

MINUTES

Risk Management Advisory Committee

Minutes of a meeting of the
Shire of Nannup Risk Management Advisory Committee Meeting
held at 10.00 am, Thursday 31 March 2015
in the Council Chambers

CONFIRMATION OF MINUTES

These minutes comprising pages 1 – 8 were confirmed by
Council on as a true and accurate record.

.....
Cr _____

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Bob Longmore, Council Representative declared the meeting open at 10:05 am and Matthew Day as a visitor

**2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE
(previously approved)
Attendance**

Tracie Bishop – Manager Corporate Services
Vacant – Office Representative
Neroli Logan – Regional Risk Coordinator
Chris Wade – Manager of Infrastructure
Michael Merrit – Maintenance Hand-Operator
Norm Steer – Council Representative
Bob Longmore – Council Representative

Apologies

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

Nil.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

BISHOP/LOGAN

That the Minutes of the Risk Management Advisory Committee held on the 6 November, 2014 be confirmed as a true and correct record.

CARRIED 5/0

8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

9. REPORTS BY MEMBERS ATTENDING COMMITTEES

10. REPORTS OF OFFICERS

AGENDA NUMBER: 11.1
SUBJECT: RECEIPT OF ALL SITE CHECKLISTS AND INCIDENT/HAZARD FORMS
NAME OF APPLICANT: TRACIE BISHOP
FILE REFERENCE: ADM26
AUTHOR: TRACIE BISHOP
DISCLOSURE OF INTEREST:
DATE OF REPORT: 31 March 2015

ATTACHMENT:

BACKGROUND:

Hazard Identification Checklists, Site Checklists and Incident Reports are presented at each meeting as a way of identifying either areas of concern or areas that need work applied to.

COMMENT: Checklists are not available prior to the meeting and as such need to be addressed as the issues arise. Arising this meeting were:

- Review of signs before the 4th & 5th of April
 - Playground checklist received
 - Skate park checklist received
 - Office checklist received

Nil action required on all checklists

STATUTORY ENVIRONMENT: Nil

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS: Nil

VOTING REQUIREMENTS: Nil

RECOMMENDATION:

That the Checklists and Incident reports presented at this meeting be accepted.

BISHOP/ STEER

That the checklists and incident reports presented be accepted.

CARRIED 5/0

AGENDA NUMBER: 11.2
SUBJECT: Business from Previous Meeting
NAME OF APPLICANT: Tracie Bishop
FILE REFERENCE: ADM 26
AUTHOR: Tracie Bishop
DISCLOSURE OF INTEREST: N/A
DATE OF REPORT: 31 March 2015

ATTACHMENT:

BACKGROUND:

COMMENT: The following issues have been carried forward from the previous meeting. This is:

1. Business Mitigation Plan – Ongoing. **Tracie**

STATUTORY ENVIRONMENT: Nil

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS: Nil

VOTING REQUIREMENTS: Nil

RECOMMENDATION:

BISHOP/STEER

That items will be progressed to any further meetings until such time as they have been completed.

CARRIED 5/0

AGENDA NUMBER:	10.3
SUBJECT:	Review of Strategic Risks
LOCATION/ADDRESS:	Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	ADM 22
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	31 March 2015

Attachment 1: Strategic Risk Register
Attachment 2: Potential Consequences/Impacts – Laminated Copy
provided to all Risk Management members

BACKGROUND:

The Risk Management Policy (RM1) requires that the Shire of Nannup will manage risks continuously using a process involving the identification, analysis, evaluation, treatment, monitoring and review of risks. In order to do this each risk must be identified, catalogued on the Risk Register, scored and monitored.

The Risk Management Policy states that:

“The Risk Management Advisory Committee will ensure that all risk management processes are fully recorded throughout the Shire and documented through the Shire's records management system. This will include regular monitoring to ensure closeout of risks and identification of ongoing issues and trends.”

COMMENT:

The first step in this process is to establish the council's Strategic Risk Register. The process was undertaken in two councillor risk workshops that sought to identify the key strategic risks to its objectives faced by the council and to rate those risks using a 5 x 5 scoring matrix.

The first workshop, held on 8 May 2014, was facilitated by the council's insurers, LGIS. The output from this workshop was an assessment of the council's top 10 strategic risks. The report from the workshop is appended at Attachment 1. The second workshop was held on 14 August 2014 and examined the risks from the first workshop, giving a risk score to each of them.

Each of the top 10 strategic risks has been summarised on an individual Risk Register Report sheet. These sheets provide a simple way of examining the risks and are intended for use by the Risk Management Committee in its risk monitoring role. The individual sheets are appended at Attachment 1.

The council has specified that any risks with a score of 12 or more on the risk matrix fall above the agreed risk tolerance for the council. This means that these risks must be actively managed and strategies put in place to reduce the risk score to less than 12, where practical. Scoring is undertaken using the scoring matrix previously agreed and appended at Attachment 2.

As part of our ongoing commitment to mitigating and managing identified risks, these risks will now be actively monitored at our Risk Management meetings to ensure that the acceptable tolerance levels/scores have not been exceeded and that we are continuing to identify measures required to maintain or reduce these scores. Any additional actions identified will then be allocated to the relevant officers within the council to action and this will form the council's Risk Mitigation Plan.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS: The Strategic Risk Register forms part of the Integrated Reporting Framework.

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS: The Strategic Risk Register summarises the key risks facing the council.

VOTING REQUIREMENTS: Simple Majority.

RECOMMENDATION:

BISHOP / MERRITT

That the Risk Management Advisory Committee review the Strategic Risk Reporting sheets at Attachment 2 and agree Risk Target Scores for each risk above the Risk Tolerance Line and the measures need to mitigate those risks.

CARRIED 5/0

11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

(a) OFFICERS

(b) ELECTED MEMBERS

GENERAL BUSINESS

12.1 Safety & Health Action Sheet – Attachment 3

12.2 Review- **Risk Management Documents**

12.1.2 1.2 Safety and Health Policy

12.1.3 2.2 Safety and Risk Management Plan

12.1.4 7.12 Personal Protective Equipment

12.1.5 7.21 Asbestos Management Plan

12.1.6 Asbestos Management Procedure

12.1.7 Asbestos Management Register

12.1.8 7.22 Volunteer Management Procedure

12.1.9 7.20 Threats, Intimidation or Physical Assault Against Staff Policy

All accepted

12. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

15. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

16. NEXT MEETING

14th of July at 10:00am

17. CLOSURE OF MEETING

There being no further business to discuss Bob Longmore declared the meeting closed at 11.20am.

Policy Number:	LPP 006
Policy Type:	Local Planning Policy
Policy Name:	Standard Development Conditions & Grounds of Refusal and Subdivision Comments
Policy Owner:	Manager Development Services

Authority: Local Government Act 1995
Planning and Development Act 2004
Shire of Nannup Local Planning Scheme No. 3

OBJECTIVE

To ensure that conditions of planning approval are applied in a consistent format, are recognised publicly and reflected in Council officers' reports and the minutes of Council.

DEFINITIONS

Nil.

POLICY

The following conditions of approval, within the scope of Local Planning Scheme No. 3 and relating to matters of land use, development and subdivision represent the Standard Conditions of Council.

(Note: Where a Standard Condition includes the annotation "()" the appropriate number of vehicle parking bays, physical area of landscaping, number of days, etc. specific to the proposed development shall be inserted.)

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PLANNING

CONDITIONS TO BE INCLUDED ON ALL DEVELOPMENT APPROVALS

pc1 Development is to be in accordance with the approved Development Plan

All development is to be in accordance with the approved Development Plan dated ____ (attached), including any amendments placed thereon by the Shire of Nannup and except as may be modified by the following conditions.

pc2 Building permit application

A building permit application under the provisions of the Local Government Miscellaneous Provisions Act must be submitted to and approved by the Shire of Nannup prior to the commencement of any on-site works whatsoever.

pc2a Building permit application (date)

A building permit for the development should be obtained prior to *(date two years from date of this advice)*. This Planning Approval lapses if a building permit for the development has not been obtained by *(date two years from date of this advice)*. Further to this, if the development is not substantially commenced in accordance with the building permit by *(date two years from date of this advice)*, then this Planning Approval lapses at that date. With the permission of the Shire of Nannup, this Planning Approval may be extended.

pc2b Occupation or use

Occupation or use of the development shall not occur until the Shire of Nannup has issued, to the owner, a written Permit to Use for the development.

Staff Advice Note: Footnotes fn2 and fn11 should be placed on all delegated decisions. Footnotes fn2 and fn12 should be used for Council decisions.

STANDARD PREAMBLE FOR REFUSAL

Pr1 Delegated Preamble

Reference is made to your development application dated__ whereby you proposed the use / development of __ on Lot __.

Following an assessment in accordance with the provisions of Local Planning Scheme No. 3 and relevant Shire Policies, you are advised that the Shire of Nannup hereby refuses your application for the following reasons:

OR

Pr2 Council Decision

At its meeting held on __, Council resolved to refuse the application for the following reasons:

BUILDING/DEVELOPMENT

pc3 Plans required – finished floor levels

Plans submitted with the building permit are to show finished ground levels and finished floor levels to the satisfaction of the Shire of Nannup.

pc4 Matching colours/texture

The design, materials and colours of both the existing and proposed development are to be matched to the satisfaction of the Shire of Nannup. Details to be submitted prior to or with the building permit application.

pc5 Geotechnical Report

A geotechnical report covering the development area being prepared by the applicant at the applicant's cost and to the satisfaction of the Shire of Nannup. The report to be lodged with the building permit application, together with certification from a structural engineer that the design is suitable for the site conditions as outlined in the geotechnical report.

pc6 Dust Management Plan

A Dust Management Plan to be prepared prior to issue of a building permit and implementation of that Plan be undertaken at each and every stage of the development of the site to the satisfaction of the Shire of Nannup.

pc7 Compaction and stabilisation

Compaction and stabilisation must be carried out to the specifications and satisfaction of the Shire of Nannup. Details to be submitted with the building permit application.

pc7a Permanent enclosed storage

Each dwelling shall be provided with a permanent enclosed storage area of at least 4.0m² and a minimum width of 1.5m, accessible from and compatible with the overall development to the satisfaction of the Shire of Nannup.

PARKING AND ACCESS

pc8 Minimum carparking

The provision on-site of a minimum number of carparking bays. The parking area(s), driveway(s) and point(s) of ingress and egress [including crossover(s)] to be designed, constructed, sealed, drained, marked and thereafter maintained to the specifications and satisfaction of the Shire of Nannup. Details to be submitted with the building permit application.

pc9 Legal Agreement

Submission and approval of a legal agreement, at the applicant's expense (including legal expenses incurred by the Shire of Nannup) and to the satisfaction of the Shire of Nannup and its solicitors, to facilitate reciprocal rights of vehicular access and carparking between Lot(s)___ and Lot(s)___ in which the Shire's interests are protected prior to issue of a building permit.

pc10 Sealed parking and manoeuvring areas

All parking and manoeuvring areas to be bitumen sealed, concrete or brick paved to the satisfaction of the Shire of Nannup prior to issue of a Permit to Use.

Details to be submitted with building permit application.

pc11 Disabled parking

Disabled parking bay(s), located convenient to the building entrance and with a minimum width of 3.6 metres, to be provided to the satisfaction of the Shire of Nannup. Details to be submitted with building permit application.

pc12 Parking Cash-In-Lieu

Payment of cash-in-lieu and associated costs of the valuation fees for parking bays not provided on-site in accordance with the provisions of Local Planning Scheme No. 3 to the issue of a building permit.

Staff Advice Note:

When using this condition, also include Footnote fn14.

pc13 Contribution

A contribution of \$ being made to the Shire of Nannup prior to the issue of a building permit for the construction/upgrading of as required as a direct consequence of the development.

DRAINAGE AND FILLING

pc14 Storm water Plans (Council drain)

Plans submitted with the building permit application are to show details of storm water and roof run-off disposal to the satisfaction of the Shire of Nannup. (On-site retention to be at 1m³ per 100m² of impervious area). Connection to the Shire's system shall be via a silt trap and will incur a connection fee of \$ (inclusive of GST) and the fee must be paid prior to issue of a building permit).

Staff Advice Note:

This condition is used for urban developments where a Council drainage system is available.

pc15 Storm water Plans (On site)

Plans submitted with the building permit application are to show details of storm water and roof run-off disposal to the satisfaction of the Shire of Nannup (on-site retention to be at 1m³ per 100m² of impervious area).

Staff Advice Note:

This condition is used for non-urban developments where no Council drainage system is available.

pc16 Contribution - Storm water

A contribution of \$ being made to the Shire of Nannup prior to issue of a building permit towards the construction/upgrading of the drainage system for the locality, to facilitate drainage of the development.

pc17 Filling

Filling of the site, other than that directly necessary for the development as approved under a building permit, is prohibited.

LANDSCAPING / FENCING / SCREENING

pc18 Landscape Plan

The submission of a landscape plan to the satisfaction of the Shire of Nannup. The Plan should indicate the location and species of all trees to be removed and/or retained; the location and type of fencing to be installed; the location and type of reticulation to be installed; and the location and type of paving to be installed.

The Plan should also include a plant schedule nominating each species, the spacings of each species, the numbers of plants required; and the size of each plant to be used at the time of planting, together with the anticipated height of each plant at maturity. The Plan should identify and include any adjoining road verges. The Plan must be submitted and approved prior to the issue of a building permit.

Pc19 Landscaping and reticulation to be established

Landscaping and reticulation to be established in accordance with the approved plan(s) prior to occupation of the development and thereafter maintained to the satisfaction of the Shire of Nannup.

pc20 Landscaping to be upgraded

Landscaping to be upgraded, in accordance with an approved plan, prior to occupation of the development and thereafter maintained to the satisfaction of the Shire of Nannup.

pc21 Fencing details

The design, materials and colours of all fencing are to be to the satisfaction of the Shire of Nannup. Fencing should generally consist of a minimum 1.8 metres in height (except for within frontages) and should compliment the development and be designed to protect the amenity of adjoining dwellings. Details to be submitted prior to or with the building permit application.

pc22 Screening of private yards

The private yard areas to be identified on the building licence plan, these areas to be suitably screened from adjoining unit(s) and the street prior to occupation of the development. Details to be submitted with building permit application.

pc23 Screen walls

All screen walls to be a minimum of 1.8 metres in height and to be designed and constructed to the satisfaction of the Shire of Nannup. Details to be submitted with the building permit application.

pc24 Feature fence

The fence along the front boundary of the lot being a feature fence and to be designed and constructed to the satisfaction of the Shire of Nannup. Details to be submitted with building permit application.

HEALTH AND AMENITY (ALSO SEE HEALTH SECTION'S STANDARD CONDITIONS)

pc25 Means and method of providing a potable water supply

Details of the means and method of providing a potable water supply to be submitted to, and approved by, the Shire of Nannup prior to the issue of a building permit.

pc26 Connection to a reticulated water supply

The development being connected to a reticulated water supply to the satisfaction of the Water Corporation prior to occupation of the development.

Pc27 Suitably screened bulk bin area for refuse

The provision of a suitably screened bulk bin area for refuse to the specifications and satisfaction of the Shire of Nannup prior to occupation of the development.

Details to be submitted with the building permit application.

