



## **Notice of Advertisement**

### **Shire of Halls Creek Draft Local Planning Policies**

#### **Background**

The Shire seeks your feedback on a suite of updated Local Planning Policies (LPPs). The draft LPPs aim to improve and modernise the current policy suite to help the Shire to deal with matters relating to the community, culture, heritage and the built environment. Once adopted, the LPPs will be used by the Shire to provide advice and make decisions on planning applications.

The list of draft LPPs open for comment is:

#### **1. Residential Development Policies**

- 1.1 Home Business/Home Occupations
- 1.2 Short Term Accommodation
- 1.3 Variations to R-Codes
- 1.4 Transportable, Repurposed and Second-hand Dwellings, including sea containers

#### **2. Mixed Use, Commercial, and Industrial Development**

- 2.1 Mixed-use Design Guidelines
- 2.2 Building and Development Standards for Commercial Development

#### **3. Transport and Infrastructure**

- 3.1 Stormwater Management
- 3.2 Telecommunications infrastructure
- 3.3 Crossovers

#### **4. Planning Procedures**

- 4.1 Consultation Requirements
- 4.2 Cash-in-Lieu

#### **5. Miscellaneous**

- 5.1 Uniform & Secure Fencing
- 5.2 Signage

#### **Where can I view the information?**

You can read the Draft Local Planning Policies in full under the "Documents" section of this page.

#### **How can I comment?**

To comment please contact Musa Mono directly via email [dhhs@hcshire.wa.gov.au](mailto:dhhs@hcshire.wa.gov.au)

#### **How can I find out more information?**

You can contact the Shire's Administration Team on (08) 9168 6007



# Shire of Halls Creek Local Planning Policy 1.1

## Home-based Businesses

Policy Group	Residential Development
Policy Number	1.1
Policy Name	Home-based Businesses

### 1. 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 Home-Based Businesses

### 2. Introduction

- The purpose of this policy is to provide guidance on and establish a consistent approach to the assessment of proposed home-based business developments throughout the Shire.
- This Policy establishes the Shire's position in relation to the use of homes for a range of business or commercial purposes, ancillary to the main use of those dwellings as a residence.
- This Policy also details the Shire's approach to the assessment of development applications and the operation of home-based business activities in association with a primary residential use in accordance with Policy objectives.

### 3. Objectives

The objectives of this policy are to:

- To define different types and scale of home-based businesses (commonly referred to as "home occupations")
- To ensure that home-based businesses do not compromise the amenity of the area.
- To ensure that home-based businesses remain an ancillary use to the main dwelling or the principal land use on the property.

### 4. Policy Application

For the purposes of this Local Planning Policy, the term 'home-based business' refers to the following use classes, as defined in the Shire of Halls Creek Local Planning Scheme No.2

- (a) Home Business;
- (b) Home Occupation;
- (c) Home Office;
- (d) Home Store;
- (e) Rural Home Business; and
- (f) Family Day Care



# Shire of Halls Creek Local Planning Policy 1.1

## Home-based Businesses

This Policy applies to all zoned land under the Shire of Halls Creek Local Planning Scheme No.2 where a dwelling may be lawfully located.

### 5. Development Approval

Development approval for a home-based business may be granted, provided that the specific land use class is not identified as an 'X' use (not permitted) under the Shire of Halls Creek Local Planning Scheme No.2 – Part 3.

In addition to any requirement under the Shire of Halls Creek Local Planning Scheme No.2, approval for home-based businesses is required where:

- (a) the land is identified as a Heritage Place or Aboriginal Cultural Heritage Protected Place; or
- (b) the land is in a Bushfire Prone Area, where the provisions of Deemed Provisions clause 78D(3) would apply.

### 6. Policy Statement

#### 6.1 Acceptable Development Provisions

Development approval is not required for a "Home Office" or a "Home Occupation" where the use is listed as a "P" use in the Table 3 of the Shire of Halls Creek Local Planning Scheme No.2 and no works are proposed as per Regulation 61(2)(b) and 61(2)(d) of the Planning and Development (Local Planning Schemes) Regulations 2015.

### 7. Consultation

Applications which require planning approval may be subject to advertising pursuant to the Shire of Halls Creek Local Planning Scheme No. 2 and the Shire's Local Planning Policy 4.1 - Consulting Requirements (LPP4.1).

### 8. Definitions

The land use definitions referenced in this Local Planning Policy are given below.

**Home Business** means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession.

- (a) does not involve employing more than 2 people who are not members of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 50 m<sup>2</sup>; and
- (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (f) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight; and



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### Home-based Businesses

- (g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.

**Home Occupation** means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out an occupation if the carrying out of the occupation that -

- (a) does not involve employing a person who is not a member of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 20 m<sup>2</sup>; and
- (d) does not involve the display on the premises of a sign with an area exceeding 0.2 m<sup>2</sup>;
- (e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet.
- (f) does not
  - i. require a greater number of parking spaces than normally required for a single dwelling;
  - ii. result in an increase in traffic volume in the neighbourhood; and
- (g) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight;
- (h) does not include provision for the fuelling, repair or maintenance of motor vehicles;
- (i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.

**Home Office** means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation

- (a) is solely within the dwellings
- (b) does not entail clients or customers travelling to and from the dwelling
- (c) does not involve the display of a sign on the premises
- (d) does not require any change to the external appearance of the dwelling

**Home Store** means a shop attached to a dwelling that -

- (a) has a net lettable area not exceeding 100 m<sup>2</sup>; and
- (b) is operated by a person residing in the dwelling.

**Rural Home Business** means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation if the carrying out of the business, service or occupation

- (a) does not involve employing more than 2 people who are not members of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and



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- (c) does not occupy an area greater than 200 m<sup>2</sup>; and
- (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the internet; and
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (f) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle more than 30 tonnes gross weight.

**Family Day Care** means premises where a family day care service as defined in the Education and Care Services National Law (Western Australia) is provided.

<b>Date Adopted</b>	
<b>Review Date</b>	
<b>Next Review</b>	



# Shire of Halls Creek Local Planning Policy 1.2

## Short Term Accommodation

Policy Group	Residential Development
Policy Number	1.2
Policy Name	Short Term and Transient Workers Accommodation

### 1. 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 Short Term Accommodation LPP

### 2. Introduction and Purpose

The purpose of this policy is to provide clear direction on the requirements for short term accommodation and workforce accommodation within the Shire of Halls Creek and the responsibilities and obligations of operators.

### 3. Objectives

This policy seeks to achieve Short Term Accommodation within the Shire that:

- Positively contributes to the surrounding locality and diversity of accommodation types offered in the area.
- Is managed in a manner that protects the amenity of the surrounding community to the level necessary for its context.
- Is located, designed, and operate in a manner that minimises the level of noise generated by guests and impact that noise has on the surrounding community.
- Does not negatively impact on the heritage integrity of a place or its historical and social value.
- Does not have an undue impact on the amenity of the area, including surrounding residential properties and businesses.

This policy also seeks to:

- Provide safe and functional living environment for the transient workforce, and construction workers associated with large scale development in the Shire of Halls Creek.
- Ensure a high level of amenity for transient workers and residents.
- Recognise that transient and construction workforce accommodation will take varying forms.
- Discourage transient workforce accommodation in the Rural Residential, Mixed-Use and Residential zones.
- Minimise the impact of the influx of workers accommodated within transient and construction workforce accommodation facilities.
- Ensure occupancy of transient and construction workforce accommodation facilities are limited to workers or working couples.



## Shire of Halls Creek Local Planning Policy 1.2

### Short Term Accommodation

#### 4. Policy Application

- This policy applies to any short-term accommodation use including Bed and Breakfast, Holiday House, Holiday Accommodation, Hotel, Motel, Serviced Apartment, Tourist Development, and Residential Building or any unlisted use that is used for short term accommodation.
- The policy outlines which short-term accommodation uses require development applications, and which uses are exempt pursuant to Clause 61(2)(e) of Schedule 2 of *Planning and Development (Local Planning Schemes) Regulations 2015*.
- This policy also applies to all applications for planning approval for workforce accommodation on land in all zones and reserves within the Shire where the use is permitted under the town planning scheme. All applications for workforce accommodation must be presented to Council for consideration.
- The policy also applies to requests to renew the approval for existing workforce accommodation facilities on time-limited approvals.
- This policy provides further interpretation of the Local Planning Scheme No. 2 in terms of how the Council applies discretion to decision-making on applications for workforce accommodation in the Shire.
- The policy also provides guidance for the consideration of workforce accommodation proposals under other legislation referred to the Shire for comment.
- The policy further aims to set out the information requirements and provisions to which the Shire shall have due regard to the assessment and determination of development applications.

#### 5. General Requirements for all Short-Term Accommodation Applications

##### 5.1 Signage

Any signage associated with short-term accommodation is to be in accordance with the Shire of Halls Creek Signage Policy.

##### 5.2 Application information

Pursuant to Clause 63(1)(d) of the Planning and Development (Local Planning Schemes) Regulations 2015, an application for development approval for any short-term accommodation use is to include the submission of a detailed Management Plan and Code of Conduct.

##### 5.2.1 Management Plan

The Management Plan is to address, but is not limited to, the following:

- (a) Control of anti-social behaviour and the potential conflict between guests and permanent residents of the area;
- (b) Minimum and maximum lengths of stay;
- (c) Maximum occupancy limit;
- (d) Guest arrival and departure procedures;
- (e) Car parking management;
- (f) Complaints management and after-hours complaints procedure including: – Nature of complaint – Date and time of complaint – Complainant – Description of how complaint was addressed and whether feedback was provided to complainant.





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### **Short Term Accommodation**

- (g) The provision of a contact telephone number of the accommodation owner and operator to neighbouring properties for business-hours and after-hours complaints; and
- (h) Explanation of how guests are informed of the Code of Conduct prior to and on arrival.

#### **5.2.2 Code of Conduct**

The Code of Conduct is to address, but is not limited to, the following matters:

- (a) The expected behaviour of guests.
- (b) Periods of 'quiet time', noting that parties are not permitted;
- (c) Reasonable noise expectations (in compliance with the Environmental Protection (Noise) Regulations 1997);
- (d) Details regarding guest check-in and check-out procedures;
- (e) Expected control and maintenance of pets (if permitted at the property);
- (f) Details of any car parking restrictions applicable to the area, and clarification on:
  - a. the maximum number of vehicles that can park on a property; and
  - b. that parking on surrounding properties and within the street and verge area is not permitted;
- (g) Details regarding waste management which specifies the expectations on guests about general rubbish and bin collection;
- (h) Rules and maintenance relating to the use of all common property and common facilities (if applicable);
- (i) Information on relevant strata by-laws (if applicable);
- (j) Emergency contact information;
- (k) Contact details of emergency services; and
- (l) Implications of breaching the code of conduct.

The Code of Conduct shall be provided in the form of an information booklet for guests at the accommodation, and online prior to arrival.

#### **5.3 Development requirements for Bed and Breakfast**

- 5.3.1 The owner/resident of the accommodation must reside on-site at all times while the 'Bed and Breakfast' is in operation.
- 5.3.2 Meals may only be provided for 'Bed and Breakfast' guests.

#### **5.4 Development requirements for a Holiday House**

- 5.4.1 Applications for development approval for 'Holiday House' within an existing dwelling will be processed as a change of use application.
- 5.4.2 Applications for development approval for a purpose built 'Holiday House' are required to meet the relevant single house requirements of the R-Codes and any relevant structure plan or local planning policy.

#### **5.5 Development requirements for a Holiday Accommodation**

- 5.5.1 Applications for development approval for 'Holiday Accommodation' within an existing grouped dwelling will be processed as a change of use application.
- 5.5.2 Applications for development approval for a purpose built 'Holiday Accommodation' are required to meet the relevant grouped or multiple dwelling development requirements of the R-Codes and any relevant structure plan or local planning policy.





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### **Short Term Accommodation**

- 5.5.3 Tandem car parking arrangements (one bay behind another) will only be considered where the bays are allocated to the same holiday accommodation unit.

