Insurance.

6.0 POLICY STATEMENT

The following issues will be considered by the Shire in the assessment and approval process of event applications:

- 6.1 The nature, size and suitability of the event in relation to the venue requested (including the presence of alcohol) and the likely impact of the event on the facility.
- 6.2 The amenity of the event.
- 6.3 The ability of the facility to accommodate the event at the proposed time (taking into consideration weather and the condition of the land, if on a community reserve or public open space).

- 6.4 The likely impact on residents as a result of the event (including noise, dust, excessive light, or other adverse effects perceptible outside the venue).
- 6.5 The availability of the venue at the required time(s) and on the required day(s).
- 6.6 The period of time for which the event will operate and the proposed times of operation.
- 6.7 Conflict or potential conflict with other events in that location or a surrounding location.
- 6.8 The estimated number of participants associated with the special event in relation to the carrying capacity of the facility.
- 6.9 The benefits to the community.
- 6.10 Reputation of the operator.

Any other factors that may be considered necessary in relation to a particular event.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this Policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the Policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme. At the conclusion of the advertising period should a written, author-identified objection(s) be received, all submissions and the application may be placed before a meeting of Council for consideration. Should no written, author-identified objection(s) be received the application may be determined under delegated authority.

8.0 DEFINITION

For the purposes of this policy 'Event' means an occurrence proposed to be held within the Shire of Chapman Valley on private or public land, either indoor or outdoor by a person(s)/group/organisation, where people assemble at a given time for entertainment, recreation or community purposes and shall include but is not limited to:

- Concerts
- Vehicle Rally
- One off sporting events
- Shows and fairs
- Festivals
- Exhibitions

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	7 – Miscellaneous
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP7.2

Shire of Chapman Valley



Event Application Form

This form is to be completed and submitted together with the other information outlined in this package. You will be notified in writing when your event application has been processed. Applications must be submitted at least 8 weeks prior to your event.

DISCLAIMER

This package details the requirements of the Shire of Chapman Valley only. Additional information and/or approvals may be required from other agencies. It is the sole responsibility of the Applicant, not the Shire of Chapman Valley, to ensure all relevant information and approvals are obtained in relation to each particular event.

(Event Application - Local Planning Policy 7.2)

January 2020

Shire of Chapman Valley
Local Planning Scheme No.3

FORM OF APPLICATION FOR PLANNING APPROVAL

OWNER DETAILS:

Name(s): _____

Postal Address: _____ Postcode: _____

Contact Person: _____

Phone: _____ Email: _____

Signature: _____ Date: _____

Signature: _____ Date: _____

NOTE: The signatures of ALL the owner(s) is required to process this application.

APPLICANT DETAILS: (if different from owner)

Name(s): _____

Postal Address: _____ Postcode: _____

Contact Person: _____

Phone: _____ Email: _____

Signature: _____ Date: _____

PROPERTY DETAILS:

Lot/Location No: _____ House/Street No: _____

Street Name: _____ Locality/Suburb: _____

Diagram/Plan No: _____ Volume No: _____ Folio No: _____

Event Details

Event Name:

Date:

Event set up date:

Event start time/date:

Event finish time/date:

Completion of Event clean up date:

Proposed venue details: (e.g. name of reserve, building or public open space)

.....
.....
.....
.....

Event description: (e.g. sporting, commercial, entertainment and in addition please state whether the event is a one-off or proposed as an annual event)

.....
.....
.....

Entertainment: Brief details (number of stalls/products/entertainment-bands, amplified music/animals/activities/farm machinery/rides)

.....
.....
.....

Primary purpose of event: (eg. fundraiser for community group)

.....
.....
.....

Will alcohol be available/consumed on site? (*tick*) Yes No

Will food be available? (*tick*) Yes No

Details of any tents, marquees, stages etc. to be used for the event:

.....
.....
.....

Details of any road closures or use of roads for the event: (Note: separate approvals required through police services)

.....
.....
.....

Will the event have implications for local residents, (eg. Noise, traffic management, parking, crowds etc.) and if so how is it proposed to manage these implications?

.....
.....
.....

Parking Arrangements: (where, how directed etc.)

.....
.....
.....

Details of rubbish removal and site cleaning:

.....
.....
.....

Expected Attendance

Maximum number of people expected at any given time:

Anticipated total number for entire event:

Target audience: (eg. youth, adult, family etc.)

Have you ever conducted this event before and if so, when/where was it held?

.....
.....
.....

Have you determined whether a risk assessment is required? (*tick*) Yes No

Event Facilities

Power supply details:

Water supply details:

Number of toilets available:

Male: Closets: Hand Wash Basins: Urinals:

Female: Closets: Hand Wash Basins:

Disabled: Closets: Hand Wash Basins:

**YOU MAY WISH TO ATTACH ANY OTHER RELEVANT INFORMATION
TO ASSIST WITH THE APPROVAL PROCESS**

Acknowledgement

I, _____ as the event organiser,

applying for approval to host an event in the Shire of Chapman Valley I acknowledge that the information and completed actions in my application are true and correct. I accept full responsibility of the facility and/or reserve during the specified event period and will ensure compliance with the Shire of Chapman Valley's conditions of approval.

I will indemnify the Shire of Chapman Valley and landowner against any action, suit or proceeding caused by my failure to observe all statutory and other requirements or as a result of my negligence or wilful actions. I will ensure that appropriate liability and other insurances are in place for the activities to be conducted, with evidence in this regard to be presented to the Shire of Chapman Valley prior to commencement of the event.

I understand and acknowledge the Event Application Package has been compiled according to a number of statutory requirements, and any forthcoming Planning Consent (including conditions of approval) are lawfully binding and can be enforced pursuant to the Shire of Chapman Valley Local Planning Scheme No.3 and *Planning and Development Act 2005*. Furthermore I understand there could be other requirements outside of this package and that, as the event organiser, I am responsible to meet.

Signature: _____ **Date:** _____

Print Name: _____

Important Notes:

- *You may not proceed with your event without written planning consent being issued by the Shire and all other statutory requirements have been satisfied. This may take between 3 to 4 weeks depending on the scale and size of your event.*
- *All conditions will be outlined in a formal notice of Planning Consent. It is your responsibility as the applicant/event organiser to adhere to the conditions of approval.*
- *Applications and approvals for an event are not transferable. Therefore the organiser cannot transfer Shire approval for an event to an alternative venue, date or time, without further consent being granted by the Shire.*
- *You must ensure the event adequately caters for the needs of people with disabilities.*
- *You may be required at the request of the Shire to attend a 'de-brief' of the event to discuss any associated issues and/or possible improvements to the ant future events.*

INFORMATION AND GUIDE FOR APPLICANTS

1. LOCATION OF EVENT

If you intend on holding your event on property owned or managed by the Shire of Chapman Valley or any other government agency you are required to obtain that organisations consent prior to lodging an application. This includes the signing of the application for under 'Landowners Details' by the appropriate authorised person.

If event is to be held on privately owned land, you will be required to have land owner/s sign the application form.