Pc28 Suitably screened bulk bin area for recycling

The provision of a suitably screened bulk bin area for recycling to the specifications and satisfaction of the Shire of Nannup prior to occupation of the development. Details to be submitted with the building permit application.

Pc29 Oil/flammable discharge

Where petrol, benzene or other inflammable or explosive substances or grease, oil or greasy / oily matter is likely to be discharged, a sealed wash down area and a petrol and oil trap must be installed. Such a system to be connected to an approved leach drain system. Details to be submitted with the building permit application.

pc30 Animal wastes

All animal wastes being disposed of in a manner suitable to the Manager, Development Services and the Health Department of WA. Method(s) to be approved prior to issue of a building permit.

pc31 Installation of an approved effluent disposal system

The installation of an approved effluent disposal system to the satisfaction of the Shire of Nannup and/or the Health Department of WA prior to occupation of the development. Such a system is to be designed and submitted by a plumbing consultant or other suitably qualified person and based on a geotechnical report on the absorptive capacity of the soil and the anticipated water usage. Details to be submitted with building permit application.

pc32 Connection to a reticulated deep sewer

The development being connected to a reticulated deep sewer to the satisfaction of the Shire of Nannup and the Water Corporation prior to occupation of the development. Full plumbing details must be submitted with the building permit application.

pc33 Provision of clothes drying facilities

The provision of clothes drying facilities to the satisfaction of the Shire of Nannup prior to occupation of the development. Details to be submitted with building permit application.

Pc34 240 litre mobile garbage bin per dwelling

The provision of 1 x 240 litre mobile garbage bin per dwelling unit by the developer prior to occupation of the development or issue of a Strata Title clearance, whichever comes first.

MISCELLANEOUS CONDITIONS OF APPROVAL

pc35 Amalgamation of all the lots

The amalgamation of all the lots which the development is located upon to the satisfaction of the Shire of Nannup prior to the issue of a building permit, which will require submission of proof, to the Shire of Nannup, of the creation of a single title for the subject land.

pc36 Recyclable bin enclosure

A recyclable bin enclosure is to be provided and maintained to the satisfaction of the Shire of Nannup. Details to be submitted with building permit application.

pc37 Bicycle parking facilities

The provision of bicycle parking facilities to the satisfaction of the Shire of Nannup. Details to be submitted with building permit application.

Pc38 Disabilities access

The development being designed and constructed to allow easy access for people with disabilities to the satisfaction of the Shire of Nannup. Details to be submitted with building permit application.

Pc39 No storage on roads etc.

No goods or materials being stored either temporarily or permanently in the parking, footpath or landscape areas or within access driveways.

pc40 No occupation under 55 years of age

No dwelling unit being occupied by or leased to any person under the age of 55 years.

pc41 Green waste processing

All green waste generated on-site from construction works the subject of this approval are where practical to be processed and reused on-site to the satisfaction of the Shire of Nannup.

pc42 Management Plan – aged persons

The submission of a Management Plan demonstrating that the development will be restricted to occupancy by aged and/or dependant persons only and will ensure the continued care and well-being of its occupants. The plan to be finalised to the satisfaction of the Shire of Nannup prior to occupation of the development.

pc44 Performance bond

Prior to the issue of a building permit, the applicant shall provide a bond in accordance with Shire Policy to the value of \$ _____ with the Shire of Nannup. The bond may be in the form of cash, cheque or bank guarantee and is a performance guarantee against satisfactory completion of the conditions of Planning Approval. The performance guarantee will be refunded in full immediately the outstanding works are complete/established as appropriate to the condition(s). Any such bond is to be accompanied by a written authorisation from the owner of the land that the Shire of Nannup may enter the site to complete or rectify any outstanding work. The Shire of Nannup will recover the bond, or part of the bond, as appropriate, the cost to the Shire of Nannup, including administrative costs, of completing or rectifying any outstanding works.

pc45 Prospective purchasers notification

The developer of the land shall make arrangements satisfactory to the Shire of Nannup, which will guarantee that any prospective purchaser(s) are advised that no reticulated water supply can be provided by the Water Corporation and, as such, the purchaser(s) will therefore be obliged to make their own arrangements to provide an adequate supply of potable water of not less than 135,000 litres, connected to a suitable rainfall catchment of not less than 150m², and shall be fitted with a 100mm female threaded outlet, complete with full flow ball valve and 75mm Storz fitted as per Bushfire Service specifications (with 100mm clearance around the valve) so that the total tank capacity is available and accessible for fire fighting purposes in

times of emergency, to the satisfaction of the Shire of Nannup. Water tanks are to be located within the building envelope and suitably painted and screened where visible from outside the lot, to the satisfaction of the Manager, Development Services.

Staff Advice Note:

The above condition is used for rural dwellings.

pc46 Infrastructure contribution – footpaths/dup

A contribution of \$ being made to the Shire of Nannup towards a local footpath and dual use path upgrading prior to issue of a building permit.

pc47 Provision of dup – outside application area

Dual use/pedestrian pathway system being provided in a location satisfactory to the Shire of Nannup, which will assist in linking the site with community facilities. Details to be submitted for approval prior to the issue of a building permit.

Pc48 Provision of dup – within application area

The dual use/pedestrian pathway system being constructed at the subdivider's cost to the satisfaction of, and specifications of, the Shire of Nannup. Details to be submitted with engineering drawings for approval prior to the issue of a building permit.

pc49 Buffer – landfill

The provision of a minimum 500 metre wide buffer between the outer extremity of the landfill area and any nearby residential subdivision, development or land use activity to the specifications and satisfaction of the Shire of Nannup. Details to be finalised prior to issue of a planning Approval.

pc50 Compliance with definition

Compliance with definition of the Shire of Nannup Local Planning Scheme No. 3 (copy attached).

pc51 Vegetation to be removed to be chipped/mulched

Vegetation to be removed to be chipped/mulched and reused on-site to the satisfaction of the Shire of Nannup. Details to be submitted with the building permit application.

pc52 Effluent disposal areas not within _ metres of any creek,

Effluent disposal areas must not be located within ____ metres of any creek, river or spring or dam on the subject land, nor within ____ metres of any dam on neighbouring land. Details to be submitted with the building permit application.

pc53 Screening of materials

Any materials stored outside buildings shall be stored in defined storage areas nominated to and approved by Council and shall be screened from view from adjoining property or from any public street, public thoroughfare, or public open space by a closed fence or wall not less than 1.8 metres in height.

pc54 Amenity

The development and use of the land is not to interfere with the amenity of the locality or cause nuisance by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products or grit, oil or otherwise.

GENERAL FOOTNOTES

fn1 Health Department issues

The following advice is provided by the Shire, which should be addressed prior to the submission of a building permit: a.

fn2 Building permit

Please note that, with respect to all of the abovementioned development conditions, a building permit will not be issued until you have discussed and provided all necessary information to comply with each condition. Please contact the relevant Departments and attend to these matters in order to avoid delays.

fn3 Drawings to be certified

The drawings submitted for a building permit are to be properly drawn and certified by a practising structural engineer to confirm that they comply with the requirements of the Building Code of Australia.

fn4 FESA Approval

Approval to be obtained from the Fire and Rescue Services of WA.

fn5 Signs Application

A separate application being made for all advertising signs in accordance with the Shire's Local Law relating to Signs and Other Advertising Devices.

fn6 Plans to show levels

Please note for future reference that levels, contours, retaining walls, drainage and sewer lines, etc must be shown on development plans to ensure a proper assessment can be made. Failure to provide this information may require design changes at the building permit stage, resulting in possible delays and inconvenience.

fn7 Unit/lot numbering

In order to assist the Shire of Nannup's record keeping and application of unit numbering, could you please ensure that the unit numbers indicated and highlighted on the plans are used in all dealings (including plans, correspondence and discussions) pertaining to this development/property.

fn8 Services of a licensed surveyor

You are required to engage the services of a licensed surveyor when the building permit has been approved to establish the lot boundaries and to set out the buildings in accordance with the approved plans prior to commencement of construction. A Certificate will not be issued for a strata plan until all conditions of the development approval have been complied with.

fn9 Contribution fee in line with the Consumer Price Index

In respect to Condition the contribution fee is upgraded in line with the Consumer Price Index for Perth on 30 June and 30 December each year. The fee applicable will be determined at the time of payment and may therefore vary from the quoted figure.

fn10 Register business under Health Act

You are advised that you are required to register your business prior to commencement of operation pursuant to the requirements of the Health Act (1911) as amended).

fn11 Delegation decision

Please note that in order to expedite determination of planning applications, Council has delegated to officers the power to consider applications where they comply with Council's Delegation Register. This application has been determined under Delegation provided by Council.

Rights of appeal are also available to you under the Planning and Development Act 2005 (as amended) against the decision of Council, including any conditions associated with this decision. Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).

fn12 Decision of Council

Council has determined this application.

Rights of appeal are also available to you under the Planning and Development

Act 2005 (as amended) against the decision of Council, including any conditions associated with this decision. Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).

fn13 Submission of landscape plans (residential)

You are reminded to submit a landscape plan in accordance with Condition of this approval at your earliest convenience so as to avoid any unnecessary delay at the building permit stage. Private yards are required to be landscaped. With respect to this Planning Approval, the Shire of Nannup may be prepared to waive the requirement of landscaping private yards where the Department of Housing and Works demonstrate that the tenant is required under the tenancy agreement to landscape their respective private yards. This information should be included with all required landscaping plans prior to the issue of a building permit.

fn14 Cash-in-lieu valuations

In respect to Condition __, you should first submit a letter of undertaking to meet the valuation costs, on receipt of which the Shire of Nannup will obtain the necessary valuations and advise you of the required cash-in-lieu contribution.

fn15 Reclassification of building

Please note that the change of use permitted by this Planning Approval will require reclassification of the existing building under the Building Regulations. This may result in a requirement for significant alterations to the building and it is suggested that you discuss this matter with a Shire Building Officer prior to submission of your building permit application.

Staff Advice Note:

This Footnote is to be applied where an existing building is to be used for alternative use and it has been identified that a reclassification, in terms of assessment under the Building Regulations, would occur.

fn16 Aboriginal Heritage significance

The Shire of Nannup contains many places of Aboriginal Heritage significance.

Proponents are advised to consider Aboriginal heritage issues and their obligations under the Aboriginal Heritage Act 1972 at an early stage of planning.

Further information can be obtained from the Department of Indigenous Affairs on 9235 8000 or at the following web site: <http://www.dia.wa.gov.au/Heritage/default.aspx>.

fn17 Department of Environment

This Planning Approval issued by the Shire of Nannup does not remove any responsibility the applicant may have in obtaining a vegetation clearing permit from the Department of Environment in accordance with the Environment Protection Act 1986. Further information can be obtained from the Department of Environment or at the following website www.environment.wa.gov.au.

fn18 Environmental Protection and Biodiversity Conservation Act

This Planning Approval issued by the Shire of Nannup does not remove any responsibility the applicant may have in notifying Environment Australia of the proposal for consideration of impacts in accordance with the Environmental

Protection and Biodiversity Conservation Act 1999. Further information can be obtained from Environment Australia on (02) 6274 1111 or by visiting <http://www.deh.gov.au/epbc/assessmentsapprovals/index.html>.

TOURIST ACCOMMODATION

pc55 Occupation not more than 3 months within any 12 month period

No chalet to be occupied by any person for more than 3 months within any 12 month period. In this regard, the manager/operator are to maintain a register of guests which is to be made available for perusal by Shire of Nannup officers on demand.

pc56 Notification – chalet in agricultural area

The display of signage/literature in the chalet advising patrons that the development is located in an agricultural area and that certain impacts of various agricultural pursuits should be expected and tolerated.

pc57 B & B – no more than 2 rooms

No more than 3 rooms being used for the bed and breakfast operation.

pc58 Potable water supply

A potable water supply of minimum 80,000 litres per annum per chalet or 30,000 litres per annum per suite must be made available to the development prior to occupation of the development. Potable water will be required to comply with the Australian Drinking Water Guidelines and Department of Health guidelines. Testing of water supplies to ensure compliance with required standards by the Shire of Nannup will be at the cost of the landowner.

pc59 Services – no cost to Shire

The provision of all services, including augmentation of existing services, necessary as a consequence of any proposed development will be at no cost to the Shire of Nannup.

SERVICE STATION FOOTNOTE

Fn19 Resource Safety referral

Approval being received from Resources Safety (Department of Commerce) for the proposed fuel bowzers and for any additional storage of flammable liquids which may be occurring prior to occupation of the development.

TRANSIENT WORKERS ACCOMMODATION

pc60 Agreement to cease

Prior to the development being occupied the “owner of the land” shall enter into a signed agreement with the Shire of Nannup, pursuant to Clause 6.9.4 of

the scheme. The agreement shall require the use of the structures to cease by or other period as agreed by the Chief Executive officer and the structures be removed within 28 days.

pc61 Rehabilitation Plan

The applicant is to prepare rehabilitation plan to the specification and satisfaction of the Shire of Nannup and incorporate the following:

- . Spreading of any stockpiled topsoil.
- . Seeding with an appropriate agriculture seed mix, and / or
- . Planting native species of trees, shrubs and ground covers.
- . Staging of rehabilitation process.

FIRE PROTECTION

Pc62 Minimum firebreak

The provision of a minimum __ metre wide firebreak around the perimeter of the __ to the satisfaction of the Shire of Nannup.

Pc63 AS3959 compliance

All buildings are to be constructed in compliance with Standards Australia AS3959-1991 "Construction in Bush Fire Prone Areas" and guidelines contained in CSIRO/Standards of Australia information and advice booklet SAA HB 36-1993 "Building in Bush Fire Prone Areas".

Pc64 Low Fuel Area

Low fuel areas (areas clear of all flammable material with the exception of live trees) shall be maintained around all buildings for a minimum distance of 20 metres or such greater distance as the local government may consider reasonable having regard for the slope of the land and the general vegetation cover of the surrounding land.

Pc65 SAA HB 36-1993

All dwellings are required to incorporate bush fire reduction measures in accordance with SAA HB 36-1993 to the satisfaction of the Shire of Nannup including ember proof and water curtain techniques and fuel free areas.

SUBDIVISION – STANDARD COMMENTS

SUGGESTED CONDITIONS TO BE INCLUDED ON ALL SUBDIVISION APPROVALS

sv1 Subdivision Plan

The subdivision being carried out in accordance with the plan dated, including any amendments placed thereon by the Shire of Nannup (in red) and except as may be modified by the following conditions:

- a. Construction shall not commence until the Shire of Nannup has approved detailed engineering plans and specifications of the works, including earthworks, roads and paths, drainage, clearing, dust management and/or stabilisation, landscaping/rehabilitation measures.
- b. Approved plans are those that have been considered by the Shire of Nannup, duly amended to meet its requirements and approval, and endorsed as approved.

sv2 "As Constructed Drawings"

"As Constructed Drawings", detailing the variations and amendments from approved drawings, shall be provided on transparencies, prior to clearance of the Diagram of Survey. Information provided in "As Constructed" form will include drainage construction details, earthworks levels and road levels and alignments.

Where available and practicable, the information shall be provided in computer disk form, where the Consultant has used computer-aided drafting methods.