#### **5.6 Development requirements for Serviced Apartments**

- 5.6.1 Applications for development approval for 'Holiday Accommodation' within an existing grouped dwelling will be processed as a change of use application.
- 5.6.2 Applications for purpose built 'Service Apartment' shall be subject to the siting and design requirements applicable under the relevant local planning policy, and any relevant structure plan. If applicable, serviced apartments are required to be designed to separate short-term accommodation from permanent occupancy dwellings located on the same site or building.
- 5.6.3 Where a development involves a combination of permanent occupancy dwellings and serviced apartments, parking areas for permanent residents and their visitors shall be clearly separated and delineated from the parking area for the serviced apartments.
- 5.6.4 Tandem car parking arrangements (one bay behind another) will only be considered where the bays are allocated to the same serviced apartment.

#### **5.7 Development Requirements for Workforce Accommodation**

##### **5.7.1 Timeframes**

- (a) Workforce accommodation constructed to serve a specific project shall have time-limited planning approval generally in accordance with the project duration;
- (b) Development applications are required to identify the period for which they are seeking planning approval;
- (c) Planning approval will not exceed a period greater than ten (10) years. Any renewal or extension will require a further planning application to be lodged and be subject to the provisions of this policy;
- (d) Twelve (12) months prior to the expiry of the planning approval the landowner must provide to the Shire for approval a site decommissioning program or a plan to transition to a permanent land use; and
- (e) At the conclusion of the approved timeframe, the planning approval will expire.

##### **5.7.2 Location**

- (a) Remote workforce accommodation camps are considered acceptable where it can be demonstrated that it is not feasible or practicable for workers to be based in the Halls Creek townsite, and
- (b) Evidence of engagement with neighbouring properties has been undertaken by the proponent prior to lodgement of a development application.

##### **5.7.3 Design**

- (a) Predominant building materials and features found in the locality that are incorporated into the design form and finishes.
- (b) The building features and design to include wall height and roof pitch match's surrounding buildings and conforms with the desired character.
- (c) The provision of awnings to accommodation units/pods entrances and walkways
- (d) Front fences shall be visually permeable, and the design, height, colour, and materials used should reflect the local character.
- (e) Occupant and visitor car parking facilities must be located within the street setback.



## Shire of Halls Creek Local Planning Policy 1.2

### Short Term Accommodation

- (f) Signage and advertisement devices will not be supported, unless used for wayfinding or safety purposes.
- (g) Adequate safe access is to be available for parking service and waste vehicles.

#### 5.7.4 Community facilities and amenities

- (a) Adequate provision to be made for internal occupant amenities relative to the scale of the facility and the number of rooms/beds including outdoor landscape courtyard areas,
- (b) Communal outdoor landscaped areas are to be provided for occupant amenity and use; the design is to include landscaped gardens, outdoor seating, lighting, shelter, and other amenities such as outdoor dining and BBQs, to support informal social use, interaction and wellbeing,
- (c) The landscape gardens to utilise local plant species where possible and be regularly maintained to a high standard, and
- (d) Communal leisure and recreation indoor and outdoor facilities for occupation amenity given the regularity and frequency and associated proposals of stay at the facility.

### 6. Consultation

All short-term and workforce accommodation uses are to be advertised as per the Shire of Halls Creek Consultation Local Planning Policy as a 'standard application' or otherwise based on the Shire's discretion.

### 7. Definitions

**Bed and Breakfast** – means a dwelling –

- (a) used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than 4 adult persons or one family; and
- (b) containing not more than 2 guest bedrooms and one guest bathroom.

**Holiday House** – means a single dwelling on one lot used to provide short-term accommodation for not more than 6 persons but does not include a bed and breakfast or a guest house.

**Holiday Accommodation** – means 2 or more dwellings on one lot used to provide accommodation for holiday or temporary purposes for persons other than the owner of the lot.

**Hotel** – means premises the subject of a hotel licence other than a small bar or tavern licence granted under the Liquor Control Act 1988 including any betting agency on the premises.

**Motel** – means premises, which may be licensed under the Liquor Control Act 1988 –

- (a) used to accommodate guests in a manner similar to a hotel; and
- (b) with specific provision for the accommodation of guests with motor vehicles.

**Serviced Apartment** – means a group of units or apartments providing –

- (a) self-contained short stay accommodation for guests; and
- (b) any associated reception or recreational facilities.

**Tourist Development** – means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide –

- (a) short-term accommodation for guests; and
- (b) onsite facilities for the use of guests; and
- (c) facilities for the management of the development.

**Residential Building** – means a building or part of a building used to provide –



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### Short Term Accommodation

- (a) short-term accommodation for 2 or more persons; or
- (b) long-term accommodation for 7 or more persons who are not part of the same family.

**R-Codes** – means the State Planning Policy 7.3 Residential Design Codes.

**Short-term Accommodation** – means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12-month period.

**Workforce Accommodation** – means premises, which may include modular or relocatable buildings, used –

- (a) primarily for the temporary accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and
- (b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.

<b>Date Adopted</b>	
<b>Review Date</b>	
<b>Next Review</b>	



# Shire of Halls Creek Local Planning Policy 1.3

## Variations to the R-Codes

Policy Group	Residential Development
Policy Number	1.3
Policy Name	Variations to the R-Codes

### 1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 and in accordance with Part A of State Planning Policy 7.3 Residential Design Codes Volume 1 2024 (R-Codes). This Policy may be cited as Local Planning Policy 7.0 – Variations to the R- Codes – LPP

### 2. Introduction

This policy varies relevant deemed-to-comply provisions of the R-Codes, allowing the implementation of the Codes to be aligned with the Shire of Halls Creek's objectives for its Residential zones.

### 3. Objectives

- To specify local provisions which amend or replace deemed-to-comply provisions of the R-Codes to suit the local circumstances of the Shire of Halls Creek.
- To enhance the character and amenity of existing residential areas;
- To promote a high standard of residential development;
- To ensure new residential development makes a positive contribution towards attractive streetscapes;
- To accommodate increasing residential density without compromising streetscape character.
- To ensure that residential environments are safe and secure for owners, occupiers, and the wider community;

### 4. Policy Applications

- This Policy applies to all residential development in the Shire of Halls Creek not listed as a Heritage protected place or area.
- Part A, section 3.2.3a of the R-Codes details the deemed-to-comply provisions that can be amended or replaced by a Local Planning Policy without WAPC approval. This Policy varies several deemed-to-comply provisions of Part B (relating to Single Houses coded R40 and below, and Grouped Dwellings coded R25 and below) and Part C (relating to Single Houses coded R50 and above, and Grouped Dwellings coded R30 and above) of the R-Codes.
- This Policy should be read in conjunction with the R-Codes Volume 1 2024 and the Shire of Halls Creek Local Planning Scheme No.2 Part 4 Clause 26 - Modification of R-Codes. Where there are



## Shire of Halls Creek Local Planning Policy 1.3

### Variations to the R-Codes

provisions within the Local Planning Scheme No.2 which conflict with the provisions within this policy then the Scheme shall prevail.

#### 5. R-Code Variations

##### 5.1. Street setback

The Deemed-to-Comply provisions of Clause 5.1.2 of Part B of the R-Codes are replaced with the following;

- C2.1 Buildings, excluding carports, unenclosed porches, balconies, verandahs, or equivalent, set back from the primary street boundary:
- in accordance with Table B; or
  - corresponding to the average of the setback of existing dwellings on each adjacent property fronting the same street; or
  - reduced by up to 50 per cent provided that the area of any building, including a garage encroaching into the setback area, is compensated for by at least an equal area of open space that is located between the setback line and line drawn parallel to it at twice the setback distance (refer Figure 2a and 2c);
  - in the case of grouped dwellings, where on-site car parking for the street facing dwelling is provided at the rear of the lot, the average front setback requirement in Table B may be reduced by up to 1.0m. *(to confirm agreeance with the Shire)*
  - in the case of areas coded R15 or higher, the street setback may be reduced to 2.5m, or 1.5m to a porch, balcony, verandah or the equivalent (refer Figure 2e), where:
    - a grouped dwelling has its main frontage to a secondary street, or
    - a single house results from subdivision of an original corner lot and has its frontage to the original secondary street; or
    - a single house or grouped dwelling (where that grouped dwelling is not adjacent to the primary street), has its main frontage to a communal street, right-of-way or shared pedestrian or vehicle access way (Figure 2d);
  - to provide for registered easements for essential services.
- C2.2 Buildings set back from the secondary street boundary in accordance with Table B.
- C2.3 Buildings set back from the corner truncation boundary in accordance with the secondary street setback in Table B.
- C2.4 Development on corner lots are to be designed to address both street frontages through the location of major openings and the articulation of the façade on all levels. *(to confirm agreeance with the Shire)*
- C2.5 A porch, verandah, unenclosed balcony or the equivalent may (subject to the NCC) project forward of the primary street setback line to a maximum of half the required primary street setback without applying the compensating area of clause 5.2.1 C2.1(iii) (Refer Figure 2e).

##### 5.2. Landscaping

The Deemed-to-Comply provisions of Clause 5.3.2 C2.2 of Part B of the R-Codes are replaced with the following:



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### Variations to the R-Codes

- C2.2 Landscaping of single houses, grouped dwellings and multiple dwellings to include the following:
- i. the minimum number of trees and associated planting areas in the table below; and
  - ii. landscaping of the street setback area, with not more than 40 per cent of this area to consist of impervious surfaces. *(to confirm agreeance with the Shire)*

Dwelling type		Minimum tree requirement	Minimum tree planting area (per tree area)
Single houses and grouped dwelling (per tree area)		1 tree	2x2m
Multiple dwelling (trees per site)	Less than 700m <sup>2</sup>	2 trees	
	700 – 1000m <sup>2</sup>	3 trees	
	Greater than 1000m <sup>2</sup>	4 trees	

#### 5.3. Site works

The Deemed-to-Comply provisions of Clause 5.3.7 C7.1 of Part B of the R-Codes is replaced with the following:

- C7.1 Retaining walls, fill and excavation between the street boundary and the street setback, not more than 1m above or below the natural ground level, except where necessary to provide for pedestrian, universal and/or vehicle access, drainage works or natural light to a dwelling. *(to confirm agreeance with the Shire)*

#### 5.4. Outbuildings

In addition to the Deemed-to-Comply provisions of Clause 5.4.3 of Part B and Clause 2.6 of Part C of the R-Codes, the additional provisions apply: *(to confirm agreeance with the Shire)*

- C1 Outbuildings to be located behind the building line.
- C2 Where an outbuilding is visible from the street and is located to the side of the dwelling or in front of the building line (notwithstanding a.), it is to match the materials, colours and roof pitch and roof form of the existing dwelling.
- C3 Where an outbuilding is located at the rear of the dwelling (whether or not visible from the street) the outbuilding may vary in materials, colours and roof pitch and roof form to the existing dwelling.

#### 6. Definitions

**R-Codes** – means the State Planning Policy 7.3 Residential Design Codes (Volume 1 and Volume 2).

**Heritage protected place/area** - A Heritage protected place is defined by Schedule 2, Clause 1A of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) and includes (but not limited to) a place:



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### Variations to the R-Codes

- entered in the State Register of Heritage Places;
- on a heritage list adopted by the Town; or
- within an area designated by the Town as a heritage area

<b>Date Adopted</b>	
<b>Review Date</b>	
<b>Next Review</b>	

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## Shire of Halls Creek Local Planning Policy 1.4

### Transportable & Relocated Dwellings

Policy Group	Residential Development
Policy Number	1.4
Policy Name	Transportable & Relocated Dwellings

#### 1. 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 - Transportable & Relocated Dwellings LPP.

#### 2. Purpose

The purpose of this Local Planning Policy is to control location, use and development of transportable and relocated second-hand dwellings within the Shire of Halls Creek.

#### 3. Objectives

1. Provide clear standards as to what constitutes an acceptable type of relocated second-hand building to be used as a dwelling or for other habitable purposes.
2. Ensure compliance with the relevant provisions of Shire's Local Planning Scheme No. 2 and that ensures that the relocation of second-hand dwellings is undertaken to an approved standard that pays regard to local amenity and aesthetics; and
3. Ensure the style, construction and design of relocated dwellings is in keeping with the character of the surrounding dwellings in particular and the locality in general.