2. SITE PLAN AND EVENT LAYOUT

A site plan with the layout of the event is to be provided with your application, which shall include location of:

- vehicular access
- onsite carparking and bus drop off areas
- barrier fencing
- stage and sound equipment (if applicable)
- stalls of any kind (food, craft, etc)
- competitor and spectator areas/seating
- liquor licensed area/s (if applicable)
- electrical supply
- first aid facilities
- structures and buildings (pavilions, sheds, tents, marquees, etc)
- toilet facilities (existing and additional)
- walkways
- external lighting (if applicable)
- emergency access and routes and muster points
- fire equipment
- over night camping areas (if applicable)

3. EVENT TIME FRAME AND EXPECTED ATTENDANCE

The event organiser is to provide the Shire of Chapman Valley with dates and time/s the ground/reserve is to be used, including set up and clean up.

The Shire of Chapman Valley is to be provided with the estimated number of patrons attending the event, which will be used to calculate toilet, waste and First Aid requirements.

Additional a Risk Management Plan may also be required – this matter should be discussed with the Shire's Risk Management Co-ordinator.

4. ACCESS TO VENUE FOR SHIRE STAFF

Shire staff members are to be afforded access to the whole venue for the duration of the event. Authority cards can be made up for staff members that require access for compliance purposes.

5. PUBLIC LIABILITY INSURANCE

Council requires public liability insurance be provided for all events to a minimum value of \$5,000,000. This insurance is the responsibility of the event organiser with evidence of such cover to be submitted as part of the application.

6. RISK MANAGEMENT PLAN

The event organiser may be required to provide a risk management plan to the Shire's Planning and Development Department prior to the event- - Further information on this matter can be obtained from the Shire's Risk Management Co-ordinator.

7. LEGISLATIVE REQUIREMENTS

Application for the event must be lodged on the Form 1 – Application for Planning Consent contained in this package.

Under the *Health (Public Building) Regulations 1992*, outdoor events are considered public buildings. The following are requirements under the above regulations:

- application to erect a public building (Form 1) to be completed 2 weeks prior to the event
- toilet facilities relevant to the expected attendance
- disabled access (for both the event grounds in general and toilet facilities)
- evacuation plan and emergency lighting
- general lighting for evening and night events
- all electrical equipment, switches, meters are to be protected from the public and a certificate of electrical compliance (Form 5) must be completed 2 weeks prior to the event
- exit signs are to be provided
- fire equipment and telephones are to be supplied

Event organisers are to provide sufficient waste disposal facilities relevant to the expected attendance.

Any stalls or premises preparing and/or selling food is to comply with the *Health (Food Hygiene) Regulations 1993*. Applications to sell food at the event should be lodged with the Shire's Health Department at least 4 weeks prior to the event.

Under the *Environmental Protection (Noise) Regulations 1997*, noise levels are to comply with the levels set out in those regulations. If the Shire of Northampton deems it necessary to have an Environmental Health Officer present to monitor the noise levels of the event, the event organiser may be required to pay for these services. Any officer present to ensure compliance with the above noise regulations is not under the control of the organiser.

8. ALCOHOL AND LIQUOR LICENSING

Event organisers are required to apply for a liquor licence through the Department of Liquor and Gaming, if alcohol is to be sold at the event. If the liquor licence is approved, details of the licence are to be provided to the Shire of Chapman Valley at least 2 weeks prior to the event.

If alcohol is to be sold and/or consumed on Shire property, application should be made to the Shire for a permit to consume alcohol.

9. PROVISION OF FIRST AID

The event organiser should provide First Aid facilities relevant to the size of the event.

10. EMERGENCY SERVICES

Event organisers must notify the Police and Fire & Emergency Services of the event and the event time frame. A contact number for the event organiser should be given to these organisations in case of emergency.

Access must also be available to emergency vehicles as required.

11. NOTIFICATION OF ROAD CLOSURES

The event organiser is to notify and seek approval from the Engineering Department (and Main Roads WA if necessary) for any road closures for the event, prior to lodging an application with the Police. Please note partial road closures or suspension of the *Traffic Act* requires approval and these forms/approvals need to be sourced from Police, at least 6 weeks prior to the event to allow for separate processing.

12. WATER & POWER

It is the responsibility of the event organiser to ensure a potable water supply (to public health drinking standards) is made available for patrons at the event. Event organisers may need to organise independent power supplies for Shire grounds.

13. FIREWORKS

Approval is required from the Department of Mines, the Police and the Shire of Chapman Valley for the discharge fireworks at an event. Applications in this regard can be obtained from the Department of Mines.

If approved, the State Fire & Emergency Services are to be notified and appropriate fire fighting equipment is to be provided at the event.

14. Parking

The event organiser is to ensure sufficient parking and manoeuvring area is available for the expected number of competitors and patrons at the event. This shall include provision for bus drop off and parking, if applicable. All parking areas shall be clearly defined and may require onsite parking attendants depending on the nature and patronage of the event.

15. FENCING

If the event is to be fenced off, or have areas within the event to be fenced (eg. licensed or competitor areas), the fencing is to be inspected by the Shires Building Department prior to the event.

16. CONSULTATION WITH OTHER GROUND USERS

Event organisers should ensure that all other ground users are contacted and informed of the event to ensure there is no conflict of use and/or parking. For applications to conduct events in public areas the Shire in issuing approval may not grant exclusive use of the ground or reserve.

17. CONSULTATION WITH COMMUNITY

All neighbouring landowners should be consulted to avoid any form of conflict. In this regard the Shire may seek comment from all or part of the community through the application process, which may reflect in the decision of the Shire Council.

18. RIGHT OF APPEAL

The applicant/owner has a right of appeal against the Shire's decision, be it a refusal or any condition of approval, in accordance with the provisions of the *Planning and Development Act, 2005*. In this regard contact should be made with the State Administrative Tribunal on 9219 3111 or via website www.sat.justice.wa.gov.au to obtain the relevant time limitations, appeal process, appeal forms and respective fees.

7.3 SEA CONTAINERS



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 7.3

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy 7.3 – Sea Containers.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.1 To ensure an acceptable quality of development is achieved that does not detrimentally affect the amenity and streetscape of the locality.
- 3.2 Establish guidelines for the placement of sea containers or other similar relocatable storage units on land within the municipality.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

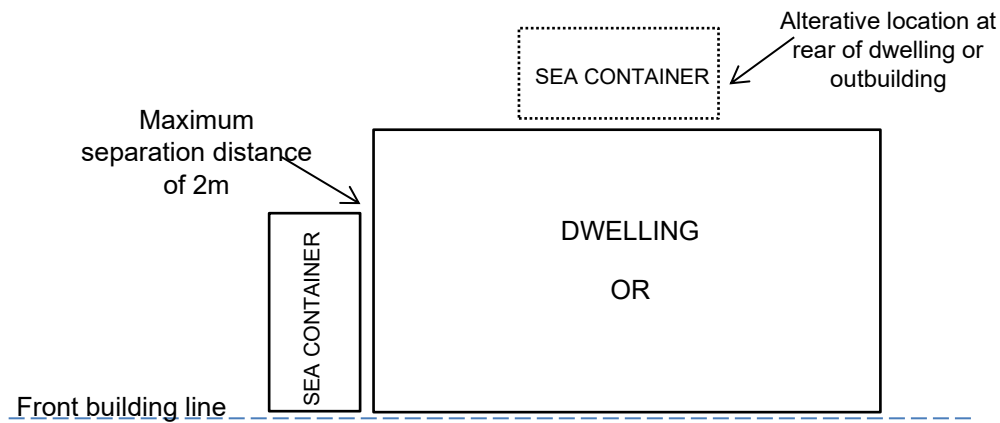
The placement of a sea container upon a property constitutes development and this policy provides the criteria for when a planning application is required (and not required) to be lodged.