Files are to be supplied in order of preference:

- * Microstation "DGN" file format
- * Autocad "DWG" file format
- * "DXF" file format

ROADS

(refer General Conditions & Guidelines for the Design and Construction of Subdivisional Works)

sv3 Road construction

Those lots not fronting an existing road being provided with frontage to a constructed subdivisional road, connected by a constructed subdivisional road(s) to the local road system and such subdivisional road(s) being constructed and drained at the subdivider's cost to the specifications approved by, and to the satisfaction of, the Shire of Nannup.

sv4 Truncation

Street corners within the subdivision being truncated to the standard truncation of 8.5 metres.

sv5 Upgrading of roads

Satisfactory arrangements being made with the Shire of Nannup for the upgrading of ___ road(s) prior to the issue of clearance(s). In this regard, the upgrading will involve.

sv6 Future road reserve

The future road reserve shown on the attached plan dated ___ being set out on a separate Diagram of Survey and transferred free-of-cost to the Shire of Nannup for road purposes.

sv7 Cul-de-sac head(s)

The cul-de-sac head(s) being designed to the satisfaction and specifications of the Shire of Nannup. Please liaise with the Shire of Nannup prior to submitting engineering drawings.

sv8 Road widening

___ being widened by ___ in accordance with the plan submitted by the subdivider. Such land being transferred to the Crown free-of-cost for revesting in Her Majesty as of Her Former Estate for the purpose of widening.

sv9 Redesign of subdivision

The proposed subdivision to be re-designed with the following modifications:

a. ___

DRAINAGE AND FILLING

(refer General Conditions & Guidelines for the Design and Construction of Subdivisional Works)

sv10 Filling

The land being filled and/or drained at the subdivider's cost to the satisfaction and specifications of the Shire of Nannup, and any easements and/or reserves necessary for the implementation thereof, being provided free-of-cost to the Shire of Nannup and in accordance with their requirements. Details to be submitted with engineering drawings and approved by the Shire of Nannup prior to commencement of any works.

sv11 Drainage Reserve

A drainage reserve ___ metres in width, in the position shown on the attached sketch plan dated ___ being shown on the Diagram of Survey as such and vested in the Crown under Section 152 of the Planning and Development Act, such land to be ceded free-of-cost and without any payment of compensation by the Crown.

sv12 Land being graded and stabilised

The land being graded and stabilised at the subdivider's cost to the satisfaction of the Shire of Nannup. Details to be submitted with engineering drawings and approved by the Shire of Nannup, prior to commencement of any works.

sv13 Contribution - comprehensive drainage scheme

The subdivider contributing \$ ___ toward the cost of a comprehensive drainage scheme for the locality on the basis of the ratio of lot area to the catchment area of drainage scheme, prior to issue of clearance(s).

sv14 Connected to the comprehensive district drainage system

The land being connected to the comprehensive district drainage system at the subdivider's cost to the satisfaction of the Shire of Nannup. Details to be submitted with engineering drawings and approved by the Shire of Nannup prior to commencement of any works.

sv15 "Drainage Reserve"

The area marked "Drainage Reserve" being shown on the Diagram of Survey as such and vested in the Crown under Section 152 of the Planning and Development Act.

sv16 Drainage easements

Drainage easements as may be required by the Local Authority to cover drainage infrastructure developed within reserves being shown on the Diagram of Survey as such and granted free-of-cost and vested to that Authority under Section 152 of the Planning and Development Act.

sv17 Mosquito and midge control

Mosquito and midge control being incorporated into the stormwater system design and consideration given to water retention times and compensating basin construction. Details to be submitted with engineering drawings and approved prior to commencement of any works.

SERVICES (WATER, SEWERAGE, POWER)

sv18 Western Power Padmounts

Such padmount sites as may be required by Western Power being transferred free-of-cost to it, with the locations of the sites being to the satisfaction of the Shire of Nannup.

sv19 Underground electricity

The subdivision being serviced with an underground electricity supply to the satisfaction of Western Power/Utilities and the Shire of Nannup. Details of supply to be submitted with engineering design and approved by the Shire of Nannup prior to commencement of works.

Staff Advice Note: With respect to Condition "sv19" above, the Ministry for Planning is to be requested to nominate Council as a joint clearing authority with Western Power/ Utilities.

sv20 Arrangements – no reticulated water notification

The subdivider of the land shall make arrangements satisfactory to the Shire of Nannup which will guarantee that any prospective purchaser(s) of the lot are advised that no reticulated water supply can be provided by the Water Corporation/Utilities and, as such, the purchaser(s) will therefore be obliged to make their own arrangements to provide an adequate supply of potable water of not less than 135,000 litres connected to a suitable rainfall catchment of not

less than 150m² and shall be fitted with a 100mm female threaded outlet, complete with full flow ball valve and 75mm Storz fitted as per Bushfire Service specifications (with 100mm clearance around the valve) so that the total tank capacity is available and accessible for fire fighting purposes in times of emergency to the satisfaction of the Shire of Nannup. Tanks to be located within the building envelope and suitably painted and screened where visible from outside the lot.

sv21 Natural gas provision

Provision being made for reticulation of natural gas supplies to individual lots to the requirements of Alinta Gas.

sv22 Street lighting

The design and provision of street lighting in accordance with the Australian Standard AS 1158.1-1986, Table 1.1, to the specifications of Western Power/Utilities and to the satisfaction of the Shire of Nannup.

Details of street lighting to be submitted with engineering design and approved by the Shire of Nannup prior to commencement of works.

PUBLIC OPEN SPACE RESERVES - VEGETATION PRESERVATION/PLANTING

sv23 POS Vesting – no cost

The proposed reserve(s) shown on the sketch plan submitted by the applicant, being shown on the Diagram of Survey, as a 'Reserve for Public Recreation' and vested in the Crown under Section 152 of the Planning and Development Act, such land to be ceded to the Crown free-of-cost and without any payment of compensation by the Crown.

sv24 Vesting of Foreshore Reserve – no cost

A Foreshore Reserve, as shown on the sketch plan, as established by survey, being shown on the Diagram of Survey as a 'Reserve for Public Recreation' and vested in the Crown under Section 152 of the Planning and Development Act, such land to be ceded to the Crown free-of-cost without any payment of compensation by the Crown.

sv25 Bridle Paths – vesting no cost

The proposed bridle paths shown on the sketch plan submitted, being shown on the Diagram of Survey as a 'Reserve for Public Recreation' and vested in the Crown under Section 152 of the Planning and Development Act, such land to be ceded free-of-cost and without compensation by the Crown.

sv26 Foreshore Management Plan

Submission and approval of a Foreshore Management Plan detailing proposed measures for managed access to, and protection/rehabilitation of, coastal areas as necessitated by the subdivision. In accordance with Shire of Nannup policy, the Plan will need to be placed before full Council for consideration of approval. All approved works to be fully implemented prior to clearance of the subdivision.

sv27 Protection of significant vegetation

Measures being taken to the satisfaction of the Shire of Nannup to ensure the protection of significant vegetation within proposed lots (or as marked on the approved subdivision plan) prior to proceeding with site works. Details to be submitted with engineering drawings and approved by the Shire of Nannup prior to commencement of any works.

sv28 Tree planting and maintenance

Arrangements to be made to the satisfaction of the Shire of Nannup prior to issue of clearance(s) for tree planting and maintenance to be undertaken in the area indicated in the approved Subdivision Guide Plan as a planting strip. Details to be submitted with engineering drawings for approval by the Shire of Nannup.

sv29 Vegetation buffer strips

___(<>) metre wide vegetation buffer strips to be provided adjacent to ___. A replanting program of indigenous vegetation to be undertaken within the buffer strips to the satisfaction of the Shire of Nannup. Details to be submitted with engineering drawings for approval.

sv30 Restrictive covenants - buffer strips

The subdivider entering into a written agreement with the Shire of Nannup prior to issue of clearance(s) to place restrictive covenants on the titles of those lots affected by the ___ metre(<>) wide vegetation buffers along .

sv31 Restrictive covenants – no clearing

Satisfactory arrangements being made with the Shire of Nannup for establishment of restrictive covenants at the applicant's cost to ensure no vegetation shall be cleared within any allotment, except for the purpose of:

- a. Compliance with the requirements of the Bush Fires Act 1954 (as amended) and only then for strategic firebreaks.
- b. Clearing within the building envelope for a reasonable area for the construction of an approved dwelling or other building.
- c. To construct a vehicular access as approved by the Shire of Nannup.
- d. For any other reasons where specific written approval has first been obtained from the Shire of Nannup.

Details to be submitted with engineering plans for approval by the Shire of Nannup.

sv32 Restrictive covenants – no clearing within 30m of creek

Satisfactory arrangements being made with the Shire of Nannup for establishment of restrictive covenants at the applicant's cost to ensure no clearing within 30 metres of the centreline of the creek(s) indicated on the Subdivision Guide Plan as a 'creek and vegetation protection area'.

sv33 Restrictive covenants – non reflective materials

Satisfactory arrangements being made with the Shire of Nannup for establishment of restrictive covenants at the applicant's cost to ensure dwelling houses and all ancillary buildings shall be constructed of non-reflective material (with the exception of glazed areas) and shall comprise

either timber, stone, rammed earth, brick or steel construction and shall be colour(s) and textures which are essentially natural and earthy. All such materials shall be to the satisfaction of the Shire of Nannup and shall be compatible with the rural character of the locality.

sv34 Restrictive covenants – maximum building height

Satisfactory arrangements being made with the Shire of Nannup for establishment of restrictive covenants at the applicant's cost to ensure dwelling houses and all ancillary buildings shall be restricted to maximum height of 7.5 metres measured vertically from the mean natural surface at any point of the land contained within the boundaries of the building.

sv35 Restrictive covenants – no removal of vegetation

Satisfactory arrangements being made with the Shire of Nannup for establishment of restrictive covenants at the applicant's cost to ensure no trees or substantial vegetation shall be felled or removed from the site except where:

- a. required for approved development works;
- b. the establishment of a firebreak is required by regulation or by-law;
- c. trees are dead, diseased or dangerous.

PEDESTRIAN ACCESSWAYS/DUAL USE PATHS/CYCLEWAYS/RIGHTS-OF-WAY

sv36 PAW – no cost

The pedestrian accessway(s) within the subdivision, being shown on the Diagram of Survey as such and vested in the Crown under Section 152 of the Planning and Development Act, such land to be ceded to the Crown free-of-cost and without any payment of compensation by the Crown.

sv37 PAW - drained

The pedestrian accessway within the subdivision being constructed and drained at the subdivider's cost to the specifications of the Shire of Nannup. Details to be submitted with engineering drawings and approved by the Shire of Nannup prior to commencement of any works.

sv38 PAW – 0.1m

A 0.1 metre wide pedestrian accessway being provided along _____ in order to prevent vehicular access onto _____. Such land to be shown on the Diagram or Plan of Survey as a pedestrian accessway, vested in the Crown under Section 152 of the Planning and Development Act (as amended) and ceded free-of-cost and without any payment of compensation by the Crown.

sv39 Dup – linkage outside application area

Dual use / pedestrian pathway system being provided in a location satisfactory to the Shire of Nannup which will assist in linking the site with community facilities. Please liaise with the Shire of Nannup in this regard prior to submitting engineering drawings

Staff Advice Note: This condition is used when linking an area outside the application area.

sv40 Dup – linkage within application area

The dual use / pedestrian pathway system being constructed at the subdivider's cost to the satisfaction of, and specifications of, the Shire of Nannup. Details to be submitted with engineering drawings for approval prior to commencement of any works.

Staff Advice Note: This condition is used for DUP within the application area.

sv41 ROW – no cost

The right-of-way in width, being shown on the Diagram or Plan of Survey as such and vested in the Crown under Section 152 of the Planning and Development Act (as amended), such land to be ceded free-of-cost and without any payment of compensation by the Crown.

BATTLEAXE LOTS

sv42 Battleaxe access legs constructed and drained

Battleaxe access legs being constructed and drained to the specifications and satisfaction of the Shire of Nannup. Details to be submitted with engineering drawings for approval prior to commencement of any works.

sv43 Battleaxe access legs – rights of access

The applicant entering into an agreement with the Shire of Nannup to ensure reciprocal rights of access over adjoining battleaxe access legs prior to issue of clearance(s).

sv44 Battleaxe legs – 4m width

Battleaxe access legs having a minimum width of 4 metres (Residential).

sv45 Battleaxe legs – 5m width

The overall width of the dual battleaxe access legs having a minimum width of 5 metres (Residential).

MISCELLANEOUS CONDITIONS OF SUBDIVISION APPROVAL

sv46 Amalgamation

The amalgamation taking place on the Diagram of Survey.

sv47 Residue amalgamation

Parts and/or residue lots being amalgamated with an adjacent lot pending joint subdivision with an adjoining owner and the amalgamation(s) taking place on the Diagram of Survey.

sv48 Arrangements – Scheme provisions

The subdivider making arrangements satisfactory to the Shire of Nannup prior to the issue of clearance(s) to ensure that prospective purchasers of the lots created will be advised of those provisions contained in the Shire's Town

Planning and Development Scheme which relate to the use and management of the land.

sv49 Soil and Water Management Plans

Soil and Water Management Plans are to be submitted and approved by the Shire of Nannup prior to commencement of construction. Such plans shall outline the treatment of soil, with respect to stability and regeneration of vegetation for the entire subdivision and stormwater run-off areas. The plans are to outline measures to be implemented prior to carrying out any bulk earthworks as well as those of drainage, nutrient stripping, retention and soil stabilising measures to be completed as part of the actual construction program.

sv50 Green waste disposal

The subdivider is to ensure that all green waste generated as part of the construction of the subdivision is processed at source and reused on-site where practical to the satisfaction of the Shire of Nannup.

sv51 Services in common / shared trenches

The subdivider is to design and construct the subdivision, taking into consideration the standards adopted by servicing authorities to guide the provision of services in common / shared trenches to the satisfaction of the Shire of Nannup.

sv52 Australian Standard 2870.1-1996 "Residential Slabs and Footings".

All lots created under the subdivision shall be classified in accordance with provisions of Australian Standard 2870.1-1996 "Residential Slabs and Footings".

This classification shall be provided by a practising Civil, Structural or Geotechnical Engineer, prior to clearance of the Diagram of Survey and the classification shall include existing soils and earthworks carried out as part of the subdivision.

sv53 Uniform fencing

Uniform fencing being provided along the boundary(ies) of all lots abutting and being constructed by the subdivider to the specifications and satisfaction of the Shire of Nannup. Details to be submitted with engineering drawings for approval.

sv54 Building envelopes

Satisfactory arrangements being made with the Shire of Nannup for the designation of building envelopes on proposed Lots ___ and the establishment of a restrictive covenant to ensure all building is confined to the building envelope prior to clearance of the subdivision.

sv55 Contribution - Implementation Policy

The payment of a monetary contribution of \$ per lot towards the upgrading of infrastructure required as a consequence of the subdivision in accordance with the Implementation Policy as adopted by the Shire of Nannup prior to clearance of the survey plan.

sv56 Fencing of "Recreation and Drainage" Reserve

The "Recreation and Drainage" Reserve being fenced to separate this reserve from the "Flora and Fauna" Reserve with the fencing being carried out at the subdivider's cost to the satisfaction of the Department of Environment and Conservation.

sv57 Performance guarantee

The lodgement of a performance guarantee with the Shire of Nannup in the form of cash, cheque or bank guarantee to the value of \$ ___ against the satisfactory completion of Condition(s) ___. The performance guarantee will be refunded in full immediately the outstanding works are complete/established as appropriate to the condition(s). Compliance with this condition will not be necessary if you choose to complete/establish the works in full prior to seeking clearance of the subdivision.

sv58 SAA HB 36-1993

All dwellings are required to incorporate bush fire reduction measures in accordance with SAA HB 36-1993 to the satisfaction of the Shire of Nannup including ember proof and water curtain techniques and fuel free areas.

sv59 Effluent disposal systems setbacks

All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation. Setbacks are to be certified by a suitably qualified surveyor prior to issue of clearance(s).