#### 4. Policy Application

This Policy applies within the following zones of the Shire of Halls Creek Local Planning Scheme No.2:

- Residential
- Urban Development
- Rural
- Rural Residential
- Rural Enterprise
- Mixed Use

#### 5. Policy Statement

Development approval is required for all transportable and relocated homes prior to their location on a property. Approval will be issued only where an applicant demonstrated compliance with Part 6 (Development Requirements) of this Policy.

All applications to develop a transported dwelling within the Shire shall include the following information:

- (a) Details of where the transported or relocated dwelling is to be removed from.
- (b) Detailed plans of the subject building and a comprehensive site plan indicating the proposed location of the building or identified building envelope, where applicable.



## **Shire of Halls Creek Local Planning Policy 1.4**

### **Transportable & Relocated Dwellings**

For second-hand transportable and relocated dwellings, the following additional requirements apply to any application:

- (a) Recent photographs of every external elevation of the proposed dwelling. The photographs shall clearly indicate its current design and condition.
- (b) Certification from a Structural Engineer stating that the structure is suitable for relocation, appropriate to the conditions of the Shire and structurally sound.
- (c) Detailed specifications on the works to be undertaken to the building to render it compliant with the Building Code of Australia.
- (d) Specification on the works to be undertaken on the dwelling, including any modifications and additions to the dwelling and the materials and colours to be used.
- (e) Details of how it is proposed to transport and re-erect the building; and
- (f) A detailed time frame for the relocation of the proposed dwelling and any proposed works

As part of the planning approval of a transported dwelling, the Council may impose conditions that require any works considered necessary to improve the appearance of the structure, including the addition of verandas, painting, landscaping, and the cover of stump areas.

#### **6. Development Requirements**

The approval of transported or relocated dwellings will only be considered if the following design standards are achieved:

- 6.1 The dwelling shall be of a satisfactory standard and the architectural design and external appearance and is compatible with the building standards, design, and character of existing housing in the immediate locality.
- 6.2 The exterior cladding and roof materials shall be in good condition and for second-hand homes, the proposal includes improvement works to the exterior of the building, including repainting, re-cladding as necessary and architectural detailing, such that the proposed dwelling will be in keeping with the amenity of surrounding area.
- 6.3 The external finishes, bulk, scale, and design of the house are such that it will not have a detrimental impact upon the amenity of the area or landscape into which it is being relocated.
- 6.4 Where any material containing asbestos fibres remains in or on the dwelling, including cement asbestos roofing or cladding, roof insulation or for any other purpose, such material shall be removed prior to the building being transported within or into the Shire. Certification of asbestos removal to be provided with application. This certificate shall occur at the proponent's expense.
- 6.5 A transported dwelling will only be approved if certification is received from a Structural Engineer that states the dwelling is structurally sound, is suitable for transport and is appropriate for the conditions of the Shire. This inspection shall occur at the proponent's expense.



## Shire of Halls Creek Local Planning Policy 1.4

### Transportable & Relocated Dwellings

- 6.6 The approval of a transported dwelling will require the lodgement of a cash bond or bank guarantee to the value of \$10,000, prior to the issue of a building permit. This bond will be used to remove the dwelling if the owner and/or builder default on the conditions of this policy, the development approval, or any conditions of the Building Permit. The bond will be held until the satisfactory completion of the Schedule of Works.
- 6.7 A signed statutory declaration outlining a bonding agreement is to be entered into by the owner/s prior to issue of a building license. The agreement is to outline a staged repayment of the performance bond, as follows:

#### Stage One (Return of 25% of bond)

- (a) Dwelling correctly positioned on site, as per approved site plan (setback correct) in accordance with the Planning Approval.
- (b) Dwelling is correctly positioned, and site filled, drained, and graded satisfactorily, such as it is structurally adequate in accordance with the engineer's certification.
- (c) Dwelling is up to lock-up stage (all external windows, doors and fittings/fixtures installed/repaired).

#### Stage Two (Return of second 25% of bond)

- (a) All gutters, fascia and downpipe work completed.
- (b) All roof end/roofing work is completed (flashings on ridge and gable ends installed).
- (c) All external surfaces to be painted to a tradesman like standard in accordance with the Planning & Building Approvals (including wall, doors, window surrounds, sills).

#### Stage Three (Return of remaining 50% of bond)

- (a) Compliance with all conditions of planning approval.
- (b) Approved effluent disposal system installed. System has been inspected by Council Health Officer and a permit to use has been issued.
- (c) Completion and certification of all electrical work.
- (d) Completion and certification of all plumbing work.
- (e) All wet area tiling completed in accordance with the Building Code of Australia.
- (f) Kitchen fit-out completed (cupboards/benches & stove/hotplate installed).
- (g) Building has reached practical completion.

**Note:** The agreement is to clearly state that if Stage One or Two completion is not reached within 9 months of the building's placement on site or Stage Three completion not reached within 24 months of issue of a building permit, then the bond monies are to be forfeited to the Shire and the building



## Shire of Halls Creek Local Planning Policy 1.4

### Transportable & Relocated Dwellings

removed from the site unless the applicant can demonstrate key supplies or contractors cannot be sourced in the timeframe.

#### 7. Consultation

Applications which require planning approval may be subject to advertising pursuant to the Shire of Halls Creek Local Planning Scheme No. 2 and the Shire's Local Planning Policy 4.1 - Consulting Requirements (LPP4.1).

#### 8. Definitions

For the purpose of the policy, the following definitions apply:

**Second Hand Dwelling** means a dwelling that has been in a different location, and has been dismantled and transported to another location, but does not include a modular home or transportable dwelling.

**Transportable Building** means any structure that is prefabricated at any place other than on the site upon which it is to be erected but does not include a 'Kit Home'.

**Relocated Dwelling** means to a residential dwelling previously established on a site, other than the site for which approval is sought to locate the dwelling.

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## Shire of Halls Creek Local Planning Policy 2.2 Building and Development Standards for Commercial Development

Policy Group	Mixed Use, Commercial, and Industrial Development
Policy Number	2.2
Policy Name	Building and Development Standards for Commercial Development

### 1. 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 - Building and Development Standards for Commercial Development LPP.

### 2. Introduction

The purpose of this local planning policy is to set out the Shire's building and development standards for all commercial development within the Shire of Halls Creek municipality and to ensure that all proposals achieve a distinct aesthetic character and provides amenity to the streetscape for pedestrians.

### 3. Objectives

- To promote high quality architectural form to maintain and enhance the visual character of the Shire.
- To ensure new buildings are designed to be of human scale to facilitate effective movement and interaction between building and street.
- To ensure building frontages at the street level assist in the creation of safe built environments through use of internal and external lighting, encouraging visual interest and ensuring passive surveillance.
- To ensure that all buildings make a positive contribution to the streetscape, assisting in the maintenance and creation of safe, secure and attractive places.

### 4. Policy Application

The provisions of this policy apply to all land zoned that is not zoned Residential under the Shire of Halls Creek Town Planning Scheme No 2.

This local planning policy supplements the Zone Considerations provisions of the Shire of Halls Creek Local Planning Scheme No.2. Where a provision of this local planning policy is inconsistent with the Scheme, the Scheme prevails.

Where equivalent development provisions are contained within an approved activity centre plan or local development plan, those provisions shall prevail.



## **Shire of Halls Creek Local Planning Policy 2.2 Building and Development Standards for Commercial Development**

### **5. Policy Statement**

In addition to the relevant provisions contained within LPS6 and other applicable Local Planning Policies, non-residential development will be assessed against, and be required to demonstrate compliance with the following provisions:

#### **5.1 Building Design**

##### **5.1.1 Materials**

- (a) Buildings must be constructed of high quality materials including but not limited to stone, concrete, brick, timber and glass.
- (b) Concrete walls that are visible from an adjoining property or public realm must be painted and provided with an articulated or detailed finish.

##### **5.1.2 Articulation**

- (a) Buildings must incorporate appropriate design features to enhance appearance, create visual interest and reduce blank walls. This can include a combination of the following:
  - Varied colours, textures, finishes and materials;
  - Varied roof forms and design;
  - Balconies and balustrades;
  - Windows, screens and sun shading devices
- (b) Development on corner sites should be designed to accentuate the corner and face all streets that flank it.

##### **5.1.3 Front facades Shopfronts**

- (a) Facades fronting the street and public domain should incorporate window and door openings which provide passive surveillance.
- (b) Be designed to minimise the incidence of blank and unarticulated elevations.

##### **5.1.4 Windows and Glazing**

- (a) The ground floor commercial frontage must have a minimum of 50% clear glazed windows.
- (b) Reflective or heavily tinted glazing at ground floor level will not be supported.
- (c) Windows in an external wall which faces north, east or west must be protected from direct summer sun.

##### **5.1.5 Building entrances**

- (a) Building entrances must be clearly defined and easily identifiable from the street and public realm.
- (b) Building entrances must directly front the street, car park and key pedestrian routes.

##### **5.1.6 Pedestrian Shelter**

- (a) Where a building abuts a footpath, awnings for weather protection should be provided along its whole length.



## **Shire of Halls Creek Local Planning Policy 2.2 Building and Development Standards for Commercial Development**

- (b) Where possible, the minimum depth of an awning is to be 2.5m. Where this is not possible due to the width of the verge or any other factor, the awning is to be practical for weather protection.
- (c) Awnings sited to enable a minimum clearance of 2.75m above ground level.

### **5.2 Landscaping**

- 5.2.1 A minimum of 10% of the area of a lot shall be landscaped.
- 5.2.2 The landscaped area shall include a minimum strip of 1.5 metres wide adjacent to all street boundaries.
- 5.2.3 Any landscaped area shall have a minimum width of 1.0 metre.
- 5.2.4 Shade trees shall be provided and maintained in uncovered car parks at the rate of one tree for every four-car parking bays.

### **5.3 Fencing**

- 5.3.1 Any fence located within the first 6 metres from the street boundary, or the street alignment and a building, whichever is the lesser distance, must be visually permeable above 0.75 metres from natural ground level, and must have a maximum height of 2.0 metres from natural ground level.

### **5.4 Vehicle Access, Loading and Parking**

- 5.4.1 Vehicle access should be provided from secondary streets or rights of way where available. Only one access point per street is encouraged.
- 5.4.2 Vehicle access to developments on corner lots should be located the maximum possible distance away from the corner on the minor road or right of way.
- 5.4.3 All vehicles utilising on-site car parking bays should be able to enter and exit in a forward gear where practicable.
- 5.4.4 On-site parking should be located behind the building line or within the building where possible. Parking within the front setback area of a development will be discouraged.

### **5.5 External Fixtures**

- 5.5.1 External fixtures must be screened from view from the street through building design and located on the roof, basement or at the rear of the building.
- 5.5.2 To minimise the negative impacts of lighting, lighting is to be installed in accordance with Australian Standard AS 4282.





## Shire of Halls Creek Local Planning Policy 2.2 Building and Development Standards for Commercial Development

### 5.6 Waste

- 5.6.1 All developments should be provided with a bin storage area of sufficient size to accommodate a minimum of one week's waste and recycled material.
- 5.6.2 The bin storage area should be screened from view of the street and be located to ensure adverse visual amenity impacts are avoided.
- 5.6.3 Bin storage areas should be located in an easily accessible location for both occupants of the building and for rubbish collection.
- 5.6.4 Details of the proposed collection point are to be submitted at the time of development approval.
- 5.6.5 A rubbish collection point should be nominated which is of sufficient size to contain the number of bins required to service the building, whilst not obstructing parking and pedestrian access, traffic flow and sightlines.
- 5.6.6 Prior to the initial occupation of a development, a Waste Management Strategy, inclusive of a Waste Management Plan, may be required to detail how waste and the noise associated with waste disposal will be minimised.

### 7. Definitions

**External fixtures** – means utilities, equipment, plant or other structures necessary for a building to achieve efficient, comfortable operating outcomes and may include rainwater storage tanks, air conditioning units, communication, power and water infrastructure, letterboxes or other fixtures necessary for the use of the building.