5.0 APPLICATION REQUIREMENTS

Applications seeking approval to site a sea container are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015* and also provide written submission detailing the reason(s) for seeking to site a sea container and information upon proposed improvements to the visual appearance of the sea container (e.g. repainting, external cladding, roofworks, extension works, landscaping, time period for undertaking of works etc.).

6.0 POLICY STATEMENT

- 6.1 A sea container proposed to be permanently sited upon a property is required to comply with the following criteria:
 - 6.1.a A maximum of one (1) sea container on a lot (excepting Industrial or Rural zoned land).
 - 6.1.b The sea container is to be sited behind the front building line of an existing or under construction built development upon the property and must not impinge on any boundary setbacks as required by the Local Planning Scheme.
 - 6.1.c The sea container is to be positioned at a maximum separation distance of 2m.
 - 6.1.d The sea container is to be used for general storage purposes only associated with the predominant use of the land and shall NOT be used for habitation, commercial or industrial purposes.
 - 6.1.e The sea container is required to be painted or clad in materials the same colour as the existing structure up against which the sea container is positioned.



- 6.2 A sea container proposed to be temporarily sited upon a property is only required to comply with Clauses 6.1.a, 6.1.b and 6.1.d (but not Clauses 6.1.c and 6.1.e) providing the sea container is removed within 12 months of its initial siting upon property and a current building permit has been issued for that property.
- 6.3 The permanent placement of a sea container or other similar relocatable storage unit will not be permitted on land zoned residential.
- 6.4 A sea container is considered in the calculation of the total aggregate outbuilding area as permitted under the Shire's 'Outbuildings' Local Planning Policy.
- 6.5 Should the sea container not meet the requirements of Clauses 6.1 and 6.2 of this policy a planning application is required to be lodged.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this Policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the Policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme and may be placed before a meeting of Council for consideration.

8.0 DEFINITION

For the purposes of this policy a 'Sea Container' shall include a shipping container (both '20 foot' (6.1m in length, 2.4m in width, and 2.6m in height) and '40 foot' (12.2m in length, 2.4m in width and 2.6m in height) in dimension) or any other relocatable 'box type' storage container or unit. A sea container modified for the purpose of human habitation is not addressed in this policy but subject to the separate necessary applications and approvals for a dwelling.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	7 – Miscellaneous
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP7.3

7.4 SIGNAGE



SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 7.4

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy 7.4 – Signage.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.1 To control signs in order to safeguard the visual amenity of the district.
- 3.2 To ensure signs do not compromise safety issues regarding thoroughfares.
- 3.3 To set out standards which apply to different types of signs and the considerations the local government should have in determining applications.
- 3.4 To specify what types of signs do not require the development approval of the local government.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

The placement of a sign constitutes development and this policy provides the criteria for when a planning application is required (and not required) to be lodged.

5.0 APPLICATION REQUIREMENTS

Applications seeking approval to site a sign are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015* and also provide written submission detailing the reason(s) for seeking to site a sign and information upon ongoing maintenance of sign.

6.0 POLICY STATEMENT

6.1 Exemptions

- 6.1.a Any sign which is classified as exempt under Shire of Chapman Valley Local Planning Scheme.
- 6.1.b All local government road signage.
- 6.1.c Any sign which is the subject of an existing approval made prior to the date of effect of this Policy
- 6.1.d Any advertisement affixed to or painted on a commercial premise window by the occupier of the business and relating to the activity carried on in the premise.
- 6.1.e Any sign within a building.
- 6.1.f Any name and/or number fixed to the facade on a residential building or group of buildings, such as home units, which has a single line of letters not exceeding 300mm in height.
- 6.1.g Any newspaper poster.
- 6.1.h A rural producer sign
- 6.1.i A freestanding sign which neither exceeds 500mm in height nor 0.5m² in area provided that the sign is placed or erected on an infrequent or occasional basis only to direct attention to a place, activity or event during the hours of that activity or event.
- 6.1.j Election signage (required to be removed within 7 days of the close of polls on the voting day)

6.2 Standards

All signs or advertising devices (including an exempted sign) erected or displayed in the Shire shall:

- 6.2.a be constructed and erected to the satisfaction of the Local Government.
- 6.2.b be structurally sound and capable of withstanding any forces to which it would be reasonably subjected to without collapsing, deforming or moving from the position on which it was erected or displayed.
- 6.2.c comply with the regulation 297 of the Road Traffic Code 2000.
- 6.2.d be maintained in good order and clean condition to the satisfaction of the Local Government.
- 6.2.e be directly associated with the approved use of the property on which it is displayed (other than a service or tourist direction sign).
- 6.2.f not be erected or displayed in a position that in the opinion of the Local Government:
 - obstructs the passage of or creates a hazard for vehicles or pedestrians.
 - adversely affects the visual appearance or local amenity of the area.
 - significantly obstructs or impedes all or part of a view deemed to be of significance to the local area.

6.3 Relationship & Design

All signs, unless otherwise determined by the Local Government, shall directly relate to the property they are positioned on and be designed to complement the existing surroundings, including buildings, landscape features and other signage structures. In this regard the Local Government will generally not support remote advertising or advance warning signs (other than a direction, service or tourist sign) so as to avoid proliferation of signage to the detriment of the amenity of the Shire.

6.4 Bills & Fly Posting

Bill posting shall only take place in the form of an advertisement affixed to, or painted on a commercial premise window or any sign within a building by the occupier of the premise. Fly posting is not permitted within the Shire, unless otherwise approved by the Local Government under special circumstances.

6.5 Hoardings

The erection and display of a commercial hoarding is not permitted at any place or location within the Shire, unless otherwise approved by the Local Government under special circumstances.

6.6 Crown Land under the care and control of Local Government

Unless otherwise permitted in this Policy, or approved by the Local Government under special circumstances, an advertising sign or hoarding is not permitted on thoroughfares and reserves under the care and control of the Local Government. However, where approval is given for the erection or display of a sign on a thoroughfare or reserve under the care and control of the Local Government, the owner of the sign shall:

- 6.6.a indemnify and keep indemnified the Shire, its servants and agents against any claim or proceeding (and any cost and expenses incurred as a result) that may be made or brought by any person or corporation against the Shire, its servants and agents arising out of the erection, existence or operation of the advertisement or any negligence of the Shire, its servants and agents in granting approval to erect or display the advertisement or in setting or failing to set conditions or giving or failing to give directions for the erection, existence or display of the advertisement.
- 6.6.b In respect of that sign, effect and maintain a public liability insurance policy with a reputable insurer. The policy must include a cross liabilities clause, and be in the joint names of the sign owner and the Shire. The sum insured for any single event shall be \$1million.
- 6.6.c A copy of the above indemnification and insurance cover shall be forwarded to the Shire prior to the erection or display of a sign.

6.7 Requirements for particular signs

6.7.a Development Signs

A development sign shall be removed from the site within two (2) years from the date of the approval or when 80% of the lots in the subdivision have been sold, whichever is the sooner.