SUBDIVISION FOOTNOTE

sf1 Accept cash-in-lieu of Public Open Space

The Shire of Nannup is prepared to accept cash-in-lieu of Public Open Space as a condition of subdivision in accordance with Section 153 of the Planning and Development Act, and hereby requests the approval of the WA Planning Commission concurrent with subdivision approval so that a cash-in-lieu contribution can be made.

STANDARD REASONS FOR REFUSAL OF SUBDIVISION

sr1 Undesirable precedent

Approval to the subdivision would set an undesirable precedent for further subdivision of surrounding lots.

sr2 Need for comprehensive planning

The subject land forms part of a large area, which requires comprehensive planning (including, inter alia, agreement to an overall road pattern, the allocation of land for recreation and other public uses, provision for essential infrastructure) and approval to the subdivision would be premature and prejudice the overall planning for the area.

sr3 Inconsistent with the subdivision and development criteria

The proposed subdivision is inconsistent with the subdivision and development criteria specified within the Nannup Local Planning Strategy as endorsed by the Shire of Nannup and the WA Planning Commission. Refer Policy Area ___ and/or Page Nos. ___ .

STRATA TITLES – STANDARD CONDITIONS

SUGGESTED CONDITIONS TO BE INCLUDED ON ALL STRATA APPROVALS

st1 Development being in accordance with the approved plan

All development being in accordance with the approved plan and in keeping with the conditions specified in the Planning Approval dated ___ under the Shire of Nannup Local Planning Scheme No 3

st2 Copy of the Shire's Planning Approval

The applicant making arrangements satisfactory to the Shire of Nannup prior to clearance of the Strata Plan to ensure that prospective purchasers are provided with a copy of the Shire's Planning Approval dated ___ and approved plan, in that they are to comply with all conditions and are limited to construct what the Approval letter and plans have specified.

MISCELLANEOUS CONDITIONS OF APPROVAL

st3 Development Agreement

The preparation and finalisation of a Development Agreement between the applicant and the Shire of Nannup prior to the issue of clearance. The agreement to be to the satisfaction of the Shire of Nannup and at the full cost of the applicant. The Development Agreement is to ensure compliance with Shire of Nannup Local Planning Scheme No 3 and the creation of an appropriate management body and structure for the development.

st4 Limited stay (tourist use)

Strata plans for strata lots containing holiday accommodation units are to be specified with a Section 6 Restriction of Use clause stipulating "*No person shall occupy any chalet for more than a total of 3 months in any one 12 month period*".

st5 Section 6 – manager's unit

A strata plan for the strata lot containing the administration, amenities and the manager's accommodation is to be specified with a Section 6 Restriction of Use clause stipulating: "*Use to be restricted for administration, amenities and manager's accommodation in accordance with the Shire of Nannup approved plans*".

st6 Construction of crossovers

The crossovers, private access roads, carparking areas, pathways, fencing, landscaping, recreational facilities and other infrastructure as required by the Shire of Nannup being constructed and drained to the specifications and satisfaction of the Shire of Nannup prior to the issue of clearance(s).

st7 Road Access/construction

All strata lots being serviced by a suitably constructed road and accessway and connected to all reticulated services, i.e. power, water, sewerage and telecommunications prior to issue of clearance(s). A licensed surveyor is to prepare a plan showing the positioning or proposed positioning of services for each lot prior to certification of the strata plans. Certification from Western Power, Telecom and the Water Corporation is required indicating that the work has been completed or designed and costed.

st8 Strata lots pegged

All strata lots to be pegged out by a licensed surveyor to the satisfaction of the Shire of Nannup, prior to the issue of clearance(s).

st9 Fire protection

Provisions being made for fire protection to the satisfaction of the Shire of Nannup, prior to the issue of clearance(s).

st10 Performance bond

Prior to the issue of strata clearance(s), the applicant shall provide a bond in accordance with Shire of Nannup Policy to the value of \$ _____ with the Shire of Nannup. The bond may be in the form of cash, cheque or bank guarantee and is a performance guarantee against satisfactory completion of Condition Nos. _____. The performance guarantee will be refunded in full immediately the outstanding works are complete / established as appropriate to the condition(s).

Compliance with this condition will not be necessary if you choose to complete/establish the works in full prior to issue of clearance(s). Any such bond is to be accompanied by a written authorisation from the owner of the land that the Shire of Nannup may enter the site to complete or rectify any outstanding work. The Shire of Nannup will recover the bond, or part of the bond, as appropriate, the cost to the Shire of Nannup, including administrative costs, of completing or rectifying any outstanding works.

st11 Minimum number of units to be constructed

A minimum of two units is to be completed to the satisfaction of the Shire of Nannup prior to issue of clearance(s).

st13 Water meter for each lot

Each lot is to be provided with a water meter, prior to issue of clearance(s).

st14 Common access

All common vehicle access and manoeuvring areas and services to be contained on common property or shown on right of carriageway easement if it is contained on strata lot(s).

st15 Agreement for reciprocal rights

The applicant entering into an agreement with the Shire of Nannup to ensure reciprocal rights of access over common access areas if access areas are contained on strata lot(s) prior to issue of clearance(s).

st16 Retention of all significant trees

The retention of all significant trees as shown on the approved plan attached to the Planning Approval dated _____ and a natural vegetation buffer between the development and being maintained.

st17 Disposal of stormwater

Suitable arrangements being made with the Shire of Nannup for the disposal of all stormwater on-site and a contribution of \$ __ towards the upgrading of the drainage catchment prior to issue of clearance(s).

st18 Fire rating and fire separation between units

Fire rating and fire separation between units to be completed in accordance with the requirements of the Building Code of Australia. Details to be submitted to the Shire of Nannup for approval.

st19 Notification – clearing of vegetation

The subdivider making satisfactory arrangements with the Shire of Nannup to ensure that purchasers shall not clear vegetation on the strata lot or within common property excepting:

- a. Where required under the Bush Fires Act 1954 (as amended).
- b. After the issue of a building licence with the strata lot for a reasonable area for the construction of the approved building.
- c. To construct a vehicular access and parking areas approved by the Shire of Nannup.
- d. For any other reason where specific written approval has first been obtained from the Shire of Nannup. This condition to be satisfied prior to issue of clearance(s).

st20 Occupation only when buildings completed

Buildings are not permitted to be occupied until they have been completed to the satisfaction of the Shire of Nannup. Notification is required on completion to arrange a final inspection.

st21 Site Classification Report

A Site Classification Report being provided for the vacant strata lot on soil foundation conditions to the satisfaction of the Shire of Nannup prior to issue of clearance(s).

st22 Upgrading of building

The existing dwelling is to be renovated/refurbished to a suitable standard for strata title subdivision as well as the upgrading of services, privacy screen fencing, carparking and accessways and landscaping in accordance with the Shire of Nannup Planning Approval requirements.

st23 Section 6 Restriction - persons over 55 years

Strata plans for strata lots containing the units are to be specified with a Section 6 Restriction of Use clause stipulating "no dwelling being occupied or leased to any person under the age of 55 years".

STANDARD REASONS FOR SUBDIVISION REFUSAL

(When there is an absence of a current Development Approval)

st24 No Planning Application for development

To date, no Planning Application for a development has been submitted for the site. Therefore, the appropriateness of the site for development and, hence, strata subdivision, is not assessed. In addition, the proposed boundaries of the proposed strata lots cannot be tested against existing or proposed buildings and, therefore, it is not possible to provide any assurances that boundary clearance(s), fire ratings and other relevant controls can be achieved.

st25 No information has been supplied on water and sewer availability

No information has been supplied on water and sewer availability, a full assessment of which would be required to obtain an initial Planning Approval, which would also take into account any site limitations, flooding, etc.

Related Policies	
Related Procedures/ Documents	1. <i>LPP017 Shire of Nannup General Conditions & Guidelines for the Design and Construction of Subdivisional Works</i> V2 2009 LPP017 Attachment 1 Subdivision Development Guidelines.doc
Delegation Level	CEO, by CEO to Manager Development Services
Adopted:	OM 22 April 2010.
Reviewed:	

Policy Number:	LPP 009
Policy Type:	Local Planning Policy
Policy Name:	Relocated Dwellings
Policy Owner:	Manager Development Services

Authority: Shire of Nannup Local Planning Scheme No.3
Health (Asbestos) Regulations 1992
Building Act 2011
Health Act 1911
Building Regulations 2012
Building Code of Australia

OBJECTIVES

The objectives of the policy is to:

1. Control the type of materials used and the standard of finish of relocatable/transportable buildings within the Shire to ensure that they do not detract from the amenity of the surrounding buildings and/or properties.
2. Ensure no hazardous materials are brought into the Shire that are damaged as part of the relocation process and not remedied in accordance with the relevant legislation.

DEFINITIONS

Nil

POLICY

Re-sited dwellings within the Shire of Nannup are subject to the following conditions as part of the building permit approval process:

1. The dwelling is to be inspected by a practicing Structural Engineer, who is to issue a full report to the satisfaction of the Manager Development Services stating that the proposed dwelling is in a sound condition, and can be transported and relocated. The report must also detail any defects in relation to cladding, roofing and any other repairs necessary to bring the house up to standard in accordance with this policy. The report is to be accompanied by photographs of each elevation of the house.
2. Dwellings clad with asbestos cement sheeting will be permitted, provided that the cladding is undamaged and the relocation complies with the Health (Asbestos) Regulations, 1992.
3. Building plans of the dwelling must be provided per the Building Regulations 2012 as part of the building permit application to the Shire.

4. A Building application is to be completed by applicant and submitted to Council to enable a Building permit to be issued. The building permit fee must be paid prior to the house being relocated.
5. Dwelling relocation into the Shire prior to a building permit being issued may result in prosecution with the offender being required to remove the dwelling and relocate it outside the Shire boundary.
6. A septic tank application form or a notice of intent to connect to the Nannup infill sewerage scheme shall accompany each application.
7. Approved Building Permits will be void if the work covered by the license is not substantially commenced within 6 months of the date of issue of the license. The building must be completed to the satisfaction of Council's Manager Development Services within 12 months of the date of issue of the building permit.

Note:

Council can institute action under the Building Regulations 2012 and the Building Act 2011 if the building is not completed within the specified time. Non compliance with any of the conditions imposed on the Building Licence will render the building incomplete.

8. All work carried out on the dwelling is to comply with the provisions of the Building Code of Australia and the Health Act 1911.
9. All damage is to be repaired as below:
 - 9.1. Any damaged sections of external cladding to be replaced by new full sheets (or boards of timber) to match existing.
 - 9.2. Any damaged roofing sheets, gutters and ridge-caps are to be replaced with new roofing materials.
 - 9.3. Any damaged or rusted gutters or downpipes are to be replaced with new materials.
 - 9.4. Any damaged tiles are to be replaced with new tiles of the same colour and design of the existing tiles.
 - 9.5. Second hand materials are not to be used without the prior approval of the MDS.
10. All external fixtures such as architraves, fascias, barge boards etc are to be replaced where necessary through damage incurred in transit, splitting rot or other reason to the satisfaction of the Manager Development Services.
11. Any broken glass in the dwelling is to be replaced with all windows and doors to open freely. Locks and catches are to be easily operable.
12. All ablution facilities are to be contained within the main structure. Wet area floors and walls are to be of concrete or other approved impervious material complying with the Building Code of Australia (BCA).

13. On completion, the dwelling is to be painted or otherwise treated to present a neat appearance to the satisfaction of Council's Manager Development Services.
14. The WC door is to open out, or be easily removable from outside in accordance with the BCA.
15. The kitchen stove is to be provided with an approved fume hood or an exhaust fan in accordance with the BCA
16. All electrical work is to be certified by a licensed electrician.
17. A suitable supply of potable water for all domestic purposes is to be provided.
18. The building is not to be occupied prior to final inspection being undertaken by Council's Manager Development Services.

Related Policies:	
Related Procedures/ Documents	
Delegation Level:	CEO, CEO to MDS, BS
Adopted:	OM 22 April 2010. OM 26 November 1992
Reviewed:	OM 22 September 1994 OM 17 November 1994 OM 16 December 1999 OM 02 May 2002

Policy Number:	LPP 014
Policy Type:	Local Planning Policy
Policy Name:	Mobile Shop/Temporary Premises/Street Stall
Policy Owner:	Manager Development Services

Authority: Local Government Act 1995
Health Act 1911
Shire of Nannup Local Planning Scheme No.3
Australia New Zealand Food Standards

OBJECTIVES

To regulate the operation of Mobile Shop/ Temporary Premises and Street Stalls to ensure that there is no disruption to local businesses and/or to pedestrian traffic.

To ensure a consistent approach to the operation of retail and wholesale premises.

DEFINITIONS

Mobile Shop/Temporary Premises:

Retail or wholesale premises that is movable and operates from the road reserve or Council reserve and stops sufficient time only to affect a sale. It cannot remain stationary at any time to anticipate sales.

Stall:

Includes a mobile shop/temporary premises or stall that has been given Council approval to remain stationary in the Road Reserve, Reserve or private land for a period on not exceeding three days.

Market Day:

The fortnightly market in Warren and Brockman Street excluding special events (i.e Nannup's Music Festival, Garden Festival)

POLICY

All persons intending to establish or operate any Mobile Shop/Temporary Premises, Street Stalls, either in conjunction with or independent of any Market Day, are required to make application to Council for approval. This is additional to any other Council approvals for events and relates to the operation of the stalls and temporary premises.

Application is to be made on the application form "Conditions for approval for operating street stalls/temporary premises". The person making the application is responsible and accountable for the operation of the stall/ temporary premises.

Council has approved "Market Days" and on the Road Reserve in Warren Road and Brockman Street under the following conditions:

1. A nominated person is to be responsible for the "Market Day".
2. The area is to be left free of litter, stalls, signs and equipment at the end of the trading day.
3. Recipients of donations from the stalls shall be bonafide charities, sporting associations or community groups.
4. Stall holders shall not locate outside business premises unless consent of that business has been received.
5. No stall shall obstruct the passage of pedestrian traffic, which may lead to pedestrians being forced to use the road instead of the footpath.
6. All stall holders are liable for the health and safety of the public and shall ensure that there are no "hazards" caused and are liable should their stall contribute to any incident.
7. Markets are permitted fortnightly and to operate only between the hours of 8am and 2pm.

Should the sale of food be considered, the document "*Food Regulations 2009*" is to be provided and standard conditions are to apply:

1. General Conditions: *Stalls/Sausage Sizzles/All Pre-packaged Foodstuff from Registered Premises.*
2. General Conditions: *Temporary Food Premises.*
3. A copy of a current of their "Certificate of Registration" is to be provided from the local government that they have notified that they are selling food in accordance with the Food Act 2008 and Food Regulations 2009.