**Height** – means when used in relation to a building, means the maximum vertical distance between natural ground level and the finished roof height directly above.

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## Shire of Halls Creek Local Planning Policy 3.1

### Stormwater Management

Policy Group	Transport and Infrastructure
Policy Number	3.1
Policy Name	Stormwater Management

#### 1. 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 Stormwater Drainage LPP.

#### 2. Introduction and Purpose

This Policy seeks to outline the requirements for the retention and management of stormwater within the Shire of Halls Creek.

Stormwater consists of rainfall runoff and any material (soluble or insoluble) mobilised in its path of flow. Impervious surfaces because of development prevent absorption of water into the ground, and effective management of stormwater is required to prevent pollution of waterways and flooding.

#### 3. Objectives

- Outline the circumstances in which the Shire will permit a connection to the Shire's Stormwater Infrastructure.
- Detail the information required, and design standards required for stormwater systems.
- Outline construction and maintenance requirements for stormwater systems to ensure that stormwater discharge from private property is adequately planned and accommodated.

#### 4. Policy Applications

This Policy applies to all subdivision and development applications where stormwater retention is required.

#### 5. Policy Requirements

##### 5.1 Connection requirements

- 5.1.1 Stormwater must be contained on-site unless ground conditions are deemed unsuitable for on-site disposal via infiltration as verified by a geotechnical investigation, soil permeability testing and a site classification report prepared by a suitably qualified civil engineer.

##### 5.2 Information and Design Requirements – Onsite Stormwater

- 5.2.1 Where on site storm water disposal is proposed, the system must be approved by an appropriately qualified stormwater engineer and designed to a 1 in 20-year event (or relevant Building Code of Australia Standard). This includes all run off from buildings and hardstand surfaces of a site.

##### 5.3 Information and Design Requirements – Offsite Stormwater



## Shire of Halls Creek Local Planning Policy 3.1

### Stormwater Management

- 5.3.1 Where on-site stormwater cannot be accommodated as detailed in clause 5.2.1 and connection to the Town's stormwater infrastructure is supported, the following information is required:
- (a) Geotechnical report justifying offsite storm water disposal;
  - (b) A comprehensive stormwater drainage plan prepared and certified by a suitably qualified engineer.
  - (c) Payment of fess associated with connecting to the Town's stormwater infrastructure in accordance with Council's adopted Schedule of Fees and Charges; and
  - (d) Approval from the Shire's Infrastructure Services.

#### 5.4 Construction and Maintenance

- (a) All works associated with connecting the internal system to the Town's stormwater infrastructure are to be carried out by the applicant/landowner.
- (b) Where there is an existing manhole, gully or side entry pit within the verge and within the extent of the frontage of the property, a connection from the silt pit may be made directly to that structure (provided levels are suitable).
- (c) Where the Shire has no stormwater infrastructure accessible from the property, the Town may extend the Town's network or allow conveyance via the road reserve to the closest drainage gully at the landowner/applicant's owners cost.
- (d) Where the Shire's stormwater infrastructure is accessible, the applicant/landowner shall be responsible for all costs associated with the connection to the Shire's stormwater infrastructure.
- (e) Prior to backfilling of trenches, the works are to be inspected by the Shire. All pipes and connection points to pits are to be easily visible.

#### 5.5 Application requirements

- 5.5.1 The Shire requires the submission of stormwater drainage plans for all developments to be submitted in conjunction with a building licence application.
- 5.5.2 Rainfall run-off from the development of private property shall generally be retained on site but where overflow into Shire stormwater drainage is required or sought an applicant should make written application at the time of request of a Building Licence.

#### 6. Stormwater Infrastructure Notification

The Shire may include as a condition of development approval or recommend to the Western Australian Planning Commission that it impose a condition of subdivision approval requiring the landowner/applicant to register a notification under section 70A of the Transfer of Land Act 1893 as amended, on the Certificate(s) of Title advising of the stormwater detention system installation, the restrictions, drainage limitations and the requirement for the current and future property owners to maintain the detention system in good working order.

#### 7. Definitions

**Stormwater** – means all surface water runoff from rainfall, predominantly in urban and rural living catchments.

**Run-Off** – means the portion of rainfall on a drainage area or surface that is discharged from the drainage area to drainage.



## Shire of Halls Creek Local Planning Policy 3.1 Stormwater Management

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## Shire of Halls Creek Local Planning Policy 3.2

### Telecommunications Infrastructure

Policy Group	Transport and Infrastructure
Policy Number	3.2
Policy Name	Telecommunications Infrastructure

#### 1. Citation

This is a Local Planning Policy prepared under Schedule 2, Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* which allows the local government to prepare local planning policies relating to planning and development within the Scheme area. This Policy may be cited as Local Planning Policy 3.2 Telecommunications Infrastructure LPP.

#### 2. Introduction

Adequate and reliable telecommunications infrastructure is vital for all aspects of contemporary life, from supporting the State's economy to creating and maintaining connected social networks. However, telecommunications infrastructure can have a visual impact on the amenity of an area. It is important to appropriately consider the need for effective telecommunications services in relation to the need to protect the amenity of an area.

This policy outlines the requirements for providing telecommunication infrastructure within the Shire of Halls Creek.

#### 3. Objectives

- To provide guidance on the assessment and installation of telecommunication infrastructure within the Shire of Halls Creek.
- To minimise the adverse impact of telecommunication infrastructure on the community, and the natural and built environment.

#### 4. Policy Applications

This Policy applies throughout the Shire in respect to all above ground telecommunications infrastructure other than those facilities that are exempted under the *Commonwealth Telecommunications Act 1997* (including low-impact facilities).

#### 5. Policy Statement

##### 5.1 Low-impact Facilities

- 5.1.1 The installation of low-impact facilities is deemed to be a minor form of development and is exempt from the requirement to obtain planning approval.
- 5.1.2 Carriers are to provide notification in accordance with the Telecommunications Act 1997 (or as superseded) to the Shire and the community of their intention to erect low-impact facilities. This notification is to be provided in writing to the Shire.



## **Shire of Halls Creek Local Planning Policy 3.2**

### **Telecommunications Infrastructure**

- 5.1.3 The preferred location for low-impact facilities is in Rural, General Industry, or Commercial zones away from sensitive uses.

#### **5.2 Development that is not Low-impact-facilities**

- 5.2.1 All telecommunications infrastructure which does not meet the definition of "low-impact facilities" requires planning approval from the Shire of Halls Creek through a Development Application.
- 5.2.2 Applications submitted for non-low-impact telecommunications facilities will not be considered until all information specified in the Telecommunications Code of Practice 1997 has been submitted;
- 5.2.3 Non-low-impact telecommunications facilities proposed on land reserved under the Metropolitan Region Scheme (MRS) will be determined by the West Australian Planning Commission (WAPC) and the WAPC will consider any recommendation from the Shire.

#### **5.3 Development Considerations**

##### **5.3.1 Site Selection**

- (a) Telecommunications infrastructure shall be co-located with existing infrastructure in the first instance where possible.
- (b) Telecommunications infrastructure should be located within General Industry and Commercial zones.
- (c) Telecommunications infrastructure should be located so to not adversely affect or require the removal of existing trees and vegetation. Where trees and other vegetation are proposed to be removed, they are to be replanted or replaced in a location within proximity of the subject site.

##### **5.3.2 Visual Amenity**

- (a) Telecommunications infrastructure should be located where it will not be prominently visible from significant viewing locations such as scenic routes, lookouts and recreation sites.
- (b) Telecommunications infrastructure should be located to avoid detracting from a significant view of a heritage item or place, landmark, streetscape, vista or panorama, whether viewed from public or private land.
- (c) Telecommunications infrastructure must be adequately setback from sensitive land uses to ensure the amenity of the areas is not unreasonably compromised.

##### **5.3.3 Design**

- (a) The scale, materials, external colours and finishes are to be sympathetic to, and blend in with the surrounding landscape.
- (b) Landscaping and other methods shall be used to screen and/or camouflage telecommunications infrastructure from sensitive land uses and public places, and to mitigate any potential impacts to the amenity of an area.
- a) A colours and finishes schedule to be provided as part of the Development Application.

#### **6. Consultation**



## Shire of Halls Creek Local Planning Policy 3.2

### Telecommunications Infrastructure

The following consultation requirements are to be met prior to the Shire of Halls Creek determining a Development Application for a non-low-impact Telecommunication Facility:

- (a) the proposal to be advertised in accordance with the Shire of Halls Creek Consultation Policy.
- (b) owners and occupiers of all land within a radius of 200 metres of the proposed site to be consulted regarding the proposal.

#### 7. Definitions

**Telecommunications Infrastructure** – Means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit, or other structure related to the network.

**Above ground telecommunications infrastructure** – Means any line, equipment, apparatus, tower, antenna or any other structure that is visible above ground level.

**Low-impact facility** – Means a facility used for telecommunications as described in Section 3.1 - Facilities of the Telecommunications (Low-impact Facilities) Determination Act 1997 and does not require development approval from the Shire of Halls Creek.

Note: Under the Telecommunications Act 1997 certain facilities cannot be low-impact facilities, namely designated overhead lines, a tower that is not attached to a building, a tower attached to a building and more than 5 metres high, an extension to a tower that has previously been extended, and/or an extension to a tower if the extension is more than 5 metres high.

**Sensitive Land Use** – (extracted from State Planning Policy 4.1 – Industrial Interface) Means land uses that are residential or institutional in nature, where people live or regularly spend extended periods of time. These include, but are not limited to, dwellings, short stay accommodation, hospitals, educational establishments, childcare centres, corrective institutions and places of worship. It generally excludes commercial or industrial premises. Public open space can be a sensitive land use in some circumstances depending on its intended use, for example, if it is intended that people will congregate and spend extended periods of time there.

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## Shire of Halls Creek Local Planning Policy 3.3 Crossovers for Residential, Commercial and Industrial Properties

Policy Group	Transport and Infrastructure
Policy Number	3.3
Policy Name	Crossovers for Residential, Commercial and Industrial Properties

### 1. 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 3.3 Crossovers for Residential, Commercial and Industrial Properties LPP.

### 2. Introduction

The purpose of this Policy is to ensure that vehicle access for residential development within the Shire does not adversely impact on safety and amenity while providing adequate access to residential, commercial, and industrial properties.

### 3. Objectives

- To ensure a consistent approach to the construction of vehicle crossovers within the Shire of Halls Creek and improve the standard of crossovers by assisting residential to install quality vehicle crossovers.
- To encourage attractive streetscapes and enhance neighbourhood amenity by reducing the amount of hardstand.
- To ensure safe vehicle access to and from properties.
- To ensure safety and amenity for cyclists or pedestrians in the public realm.
- To minimise any impact on existing street trees and verge infrastructure.
- To provide verge space for new street trees and other verge treatments.
- To identify the Shire responsibility in subsidising crossovers to residential properties and outlines a consistent application and assessment process.

### 4. Policy Application

This policy relates to the construction of new crossovers located between residential, commercial, or industrial property and public roads within the Shire.

### 5. Policy Statement

#### 5.1 Crossovers Specifications



## **Shire of Halls Creek Local Planning Policy 3.3 Crossovers for Residential, Commercial and Industrial Properties**

A standard crossover maximum allowable size is 3m wide x 8m long. All crossovers are to be constructed to the specifications and standards of the Shire. Where there are variations to these specifications, approval must be obtained by the Shire.

### **5.2 Council Rebate for Residential Crossovers**

5.2.1 The Shire will provide a rebate covering 50% of the cost for all standard crossovers to residential properties in the following instances:

- (a) Where the Shire has given approval for the installation of a crossover; and
- (b) It is the first crossover installed to the property; and
- (c) The crossover has been constructed according to or better than specifications provided by the Shire.

5.2.2 The Shire will not provide rebates in the following instances:

- (a) It is a retrospective application which has not been provided with approval prior to the installation of the crossover; and/or
- (b) It is a replacement crossover;
- (c) The crossover constructed does not meet the minimum specifications of the Shire; and/or
- (d) Where a commercial or industrial crossover is proposed.