6.7.b Freestanding Signs

Freestanding or portable signs shall generally:

- not exceed 1m in height or width.
- not exceed an area of 1m².
- not be erected in any position other than immediately adjacent to the building or the business to which the sign relates.
- be removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading;

No more than one (1) portable sign shall be erected in relation to the one (1) building or business.

6.7.c Horizontal Signs

A horizontal sign shall:

- be fixed parallel to the wall of the building to which it is attached.
- not project more than 150mm from the wall to which it is attached.
- conform to the following table:

Minimum distance of sign above street	Maximum depth of sign
Less than 7.5m	600mm
7.5m to 9m	750mm
9m to 12m	1,000mm

6.7.d Illuminated Signs

An illuminated sign shall:

- have any boxing or casing in which it is enclosed constructed of incombustible material.
- where comprising glass (other than fluorescent tubing) have the glass so protected as to prevent its falling into a public place in the event of breakage.
- have its electrical installation constructed and maintained to the satisfaction of the appropriate electricity supply authority and in accordance with any written law with respect to the construction and maintenance of electrical installations for illuminated signs.
- be maintained to operate as an illuminated sign.
- not have a light of such intensity as to cause annoyance to the public or be a traffic hazard.
- not emit a flashing light.

6.7.e Information Panels

The Local Government may provide tourist or other information panels or bays of varying sizes and charge fees for the inclusion of advertisements in such panels or bays.

6.7.f Pylon Signs

A pylon sign shall:

- not have any part more than 6m above the level of the ground immediately below it.
- not exceed 4m² in area unless approved by the Local Government.

- be supported on one or more piers or columns of brick, stone, concrete, timber or steel of sufficient size and strength to support the sign under all conditions.
- not be within 2m of the side boundaries of the lot on which it is erected unless the lot on which the pylon sign is erected abuts an intersecting street or right-of-way, where the Local Government may authorise the erection of the sign at a distance less than 2m.
- not have any part less than 6m from another sign erected on the same lot.

Where pylon signs are to be erected on a lot on which a premise is erected or to be erected, the Local Government may require all the pylon signs to be incorporated into one sign in which case:

- all of the constituent or infill signs are of an equal size.
- one constituent or infill sign is provided for each business, shop or unit on the lot.

6.7.g Roof Signs

A roof sign shall comply with the following table:

Height of main building above ground level at point where sign is to be fixed	Maximum height of sign
4m and under 5m	1,250mm
5m and under 6m	1,800mm
6m and under 12m	3,000mm

6.7.h Rural Producer Signs

A rural producer sign shall:

- not indicate or display any matter otherwise than for the purpose of indicating the products grown, reared or produced on the property on which the sign is erected.
- be erected within the boundaries of the property.
- not exceed 2m² in area.

6.7.i Service Station Signs

A maximum of 2 service station signs are permitted unless otherwise required by legislation. The signs shall:

- not exceed 0.8m² each side.
- be located wholly within the boundaries of the site, unless otherwise approved by the Local Government.
- be located so as to not cause a traffic or safety hazard to either vehicles or pedestrians.

6.7.j Service and Tourist Direction Signs

The CEO has delegated authority to approve applications for the erection and the removal of service and tourist signs subject to the sign meeting the current MRWA standards.

The Local Government is responsible for the approval, installation and routine maintenance for service and tourist signs on all roads except those under the control of MRWA (such as Chapman Valley Road and the North West Coastal Highway). In all cases the Local Government retains ownership of the signs and the right to relocate, modify or remove them as necessary.

6.7.k Signs on Fences

A sign may be painted or erected on the inside of a side or rear fence of a lot situated within a commercial or industrial area (or other areas as approved by the Local Government), if the lot is occupied and used for business or industrial purposes. Any such sign shall not exceed 1m in height, nor be within 3m of any street boundary, unless specifically approved by Local Government.

6.7.l Signs on Vehicles

No vehicle with a sign upon or inside, adapted and exhibited primarily to facilitate advertising, shall be permitted to park for any lengthy period of time, as determined by Local Government, on any thoroughfare (other than within an approved carpark) with the exception of directly in front of the owner's residence.

6.7.m Verandah Signs

A sign fixed to the fascia of a verandah shall:

- shall not exceed 600mm in depth.
- shall not project beyond the fascia.

A sign under a verandah shall:

- not exceed 2.5m in length or 400mm in depth.
- be fixed at right angles to the front wall of the building before which it is erected except on a corner of a building at a street intersection where the sign may be placed at an angle with the wall so as to be visible from both streets.
- be so placed that the centre of its base longitudinally is equidistant from the outer edge of the verandah and the vertical plane of the shop front directly opposite the end of such sign.

6.7.n Vertical Signs

A vertical sign shall:

- not project more than 50mm from the face of the building to which it is attached.
- not be within 600mm of either end of the wall to which it is attached.
- be of a height of at least twice its width.
- not be placed on a corner of building, except at a street intersection where it may be placed at an angle with the walls so as to be visible from both streets.
- not exceed 750mm in width exclusive of the back projection.
- not exceed 2m² in total area on premises being a shop or office or both.

6.8 Unlawful Signage

Where a sign has been erected, placed or displayed without Local Government approval and/or is contrary to the provisions of the Local Planning Scheme and/or this policy, the following shall apply:

- 6.8.a The sign shall be removed by the owner upon a notice being served by the Local Government, with an appeal right for a period twenty eight (28) days from a notice being served being afford to the owner of the sign under the Act.
- 6.8.b Failure to remove the sign, or lodge an appeal, within the twenty eight (28) day period will constitute an offence under the Act, with the possibility of enforcement action being taken by the Local Government.
- 6.8.c If removed by the Local Government, the sign will be impounded at the Shire of Chapman Valley Depot in Nabawa for a maximum period of two (2) months, where:
- the sign may be collected by the owner upon payment of an impoundment fee in accordance with the Local Government's Schedule of Fees to be paid at the Shire Administration Offices.
 - upon expiration of this time the Local Government may initiate proceedings to dispose of the sign and recover all costs from the owner in relation to this action.
 - The Local Government may continue with enforcement action/prosecution in relation to 6.8.b above and in accordance with the provisions of the Act.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this Policy the application may be dealt with under delegated authority by Local Government staff. However should the application not be considered to meet the requirements of the Policy or in the opinion of Local Government staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme and may be placed before a meeting of Council for consideration.