Before any approval is given the applicant is to:

1. Sight and sign the Shire of Nannup's Standard Occupational Health and Safety Rules.
2. Provide a copy of their public liability insurance.

Related Policies:	Nil
Related Procedures/ Documents	<ol style="list-style-type: none"> 1. Application for a Mobile Shop/Temporary Premises/Street Stall <u>LPP014 Attachment 1.docx</u> 1.1. Food Regulations 2009 <u>LPP014 Attachment 2.docx</u> 1.2. Nannup's Standard Occupational Health and Safety Rules. <u>LPP014 Attachment 3.docx</u> 1.3. General Conditions: Stalls/Sausage Sizzles/All Pre-packaged Foodstuff from Registered Premises. <u>LPP014 Attachment 4.docx</u>

	1.4. General Conditions: Mobile Shops/Temporary Premises/Street Stalls . <u>LPP014 Attachment 5.docx</u>
Delegation Level:	CEO, CEO to MDS
Adopted:	OM 22 April 2010.
Reviewed:	

REVOKE

POLICY NO.	LPP 016
POLICY TYPE	Local Planning Policy
POLICY NAME	Temporary Caravan Parks and Camping Grounds
POLICY OWNER	Infrastructure Manager

Objective

To clarify the requirements of the Caravan Parks and Camping Grounds Act 1995 and Regulations 1997, where a local government is empowered to approve a Temporary Facility (i.e. Caravan Park and/or Camping Ground).

Statement

Clause 6 of the Caravan Parks and Camping Grounds Act 1995 requires that any person who operates a caravan park or camping ground (including a Temporary Facility) must be licensed. The *Caravan Parks and Camping Grounds Regulations 1997* provide that a Local Government may issue a license for a Temporary Facility for a stipulated period under 12 months. Prior to giving this written approval the Local Government must be satisfied that the land is a suitable place for camping especially with respect to:-

- safety and health; and
- access to services

Application for Temporary License

Application for approval shall be made in the form prescribed in the Regulations, together with a site plan and prescribed application fee (minimum \$100.00). Full details of the toilet/ablution facilities for caravans/camps, vehicle roadways, provision of potable water, refuse collection and disposal, supervisory arrangements and any other information required by the Shire, must be provided.

A licence for a Temporary Facility will stipulate the period/s of license and shall be issued for no more than one year prior to a license period.

Minimum Standards/Conditions

1. Limit to Number of People on a Site
No more than ten people are to camp on a site at any one time.
2. Distances between Caravans, Camps, Buildings etc
There is to be a least 3 metres between a caravan, annex or camp on a site and;
 - a caravan, annexe or camp or any other site;
 - any building on the facility; or
 - an access road.
3. Tent/Camping Sites
A tent or camping site must have a minimum area of 25 square metres.

4. Access

Access to all caravan or camping sites shall be at least 6 metres wide.

5. Fire Prevention and Protection

- The lot shall comply with the Shire's Fire Break Order (or variations thereof).
- There shall be an adequate volume of water on-site with appropriate appliances, or alternative arrangements for fire fighting purposes.

6. Ablution and Toilet Facilities

The number of showers, toilets and hand basins shall be as per the following table. This table relates to a Nature based Park, which may be occupied for up to 3 consecutive nights. For occupation beyond 3 consecutive nights, the number of toilet/ablution fixtures will be derived from Schedule 7 of the *Regulations*.

No. of Sites	Toilets			No. of Showers (each sex)	No. of Hand Basins (each sex)
	Male		Female		
	No. of pedestals	mm of urinal trough	No. of pedestals		
1-10	1	0	1	1	1
11-17	1	600	1	1	1
18-20	2	600	2	1	1
21-25	2	600	2	2	2
26-34	2	1200	2	2	2
35-50	2	1200	3	2	2
51-75	3	1800	4	3	3
76-100	4	2400	5	4	4

- In calculating the number of sites above, two camping sites are equal to one caravan site and for each 600mm or urinal trough, a toilet may be provided instead.
- Caravans or Recreational Vehicles containing independent toilet and ablution fixtures, with sufficient fresh water and waste-water storage capability can be excluded from calculations based on the above table. However, such vehicles shall be generally accommodated in a dedicated area and the supervisor must record the vehicle type and registration number.
- At least one hand basin must be provided in a toilet block for the use of each gender.
- Where the lot is used for no more than two consecutive nights per license period, the requirements for showers will not apply.
- An adequate supply of running water must be provided for all ablution facilities.

7. Rubbish

There is to be at least one rubbish bin with a capacity of not less than 80 litres for every five sites. Bins will be emptied as necessary to prevent overflow of refuse or a nuisance being created.

8. Waste Water Disposal

Having regard for the temporary nature of the Facility, there shall be an adequate number of septic tank and leach drains servicing the ablution and toilet facilities as per the Health Department of Western Australia regulations.

9. Supervision

The Temporary Caravan Park or Camping Ground will be provided with suitable on-site supervision. As a minimum, supervision must be provided when clients are booking-in and a phone help/contact number, which is accessible throughout the license period, must be posted for the notice of all patrons.

The supervisor must record the number of caravan and camping sites allocated and the number of vehicles with independent sanitary fixtures (see item 6 above).

Exemptions

A rural lot may be used as a Caravan Park and Camping Ground without seeking the approval from the Local Government if the lot is used for no more than three consecutive nights and not more than ten nights per year.

A Shire owned lot or land vested in the Shire which is formally controlled by a community organisation may be used as a Caravan Park and Camping Ground without seeking the approval from the Local Government if the lot is used for no more than three consecutive nights and not more than ten nights per year.

These exemptions only apply on condition that the use of that land for a Caravan Park and Camping Ground is in compliance with the above minimum standards.

Licence

Upon planning approval being given, a planning consent will be issued requiring the standards outlined in this policy and any other condition that the Council sees fit to impose shall be complied with prior to the grounds being occupied. The planning consent shall be regarded as the licence.

A licence for a Temporary Caravan Park and Camping Ground shall be applied for on an annual basis.

Related Policies:	
Related Procedures/ Documents	
Delegation Level:	

Adopted:	OM 23 February 2012 # 8733
Reviewed:	

REVOKE

Policy Number:	LPP 017
Policy Type:	Local Planning Policy
Policy Name:	Subdivisional Development Guidelines
Policy Owner:	Manager Development Services

Authority: Shire of Nannup Local Planning Scheme No3

OBJECTIVE

To provide guidelines for the design and construction of subdivisional works for developers.

DEFINITIONS

Nil.

POLICY

Council requires that the provision of engineering works associated with the subdivision and development of land within the Shire of Nannup are undertaken in accordance with the adopted Shire of Nannup Subdivisional Development Guidelines.

Related Policies:	
Related Procedures/ Documents	1. Local Government Guidelines for Subdivisional Development Version 2, 2009. LPP017 Attachment 1 Subdivision Development Guidelines.doc
Delegation Level:	CEO, CEO to WM
Adopted:	OM 22 April 2010.
Reviewed:	

Policy Number:	LPP 001
Policy Type:	Local Planning p Policy
Policy Name:	Cut & Fill and Retaining Wall
Policy Owner:	Chief Executive Officer Manager Development Services

Authority: Shire of Nannup Local Planning Scheme No.3

INTRODUCTION

The natural topography of the Shire of Nannup provides a number of challenges to land owners and developers, in particular finding level building sites in some areas. To create these level sites cut and fill techniques are often used along with the development of retaining walls.

This is more easily addressed at subdivision stage where the systematic development of retaining walls can be addressed for the whole of the land. More problematic is where individual landowners seek to establish retaining walls and the impacts unregulated designs and finishes will have on immediate neighbours and the locality as a whole.

It is becoming increasingly apparent that the management of these forms of development has not been sufficient.

This policy has been formulated to provide a set of guiding principles for landowners, developers and ~~Shire administration staff~~ the local government in respect to where 'cut and fill' of residential land in the ~~Shire~~ local government is sought and specifically, where retaining walls and the like are sought.

OBJECTIVES

The principal objectives of this Policy are:

1. To preserve the natural topography of the Scheme Area by restricting the level of cut and fill development specifically on steep slopes which may be more suitable to other construction techniques (i.e.: pole homes, stump system, retaining walls.)
2. To ensure that at subdivision stage, an assessment is undertaken as to the likely need for cut and fill and/or the development of retaining walls based on the slope of the land, lot size and vegetation cover prior to clearance of Western Australian Planning Commission (WAPC) subdivision conditions.
3. To ensure that where individual landowners seek to undertake cut and fill and/or the development of retaining walls on boundaries, the assessment provided in this Local Planning Policy is undertaken.

DEFINITIONS:

Nil.

POLICY

Application of this Policy

~~Table 3 of the Residential Planning Codes ('R Codes') would normally require a minimum setback to a common boundary of 1.5m for a 'building' that is 2.4m in height. Under the R Codes, a 'retaining wall' is defined as a 'building'. Any modification is addressed under the R Codes as follows:~~

~~"2.4 Discretionary decisions~~

~~In relation to the codes, discretionary decisions shall be decisions made by the council with respect to any aspect of a proposed development that varies from the relevant acceptable development provision or a provision of a local planning policy.~~

~~2.5 Exercise of discretion~~

~~2.5.1 Where codes approval is required, the applicant shall make an application in accordance with the form set out in appendix 2 to the council for approval. Subject to clauses 2.5.2 and 2.5.3, the council is to exercise its discretion in considering such applications having regard to the considerations, standards and requirements provided in the codes.~~

~~2.5.2 Discretion shall be exercised having regard to the following considerations:~~

- ~~(a) the stated purpose and aims of the scheme;~~
- ~~(b) the provisions of parts 1-7 of the codes, as appropriate;~~
- ~~(c) the performance criterion or criteria in the context of the coding for the locality that corresponds to the relevant provision;~~
- ~~(d) the explanatory guidelines of the codes that correspond to the relevant provision;~~
- ~~(e) any local planning strategy incorporated into the scheme;~~
- ~~(f) a provision of a local planning policy pursuant to this policy and complying with clause 2.5.3; and~~
- ~~(g) orderly and proper planning."~~

The Policy applies throughout the district. The Policy has a particular focus on residential areas where cut and fill are proposed and which will result in the construction of retaining walls. The Policy also seek to provide guidance where there are variations to the Residential Design Codes of Western Australia (R Codes) relating to residential development.

~~The Policy applies to all applications relating to site development of residential land where cut and fill resulting in the construction of retaining walls associated with private residential development within the Shire of Nannup, is sought.~~

Relationship to Other Policies

~~This Policy should be read in conjunction with all Council Policies and the Shire of Nannup Local Planning Scheme No.3 (as amended).~~

~~This Policy is adopted pursuant to clauses 2.2, 2.3 and 2.4 of the Shire of Nannup Local Planning Scheme No.3 (as amended).~~

DefinitionsDEFINITIONS Interpretations

1. **“Terrace”** – for the purpose of this policy a “terrace” is a series of flat platforms (or steps) on the side of a hill, rising one above the other. The base of the terrace is taken to be the bottom of the lowest step with the top being the highest point of the highest step.
2. **“Topsoil”** - for the purpose of this policy “topsoil” is taken to be the soil zone containing decomposed organic matter and seed source, generally not to exceed 150mm in depth.
3. **“Unprotected Embankment”** – for the purpose of this policy an “unprotected embankment” is taken to be the face area of a section of fill that is not subject to retaining or other forms of stabilisation.

Other definitions as set out in the Scheme or in the R Codes.

Application of this Policy

~~The Policy applies throughout the district. The Policy has a particular focus on residential areas where cut and fill are proposed and which will result in the construction of retaining walls. The Policy also seek to provide guidance where there are variations to the *Residential Design Codes of Western Australia* (R Codes) relating to residential development.~~

Links to Local Planning Scheme and other documents

~~This Policy should be read in conjunction with all Shire of Nannup policies and the Shire of Nannup Local Planning Scheme No.3 (as amended).~~

Policy ProvisionsPOLICY

In assessing a proposal the local government~~Shire~~ shall consider the following:

1. Where the local government~~Council~~ suspects that unstable soil and site conditions occur, or the slope is greater than 1:5 the local

[governmentCouncil](#) will require a geotechnical report and a structural engineer's report to determine building construction requirements.

2. No land over 1:4 slope prior to grading shall be developed using cut & fill construction techniques, except at the specific discretion of [the local governmentCouncil](#) and where it can be shown that a minimum amount of development is in the spirit and not incompatible with the objectives of this policy.
3. The specific policy requirements that apply to all land within Local Planning Scheme No. 3 as set out below:
 - 3.1. Access tracks are to be located in such a manner as to minimise the required earthworks.
 - 3.2. All exposed earthworks will be required to be landscaped in accordance with an approved landscaping plan (see section 6.4).
 - 3.3. Topsoil is to be stripped separately and stockpiled on site, to be respread during landscaping.
 - 3.4. Water discharge from the site during development is to be controlled by the use of ripping, contour banks or grade banks and sumps to attenuate turbid and/or nutrient rich water leaving the site.
 - 3.5. Where a residence is to be constructed partially on cut and partially on fill, the excavated material is to be placed outside the building area to form batters and embankments and the platform is to be filled with sand. Consolidated in even lifts, not exceeding 600mm, to produce a density which will resist seven blows per 300mm of standard 16mm diameter penetrometer. As an alternative, pile and beam foundations into natural uncut ground in the fill area are acceptable.
 - 3.6. Fill is not to exceed 1.5m at any given point on the site and the top level of the fill is not to exceed 2.4m from the base of the fill.

Retaining wall requirements

Unless otherwise provided for within this policy, retaining walls will be required where cut or fill is equal to, or in excess, of [0.91.0](#) metre. Note: Owners and developers need to observe health and safety requirements

1. A retaining wall is not to exceed 2.4m in height (measured from the base of the wall).
2. Where it is proposed to terrace a portion of a lot the policy provisions set out above apply in so far that where a step is in excess of 1m retaining will be required and the top level of the terrace is not to exceed 3.0 from the base of the terrace.
3. Where an unprotected embankment is proposed no retaining will be required where it is in accordance with BCA Volume 2 Part 3.1.1 –

Earthworks (note Attachment 1). Such embankments are to be landscaped in accordance with an approved landscaping plan.

4. Land owners and developers should note their 'Health and Safety' responsibilities with regards to retaining walls during construction and on completion. Provision for safety fencing in accordance with the BCA P2.5.2 – Barriers.

Landscaping plan requirements

Where a landscaping plan is required it is to include:

1. list of species to be used;
2. location of planting;
3. location of reticulation areas;
4. location of compensating basins/sumps;
5. areas to be direct seeded/mulched;
6. species used in a seed mix (if applicable);
7. timing of revegetation program; and
8. fertiliser use is to be specified (including the type of fertiliser, application rates, method of application and timing of application).