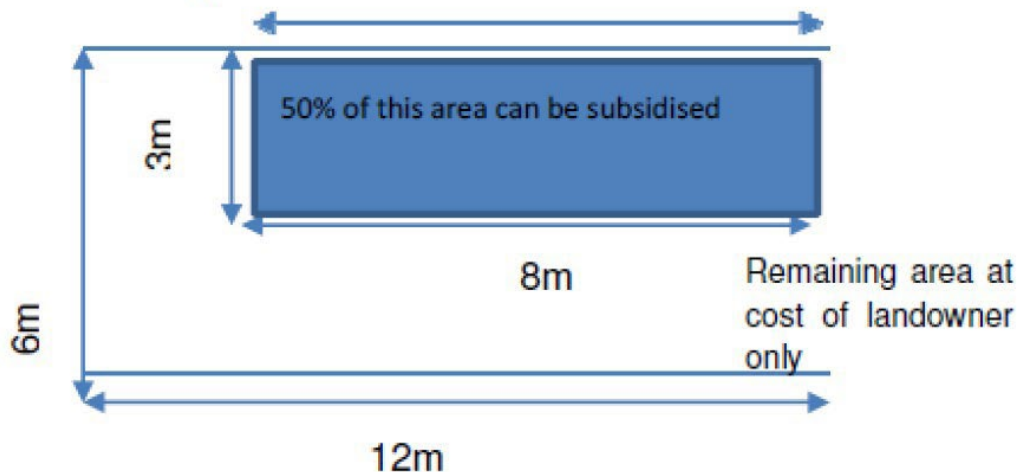
5.2.3 The maximum allowable rebate will be as stipulated in the current Shire of Halls Creek adopted Budget.

5.2.4 Variations to Standard Crossovers

- (a) If a crossover is larger than stipulated maximum sizes, the Shire will provide 50% of the cost of the maximum allowable size.
- (b) The landowner will incur costs of both:
  - i. 50% of the maximum allowable size
  - ii. All costs associated where sizes exceed 3m wide x 8m long.



## Shire of Halls Creek Local Planning Policy 3.3 Crossovers for Residential, Commercial and Industrial Properties



### 6. Application, Construction and Maintenance

Landowners are responsible for ensuring all applications to the Shire contain the following application criteria:

- The application must be in writing using the "Application for the Construction of Vehicle Crossovers to Residential Properties" form.
- The application has two components:
  - Application for approval to construct (Preliminary approval)
  - Compliance inspection on completion of construction (Final Approval)
- Payment of the application fee must accompany the application.
- All crossovers must be constructed to the satisfaction of the Shire regardless of whether the landowner has applied for a subsidy.
- Copies of relevant tax invoices must be attached to the Compliance Inspection if a subsidy has been sought.

#### 6.1 Applications for Crossovers on Main Roads

All applications for crossovers to main roads must have prior approval from the Commissioner, Main Roads WA. A copy of the written approval provided by the Commissioner; Main Roads WA must be attached to the application. Any application for a crossover on main roads which does not have this approval from the Commissioner, Main Roads WA will not be considered.

#### 6.2 Authorised Persons to Construct Crossovers

Crossovers may be constructed by the following:

- The applicant landowner
- Private contractor engaged by the applicant landowner/landowner's agent



## **Shire of Halls Creek Local Planning Policy 3.3 Crossovers for Residential, Commercial and Industrial Properties**

### **6.3 Construction Works Inclusions**

It is the landowner's responsibility to ensure a scope of works (either constructed by themselves or by a contractor) for the construction of the crossover includes:

- (a) Cutting existing kerbing with a concrete saw or removing kerbing without damage to remaining pavement and kerbing
- (b) Removal and disposal of all surplus material from the site of works and leaving the site in a clean and tidy condition at all times

### **6.4 Minimum Disruption to the Public**

The work shall be carried out with minimum disruption to pedestrians and vehicular traffic.

### **6.5 Public and Occupational Health and Safety**

Every precaution shall be taken to ensure the safety of person and property. All excavations, materials, plant and equipment must be made safe, barricaded and provided with adequate warning signage/lights during the hours of darkness to the satisfaction of the Director Infrastructure.

All work is to be carried out in accordance with the Occupational Health, Safety and Welfare Act 1984 and Regulations amended.

### **6.6 Damages as a Result of Construction**

Any damage which may occur to any Shire facility or private property during the course of the works, or which subsequently becomes evident, shall be the sole responsibility of the landowner's contractor, or the applicant landowner. This includes damage to kerbing, concrete or bituminous road surfaces.

### **6.7 Alteration To Utility Services**

Landowners must apply to the relevant utility authorities for approval to alter any service that is in conflict with the proposed crossover. Any costs incurred in the alteration of any service and subsequent reinstatement of the verge shall be borne by the applicant landowner.

### **6.8 Compliance Inspections**

On completion of installation, a landowner is required to complete a "Vehicle Crossover to Residential Properties Compliance Inspection" to ensure the Shire of compliance with the required construction standards. Copies of relevant tax invoices must be provided to the Shire if a subsidy has been sought.

### **6.9 Reactive Inspections**

A Shire employee will conduct an inspection in response to the concerns of any person in relation to a vehicle crossover within the Shire's precinct. The landowner will be notified in writing of any identified defects which require maintenance.

### **6.10 Maintenance of Crossovers**

It is the responsibility of the landowner to ensure vehicle crossovers are maintained to an appropriate standard specified in the "Specifications for the Construction of Vehicle Crossovers to Residential Properties" and ensure it continues to be free of hazards or obstructions for vehicles and for pedestrians where the crossover meets the footpath.

### **6.11 Failure To Maintain**



## Shire of Halls Creek Local Planning Policy 3.3 Crossovers for Residential, Commercial and Industrial Properties

The Shire will issue a Repair Notice when necessary and the notice will detail the repair work required. The landowner will have 28 days in which to have completed the repair work detailed in the repair notice.

### 6.12 Failure To Observe Repair Notice

Where the landowner fails to observe the repair notice and complete repair work detailed within the notice, it will be considered an offence and the Shire will issue a fine as stipulated in the current Shire of Halls Creek Adopted Budget.

### 6.13 Replacement of Crossovers

It is the responsibility of the landowner to replace crossovers when necessary or wished. The replacement crossover must meet specifications outlined in the "Specifications for the Construction of Vehicle Crossovers to Residential Properties".

### 6.14 Removal of Crossovers

Any crossover which is no longer required or no longer connects with an internal driveway are deemed redundant. In this instance, landowners are to remove the crossover, the verge and kerbing are to be made good at the cost of the landowner.

### 6.15 Responsibility to Insure

It is the responsibility of the landowners to ensure their residential property insurance is inclusive of public indemnity with regard to the vehicle crossover. Any notifications of legal proceedings as a result of faulty crossovers will be referred to the landowner.

## 7. Definitions

**The Shire** means the Shire of Halls Creek.

**Landowner** means the respective adjoining landowner to roads under the responsibility of the Shire.

**Crossovers** means the vehicle crossover extending from private land to the road.

**Main Roads** refer to roads within the Shire of Halls Creek that are under the responsibility of the Commissioner, Main Roads WA. This includes:

- i. Great Northern Highway

**Verge** means the section of the road reserve between the property boundary and the road kerb line.



## Shire of Halls Creek Local Planning Policy 3.3 Crossovers for Residential, Commercial and Industrial Properties

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## Shire of Halls Creek Local Planning Policy 4.1 Consultation Requirements

Policy Group	Planning Procedures
Policy Number	4.1
Policy Name	Consultation Requirements

### 1. 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 Consultation Requirements LPP.

### 2. Introduction

The Shire of Halls Creek Planning Scheme No. 2 provides for the advertising of planning proposals for public comment. It is important to provide guidance on the manner and method for advertising these proposals having regard to the requirements of the State Planning Framework.

### 3. Objectives

- To provide for a consistent approach to the circumstances when public notice is undertaken, and the means and duration of public notice periods, of planning proposals.
- To recognise the balance between the need for the community to be informed of, and have reasonable opportunity for input into, planning proposals, and the administrative need to process planning proposals in an efficient manner, and within prescribed statutory timeframes.
- To outline the process the Council will use (or instruct) when undertaking advertising and considering submissions.
- To ensure that, before making final decisions on planning proposals of any kind, persons likely to be affected are given an opportunity to comment.
- Within the operative statutory framework, to achieve an appropriate balance between the community's reasonable expectations and applicants' development entitlements.

### 4. Policy Application & Scope

- This policy applies to the advertising of planning proposals in the Shire in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- This policy will be applied by the Shire when making discretionary decisions relating to advertising of development seeking planning approval. In the context of this policy, planning proposals include Development Applications, Local Planning Scheme amendments, Local Planning Strategies, Local Planning Policies, Structure Plans, Activity Centre Plans and Local Development Plans





## Shire of Halls Creek Local Planning Policy 4.1 Consultation Requirements

- In circumstances where advertising is undertaken, comment will be sought by owners and occupiers of properties that, in the opinion of the Shire, may be affected by the proposal and/or other stakeholders where these are identified.
- This policy also applies to Planning Applications for which the Shire is not the final decision-making authority.

### 5. Advertising Requirements

#### 5.1 Advertising Not Required

Advertising is not required where a proposal complies with the requirements of the Shire of Halls Creek Local Planning Scheme No. 2, associated local planning policies and (where applicable) State Planning Policy 7.3 – Residential Design Codes - Volume 1.

#### 5.2 Implementation

##### 5.2.1 Informal Consultation

Informal consultation and communication between the applicants and adjoining property owners is strongly encouraged prior to lodgement with the Shire. A courteous, neighbourly approach will, in many situations enable an outcome to be achieved which best meets the interests of all parties involved.

##### 5.2.2 Advertising of Land Uses

- (a) The Zoning Table of LPS6 (see Clause 17 of LPS6) categorises land uses as follows:

'P' means that the use is permitted if it complies with all relevant development standards and requirements of this Scheme;

'D' means that the use is not permitted unless the local government has exercised its discretion by granting development approval;

'A' means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 the deemed provisions;

'I' means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to, the predominant use of the land and it complies with all relevant development standards and requirements of this Scheme;

'X' means that the use is not permitted by this Scheme.

- (b) "P" land uses are permitted uses in principle and therefore do not require advertising.
- (c) The advertising of 'D' or 'I' land uses is at the discretion of the Shire, taking into account whether the proposed use is likely to affect the amenity of adjoining or surrounding properties.
- (d) All 'A' uses are required to be advertised in accordance with the requirements of Clause 64 of the Regulations.



## Shire of Halls Creek Local Planning Policy 4.1 Consultation Requirements

- (e) An application for a change of use will be advertised in accordance with the standard development requirements above unless wider consultation is considered necessary.

### 5.2.3 Advertising of Standard Development Applications

- (a) Applications which seek a performance assessment in relation to the Design Principles of State Planning Policy 7.1 Residential Design Codes Volume 1, may be advertised at the discretion of the Shire if it is considered there may be impact on the amenity of adjoining owners and occupiers.
- (b) Non-residential development which seeks the exercise of judgement have regard to the Shire of Halls Creek Local Planning Scheme No. 4 provisions, Council Policy, a Local Planning Policy, adopted structure plans, activity centre plans or local development plans may be advertised at the discretion of the Shire if it is considered there any be a possible impact on the amenity of the adjoining owners and occupiers.
- (c) Advertising of standard planning applications shall be in accordance with Table 1 unless discretion is exercised by the Shire to an alternate approach.

### 5.2.4 Advertising of Complex Applications

- (a) Advertising of standard planning applications shall be in accordance with the Table 1 unless discretion is exercised by the Shire to an alternate approach.