8.0 DEFINITION

- "Act"* means the *Planning and Development Act 2005*;
- "advertisement"* has the same meaning as "sign";
- "advertising device"* means any object on which words or numbers or figures are written, printed, affixed, illustrated or painted for the purpose of advertising any business, function, operation, event or undertaking or any product or thing and includes any vehicle or trailer or other similar stationery object placed or located so as to serve the purpose of advertising any business, function, event or undertaking or any product or thing;
- "bill"* means any material on which words, numbers or figures are written, placed, printed, illustrated or painted;
- "business"* includes the conduct of a profession, trade or occupation;
- "business direction sign"* means a sign erected in a public thoroughfare or public place which indicates the nature of the business that may be located by following the direction indicated by the sign, but does not include any such sign erected by the Commissioner of Main Roads under regulation 297 of the Road Traffic Code 2000;
- "CEO"* means the Chief Executive Officer of the Local Government;
- "Council"* means the Council of the Shire of Chapman Valley;
- "depth"* unless otherwise specifically stated, refers to the height of a sign, and not a three dimensional measurement. The word "depth" is used to differentiate between the lateral width of a sign and the height of the sign.
- "development sign"* means a sign erected on an area of land which has been approved for subdivision into a number of smaller lots, advertising the lots for sale but upon which no building development has taken place at the time of the approval of the sign;

“district”	means the district of the Shire;
“electoral sign”	means a sign containing an advertisement relating to an election or to a referendum;
“exempt sign”	means a sign referred to in Statement 1 of this Policy;
“fascia sign”	means a sign erected or displayed on the fascia of a building or the fascia of a verandah;
“fly posting”	means advertising through the placement of posters on fences, walls, trees and like structures;
“freestanding sign”	means any sign not attached to a structure or permanently fixed to the ground or pavement and includes “A frame” or “Sandwich Board” signs consisting of two sign boards attached to each other at the top or elsewhere by hinges or other means;
“hoarding”	means a detached or detachable structure other than a pylon sign that is erected for the sole purpose of displaying a sign or signs and includes a poster panel or an illuminated panel; but does not include a hoarding within the meaning of Section 377 of the <i>Local Government (Miscellaneous Provisions) Act 1960</i> ;
“horizontal sign”	means a sign fixed parallel to the wall of a building to which it is attached and with its largest dimension being horizontal;
“illuminated sign”	means a sign which can be lighted either from within or without the sign by artificial light provided, or mainly provided for that purpose and which does not emit a flashing light;
“institutional sign”	means a sign erected or placed on any land or building used for or in conjunction with a surgery, clinic, hospital, rest home, home for the aged or other institution or place of a similar nature;
“Local Planning Scheme”	means an existing Local Planning Scheme of the Local Government made under the Act;
“planning consent”	means the approval granted by Local Government for the erection or display of a sign pursuant to the Local Planning Scheme;
“premises”	means land and, unless the context otherwise requires, the buildings upon that land;
“public thoroughfare”	includes a street, road, footpath , carriageway and all other parts of a road reserve;
“pylon sign”	means a sign supported by one or more piers and not attached to a building and includes a detached sign framework supported by one or more piers to which sign infills may be added;
“MRWA”	means Main Roads WA;
“reserve”	includes land vested in, or under the care, control and management of the Local Government;
“roof sign”	means a sign erected on or above the roof of a building;
“rural producer sign”	means a sign erected on land zoned rural under a Local Planning Scheme indicating the products grown, reared or produced on the property;
“sale sign”	means a sign displayed on premises advertising the sale, letting or auction of the premises;
“service direction sign”	a traffic sign with white letters and/or symbols on a blue background used to: guide travellers to services provided for their personal , automotive and travel needs, or indicate other facilities not normally shown on direction signs or tourist signs.
“service station sign”	means a sign used solely for the purposes of advertising the price of petrol, diesel, gas or other fuel products sold from the premises.
“Shire”	means the Shire of Chapman Valley;
“sign”	includes any advertising device or other sign type defined in this Local Law;
“sign infill”	means a panel which can be fitted into a pylon sign framework;
“Surveyor”	means the Building Surveyor of the Local Government;

“ <i>tourist direction sign</i> ”	a traffic sign with white letters and/or symbols on a brown background used to guide travellers to: natural features and approved heritage sites of interest to tourists; and approved tourist establishments.
“ <i>verandah</i> ”	includes cantilever verandahs and balconies whether over thoroughfares or over private land;
“ <i>verandah sign</i> ”	includes any sign, above or below a verandah fascia;
“ <i>vertical sign</i> ”	means a sign fixed parallel to the wall of a building to which it is attached and with its largest dimension being vertical;
“ <i>window sign</i> ”	means any sign fixed to or painted on the glazed area of a window of a building.

Responsible Business Unit	Planning
LPP Category	7 – Miscellaneous
Public Consultation	As required
Adoption Date	20/5/20
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP7.4

6.6.a indemnify and keep indemnified the Shire, its servants and agents against any claim or proceeding (and any cost and expenses incurred as a result) that may be made or brought by any person or corporation against the Shire, its servants and agents arising out of the erection, existence or operation of the advertisement or any negligence of the Shire, its servants and agents in granting approval to erect or display the advertisement or in setting or failing to set conditions or giving or failing to give directions for the erection, existence or display of the advertisement.

6.6.b In respect of that sign, effect and maintain a public liability insurance policy with a reputable insurer. The policy must include a cross liabilities clause, and be in the joint names of the sign owner and the Shire. The sum insured for any single event shall be \$1million.

6.6.c A copy of the above indemnification and insurance cover shall be forwarded to the Shire prior to the erection or display of a sign.

6.7 Requirements for particular signs

6.7.a Development Signs

A development sign shall be removed from the site within two (2) years from the date of the approval or when 80% of the lots in the subdivision have been sold, whichever is the sooner.

6.7.b Freestanding Signs

Freestanding or portable signs shall generally:

- not exceed 1m in height or width.
- not exceed an area of 1m².
- not be erected in any position other than immediately adjacent to the building or the business to which the sign relates.
- be removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading;

No more than one (1) portable sign shall be erected in relation to the one (1) building or business.

6.7.c Horizontal Signs

A horizontal sign shall:

- be fixed parallel to the wall of the building to which it is attached.
- not project more than 150mm from the wall to which it is attached.
- conform to the following table:

Minimum distance of sign above street	Maximum depth of sign
Less than 7.5m	600mm
7.5m to 9m	750mm
9m to 12m	1,000mm

6.7.d Illuminated Signs

An illuminated sign shall:

- have any boxing or casing in which it is enclosed constructed of incombustible material.
- where comprising glass (other than fluorescent tubing) have the glass so protected as to prevent its falling into a public place in the event of breakage.
- have its electrical installation constructed and maintained to the satisfaction of the appropriate electricity supply authority and in accordance with any written law with respect to the construction and maintenance of electrical installations for illuminated signs.
- be maintained to operate as an illuminated sign.
- not have a light of such intensity as to cause annoyance to the public or be a traffic hazard.
- not emit a flashing light.

6.7.e Information Panels

The Local Government may provide tourist or other information panels or bays of varying sizes and charge fees for the inclusion of advertisements in such panels or bays.

6.7.f Pylon Signs

A pylon sign shall:

- not have any part more than 6m above the level of the ground immediately below it.
- not exceed 4m² in area unless approved by the Local Government.
- be supported on one or more piers or columns of brick, stone, concrete, timber or steel of sufficient size and strength to support the sign under all conditions.
- not be within 2m of the side boundaries of the lot on which it is erected unless the lot on which the pylon sign is erected abuts an intersecting street or right-of-way, where the Local Government may authorise the erection of the sign at a distance less than 2m.
- not have any part less than 6m from another sign erected on the same lot.

Where pylon signs are to be erected on a lot on which a premise is erected or to be erected, the Local Government may require all the pylon signs to be incorporated into one sign in which case:

- all of the constituent or infill signs are of an equal size.

- one constituent or infill sign is provided for each business, shop or unit on the lot.

6.7.g Roof Signs

A roof sign shall comply with the following table:

Height of main building above ground level at point where sign is to be fixed	Maximum height of sign
4m and under 5m	1,250mm
5m and under 6m	1,800mm
6m and under 12m	3,000mm

6.7.h Rural Producer Signs

A rural producer sign shall:

- not indicate or display any matter otherwise than for the purpose of indicating the products grown, reared or produced on the property on which the sign is erected.
- be erected within the boundaries of the property.
- not exceed 2m² in area.