Application Details

Subdivision and Development

1. Where as part of the overall subdivision and development of land, any permanent excavation with a slope steeper than the angle of repose or natural slope of the soil shall have retaining walls of masonry or other materials approved by the local governmentShire of sufficient strength and stability to retain the embankment together with any surcharged loads.
2. Design of the retaining structure is to be by a practising Civil or Structural Engineer with certified engineering drawings to be submitted to the local governmentShire for approval.
3. Information to be supplied with the engineering assessment will include but not be limited to the following:
 - a site plan showing the main topographical features of the site including slope;
 - contours and drainage lines;
 - vegetation;
 - dams and water courses;
 - rock outcrops;
 - soil type,
 - fences
 - buildings;

- level of top of sand pad/fill;
- finish floor level;
- cut and fill section showing sub soil drainage and cut off drains;
- cut and fill section (of greatest cut and fill) showing method of retention;
- landscaping plan (if required);
- design and construction details of any retaining walls (if required) which shall be prepared by a suitably qualified structural engineer; and
- other details required elsewhere within this Local Planning Policy.

4. The [local governmentShire](#) will determine the type and colour of materials to be used forming the retaining wall. In considering the type and colour of materials, the [local governmentShire](#) may require the subdivider to undertake a visual assessment to the requirements of the [local governmentShire](#). In addition, any brick or block work undertaken will be required to have a 'clean' finish to the adjoining lot.

Individual Lots

1. Where any permanent excavation with a slope steeper than the angle of repose or natural slope of the soil shall have retaining walls of masonry or other materials approved by the [local governmentShire](#) of sufficient strength and stability to retain the embankment together with any surcharged loads.
2. Design of the retaining structure by a practising Civil or Structural Engineer will be required and shall be submitted to [the local government-Shire](#) for approval prior approval of a Building Permit.
3. Information to be supplied with the engineering assessment will include but not be limited to the following:
 - contours of site;
 - level of top of sand pad/fill;
 - finish floor level;
 - cut and fill section showing sub soil drainage and cut off drains;
 - cut and fill section (of greatest cut and fill) showing method of retention;
 - drainage;
 - landscaping plan (if required);
 - design and construction details of any retaining walls (if required) which shall be prepared by a suitably qualified structural engineer;
 - provisions of the Residential [DesignPlanning](#) Codes; and
 - other details required elsewhere within this Local Planning Policy

4. Where a retaining wall in the Residential zone is proposed on a boundary, a Licensed Surveyor must be employed by the landowner to set out the boundaries prior to the commencement of any works. In this regard, the requirement for a Licensed Surveyor will be included as a condition of Building Permit.

5. The ~~Shire~~local government will determine the type and colour of materials to be used forming the retaining wall. Generally, the type of retaining wall structure will be of 'earth' tones and normally not include concrete blocks or similar.

In relation to the development of land forming the '~~Askino~~Hines' subdivision, retaining walls will be in accordance with the endorsed Development Guide Plan as included in Attachment 2 and ensure that the buildings are in 'earthy tones' and not limestone in colour. Examples of colours that are acceptable include Dulux®:

- Latte;
- Ground Coriander;
- Stucco Tan; and
- Nubuck;

as per the colour chart included as Attachment 3.

Other colours may be also be acceptable and in this regard, it is recommended that you closely liaise with the ~~local government~~Shire.

* Dulux® is a Registered Trademark

In addition, any brick or block work undertaken will be required to have a 'clean' finish to the adjoining lot.

6. As part of the assessment process, consultation is ~~usually required to be undertaken~~. ~~The local government~~Council ~~will~~ may require applicants to supply written support from adjoining landowners specifically implicated by the proposed retaining wall. Where written comments are not able to be obtained by the applicant, staff will provide written advice to adjoining landowners and community groups (at the applicants cost) of the proposed construction and invite them to submit comments to the ~~local government~~Shire.

7. If an adjoining landowner or community group does not respond within the time provided (generally ~~1421~~ days), the ~~local government~~Shire will consider the application on the basis that the landowner has not exercised their opportunity to comment.

8. Where objections are received the submission(s) will be reviewed and considered in light of the applications relevance against the Local

Planning Scheme No. 3, [the R Codes](#) and the provisions of this [Policy](#).

Related Policies	
Related Procedures/Documents	<ol style="list-style-type: none"> 1. Building Codes of Australia Table 3.1.1.1 LPP001 Attachment1.docx 2. Subdivision Guide Plan Lot 23 Brockman Highway – P0486-01(SGP) dated July 2006. LPP001 Attachment 2.docx 3. Dulux® colour chart LPP001 Attachment 3.pdf
Delegated Level	CEO, CEO to Manager Development Services & Building Surveyor, Executive Officer, Manager Infrastructure, Development Services Officer
Adopted	OM 22 April 2010 # 8157
Reviewed	

Policy Number:	LPP 002
Policy Type:	Local Planning Policy
Policy Name:	Private Stormwater Drainage Connections to Council's Stormwater Drains
Policy Owner:	<u>Chief Executive Officer Manager—Development Services</u>

Authority: Planning and Development Act 2005
Local Government Act 1995 Sch 9.1.7
Shire of Nannup Local Planning Scheme No.3

OBJECTIVE

To provide a control system for the installation of private drainage connections, within townsites, to ~~Council's~~ the local government's drainage pipelines, at a cost to the applicant.

To minimise maintenance issues with townsite drainage systems caused by private connections, to ensure that kerbs and pipelines are not damaged by unqualified and inexperienced installers and to provide a uniformed standard.

DEFINITIONS

Townsite:

Includes the subdivision of ~~Lot 23 Breckman Highway~~ (" the "Askino Estate") along with other urban, residential and associated subdivision/development near the Nannup townsite.

POLICY

All land owners can apply to ~~Council~~ the local government to connect their private stormwater drainage into any available ~~Council~~ local government drainage system on a street/road reserve or a drainage reserve or easement, but must make application and copy with the ~~Council's~~ local government's specifications.

All applications are to be accompanied with a refundable bond as set out in the ~~Council's~~ local government's adopted Fees and Charges of \$250 to ensure the approved work is in accordance with the approved plans and specifications. With new houses this will form part of the building permit process.

Drainage connections may be to an inlet pit/well liner or pipeline in the street verge. They may also be made to an open 'Vee' drain or to a properly shaped gap in the kerb line. Connections can also be made to a drainage Reserve or easement through private property provided the requisite approvals are acquired.

Any drainage pipe connecting from private property into a public ~~Council~~local government controlled piped drainage system will require the installation of a manhole/silt trap to be situated and built within the private property prior to connection into ~~Council's~~the local government's system, to stop any silt or debris from entering the pipeline system.

All maintenance of the silt trap is the landowners responsibility and ~~Council~~the local government will not accept any liability for any damage or failure of the silt trap.

There are various other services on the road reserve, eg power, water supply, sewer, telephone cables etc. Whoever installs the private drainage connection is totally responsible for checking the location of these services and for any liability if damage is done to them.

~~Council~~The local government is not responsible for damage done to private drainage pipes on street verges by other groups, individuals or service authorities.

If the drainage plumber or builder declines to make good any lack in meeting ~~Council's~~the local government's requirements, then ~~Council~~the local government shall retain the ~~\$250~~ bond and use its own staff to complete the works.

~~Council~~The local government shall allow a private drain pipe connection to be cut into the existing kerbing of a street to allow the water to drain down the kerb face if the pipe is of a small diameter (approximately 90mm) and the connection makes use of a standard commercial shaped drainage fitting to match the kerb profile.

The ~~Council~~local government will generally require that new drainage pipes, proposed to be created through new lots, are protected by an easement.

Related Policies	LPP 01.003 Installation of a Crossover Policy <u>Carparking and Vehicular Access</u>
Related Procedures/Documents	1. Shire of Nannup Stormwater Management Procedure LPP002 Attachment 1.docx
Delegation Level	CEO, Manager Infrastructure, Executive Officer, Development Services Officer <u>CEO to WM</u>
Adopted	OM 22 April 2010
Reviewed	

Policy Number:	LPP 004
Policy Type:	Local Planning Policy
Policy Name:	Bed & Breakfast
Policy Owner:	<u>Chief Executive Officer Manager Development Services</u>

Authority: Shire of Nannup Local Planning Scheme No.3
~~Shire of Nannup Health Local Laws 2003~~

OBJECTIVE

This policy aims to facilitate the provision of high standards of Short Stay/Home Style accommodation in various locations to encourage tourism whilst maintaining the amenity of those locations for permanent residents.

DEFINITION

~~Council's~~ The Shire of Nannup Local Planning Scheme No3 (LPS No. 3) defines Bed and Breakfast accommodation as follows:

"Bed and Breakfast accommodation means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short-term basis and includes the provision of meals."

This policy extends the definition to incorporate the number of persons who can be accommodated at any one time under the Scheme provisions.

"Bed and Breakfast accommodation means a dwelling, used by a resident of the dwelling, to provide accommodation for ~~a maximum of six (6)~~ persons away from their normal place of residence on a short-term basis and includes the provision of breakfast."

Note:

Where a premise accommodates more than six (6) persons exclusive of the family of the keeper, it shall be defined as a "lodging house" and is required to comply with the provisions of LPS No. 3, Health Act 1911 and the Shire of Nannup Health Local Laws 2003.

POLICY

The establishment of Bed and Breakfasts within the Shire of Nannup are to note the following:

Locations/Zones

A Bed & Breakfast may only be established in areas designated within the Zoning Table that forms part of the Shire of Nannup Local Planning Scheme

No.3, which requires approval by Council the local government as a "D" use. A Bed & Breakfast use is nNot permitted in the Industry Zone "industrial" or where specifically excluded in a stated in-development guide plan, subdivision guidance plan or structural structure plan.

Appearance of Dwelling

The use of Bed & Breakfast accommodation shall be incidental to the predominant use and nature of the dwelling. The appearance of the dwelling shall remain residential and shall not impact adversely on surrounding properties.

Minimum Standards /conditions for Bed & Breakfast Accommodation:

Bedrooms

1. Maximum 3 guest bedrooms for guest purposes (maximum 56 adults), with a separate bedroom for the owner/manager.
- ~~2. No guest bedroom shall have openings to any other bedroom or facilities not for use of guests.~~
- ~~3. Rooms to be suitably furnished for number of guests approved by Council.~~
- ~~4. Rooms to be kept clean at all times and supplied with clean linen.~~
- ~~5. Rooms to be provided with lockable door.~~

Bathrooms / WC

- ~~1. Bathrooms to be either shared facility for guest's only or private en-suite facility off bedrooms, or a combination of both.~~
- ~~2. Bathroom / WC to have impervious surfaces and shall be kept clean at all times.~~
- ~~3. Hot water shall be capable of being provided at all times.~~
- ~~4. Minimum facilities to include bath and /or shower, hand basin and WC.~~
- ~~5. Any shared bathroom and WC to be provided with lockable doors.~~

Note:

~~Upgrading of plumbing, including septic disposal system, may be required if existing domestic system is inadequate as determined by Council's Environmental Health Officer.~~

Kitchen

- ~~1. Kitchen to be kept clean and tidy at all times.~~
- ~~2. Floor areas to be smooth and impervious.~~
- ~~3. Suitable facilities for the hygienic preparation, storage and cooking of food shall be provided.~~

- ~~4. Preparation of breakfast to be the responsibility of domestic residents and self-service cooking by guests is not permitted. The preparation of tea and coffee and like by guests is permitted.~~

Water

Adequate water supply is to be provided for ablutions, cooking and drinking that meets the Australia Drinking Water Guidelines. Additionally, adequate water for fire fighting purposes is to be provided.

General Issues and Requirements

In determining the suitability of a Bed and Breakfast proposal, ~~Council~~ the local government shall take into consideration the following issues and requirements:

- ~~1. Location of adequate public transport facilities (eg bus routes, main roads, footpaths and cycleways);~~
- ~~2. Location of shopping facilities in the vicinity;~~
- ~~3. Location of recreation and tourist facilities or other similar type of activity;~~
- ~~2.~~ Potential impact on the adjoining properties and surrounding residential area;
- ~~4.3.~~ Appropriateness of accessibility by vehicle or as required by walking and cycling.
- ~~5.4.~~ Car parking to be provided on site is one (1) car bay for every two guest rooms and two (2) spaces for the dwelling itself;
- ~~6.5.~~ The provision of adequate emergency management response.
- ~~7. Bed and Breakfast accommodation shall not consist of self contained rooms, however ensuite and bathroom facilities may be provided within each room. Access to communal laundry, bathrooms and breakfast eating areas should also be catered for within the building.~~

Approval Conditions

The following conditions (not limited) will apply to all Bed and Breakfast Accommodation applications on approval:

1. An approval shall not be transferred or assigned to any other property;
2. Bed and Breakfast Accommodation shall not be used as a lodging house or for permanent accommodation;
3. A sign, subject to the provisions of ~~Council's~~ the local government's Sign Policy, may be erected on-site subject to the approval being granted by the ~~local government~~ Manager of Development Services;
4. Smoke alarms to be installed in accordance with Part 3.7.2 Vol 2 of the Building Code of Australia;

5. Car parking is to be provided on-site.;
6. No facility for cooking or laundry facilities will be permitted within the rooms.

Annual Inspection:

~~Council's~~The local government's Environmental Health Officer shall conduct inspections of Bed & Breakfast premises at least on an Annual Basis.

Change of Ownership

Council approval will not be forfeited in the event of change of ownership of the premises. However notification to the ~~Shire~~local government of the intentions of any new owners of these establishments is required to enable ~~Council~~the local government's records to be updated.

Non-Conforming Use

~~Any lapse in use of greater than 12 months will result in fresh approval being required for the renewal of operations.~~

Fees

~~New Bed & Breakfast establishments receiving Council planning approval will be liable for a registration fee, imposed by Council. Planning approval will be subject to this registration fee being paid. Any building extensions or alterations to increase the number of guest rooms will require the annual license to be modified to reflect increase in maximum number of guests permitted.~~

Car parking

~~Any application for Bed & Breakfast accommodation shall demonstrate that adequate guest car parking facilities can be provided on the lot and close to guest rooms. No on-street car parking will be permitted for guest vehicles.~~

Related Policies	<u>LPP 020 Developer and Subdivider Contributions</u> <u>LPP 021 Bush Fire Management</u>
Related Procedures/ Documents	
Delegation Level	CEO, CEO to MD <u>Executive Officer, BS Building Surveyor, Development Services Officer</u>
Adopted:	OM 22 April 2010.
Resolution	
Reviewed:	

Policy Number:	LPP 005
Policy Type:	Local Planning Policy
Policy Name:	Consultation
Policy Owner:	<u>Chief Executive Officer</u> Manager Development Services

Authority: ~~Local Government Act 1995~~
Planning ~~and~~ Development Act 2005
State Planning Policy 3.1 Residential Design Codes
~~(Variation 1) s6.3.2~~
~~State Planning Policy 3.1 Residential Design Codes~~
~~(Variation 1) Part 4~~
Shire of Nannup Local Planning Scheme No.3 (LPS No. 3)

OBJECTIVES

The objectives are to:

- ~~— Develop a method of identifying the level of impact of Council local government proposals and functions;~~
- 1. Clearly define the level of consultation relevant to planning ~~Council~~ local government issues;
- 2. Detail the requirements for consultation based on the level of impact;
- 3. Outline the process ~~Council—the local government~~ will use when undertaking consultation and considering submissions.
- ~~4. Clearly define the levels of consultation required for a range of Shire functions in order for the community to be kept informed, comment on and respond to issues and proposals and gain a sense of ownership of key Council local government functions and activities.~~

DEFINITIONS

The following definitions are relative to this policy:

Adjoining:

Refers to any land or owner of land which abuts an application site or is separate from it only by a pathway, driveway or similar thoroughfare.