### 5.2.5 Advertising Timeframes

- (a) The advertising period of planning proposals shall be in accordance with the Advertising Period listed in Table 1.
- (b) To enable the decision maker to achieve the statutory timeframes associated with the assessment of planning applications, formal requests for an extension to the advertising period will not generally be permitted. Relevant comments received outside of the advertising period, including after the closing date, will be considered where possible.
- (c) Where consultation is to occur over the Easter being a period of seven days commencing on Good Friday, or Christmas period, being the period from 25<sup>th</sup> December to 1 January (inclusive), these days will be excluded from the total duration of consultation in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

### 5.2.6 Development applications where the Shire is not the responsible authority or decision maker. Where the Shire is not the responsible authority or decision-maker for a development application:

- (a) The Shire will not undertake community consultation for the development application.
- (b) In providing a recommendation to the responsible authority the Shire will provide advice on whether community consultation is appropriate, and if so, will outline the recommended consultation methods and relevant stakeholders having regard to the requirements of this policy.



Type of Planning Proposal (at discretion of the Shire)	Advertising period	Minimum extent of letters to Owners and Occupiers	Local Newspaper Notice	Online notice	Sign(s) on site	Hard copies
Standard Development Application	14 days	Properties in the vicinity that may be affected	No	Yes	No	No
Complex Development Application	28 days	All within 200m radius	No	Yes	Yes	No
Local Development Plan (LDP)	14 days	All within LDP area and within 100m radius	No	Yes	Yes	No
Basic Scheme Amendment	Only to be advertised if and as directed by the Minister of Planning.					
Standard Scheme Amendment	42 days	All within amendment area and within 100m radius	Yes	Yes	Yes	Yes
Complex Scheme Amendment	60 days	All within amendment area and within 200m radius	Yes	Yes	No	Yes
Structure Plan/Precinct Structure Plan	42 days	All within Structure Plan area and within 200m radius	Yes	Yes	No	Yes
New/Amended Local Planning Policy	21 days	No	Yes	Yes	No	Yes
Local Planning Strategy	21 days	All landowners and occupiers of the Shire	Yes	Yes	No	Yes
Local Planning Scheme	90 days	All landowners and occupiers of the Shire	Yes	Yes	No	Yes

Notes:

- Joint Development Assessment Panel applications are to be advertised in accordance with the type of planning proposal.



## Shire of Halls Creek Local Planning Policy 4.1 Consultation Requirements

- ii. For proposals through the Significant Development Pathway (SDP) pathway, consultation will be undertaken by the SDP. Public notice and relevant information/links to plans and technical documents will be published on the Shire's website, subject to the Department of Planning, Lands and Heritage requirements.
- iii. Advertising amendments to the State Register of Heritage Places is to be in accordance with the Heritage Act 2018

### 6. Submissions

#### 6.1 Acceptable Submissions

- (a) Verbal submissions will not be considered by the Shire.
- (b) Written submissions are to include the name and contact details of the person making the submission and identify the properties affected by the proposal (if relevant). An email address or phone number is required for further consultation.
- (c) Written submissions will be accepted by the Shire via post, facsimile or email, subject to being received prior to close of business on the day submissions close.
- (d) The Shire reserves the right to not publish or consider either wholly or in part a submission that it considers to be defamatory to any party.
- (e) Where a person or party has been informed of a planning proposal and no submission is received by the closing date for submissions, the Shire will construe that the person or party has no objection to the proposal.
- (f) The form and content of submissions should be based on planning grounds and preferably address the matters contained within Clause 67 of the Planning and Development Act 2005.

#### 6.2 Consideration of Submissions

- (a) The Shire will consider all submissions received during the advertising period of the subject planning proposal.
- (b) Submissions will be considered by the Shire against the matters contained in clause 67 of the Deemed Provisions for Local Planning Schemes and on generally accepted planning grounds.
- (c) Submissions that contain matters that cannot be reasonably associated with a planning matter will not be considered by the Shire. These can include (but not limited to);
  - a. Perceived loss of property value
  - b. Private disputes between neighbours including access & egress and easements
  - c. Dividing fence issues
  - d. Matters that are usually dealt with by the building licence process
  - e. Impact of construction work
  - f. Trade competition concerns (in most circumstances)
  - g. Personal morals or views about the applicant
  - h. Matters that are controlled under other legislation



## Shire of Halls Creek Local Planning Policy 4.1 Consultation Requirements

- (d) Where a submission is received after the advertising period has ended, but prior to a decision being made on the proposal, the Shire will note that the submission is late, but will make reasonable endeavours to consider the submission.

### 6.3 Acknowledgment of Submissions

- (a) The Shire will notify each person that made a submission on a proposal of the decision made in relation to the proposal. Notification will typically be sent within five (5) working days of the date of decision.
- (b) Where the Shire anticipates that a decision will not be taken for a period of greater than 28 days from the close of advertising, it will inform any person that has made a submission of the delay.
- (c) Where a planning proposal is to be considered at an Ordinary or Special Meeting of the Council each person who has made a submission is to be notified a minimum of five (5) days prior to the date of meeting and provided with a copy of the report on the matter or alternatively, informed of where an online copy of the report can be obtained.
- (d) The form of notification under this section can be either posted by letter or email.
- (e) Where a person or party informed of a planning proposal in accordance with this policy has not made a written submission on it, the Shire is not required to provide acknowledgement under this section.
- (f) Where no response is received within the time specified from the date of notification, the decision-maker may determine the proposal on its merits and issue its decision.
- (g) Submissions received on a proposal, including submitters details, may appear in a publicly available agenda, including Council or Joint Development Assessment Panel agendas.

### 7. Advertising Costs

Except where an applicant is required by the Shire of Halls Creek adopted Schedule of Fees and Charges to pay certain advertising costs, costs associated with advertising are to be paid by the Shire and offset by the application fee.

### 8. Definitions

**Development** – As per the *Planning and Development Act 2005* definition.

**Decision Maker** – The body, organisation or authorised person legally vested with the power to make decisions, pursuant to relevant legislation and applicable planning policy frameworks.

**Standard Application** – All planning proposals which do not fall under the definition of complex application.

**Complex Application** – As per the *Planning and Development (Local Planning Schemes) Regulations 2015*.



## Shire of Halls Creek Local Planning Policy 4.1 Consultation Requirements

Date Adopted	
Review Date	
Next Review	



## Shire of Halls Creek Local Planning Policy 4.2

### Cash-in-Lieu for Parking

Policy Group	Planning Procedures
Policy Number	4.2
Policy Name	Cash-in-Lieu for Parking

#### 1. Citation

This is a Local Planning Policy prepared under Schedule 2, Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* which allows the local government to prepare local planning policies relating to planning and development within the Scheme area. This Policy may be cited as Local Planning Policy 4.2 Cash-in-Lieu for Parking LPP.

#### 2. Introduction

The Shire of Halls Creek acknowledges the need to ensure an adequate provision of off-street parking to cater for the normal parking demand of land uses in all areas, as well as the importance of providing options for developers to establish alternative on-site parking arrangements.

The Shire of Halls Creek Local Planning Scheme states that the local government may accept a cash payment in-lieu of the provision of on-site parking in certain circumstances.

#### 3. Objectives

- To provide guidance on the application of cash-in-lieu parking arrangements for development within the Shire of Halls Creek.
- To establish a formula that is applied to calculate cash-in-lieu payments in a consistent and transparent manner.
- Provide guidance on the use of the funds derived from a cash in lieu payment.

#### 4. Policy Applications

This policy applies to all development located within the 'Commercial' zone and 'Mixed-Use' zone within the Shire of Halls Creek scheme area.

#### 5. Policy Statement

Pursuant to Schedule 2 of Halls Creek Local Planning Scheme No.2, the Shire may agree to accept a cash payment in lieu of the provision of car parking, subject to the following:

- 5.1 In the first instance, on-site parking bays are to be provided in accordance with the parking standards outlined in the relevant local planning policy, structure plan, activity centre plan or local development plan.
- 5.2 Where the total required on-site car parking bays are not proposed to be provided on the subject site, there may be circumstances under which an alternative to the payment of cash-in-lieu for the shortfall parking bays may be considered. These may include:
  - approval in a reduction of the number of car parking bays to be provided.
  - consideration of reciprocal parking and access arrangements where different land uses are located on adjoining sites, and where appropriate agreements can be put in place.





## Shire of Halls Creek Local Planning Policy 4.2

### Cash-in-Lieu for Parking

5.3 Subject to satisfying provisions within clause 5.1, the Shire may agree to accept a cash payment in lieu of the provision of carparking, but subject to the following requirements:

- (a) the cash-in-lieu payment shall be not less than the estimated cost to the owner of providing and constructing the parking spaces required by the Scheme, plus the value, as determined by either the Valuer-General or by a licensed valuer appointed by the local government, of the area of his land which would have been occupied by the parking spaces;
- (b) Before the local government agrees to accept a cash payment in lieu of the provision of car parking spaces, the local government must either have already provided a public car park nearby, or must have firm proposals for providing a public car park area nearby within a period of not more than eighteen (18) months from the time of agreeing to accept the cash payment.
- (c) payments made under clause 5.1 shall be paid into a parking fund to be used for the provision of public carparking facilities. The Council may use this fund to provide public parking facilities anywhere within reasonable proximity to the subject land in which a cash-in-lieu arrangement is made; and
- (d) all costs incurred in obtaining the valuation shall be borne by the developer proposing the cash-in-lieu contribution.

#### 6. Proceeds of Cash-in-Lieu Parking

- (a) The proceeds of any cash-in-lieu parking arrangements should be appropriately apportioned to car parking infrastructure needs as they arise within the Shire.
- (b) Payments made under Schedule 4 of the Local Planning Scheme shall be paid into a special purpose fund to be used for the provision of public carparking facilities and the local government may use this fund to provide or maintain public parking facilities anywhere within the 'Commercial' zone and 'Mixed-Use' zone.

<b>Date Adopted</b>	
<b>Review Date</b>	
<b>Next Review</b>	



## Shire of Halls Creek Local Planning Policy 5.1

### Uniform & Secure Fencing

Policy Group	Miscellaneous
Policy Number	5.1
Policy Name	Uniform & Secure Fencing

#### 1. 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 Security & Uniform Fencing LPP.

#### 2. Introduction

The purpose of this policy is to set out the application requirements for uniform and security fencing in the Shire of Halls Creek. This policy also provides development standards for fencing that requires development approval and to exempt certain fencing from the need to seek development approval.

#### 3. Objectives

1. Establish the Shire's position regarding the provision of uniform fencing in new residential estates and developments.
2. Set out the Shire's minimum requirements for uniform and secure fencing.

#### 4. Policy Application

This Policy applies to all commercial, residential and industrial zones of the Shire of Halls Creek Local Planning Scheme No. 2.

#### 5. Policy Statement

Uniform fencing is required to be provided by developers and landowners where land directly abuts the public domain, including: Schools, Public Open Space (POS), Drainage Reserves, Pedestrian Access Ways (PAWs), Railway Reservations, and roads.

The requirement for the construction of uniform fencing will be triggered through the development and/or subdivision of land.

The Shire may impose a condition on planning approvals (where applicable) requiring the applicant/owner to construct uniform fencing in accordance with this Policy.

The Shire may recommend to the Western Australian Planning Commission (WAPC) that a condition be imposed on subdivision approvals (where applicable) requiring the applicant/owner to construct uniform fencing in accordance with this Policy.

In considering applications for structure plans, detailed engineering drawings or building permits, the Shire may apply the criteria and requirements of this Policy.

#### 6. Uniform Fencing Development Standards

##### 6.1 Fencing in Residential Areas

- a) Fences within the primary street setback area as viewed from the street, and side fences abutting public open space reserves shall be visually permeable above 1.0m within heritage areas and 1.2m in other areas to a maximum height of 1.8m, with piers not higher than 2.0m.