6.7.i Service Station Signs

A maximum of 2 service station signs are permitted unless otherwise required by legislation. The signs shall:

- not exceed 0.8m² each side.
- be located wholly within the boundaries of the site, unless otherwise approved by the Local Government.
- be located so as to not cause a traffic or safety hazard to either vehicles or pedestrians.

6.7.j Service and Tourist Direction Signs

The CEO has delegated authority to approve applications for the erection and the removal of service and tourist signs subject to the sign meeting the current MRWA standards.

The Local Government is responsible for the approval, installation and routine maintenance for service and tourist signs on all roads except those under the control of MRWA (such as Chapman Valley Road and the North West Coastal Highway). In all cases the Local Government retains ownership of the signs and the right to relocate, modify or remove them as necessary.

6.7.k Signs on Fences

A sign may be painted or erected on the inside of a side or rear fence of a lot situated within a commercial or industrial area (or other areas as approved by the Local Government), if the lot is occupied and used for business or industrial purposes. Any such sign shall not exceed 1m in height, nor be within 3m of any street boundary, unless specifically approved by Local Government.

6.7.l Signs on Vehicles

No vehicle with a sign upon or inside, adapted and exhibited primarily to facilitate advertising, shall be permitted to park for any lengthy period of time, as determined by Local Government, on any thoroughfare (other than within an approved carpark) with the exception of directly in front of the owner's residence.

6.7.m Verandah Signs

A sign fixed to the fascia of a verandah shall:

- shall not exceed 600mm in depth.
- shall not project beyond the fascia.

A sign under a verandah shall:

- not exceed 2.5m in length or 400mm in depth.
- be fixed at right angles to the front wall of the building before which it is erected except on a corner of a building at a street intersection where the sign may be placed at an angle with the wall so as to be visible from both streets.
- be so placed that the centre of its base longitudinally is equidistant from the outer edge of the verandah and the vertical plane of the shop front directly opposite the end of such sign.

6.7.n Vertical Signs

A vertical sign shall:

- not project more than 50mm from the face of the building to which it is attached.
- not be within 600mm of either end of the wall to which it is attached.
- be of a height of at least twice its width.
- not be placed on a corner of building, except at a street intersection where it may be placed at an angle with the walls so as to be visible from both streets.
- not exceed 750mm in width exclusive of the back projection.
- not exceed 2m² in total area on premises being a shop or office or both.

6.8 Unlawful Signage

Where a sign has been erected, placed or displayed without Local Government approval and/or is contrary to the provisions of the Local Planning Scheme and/or this policy, the following shall apply:

- 6.8.a The sign shall be removed by the owner upon a notice being served by the Local Government, with an appeal right for a period twenty eight (28) days from a notice being served being afford to the owner of the sign under the Act.
- 6.8.b Failure to remove the sign, or lodge an appeal, within the twenty eight (28) day period will constitute an offence under the Act, with the possibility of enforcement action being taken by the Local Government.
- 6.8.c If removed by the Local Government, the sign will be impounded at the Shire of Chapman Valley Depot in Nabawa for a maximum period of two (2) months, where:
- the sign may be collected by the owner upon payment of an impoundment fee in accordance with the Local Government's Schedule of Fees to be paid at the Shire Administration Offices.

- upon expiration of this time the Local Government may initiate proceedings to dispose of the sign and recover all costs from the owner in relation to this action.
- The Local Government may continue with enforcement action/prosecution in relation to 6.8.b above and in accordance with the provisions of the Act.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this Policy the application may be dealt with under delegated authority by Local Government staff. However should the application not be considered to meet the requirements of the Policy or in the opinion of Local Government staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme and may be placed before a meeting of Council for consideration.

8.0 DEFINITION

“Act”	means the <i>Planning and Development Act 2005</i> ;
“advertisement”	has the same meaning as "sign";
“advertising device”	means any object on which words or numbers or figures are written, printed, affixed, illustrated or painted for the purpose of advertising any business, function, operation, event or undertaking or any product or thing and includes any vehicle or trailer or other similar stationery object placed or located so as to serve the purpose of advertising any business, function, event or undertaking or any product or thing;
“bill”	means any material on which words, numbers or figures are written, placed, printed, illustrated or painted;
“business”	includes the conduct of a profession, trade or occupation;
“business direction sign”	means a sign erected in a public thoroughfare or public place which indicates the nature of the business that may be located by following the direction indicated by the sign, but does not include any such sign erected by the Commissioner of Main Roads under regulation 297 of the Road Traffic Code 2000;
“CEO”	means the Chief Executive Officer of the Local Government;
“Council”	means the Council of the Shire of Chapman Valley;
“depth”	unless otherwise specifically stated, refers to the height of a sign, and not a three dimensional measurement. The word “depth” is used to differentiate between the lateral width of a sign and the height of the sign.
“development sign”	means a sign erected on an area of land which has been approved for subdivision into a number of smaller lots, advertising the lots for sale but upon which no building development has taken place at the time of the approval of the sign;
“district”	means the district of the Shire;
“electoral sign”	means a sign containing an advertisement relating to an election or to a referendum;
“exempt sign”	means a sign referred to in Statement 1 of this Policy;
“fascia sign”	means a sign erected or displayed on the fascia of a building or the fascia of a verandah;
“fly posting”	means advertising through the placement of posters on fences, walls, trees and like structures;
“freestanding sign”	means any sign not attached to a structure or permanently fixed to the ground or pavement and includes “A frame” or “Sandwich Board” signs consisting of two sign boards attached to each other at the top or elsewhere by hinges or other means;