Affected Person:

Means a person who owns land:

1. that adjoins an application site; or

2. the enjoyment of which may be detrimentally affected by the use of an application site or the erection of a building on an application site.

Development:

As set out in the *Planning and Development Act 2005* or associated Regulations. Means the development or use of any land, including any demolition, erection, construction, alteration of or addition to any building or structure on the land and the carrying out on the land of any excavation or other works and, in the case of a place to which a Conservation Order made under section 59 of the Heritage of Western Australia Act 1990 applies, also includes any act or thing that—

1. is likely to change the character of that place or the external appearance of any building; or
2. would constitute an irreversible alteration of the fabric of any building.

Land:

Includes any building or part of a building created on the land.

Neighbouring Land:

Any land, other than adjoining land which may be detrimentally affected by the use of an application site for the creation of a building on an application site (and includes properties in a neighbouring local government~~council~~ area).

Notification:

Written advice provided by Council the local government in accordance with the requirements of the policy, however does not provide persons notified with an opportunity to formally respond to, and comment on, the information conveyed.

Submitters:

Those affected persons who have provided written comment on a proposal within the formal comment period or shortly thereafter at the discretion of the local government~~Council~~.

Works:

Any physical alterations made to land or property within the municipality, either by Council the local government or a government agency, or third party authorised by the relevant agency.

Approval Types:

In relation to Schedule 1 ~~(in particular under the Health and Planning sections)~~, any reference to the following letters has the following definition:

- “P” means that the use is permitted by the Scheme providing the use complies with the relevant development standards and requirements of the Scheme.

“D” means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.

“A” means that the use is not permitted unless the local government has exercised its discretion and has granted planning approval after giving special notice in accordance with clause 9.4.

“X” means a use that is not permitted by the Scheme.

POLICY

The minimum level of consultation used by ~~Council~~ the local government shall relate to the extent of community impact or interest associated with the proposed development, project or ~~Council~~ local government works, and shall be selected according to the following categories:

Level 1 NO CONSULTATION (approval type ‘P’ or ‘X’)

~~1.~~ i) No predicable detrimental impact on the character or amenity of the immediate or general locality likely;

~~2.~~ ii) Consultation is not required or is precluded under relevant legislation;

~~3.~~ iii) Consultation has previously occurred, and only minor modifications or modifications that address previous concerns raised are proposed.

Level 2 – ADJOINING LANDOWNER COMMENT (approval type ‘D’ or ‘A’)

~~1.~~ i) Development, use or works involve additions or alterations that are visible or have an apparent impact on the owner or occupier of land immediately adjacent to the side of the property affected.

~~2.~~ ii) Statutory requirements for notification exist (SPP 3.1 Residential Design Codes ~~Part 4~~).

Method of Consultation

The owners/occupiers of properties determined as being potentially affected by a development proposal will be consulted in writing providing a minimum of 14 days for the lodgement of any submissions.

Where the land owner/occupier is consulted by the proponent of a development proposal, evidence of the acceptability of the proposal shall be provided by way of a signed letter of no-objection and endorsement by way of no objection comment, signature, printed name and full address on a copy of the plan(s) submitted for approval.

Level 3 – SURROUNDING (NEARBY) PROPERTIES COMMENTS
(approval type ‘D’ or ‘A’):

- 4.** **i)** Development, use or works involve potential detrimental impacts on the land adjoining the application site or other neighbouring land, the use or enjoyment of which may be affected by the proposal.

Method of Consultation

The owners/occupiers of properties determined as being potentially affected by a development proposal will be consulted in writing providing a minimum of 14 days for the lodgement of any submissions.

Dependent upon the level of impact in the area, the ~~Shire-local government~~ may also publish a notice of the development proposal in a paper, published weekly, that provides coverage of the ~~Nannup-Shire~~Shire of Nannup inviting comment/submissions within a specified period.

The ~~Shire~~local government may also seek comment through advertising on its website and having information available at the Shire office.

Level 4 – LOCALITY/SHIRE WIDE & STATE WIDE (approval type ‘D’ or ‘A’)

Development, use or activities that are likely to affect the amenity, character or function of an area greater than surrounding properties including the whole Shire, proposals, projects or ~~Council-local government~~ functions that are of Shire-wide, Regional or State significance.

Method of Consultation

The ~~Shire~~local government may give notice or require the applicant to give notice in the following manner:

1. Publish a notice of the development proposal in a paper, published weekly, that provides coverage of the ~~Nannup Shire~~Shire of Nannup or where State-wide notification is required, the West Australian newspaper;
2. Arrange for a sign or signs (A3 or larger as required by the ~~Shire~~local government) to be placed in a prominent position(s) on the development proposal site;
3. Consult with the owners/occupiers of properties determined as being potentially affected by a development proposal (in writing) providing a minimum of 21 days for the lodgement of any submissions;
4. Consult with the owners/occupiers of land beyond the foregoing areas where, in the opinion of the ~~Shire~~local government, there will be an impact; and
- 5.** Consult as necessary with other affected government agencies or statutory authorities as the case requires, drawing attention to

the form of the development proposal and inviting comment within a period not being less than 21 days or, where appropriate, such longer period as may be necessary.

- 5.6. The Shire local government will seek comment through advertising on its website and having information available at the Shire office.

Functions and Proposals Subject To Consultation

Schedule I outline the matrix upon which the appropriate level of consultation with affected persons and the community may be determined, for key **Council local government** activities and types of development. Where proposals occur that do not clearly fall within the matrix, or where circumstances indicate that the standard level would not be appropriate, the criteria outlined above shall be used to establish the consultation process required.

Consultation Procedure

The consultation procedure shall be undertaken in the manner outlined in this policy. **Council** The local government shall work towards the introduction of a web-based process and on-line availability of information or relevant issues and proposals, including the ability to make submissions on standard forms via the internet, at which stage the policy shall be reviewed to incorporate this option into the relevant levels of consultation.

Consideration of Submissions

Upon closure of the comment period the following actions are to be undertaken by the responsible officer:

1. Write to all submitters acknowledging receipt of the submission, and advise of the process of determining the issue or action. Where appropriate, this requirement may be replaced by an advert in the local weekly newspaper with written notification to those outside the circulation area, in which case written notification to submitters after the decision is made should be undertaken by the responsible officer.
2. All submissions ~~received will be summarised into issues and scheduled in accordance with Schedule II. These~~ will be taken into account in the determination of the issue or action, and recommendations/decisions made in accordance with the level of officer delegation relevant to the proposal.
3. When a decision is to be made by Council (as distinct from a delegated officer), a summary of submissions, schedule or the actual submission(s) where provided/received will be taken into account by the Council in determining the application/proposal or action to be taken.
4. ~~The delegated officer will advise, through writing, advertising or writing the Council minutes, as appropriate, the reason(s) by which a decision has been reached. Reasons may be given in general or specific terms, depending on the nature of the matter.~~

The local government Council has a responsibility to consider the Economic, Social and Environmental impacts of any proposal. Specifically matters to be taken into account in the consideration of proposals and submissions are outlined in LPS No. 3 clause 10.2. as follows:

1. the aims and provisions of this Scheme and any other relevant town planning scheme(s) operating within the Scheme Area;
2. the Local Planning Strategy;
3. the requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;
4. any approved Statement of Planning Policy of the Commission;
5. any approved Environmental Protection Policy under the Environmental Protection Act 1986;
6. any relevant policy or strategy of the Commission or any relevant planning policy adopted by the Government of the State;
7. any Local Planning Policy adopted by the Council under the provisions of clause 2.4, any heritage policy statement for any designated Heritage Area adopted under clause 7.2, or any other plan or guideline adopted by the local government under the Scheme;
8. in the case of land reserved under the Scheme, the ultimate purpose intended for the reserve;
9. the conservation of any place that has been registered in the Register of Places under the Heritage of WA Act 1990, or which is subject of an order under Part VI of the Heritage of WA Act, or which is included in the Heritage List under clause 7.1, and the effect of the proposal on the character or appearance of a Heritage Area;
10. the compatibility of a use or development within its setting;
11. any social issues that have an effect on the amenity of the locality;
12. the cultural significance of any place or area affected by the development;
- 13.1. the likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment;
14. whether the land to which that application relates is unsuitable for the proposal by reason of it being, or likely to be, subject to flooding, inundation, subsidence, landslip, bush fire or any other risk;
15. the preservation of the amenity of the locality;
16. the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;
- 17.2. whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the

- loading, unloading, manoeuvring and parking of vehicles;
18. the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- 19.3. whether public transport services are necessary and, if so, whether they are available and adequate for the proposal;
20. whether public utility services are available and adequate for the proposal;
21. whether adequate provision has been made for access for pedestrians and cyclists;
22. whether adequate provision has been made for access by disabled persons;
23. whether adequate provision has been made for the landscaping of the land to which the planning application relates and whether any trees or other vegetation on the land should be preserved;
24. whether the proposal is likely to cause soil erosion or land degradation;
25. the potential loss of any community service or benefit resulting from the planning approval;
26. any relevant submissions received on the application;
27. the comments or submissions received from any authority consulted under sub-clause 10.1.1; and
- 28.4. any other planning consideration the local government considers relevant.

Cost of Consultation

The ~~full~~ costs of the consultation requirements specified within this policy are generally reflected in the Planning Application or other fee, however in some cases the costs are to be met by the applicant/proponent. ~~In the case of Level '4' Development Application, the applicant shall be responsible for construction and display of the signage to the specifications outlined in Category Level 4 and Appendix I.~~

Performance Indicators

~~Council will determine compliance with this policy by evaluating:~~

- ~~1. Compliance with statutory time periods and procedures for assessment of applications.~~
- ~~2. Number of complaints received due to lack of information on proposed developments and Council works and activities.~~
- ~~3. No instances noted in the annual audit or compliance return where statutory advertising requirements have not been met.~~

Related Policies:	ADM 19 Community Consultation
Related Procedures/ Documents	<ol style="list-style-type: none"> 1. Schedule 1- Consultation Levels LPP005 Attachment 1.docx 2. Schedule 2- Schedule of Submissions LPP005 Attachment 2.docx 3. Appendix 1 - Specification of sign for Proposal/Development Plan LPP005 Attachment 3.docx
Delegation Level:	CEO, CEO to MDS Manager Corporate Services, Manager Infrastructure, Executive Officer, Development Services Officer, MCS, WM
Adopted:	OM 22 April 2010
Resolution	
Reviewed:	

SCHEDULE 1

Consultation Levels

FUNCTION	CONSULTATION LEVEL
BUILDING	
Building applications	1
Assessment of structures on boundaries (SPP 3.1 s6.3.2)	2
Demolition — licences outside of townsites	1
— licences within townsites	2
— Heritage building/structure	3
Signage	1
PROPERTY MANAGEMENT	
New community buildings/facilities	
Shire catchment function	4
— Local catchment function	3
Refurbishment of buildings	
— Non-Heritage	2
— Heritage	4
Disposal of community building or Council property	
— Non-Heritage	2
— Heritage	4
Use or development of Council reserves where planning approval not required:	
— Consistent with approved plans or strategies.	1
— not associated with approved plans/strategies.	3
Change of use of Council buildings/properties — Minor	1
— Major	3
ENGINEERING/WORKS	
Forward infrastructure management programs (5 year Program)	4
Road and works construction manual	4
Road resurfacing	1
1. Reconstruction and new construction works	
2. consistent with annual programming and involving no significant detrimental impacts on the immediate locality;	2
3. likely to have significant detrimental impacts on the locality beyond those already notified;	4
4.1. minor works (excluding normal maintenance) not associated with annual programming where no detrimental impacts on the locality are likely.	2
HEALTH	
Offensive Trades	2

<ul style="list-style-type: none"> Public events & concerts 'A or D' * uses or likely detrimental impacts on the locality 'P' * uses where unlikely to involve detrimental impacts on the locality 	<p>4</p> <p>1</p>
PLANNING	
Local Planning Scheme Review	4
Local Planning Strategies <u>Review</u>	4
Management Plans (Local)	4
Outline Development Plans & Structure Plans – Minor	3
- Major	4
Scheme Amendments <u>– Minor</u>	<u>3</u>
<u>- Major</u>	4
<u>Subdivision Referrals</u>	<u>3</u>
Development - 'P' <u>or 'X'</u> Uses	1
Development - 'D' or 'A' Uses	
- where there are likely detrimental impacts <u>s</u> to surrounding landowners	<u>32</u>
- where there is no likely detrimental impact to surrounding landowners	<u>21</u>
<u>Local Planning Policies (new or modified)</u>	<u>4</u>
<ul style="list-style-type: none"> Development – 'A' or 'D' Uses where impacts are confined to adjoining properties and the immediate vicinity of the proposal. where impacts affect the broader locality, in addition to adjoining properties. all development applications (other than for a single dwelling and associated outbuildings) shall be referred to relevant State Government agencies, servicing authorities and stakeholders as determined by the local government. 	<p>2</p> <p>3</p> <p>3</p>
<u>Bed and Breakfast</u>	<u>2</u>
<u>Extractive Industries</u>	<u>3</u>
CORPORATE	
Policy/Local Laws	
Local impact or involves specific user groups	3
Shire/State/Regional impacts	4
<u>Reserve use permits</u>	<u>1</u>
<u>Changes to Council function/service provisions (eg Recreation Centre and Library opening times, prices etc.)</u>	<u>2</u>
<u>Forward Plan – development</u>	<u>4</u>
<u>Forward Plan – statutory advertising period</u>	<u>4</u>
<u>New rating structure or format</u>	<u>4</u>
<u>Advertising of rates, annual proposal</u>	<u>4</u>
<u>Specific area rates</u>	<u>4</u>
<u>Budget – advertising</u>	<u>4</u>

Loan proposals not in budget (advertising local)	4
— Plans and Strategies	4
— Council functions impacting on the Shire in general; - impacting on specific sectors of the community (eg. Youth, disabilities etc)	3
Community managed projects involving Council, which impact on other sectors.	3

~~* As defined under the Shire of Nannup Local Planning Scheme No. 3 Section 4.3.2.~~

SCHEDULE 2

Schedule of Submissions

PROPOSAL: _____ **TOTAL No.**
SUBMISSIONS:
FILE No.: _____ **FOR:**
APPLICATION/REFERENCE No.: _____ **AGAINST:**
COMMITTEE: _____ **INDIFFERENT:**
DATE:

ISSUE (CATEGORY)

SERIAL	1. _____	FREQUENCY (OPTIONAL - NATURE OF SUBMISSIONS)	OFFICER COMMENT
	2. <u>COMMENTS</u> <u>RAISED</u>		

Policy Number:	LPP 007
Policy Type:	Local Planning Policy
Policy Name:	Special Rural <u>and Special Residential</u> Fencing Standards
Policy Owner:	<u>Chief Executive Officer Manager—Development Services</u>

Authority: Shire of Nannup Local Planning Scheme No.3

OBJECTIVES

This policy aims to direct persons who wish to erect fencing in the areas zoned sSpecial rRural and Special Residential under the Shire of Nannup Local Planning Scheme No.3 with a view to retaining a rural fencing theme.

DEFINITIONS

Fence:

An enclosure or barrier abutting a roadway, street or boundary line of adjacent property.