## **Shire of Halls Creek Local Planning Policy 5.1**

### **Uniform & Secure Fencing**

- b) Fences within a secondary street setback area and outside of a primary street setback area may be solid to a maximum height of 1.8m

#### **6.2 Fencing in All Zones Subject to this Policy**

- a) Except as provided for at clause 6.1, uniform fencing shall generally be a minimum height of 1800mm to a maximum height of 2400mm above the interfacing finished levels (i.e. above the height of the retaining walls where extensive fill is required). Where uniform fencing is constructed above a retaining wall, the maximum combined height should generally not exceed 3 metres above post-development levels. The Shire may support combined retaining walls and uniform fencing heights more than 3 metres where it can be demonstrated that the subdivision / development necessitates a higher wall for engineering or design purposes.
- b) Uniform fencing shall generally be constructed of limestone, brick, masonry or other durable materials approved by the Shire. Uniform fencing using modular construction may be considered provided that the wall presents a rendered or similar finish and it can be demonstrated that the repair and maintenance requirements of such a wall is satisfactory to the Shire.
- c) Colorbond® steel (or similar), timber-lap, ring-lock/cyclone, super-six/fibro cement and twin-side post and panel fencing are not acceptable materials where uniform fencing is required.
- d) Uniform fencing, where visually permeable infill panels are required shall generally be constructed of wrought iron, steel, aluminium or other similar durable material to the satisfaction of the Shire. Timber infill panels are generally not supported due to its high maintenance and low durability compared to metal products. Infill panels shall be constructed above 900mm in height above natural ground level and shall be visually permeable in accordance with the definition contained in the Residential Design Codes of Western Australia (R-Codes).
- e) Where uniform fencing is required on a corner lot, such fencing shall also be provided on the lot truncation and shall be visually permeable for the truncation and for a length extending 3 metres along the adjoining side boundary.
- f) Approval for the subsequent removal and/or modification of uniform fencing will not be granted unless it is demonstrated by the proponent that the alternative maintains the Shire's objectives of achieving a high level of visual amenity, high durability and adequate passive surveillance, where appropriate.
- g) All solid portions of uniform fencing shall generally be treated with non-sacrificial graffiti protection which is to be applied to the manufacturer's specifications and to the Shire's satisfaction.
- h) Complementary landscaping is to be provided by the proponent / landowner adjacent to uniform fencing and the adjoining road reserve where it is considered appropriate by the Shire.
- i) Uniform fencing is to be located entirely on the private property which abuts the public area.
- j) Where more than one proponent is undertaking subdivision or development on adjoining lots, the Shire will require that any uniform fencing be constructed in a coordinated manner of the



## Shire of Halls Creek Local Planning Policy 5.1

### Uniform & Secure Fencing

same materials, colours and finishes to achieve a consistent streetscape. The Shire will have regard to existing uniform fencing when assessing subsequent fencing applications.

- k) Development or subdivision estate branding or logos will not be permitted to be affixed or attached to any portions of uniform fencing.

#### 6.3 Discretion

Council may exercise discretion to vary the height of fences in the primary and/or secondary street setback area(s) where any of the following apply:

- (a) the proposed fence height is consistent with the established pattern of fences within the streetscape.
- (b) minor variations are made necessary by virtue of the sloping topography of the site
- (c) chain link, mesh, garrison fences or security fencing on a lot with non-residential land use and that are greater than 1.8m in height shall be permitted where in the opinion of Council, it is necessary to provide security to a commercial or industrial property and are consistent with the established pattern of fences within the streetscape.
- (d) The Shire may permit solid fencing for a portion of the total length of the boundary within the primary street setback area, where surveillance between a habitable room window of the dwelling and the street and approach to the dwelling is available, and either of the following criteria is satisfied:
  - where it is necessary to provide privacy screening where there is no alternative outdoor living area to the front setback
  - where it is consistent with the prevailing streetscape.

#### 7. Definitions

For the purposes of this Planning Policy, the words and expressions of the Policy have their normal and common meaning as defined in the Local Planning Scheme, unless the context otherwise required or as defined below.

**Proponent** means owner or owners of land to which a proposed Structure Plan, Subdivision or Development relates.

#### Legislation/Local Law Requirements

Division 2 – Local Planning Policies of Part 2 – Deemed provisions for local planning schemes of Planning and Development (Local Planning Schemes) Regulations 2015

<b>Date Adopted</b>	
<b>Responsible Department</b>	
<b>Review Date</b>	
<b>Next Review</b>	



## Shire of Halls Creek Local Planning Policy 5.2 Signage

Policy Group	Miscellaneous
Policy Number	5.2
Policy Name	Signage

### 1. Citation

This is a Local Planning Policy prepared under Schedule 2, Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* which allows the local government to prepare local planning policies relating to planning and development within the Scheme area. This Policy may be cited as Local Planning Policy 5.2 Signage LPP.

### 2. Introduction

This policy outlines the development requirement for advertising signs on land within the Shire of Halls Creek.

### 3. Objectives

- To provide guidance of the design and placement of signage located within the Shire of Halls Creek.
- To encourage signage that is well-designed, well-positioned and appropriate to the location to maintaining the visual quality, amenity and character of the locality.
- To ensure signage is clear and efficient in communicating to the public and does not lead to visual clutter on and around buildings within public streetscapes.
- To facilitate appropriate signage that realistically corresponds to the needs of businesses.
- To ensure signage does not present a hazard or obstruction to pedestrians or motorists when visible from roads.

### 4. Policy Applications

- This policy applies to all signs proposed within the Shire of Halls Creek;
- In accordance with Clause 61(i) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) development approval is not required for:

*the erection or installation of a sign of a class specified in a local planning policy or local development plan that applies in respect of the sign unless the sign is to be erected or installed:*

- i. on a place included on a heritage list prepared in accordance with this Scheme; or*
- ii. on land located within an area designated under this Scheme as a heritage area.*

Development approval is not required for signs under this Policy that are identified as exempt signs under the Regulations.

- This Policy is to be applied in conjunction with Schedule 1 – Signage and advertisements for which development approval not required of the Local Planning Scheme.
- Whether or not a sign requires development approval, other approvals may be required for signs including but not limited to a Building Permit, Footpath Trading and Activation Permit or approval from Main Roads Western Australia



## Shire of Halls Creek Local Planning Policy 5.2 Signage

### 5. Policy Statement

#### 5.1 General Sign Requirements

Applications for signage to be installed on Zones other than the Residential Zone shall satisfy all of the following:

- (a) A maximum of three signs per tenancy; and
- (b) Satisfy the development standards set out in Table 1 and Figure 1; and
- (c) The content of signage shall be limited to:
  - i. The name of the business/es trading from the property;
  - ii. Trademark or logo of the business/es operating from the property;
  - iii. Contact details of the business/es operating from the property;
  - iv. Details of the business/es carried out on the property;
  - v. Details of goods sold on the property.

#### 5.2 Signs in Residential Zones

Signs in Residential zones are generally not supported on a permanent basis unless they are associated with an approved home-based-business and in accordance with the Shire's Local Planning Policy 1.1 Home-Based Business.

#### 5.3 Illuminated Signs

Illuminated signage shall satisfy the following criteria:

- (a) Be static and not pulse, flash or rotate or chase.
- (b) Not contain any fluorescent, reflective or retro-reflective colours or materials
- (c) Not interfere with or be likely to be confused with traffic control signals.
- (d) Be internally illuminated using a low level of illumination, not exceeding 300cd/per metre square.
- (e) Not be located in, opposite or adjacent to land zoned Residential under the provisions of the Local Planning Scheme
- (f) Be switched off between the hours of 11:00pm and sunrise unless open for business during these hours.
- (g) Not erected or installed within 1.5 metres of any part of a crossover or street truncation.

#### 5.4 Election and Political Signs

5.4.1 Election or political signage that meets the following specifications does not require prior approval from the local government under the provisions of *Regulation 61(g) of the Planning and Development (Local Planning Schemes) Regulations 2015*.

- (a) Must be erected at least 30 metres from any intersection.
- (b) Must be free standing and not being affixed to any existing sign, post, power or light pole, or similar structure.
- (c) Being placed so as not to obstruct or impede the reasonable use of a thoroughfare, or access to a place by any person.
- (d) Must be placed so as not to obstruct or impede the vision of a driver of a vehicle entering or leaving a thoroughfare or crossing.
- (e) Must be maintained in good condition.
- (f) Must not be erected until the election to which it relates has been officially announced.
- (g) Must be removed within 48 hours of the close of polls on voting day.





## Shire of Halls Creek Local Planning Policy 5.2 Signage

- (h) Must be securely installed.
- (i) Must not be an illuminated sign and
- (j) Must not be displaying only part of a message which is to be read with other separate signs in order to obtain the whole message.

5.4.2 In the instance the election and/or political signage does not meet the provisions within Part 5.4.1, development approval is required from the Shire of Halls Creek.

### 5.5 Temporary Signage (real-estate, construction, sporting clubs, event signage, SOHC Signage)

Temporary signage shall satisfy the following criteria:

- (a) Displayed for the duration listed under Schedule 1 – Signage and advertisements for which development approval not required of the Local Planning Scheme, or 12 months, whichever is greater.
- (b) In the instance the display duration is greater than the period permitted within part 6.5 (a), development approval is required from the Shire of Halls Creek.

### 5.6 Third Party Signage

Third party signage is not permitted within the Shire of Halls Creek.

### 5.7 Design Principles

Where variations to the above requirements of this policy are sought, the following criteria is to be satisfied in addition to the objectives of the zone which the signage is located:

- (a) The proposed signage is clear, simple, and concise;
- (b) The proposal is compatible with existing signage on the site and within the surrounding area and will not obscure existing signage on adjacent tenancies or properties;
- (c) Will not result in the creation of an unacceptable level of visual clutter within the area to the detriment of visual amenity;
- (d) The signage is appropriate to the locality and surrounding land uses, in terms of its size, location and design;
- (e) It will not result in an adverse impact upon the character or historical significance of the surrounding area;
- (f) The signage is designed to complement the architectural style and character of the building, site or area;
- (g) Will not cause driver distraction or otherwise impact upon traffic safety;
- (h) The signage will not result in unacceptable light spill on to abutting sites;
- (i) It will not pose a threat to public safety or health;
- (j) The signage must not contain obscene or offensive information, or illustration; and
- (k) The signage allows for passive surveillance of the public domain from internal areas and a view across the tenancy from external areas for non-residential development.

### 5.8 Supporting information

The Shire may require the submission of a signage strategy as a condition of development approval or before new signage is proposed in the following circumstances:

- (a) When development approval is sought for a mixed use or commercial development comprising of more than three non-residential tenancies,





## Shire of Halls Creek Local Planning Policy 5.2 Signage

- (b) Where new signage or additional signage is proposed on an existing commercial premises and more than three signs per tenancy already exist on site or where the current signage represents a poor amenity outcome.
- (c) Where discretion is sought against the provisions of this Policy.

### 6. Definitions

**Sign** - Means any word, letter, graphic, image, model, picture, sign, pattern, placard, board, notice device or representation employed in whole or in part for the purposes of advertisement, announcement or direction. Includes airborne devices anchored to any land or building.

**Sign Type Definitions** – Specific sign types are defined in Table 1 and Figure 1.

**Area of a sign** - The area of a sign is that portion contained within a polygon drawn around the text, graphics and/or image and not the entire background, provided that the colour of the background of the sign matches the colour of the surface to which the sign is attached. Where the background of the sign does not match the colour of the surface to which the sign is attached, then the area of the sign is to be determined measuring around the borders of the entire sign. Where a sign is two sided, such as an under-awning sign or monolith sign, the area of one side of the sign is to be measured rather than both sides.

**Signage Strategy** - An approved signage and advertising plan to demonstrate the provision of a comprehensive and consistent signage strategy applied across a given site. This should include details depicting the location, size, and composition of all advertisement signs proposed for the site.

**Third Party Signage** - A structure which is designed to display sign content that advertises businesses, products, goods or services not located or available at the premises where the sign content is displayed.