<i>“hoarding”</i>	means a detached or detachable structure other than a pylon sign that is erected for the sole purpose of displaying a sign or signs and includes a poster panel or an illuminated panel; but does not include a hoarding within the meaning of Section 377 of the <i>Local Government (Miscellaneous Provisions) Act 1960</i> ;
<i>“horizontal sign”</i>	means a sign fixed parallel to the wall of a building to which it is attached and with its largest dimension being horizontal;
<i>“illuminated sign”</i>	means a sign which can be lighted either from within or without the sign by artificial light provided, or mainly provided for that purpose and which does not emit a flashing light;
<i>“institutional sign”</i>	means a sign erected or placed on any land or building used for or in conjunction with a surgery, clinic, hospital, rest home, home for the aged or other institution or place of a similar nature;
<i>“Local Planning Scheme”</i>	means an existing Local Planning Scheme of the Local Government made under the Act;
<i>“planning consent”</i>	means the approval granted by Local Government for the erection or display of a sign pursuant to the Local Planning Scheme;
<i>“premises”</i>	means land and, unless the context otherwise requires, the buildings upon that land;
<i>“public thoroughfare”</i>	includes a street, road, footpath , carriageway and all other parts of a road reserve;
<i>“pylon sign”</i>	means a sign supported by one or more piers and not attached to a building and includes a detached sign framework supported by one or more piers to which sign infills may be added;
<i>“MRWA”</i>	means Main Roads WA;
<i>“reserve”</i>	includes land vested in, or under the care, control and management of the Local Government;
<i>“roof sign”</i>	means a sign erected on or above the roof of a building;
<i>“rural producer sign”</i>	means a sign erected on land zoned rural under a Local Planning Scheme indicating the products grown, reared or produced on the property;
<i>“sale sign”</i>	means a sign displayed on premises advertising the sale, letting or auction of the premises;
<i>“service direction sign”</i>	a traffic sign with white letters and/or symbols on a blue background used to: guide travellers to services provided for their personal , automotive and travel needs, or indicate other facilities not normally shown on direction signs or tourist signs.
<i>“service station sign”</i>	means a sign used solely for the purposes of advertising the price of petrol, diesel, gas or other fuel products sold from the premises.
<i>“Shire”</i>	means the Shire of Chapman Valley;
<i>“sign”</i>	includes any advertising device or other sign type defined in this Local Law;
<i>“sign infill”</i>	means a panel which can be fitted into a pylon sign framework;
<i>“Surveyor”</i>	means the Building Surveyor of the Local Government;
<i>“tourist direction sign”</i>	a traffic sign with white letters and/or symbols on a brown background used to guide travellers to: natural features and approved heritage sites of interest to tourists; and approved tourist establishments.
<i>“verandah”</i>	includes cantilever verandahs and balconies whether over thoroughfares or over private land;
<i>“verandah sign”</i>	includes any sign, above or below a verandah fascia;
<i>“vertical sign”</i>	means a sign fixed parallel to the wall of a building to which it is attached and with its largest dimension being vertical;
<i>“window sign”</i>	means any sign fixed to or painted on the glazed area of a window of a building.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	7 – Miscellaneous
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP7.4

7.5 SUBDIVISION STANDARDS

SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 7.5



1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy 7.5 – Subdivision Standards.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.38 To ensure a consistently high standard of subdivisions and subdivisional roads.
- 3.39 To ensure that subdividers and developers are treated in an equitable manner.
- 3.40 To maintain adequate fire control and protection measures.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

Civil engineering works associated with subdivision approval and development applications.

5.0 APPLICATION REQUIREMENTS

Subdivision and development undertaken within the Shire of Chapman Valley Local Government area is required to comply with the following documents and guidelines:

- Local Government Guidelines for Subdivisional Development.
- City of Greater Geraldton Land Development Specifications.
- Planning for Bushfire Protection Guidelines.

6.0 POLICY STATEMENT

6.1 Inspections

The period of notice required for the Local Government to carry out an inspection shall be 72 hours, unless otherwise agreed to by the relevant officer and/or Chief Executive Officer.

6.2 Subdivisional Roads

The Shire will generally require for subdivision of land consisting of 4 lots or more the construction of internal subdivision roads to a bitumen seal standard and a contribution to the upgrading of the local road network calculated proportionately to the increased volume of traffic likely to be generated by the subdivision.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Local Government staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Local Government staff require further consideration, the matter may be placed before a meeting of Council for consideration.

8.0 DEFINITION

Refer to the Local Government Guidelines for Subdivisional Development.

9.0 REFERENCE & ADOPTION

Responsible Business Unit	Planning
LPP Category	7 – Miscellaneous
Public Consultation	As required
Adoption Date	20/5/20
Minute Reference	05/20-08
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP7.5

7.6 ENERGY & RESOURCES INDUSTRY COMMUNITY BENEFIT POLICY

SHIRE OF CHAPMAN VALLEY LOCAL PLANNING POLICY 7.6



1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 7.6 – Energy & Resources Industry Community Benefit Policy.

2.0 INTRODUCTION

The Energy & Resources Industry Community Benefit Policy promotes benefit sharing strategies associated with the development of State and Regionally Significant Energy and Resource sector projects in the Shire of Chapman Valley. 'Projects' may include activities including but not limited to exploration, extraction, generation, processing, transport/transit and or related infrastructure associated with any of these activities that have transit impact or are located in the Shire of Chapman Valley.

3.0 OBJECTIVES

- Secure off-site benefits for the community so that Energy and Resource Industry projects deliver a net community benefit;
- Ensure that the wider community shares in the benefits resulting from Energy and Resource Industry development in (and/or impacting) the Shire of Chapman Valley; and
- Ensure that the costs and benefits of Energy and Resource Industry development will be equitably distributed within the community and inter-generationally.

The Energy and Resource Industry Community Benefit Policy will be updated as required so that it is suitable to deliver on the Shire of Chapman Valley's Strategic Community Plan and strategic planning goals and provides clear expectations to Energy and Resource Industry project proponents.

4.0 POLICY STATEMENT

The Shire of Chapman Valley supports the development of Energy and Resource Industry projects within our Shire and across our region, which will attract significant investment and opportunities for the local community. The Shire of Chapman Valley's focus is ensuring developments, and their related activities result in positive socio-economic impacts for the people of Chapman Valley and contribute to local population growth, employment and training opportunities, promote local business procurement and improve the standard of living (including servicing).

The Shire of Chapman Valley will continue to engage with project proponents, community, businesses, farmers, experts, State and Federal Government entities and other local governments, to understand the process, challenges and opportunities of Energy and Resource Industry projects.

Through this ongoing work, the Shire of Chapman Valley will help to lead and support the development of Energy and Resource Industries in a way that minimises negative impacts and delivers prosperity for our community.

Key to success is a coordinated and strategic approach whereby all members of the Chapman Valley community and all project proponents that are active in the region are aware of the Shire's vision for the future and how it can be supported by the economic benefits associated with Energy and Resource Industry projects and its flow-on effects.

Council considers this coordinated and strategic approach to be essential to capitalise on the opportunity that the clean energy transition and associated resources sector growth presents.

Policy Principles:

The Fundamental Principles for Successful Energy and Resource Industry Development in the Chapman Valley (The Principles) are ensuring real and purposeful community acceptance and support.

This Policy is the first step in an ongoing partnership between the Energy and Resource Industry Developers and our community to minimise the impacts and maximise the opportunities for Chapman Valley.

The Principles identifies key community projects and programs that will deliver tangible community legacy and benefits through the strategic use of Community Benefit Funding. The Principles deliver the following message from the Chapman Valley community to the WA Government, project proponents, investors, utilities, service providers and other stakeholders:

- We are supportive of the Energy and Resource Industry transition
- We want to keep the overall experience for our community positive, to remain supportive
- We will ensure the Energy and Resource Industry transition happens with us, not to us.
- Assist us to deliver a coordinated and consultative approach to our community.
- Follow our Fundamental Principles for Successful Energy and Resource Industry Development, to maximise collaboration and strategic outcomes.
- We want to ensure that Energy and Resource Industry developments maintain or enhance our existing economy and industries.
- We want to ensure changes in population and land use result in long-term social benefit and empower our community.
- We have a long-term plan for our economic transition, which includes the Energy and Resource Industry transition, and we invite you to support it.

Planning Agreements:

The Shire of Chapman Valley will use a Voluntary Planning Agreement (VPA) also known as Developer Agreements to establish Community Benefit sharing as it has no Development Contribution Plan incorporated into its local planning scheme. In addition, at the time of implementing this policy the State of WA has no legislative mechanism to enshrine a Voluntary Planning Agreement into the planning framework other than that of being via the use of discretion.

A voluntary planning agreement is defined as an agreement between Council and a developer/ project proponent, who has made, or proposes to make, a development application, under which the developer is required to dedicate land free of cost; pay a monetary contribution; provide any other material public benefit to be used for or applied towards a public purpose.

Developer Agreements may be formulated with direct reference to, or in consideration of, this Policy. However, this Policy does not bind Council or otherwise prevent Council from entering into Developer Agreements that do not strictly adhere to the Policy, should the Agreements otherwise provide alternative and equivalent community benefit sharing, and are supported by the community.

Where there is a disparity between the conditions of a developer VPA and the requirements of this Policy (which may change over time), the VPA will be adhered to.

Community Benefit Sharing:

Community benefit sharing excludes that which is required to achieve land access or mitigate adverse impacts of development including, but not limited to, host and adjoining landowner payments required to obtain consent or prescribed by legislation, or acute impacts to Council assets e.g. damage to local road infrastructure.

The public purpose that funds will be applied to can include works to embellish public spaces, the provision of spaces for public recreation and community facilities, initiatives to support affordable housing and/or development activity, works to rehabilitate or conserve biodiversity values, new or upgraded community infrastructure, provide or upgrade utility/service infrastructure that provides benefit/enhance the community, provision of new or improved services for community (particularly those that target vulnerable groups, children and young people), support of local volunteer or community group activities or some other public purpose if the Council reasonably considers that the public interest would be better served by applying the funds towards that purpose.

Community benefit sharing does not include using funds as a financial off-set or subsidy to Council operational activities whereby a direct link from the funds to the prescribed community benefit cannot be defined. For example, the funds

could be used to implement new and or improved infrastructure at a community/recreation facility but could not be used to off-set operational costs of the facility.

Governance And Inter-Generational Equity:

Council will ensure a governance structure that, as far as possible, reflects the needs and concerns of the immediate communities of impact and the broader Local Government Area to assist with determining the public purpose for funds.

A Future Industries & Renewable Energy Advisory Group will be established and provide advice and recommendation to Council on the projects to which community benefit funds may be allocated. The Advisory Group will be governed by a Terms of Reference and its members will be selected via an Expression of Interest process and with view to ensuring a diversity of representation.

While project proposals and community initiatives may come from any source, the Advisory Group will have the opportunity to provide feedback and/or endorsement for any and all uses of the Community Benefit Fund.

Developer representatives from where the community benefit funds are derived will not form part of the Advisory Group but will have the ongoing opportunity to present to the Advisory Group in regard to specific projects or initiatives and have access to recommendations and minutes which will also be made public.

Council has the final say in regard to the use of the funds. The Advisory Group has no delegated authority to spend monies from the Community Benefit Fund and can only advise on its use to Council.

Community Benefit Fund:

The financial value of community benefit will vary from project to project and over time, however, the minimum community threshold for the Shire of Chapman Valley will be based on the industry standard Benefit Sharing Guidelines and benchmarks produced by many State Governments across Australia and other countries.

Globally there is a move to establish benchmark rates for community benefits sharing through Government Policy. By way of example some European countries have established rates of between

\$2,000 - \$8,000 /megawatt/annum for the life of the project generally 25 years which is significantly higher than the current Australian benchmarks.

The states of New South Wales, Victoria, Queensland and Tasmania have established or are in the process of establishing legislation which will facilitate strong Community Benefit Sharing for community investment resulting from Energy Transition projects. The policy presented intends to use the same methodology across all Energy and Resource Industry partners.

Some examples of the proposed benefit sharing benchmarks are:

- Narrogin WA - 1.5% of CIV (Capital investment Value) annualised over the life of the project – LPP WindFarm/Turbines;
- Warrumbungle, Dubbo & Mid-Western Councils LPP NSW - 1.5% of CIV;
- NSW Government - \$850/MW/annum Solar & \$1,050/MW/annum Wind;
- Tasmanian Government - \$1,800/MW of installed capacity per year for Tasmania North-West Renewable Energy Zone.

These benchmarks generally are derived from the long term 1.5% of CIV which is considered equitable. This figure however, would need to be descaled for projects of significant CIV for example projects valued over \$5B. The development of a social impact assessment would then be used to determine what benefit sharing arrangement would be required.

The unit of benefit may be by product or output for example tonne of product transported, Energy generating capacity, % of CIV or even set \$ amounts for specific projects or programs all of which would be identified in a Development Agreement or common law Agreement.

Funds will be held by the Shire of Chapman Valley as externally restricted funds. The use of funds from individual developer contributions, or other sources, will be monitored and form part of the annual reporting process, such that the specific funding breakdown for each community project or initiative is clear.

Council will manage funds to ensure that they benefit future generations as well as the present generation, and that ongoing depreciation and maintenance costs (whole of life costs), or any other unforeseen impacts, are taken into account for project proposals. Council will not apply a management fee for the administration and management of these funds.

Legislative Context:

State Planning Policy 3.6 Infrastructure Contributions - April 2021

The Policy provides a system for local governments to plan and charge for community infrastructure items that are not included in the standard provisions through development contribution plans and introduces a framework for the requesting of contributions for community infrastructure.

State Planning Policy 3.6 Infrastructure Contributions - April 2021

6.9 Developer Agreements

Contributions may also be implemented in limited circumstances through Developer Agreements or by a voluntary agreement between a landowner or developer and the relevant local government, pursuant to a request from the landowner or developer.

Circumstances include large-scale, single ownership projects with a long development timeframe, or in regional areas where a formal DCP is not considered by local government and contributing owners to be necessary to achieve desired infrastructure delivery outcomes.

Notwithstanding that Developer Agreements do not form part of a local planning scheme, infrastructure contributions prepared under this arrangement should be consistent with the principles outlined in this policy and any decision to deviate from these principles, including the provision of facilities of a higher quality or specification than standard, should be a voluntary decision by all parties to the agreement.

State Planning Policy 3.6 Infrastructure Contributions Guidelines - April 2021

2.3 Imposition of infrastructure contributions

(iii) Developer Agreements

Developer Agreements may be considered in limited circumstances – usually large-scale projects under single ownership – and pursuant to a request from the landowner or developer, or in regional areas where a formal DCP is not considered by local government and contributing landowners to be necessary to achieve the desired infrastructure delivery outcomes.

Developer Agreements are voluntary and fall outside the formal infrastructure contributions system, and do not require State Government assessment or approval. Any agreement for infrastructure contributions via a Developer Agreement should be consistent with the principles outlined in SPP 3.6 and any decision to deviate from these principles, including the provision of facilities of a higher-quality or specification than standard, should be a voluntary decision by all parties to the agreement.

5.0 DEFINITION

Energy and Resource Industry – Projects/Proponents identified to form part of the Energy and Resource Industry may include but are not limited to:

- Critical Minerals
- Mineral Sands
- Gas Projects
- Wind Projects
- Solar Projects
- Tidal Projects

- Geo-thermal Projects
- Carbon Offsetting and Sequestration Projects
- Battery Energy Storage System Projects
- Any other emerging technologies relating to the Energy and Resource Industry sector

Projects - may include activities including but not limited to exploration, extraction, generation, processing, transport/transit and or related infrastructure associated with any of these activities that have transit impact or are located within the Shire of Chapman Valley.

Responsible Business Unit	Planning
LPP Category	7 - Miscellaneous
Public Consultation	As required
Adoption Date	OCM 2024/12-4
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP7.6