**Heritage protected place** - A Heritage protected place is defined by Schedule 2, Clause 1A of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) and includes (but not limited to) a place:

- entered in the State Register of Heritage Places;
- on a heritage list adopted by the Town; or
- within an area designated by the Town as a heritage area

**Table 1 – Signage Types and Standards**

Signage Type	Standard	Allowable Zone
<b>Wall Sign</b> Sign fixed to the external part of a wall of a building or fence	(a) No more than two such signs on any one wall directly associated with the tenancy; (b) Signage not to be located above ground floor level; and (c) The collective sign area must not exceed 2m <sup>2</sup> in area per wall.	All zones.
<b>Roof Sign</b> An advertising sign which protrudes above the roof line or sits flush with the roof.	Discretion exercised by the Shire of Halls Creek through a Development Application.	Rural Enterprise, General Industry, Commercial, Mixed Use, and



## Shire of Halls Creek Local Planning Policy 5.2 Signage

		Tourism.
<b>Projecting Sign</b> Signage attached at right angles to a building or structure.	(a) Signage is limited to one sign per tenancy; (b) Attached to the fascia of the building; (c) Not to project more than 1m from the wall to which it is attached; and (d) Not to exceed 1m <sup>2</sup> in size, per side;	Rural Enterprise, General Industry, Commercial, Mixed Use, and Tourism.
<b>Awning Fascia Sign</b> Signage fixed to the outer or return fascia of an awning or verandah.	(a) Signage is limited to one sign per side of the awning; and (b) Must not protrude beyond the existing dimensions of the awning or verandah fascia.	Urban Development, Rural Enterprise, General Industry, Commercial, Mixed Use, and Tourism.
<b>Above-Awning Sign</b> Signage fixed on top of an awning or verandah.		Urban Development, Rural Enterprise, General Industry, Commercial, Mixed Use, and Tourism.
<b>Below-Awning Sign</b> Signage fixed or hanging from the under-side of an awning or verandah.	(a) Signage is limited to one sign per tenancy with street frontage; (b) Not to exceed 2.4m in length or the width of the awning or verandah directly associated with the tenancy to which it is attached (whichever is less); (c) Not to be within 3m of another under verandah sign; (d) Must be positioned at right angles to the street boundary; and (e) To have a minimum clearance above ground level of 2.75m.	Urban Development, Rural Enterprise, General Industry, Commercial, Mixed Use, and Tourism.
<b>Pylon Sign</b> Freestanding and elevated signage installed at the top of a column/s or pole/s and not attached to a building.	(a) Signs to be a maximum height of 6m when measured from ground level; (b) Signage must be no greater than 1.5m in width; (c) The supporting column or pole shall be a minimum 2.75 metres above natural ground level	Urban Development, Rural Enterprise, General Industry, Commercial,



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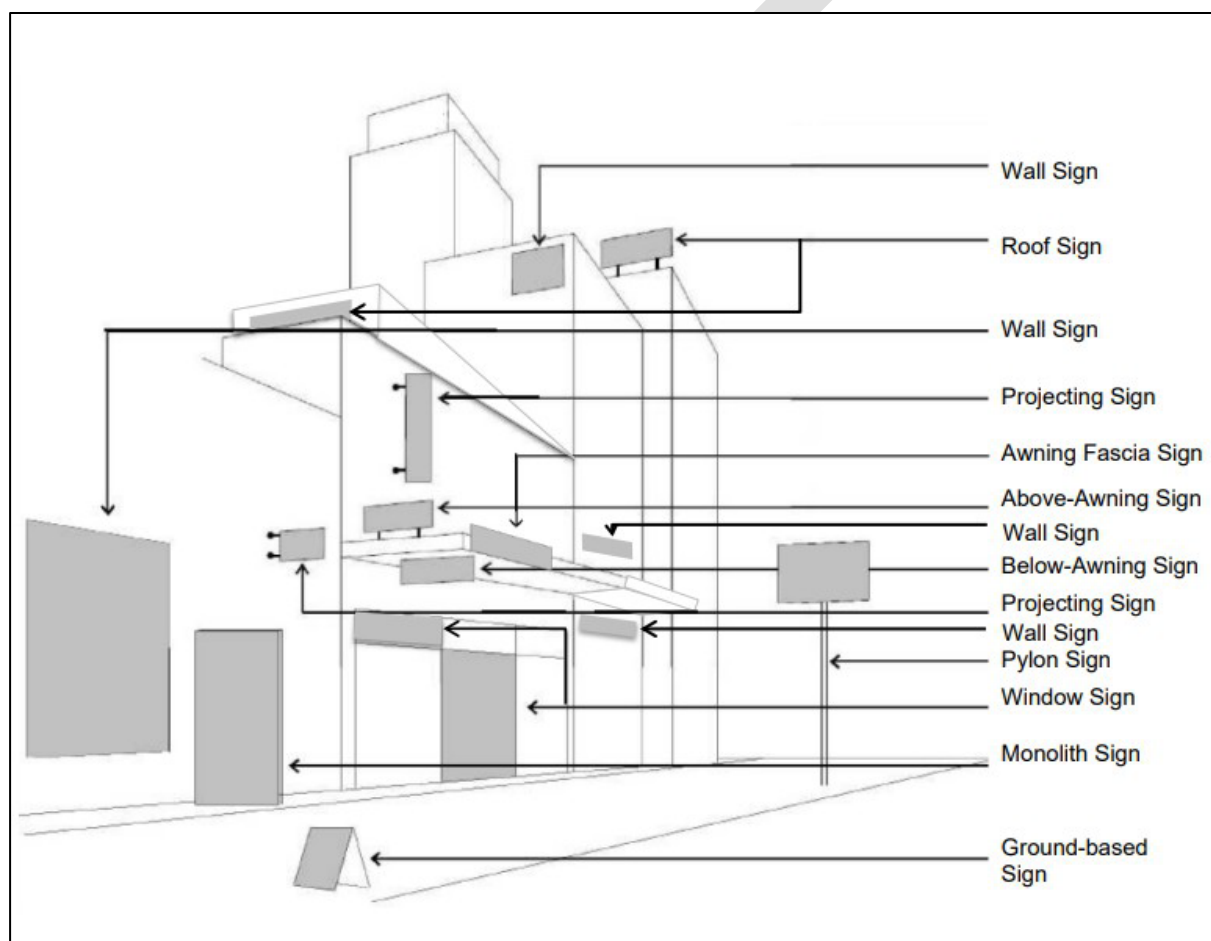
	<p>(d) Limited to one sign per lot frontage. Where more than one business tenancy exists on the parent lot, the signage must be designed to accommodate the advertising requirements of all tenancies.</p> <p>(e) Not erected or installed within 1.5 metres of any part of a crossover or street truncation</p>	Mixed Use, and Tourism.
<p><b>Window Sign</b> Signage affixed to either the interior or exterior of the glazed area of a window and visible from outside the building</p>	(a) Signage shall not cover more than 20% of the subject tenancy window area to which it is being affixed.	All zones.
<p><b>Monolith Sign</b> Freestanding vertical sign protruding directly out of the ground, not elevated on a column or pole and not attached to a building.</p>	<p>(a) Signs to be a maximum height of 3m when measured from ground level;</p> <p>(b) Signage must be no greater than 1.5m in width;</p> <p>(c) Limited to one sign per lot frontage and where more than one business tenancy exists within the subject lot, the signage must be designed to accommodate the advertising requirements of all tenancies;</p> <p>(d) Not erected or installed within 1.5 metres of any part of a crossover or street truncation</p>	Urban Development, Rural Enterprise, General Industry, Commercial, Mixed Use, and Tourism.
<p><b>Ground-based Sign</b> Advertising signage which is not attached or otherwise affixed to a building</p>	<p>(a) Only displayed during operational business hours, directly in front of the tenancy;</p> <p>(b) Limited to one sign per tenancy;</p> <p>(c) Signs shall not exceed 1.2m in area.</p> <p>(d) Not erected or installed within 1.5 metres of any part of a crossover or street truncation</p> <p>(e) Does not obstruct a pedestrian thoroughfare</p>	Urban Development, Rural Enterprise, General Industry, Commercial, Mixed Use, and Tourism.
<b>Real-estate Signage</b>	<p>(a) Not erected or installed within 1.5 metres of any part of a crossover or street truncation;</p> <p>(b) Maximum height of 3m above ground level;</p> <p>(c) Maximum area of 3m<sup>2</sup> per side: and</p> <p>(d) Must be removed within one week of the completion of the property transaction.</p> <p>(e) Displayed only for the duration of the advertising period to which the sign and all associated infrastructure is to be removed thereafter.</p>	Residential, Urban development, Rural Residential, Rural Enterprise, General Industry, Commercial, Mixed Use, and Tourism.
<p><b>Construction signage</b> Signage displayed during the construction phase of an approved development and may include signage incorporated as part of the site</p>	<p>(a) Maximum 3m in height;</p> <p>(b) In aggregate a maximum length of 25% of the boundary on which the sign is located.</p> <p>(c) Not illuminated;</p> <p>(d) To include the contact details of the relevant construction company</p>	All Zones.



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fencing or a free-standing display.	(e) To relate only to the approved development under construction; and (f) Not erected or installed within 1.5 metres of any part of a crossover or street truncation. (g) Displayed only for the duration of the construction period to which the sign and all associated infrastructure is to be removed thereafter.	
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**Figure 1 - Signage Types**



<b>Date Adopted</b>	
<b>Review Date</b>	
<b>Next Review</b>	



## Shire of Halls Creek Local Planning Policy 5.3 Guidelines for Keeping Stock

Policy Group	Miscellaneous
Policy Number	5.3
Policy Name	Guidelines for Keeping Stock

### 1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Shire of Halls Creek Local Planning Scheme No.2. This Policy may be cited as Local Planning Policy 5.3 Guidelines for Keeping Stock LPP.

### 2. Introduction

The purpose of this policy is to provide information and guidelines to help planners, developers, local authorities and landowners determine the base stocking rates for rural small holdings within the Shire of Halls Creek.

### 3. Objectives

- To ensure that livestock keeping is undertaken in a sustainable manner.
- To provide a method and information for determining the base stocking rate most suited to particular soil-landscapes in 'rural residential' areas.
- To ensure that the keeping of livestock does not have a significant negative impact on the natural environment.
- To ensure that the keeping of livestock does not impact detrimentally on the amenity of adjoining landowners.

### 4. Background

The intention of the planning controls is to manage and promote the sustainable keeping of stock on land within the Shire, in a way that preserves and enhances the rural lifestyle and amenity of the area and protects environmental assets.

The keeping of stock can be a rewarding hobby or occupation for many landowners and occupiers within the Shire. However, stock also has the potential to cause environmental damage and can present a noise, dust or odour nuisance to adjoining neighbours. For this reason, the Shire has prepared these Guidelines to promote responsible management practices, which are environmentally sustainable and sympathetic to the needs and attitudes of the broader community and the keeping of all stock.



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### 5. Policy Requirements

- (a) If a proposal for a rural pursuit is located on a property zoned 'Cultural and Natural Resource Use', 'Rural', 'Rural Residential' or 'Residential', planning approval is required in order to keep stock on the property. Under the Shire's Local Planning Scheme No. 2, the keeping of stock in these zones is classed as a 'Rural Pursuit'.
- (b) Any person who keeps an animal or animals or who uses any land for the exercise or training of an animal or animals shall be responsible for appropriate measures to prevent noise, odour, or dust pollution or soil erosion to the satisfaction of the local government.
- (c) Aith the intention of preventing overstocking, erosion and any other practice detrimental to the amenity of a Rural Residential zone, the local government may take any action which in the opinion of the local government is necessary to reduce or eliminate adverse effects on the environment caused wholly or partly by the stocking of animals and any costs incurred by the local government in taking such action shall be recoverable by the local government from the landowner.
- (d) Livestock kept within the Shire of Halls Creek shall maintain the expected stocking rate as per the 'Stocking rate guidelines for rural small holdings' published by the Department of Primary Industries and Regional Development, or as superseded. *(Shire to confirm if there is a more appropriate stocking rate document)*

### 6. Advertising

Where in the opinion of the assessing officer, the proposal has the potential to impact upon the amenity of surrounding landowners, comments shall be sought from adjoining landowners for a period of 14 days. Advertising is to be in the form of letters to property owners located within 200 metres of the subject property boundary. Applications for Rural Pursuits in Residential and Rural residential zoned land will be required to be advertised. Such advertising is to be undertaken in line with the Councils "Consultation Requirements" Local Planning Policy or procedure.

### 7. Definitions

Date Adopted	
Responsible Department	
Review Date	
Next Review	