Location:

This policy has effect on boundary fencing on Special Rural and Special Residential zoned properties only.

POLICY

The minimum ~~MINIMUM~~ standard of boundary fencing permitted is as below:

1. All fencing of Special Rural lots are to comply with sub-clause 4.13.10.7 of the Scheme along with any relevant conditions set out in Schedule 12 of the Scheme.
2. All fencing of Special Residential lots are to comply with sub-clause 4.13.9.3 of the Scheme along with any relevant conditions set out in Schedule 13 of the Scheme.
3. Fences in are to be efpost and minimum of fourfive (45) strand plain wire construction or post and ring lock or similar approved by the Councillocal government, at least 1 metre high, unless written approval from Councilthe local government has been received for a fence of a lesser standard.
- 1.4. Solid fencing such as super six or pickets is not permitted on boundaries.
- 2.5. When clearing fence lines abutting Council'sthe local governmentsgovernment's road reserve, persons undertaking the

clearing are not to clear more than 2 metres into the road reserve from the surveyed property boundary. Road reserves are to be left free of all cleared material, which shall be contained, on the owner's property.

3.6. The use of electric fencing systems is permitted but not as a substitute for item 2(i), and suitable warning signs are to be placed in prominent positions on the fence at regular intervals on all boundary fences that are electrified. All electric fencing systems must be of a type approved by Western Power.

4.7. The electrification of barb wire fences is not permitted.

8. Owners of special rural properties shall ensure that the fence they construct is sufficient to contain the animals/stock on the property, and where the type of stock kept is varied through changing circumstances, the fence should be maintained to a standard suitable for the stock kept at that time.

5.9. Fencing should be designed to not impede the free flow of floodwaters for land identified as Flood Risk Land in the Scheme.

Fencing Around Dwelling Buildings

~~In addition to the standard prescribed for boundary fencing, Solid fencing such as Netascreen®™, Super Six®™, timber pickets, stone or brick may be permitted in proximity to buildings where only when the Development Services Officer (or the person acting in that capacity) determines that it will not affect the amenity of the area.~~

Related Policies:	
Related Procedures/ Documents	
Delegation Level:	CEO, Executive Officer, Building Surveyor CEO, CEO to MDS, BS Development Services Officer
Adopted:	OM 22 April 2010.
Resolution	
Reviewed:	

Policy Number:	LPP 008
Policy Type:	Local Planning Policy
Policy Name:	Nannup Mainstreet Heritage Precinct
Policy Owner:	Chief Executive Officer Manager — Development Services

Authority: Shire of Nannup Local Planning Scheme No. 3

OBJECTIVE

To guide the development within the defined heritage district to ensure that the existing character of the precinct is not diminished by development applications that does not reflect the Shire of Nannup's aspirations.

DEFINITIONS

As contained within the attached guidelines.

POLICY

The Nannup Main Street Heritage Precinct is defined within the attached document titled "Nannup Mainstreet Heritage Precinct Guidelines – Amended August 2008".

The objectives as outlined in the guidelines are to ensure all new developments and redevelopment within the Mainstreet Heritage Precinct should contribute positively to the heritage values and townscape quality of Nannup.

The guidelines outline the requirements to achieve the objectives and are an integral part of this policy.

[The Councillocal government will also have regard to other Scheme requirements relating to the Heritage Area.](#)

Related Policies:	LPP 019 Heritage Conservation
Related Procedures/ Documents	4. NannupNannup Mainstreet Heritage Precinct Guidelines – Amended August 2008 LPP008 Nannup Main Street Heritage Area LPP No. 8 Nov 2010.pdf
Delegation Level:	CEO, CEO to MDS, BS Executive Officer, Building Surveyor, Development Services Officer
Adopted:	OM 22 April 2010.
Reviewed:	OM 28 October 2010 # 8482

Policy Number:	LPP 011
Policy Type:	Local Planning Policy
Policy Name:	Development in Flood RiskProne Areas
Policy Owner:	<u>Chief Executive Officer</u> Manager Development Services

Authority: Shire of Nannup Local Planning Scheme No.3

OBJECTIVES

To restrict the subdivision of ~~residential~~ land within flood ~~riskprone~~ areas.;

To limit more intensive development within flood risk areas.

~~To clearly indicate to State Land Services Councils opposition to the release of land within designated flood prone areas within the Shire.~~

DEFINITIONS

Flood **RiskProne** Areas:

Relates to that land as identified by the Department of Water as being within the '1 in 25 Average Recurrence Interval (ARI) Floodplain' and the '1 in 100 ARI Floodplain' as set out in the Blackwood River Flood Study year flood zones or other flood risk land as advised by the Department of Water.

POLICY

This policy applies to individual flood prone land ~~residential lots that currently exist~~ within the district ~~Shire of Nannup~~.

The ~~Council~~local government will take a precautionary approach to flood risk.

The ~~Council~~local government recognises there is a significant difference in allowing a house and an outbuilding (shed) on a historically created lot, which is completely in flood risk areas, compared to now creating additional new lots in the flood risk areas.

The ~~Council~~local government ~~It is~~does not ~~intended to~~ support ~~any~~ subdivision that will create further flood ~~riskprone~~ lots ~~for development~~unless a suitable sized building envelope/suitable building area are located outside of the 1 in 100 ARI floodplain).

~~nor is it intended to support the release of flood prone land by the Department of Regional Development and Land (State Land Services).~~ The ~~Council~~local government seeks to ensure that new lots are both suitable and capable for the intended purpose.

The Councillocal government requires that applicants suitably demonstrate a site's suitability and capability for subdivision and associated development which includes addressing flood risk. This includes addressing matters set out in clause 6.2.1 of the Scheme.

The Councillocal government will have regard to the Scheme, relevant State Planning Policies, the *Blackwood River Flood Study*, information provided by the applicant and as appropriate advice from the Department of Water to determine applications.

~~Flood prone land within the district is identified by the Blackwood River Flood study, Twenty five (25) year and one hundred (100) year flood levels are identified.~~

~~The prime reference for the flood prone land is Local Planning Scheme No3 which states:~~

- ~~a) 6.2.2.1 (b) A person shall not carry out any development on land (or portion(s) thereof) identified as flood prone land on the Scheme map or on other land which, in the opinion of the Council, may be liable for flooding, unless:~~
- ~~1) the floor of any dwelling house or other habitable building is, or will be, raised a minimum of 500 millimetres above the 1 in 100 year flood level identified for the land;~~
 - ~~2) the base of the septic/leach drain system is to be a minimum 300mm above the 1 in 100 year flood level identified for the land and fitted with appropriate devices to prevent back flow of effluent or ground water. This requirement may be removed if an approved alternative treatment unit was installed instead of a conventional septic tank/leach drain effluent disposal system;~~
 - ~~3) where the proposed development is for residential purposes an engineering certification is to be submitted. This certification is to ensure that the dwelling has been designed taking into account the potential forces of flood waters; and~~
 - ~~4) where the proposed development is for residential purposes a licensed survey shall be submitted confirming the floor height of the building compared to the identified flood level for the portion of the subject land. This survey is to be carried out and submitted for Shire endorsement upon completion of the sand pad or stumping network of the proposed building. No further works on the proposed building are to be commenced until Shire endorsement of the survey information has been given.~~
- ~~b) 6.2.2.2 Notwithstanding sub clause 6.2.2.1(b)(1), land identified by the Blackwood River Flood Study 1983 as being within the 1 in 25-year flood level will not be permitted to be developed for residential purposes~~

~~unless such development is connected to the reticulated sewerage network.~~

- ~~e) 6.2.2.3 Where proposals are received for the development of extensions or additions to existing residential development sited within a flood risk area, the requirements of Item 6.2.2.1 (b) (i) will be waived where such extensions/additions do not exceed 25 per cent of the floor area of the existing building.~~
- ~~d) 6.2.2.6 Any decision made by Council in pursuance of this clause is deemed to be a decision made in "good faith" and the Council is hereby forever indemnified against any claim made by any person and relating to any loss whatsoever arising from such a decision.~~

Related Policies:	LPS No 3 Amendment No7
Related Procedures/ Documents	
Delegation Level:	Executive Officer, Building Surveyor CEO, CEO to MDS, BS, Development Services Officer
Adopted:	OM 09 June 1994
Reviewed:	OM 28 June 2001 OM 23 August 2001 OM 22 April 2010

Policy Number:	LPP 012
Policy Type:	Local Planning Policy
Policy Name:	<u>Tourist Accommodation in Rural Areas</u> Chalet Development in Agriculture, Agriculture Priority 1&2, Cluster Farming, Coastal Landscape, and Special Residential Zones.
Policy Owner:	<u>Chief Executive Officer</u> Manager—Development Services

Authority: ~~Health Act 1911~~

~~Local Government Act 1995~~

Shire of Nannup Local Planning Scheme No.3

~~Building Code of Australia~~

OBJECTIVE

To approve high quality tourist chalet accommodation in the non-urban areas whilst conserving the rural character and primary production values of the District.

DEFINITIONS

Nil

POLICY

Introduction

With regard to the broad objectives of this Policy the following specific objectives for the approval of tourist chalet accommodation are:

- 1) To minimise~~avoid~~ conflict between rural and non-rural landowners.
- 2) To establish suitable guidelines and controls for tourist chalet accommodation to ensure that development approval does not become a basis for future unplanned urban development with consequent demands on ~~Council the local government~~ for additional services.
- 3) To establish suitable guidelines and controls for tourist chalet accommodation outlining minimal infrastructure standards required by ~~Council the local government~~ for development approval to be granted.
- 4) To encourage links between tourist chalet accommodation and established rural pursuits (~~ie. farm stays~~) so as to diversify economic base and retain development at a low key nature.

As set out in Under Council's Local Planning Scheme No.3, in particular in the Zoning Table or in the Schedules for certain land, various types of tourist accommodation—"Chalet development"—can be considered in most zones.~~are~~

~~"A" uses in the Agriculture, Agriculture Priority 1 — Scott Coastal Plain, Agriculture Priority 2, Cluster Farming, Coastal Landscape and Special Residential zones, but not permitted in the Industry, Mixed Use, Residential, Special Rural, or Town Centre zones.~~

~~Holiday Accommodation — Compliance with BCA~~

~~Development Approval for chalets will be conditional upon compliance with the Building Code of Australia provisions.~~

~~Number of Chalets to be Developed~~

~~Council may permit a minimum of 2 Chalets and up to 5 Chalets to be constructed at an approved site.~~

Guidelines for the Assessment and Approval of TouristChalet Accommodation

In determining an application, the Councillocal government will consider matters set out in clause 10.2 of the Scheme along with Scheme provisions relating to the zone. Depending on the site, key matters include:

- traffic safety and impact;
- access from a suitably dedicated and constructed public road;
- servicing;
- environmental impacts;
- fire management and impacts;
- visual impacts;
- appropriate setbacks and buffers to other uses;
- capability of the land for agriculture and rural pursuits;
- capability of the land to accept the use, by reason of soil type and stability; and
- density and scale of the proposed development.

~~Council may require rezoning of the site for chalet development for the following reasons:-~~

- ~~1. For development proposals of five (5) or more chalets rezoning to "Special Use" zone will be required. Amendment documents to be prepared at the applicant's expense, plus relevant Council rezoning fee, and shall address requirements of s10.2 and schedule 14 of the LPS No3 including specify the following minimal information:~~

~~1.1. number of chalets proposed,~~

~~1.2. any other associated land uses,~~

~~1.3. any proposed staging of development~~

~~1.4. development controls~~

~~1.5. management controls~~

~~1.6. any required upgrading of public infrastructure to cater for proposals (including dedication of suitable road access).~~

- ~~2. If in the opinion of Council the development proposal will significantly alter the existing land use of the site to establish that the Chalets become the predominant use.~~
- ~~3. If in the opinion of the Council the development proposal will have a significant environmental impact on surrounding land or natural features (ie. Rivers, wetlands, dunal systems or state forest).~~
- ~~4. When considering an application for chalet accommodation Council shall have regard for the suitability of the land for the proposed use including but without limiting the:~~
 - ~~4.1. Capability of the land for agriculture and rural pursuits.~~
 - ~~4.2. Capability of the land to accept the use, by reason of soil type and stability, access to adequate roads and services, drainage, disposal and absorption of effluent.~~
 - ~~4.3. Density of the proposed development.~~

~~5.1. Standard conditions which will be imposed on all Development Approvals for tourist chalet accommodation are generally:~~

~~5.1.1.1. The preparation of plans to comply with the Building Code of Australia and the issuing of a Building Permittence. Demonstration that satisfactory arrangement can be made for effluent disposal.~~

~~5.2.1.2. The design and materials of the tourist accommodation chalets is to generally blend into the landscape of the area.~~

~~5.3.1.3. The position of access to the development on to the public road to be located in a position and of a standard satisfactory to the Council local government. This may require the dedication and upgrading of the public road to the satisfaction of Council the local government at the cost of the applicant.~~

~~5.4.1.4. Provision being made for fire protection to the satisfaction of Council the local government.~~

~~5.5. Prior to the granting of development approval it must be demonstrated that any dogs belonging to or associated with occupants of chalets can be adequately controlled to prevent any possibility of disturbance to farm animals in the area.~~

~~5.6.1.5. Tourist accommodation Chalets must be provided with a source of potable water for drinking and cooking purposes. Development applications should include preliminary details regarding the water source, storage and distribution conditions or treatment methods proposed.~~

Notes

Prior to occupation of the [tourist accommodation chalets](#), evidence of water supply suitability must be provided. In most cases supporting evidence of chemical and microbiological sample analysis, conducted by a NATA (National Association of Testing Authorities) approved laboratory will be required to show compliance with current Australian drinking water guidelines. Further routine sampling may be required by ~~Council~~ [the local government](#) to ensure compliance with the Health Act 1911.

These are standard conditions and it is to be noted that additional conditions may be imposed on a development approval if there is a need to address a particular circumstance.

Rating

If the development of [tourist chalet](#) accommodation changes the predominant use of a lot from a rural agricultural base to a non-agricultural base the ~~Council~~ [local government](#) may change the rating of such a lot from Unimproved Value to Gross Rental Value.

Related Policies:	LPP 004 Bed and Breakfast HLT 5 Bed & Breakfast LPP 020 Developer and Subdivider Contributions LPP 021 Bush Fire Management
Related Procedures/ Documents	
Delegation Level:	CEO, GEO to MDSE Executive Officer, Development Services Officer
Adopted:	OM 24 September 1992
Reviewed:	OM 22 February 1996 OM 22 April 2010.

Policy Number:	LPP 013
Policy Type:	Local Planning Policy
Policy Name:	Car Parking and Vehicular Access
Policy Owner:	Chief Executive Officer

OBJECTIVES

The objectives of this Policy are to:

1. complement the car parking and vehicular access provisions of the *Shire of Nannup Local Planning Scheme No. 3 (LPS3)*;
2. establish guidelines that will achieve the construction of well-designed car parking areas including providing appropriate access, circulation and manoeuvrability conditions, providing an appropriate number and adequate size of car parking bays to meet the needs of new development, and ensuring vehicular and pedestrian safety;
3. set out the requirements and standards for the development of vehicle parking areas associated with developments and land uses;
4. set out design and general construction standards for car parking spaces and manoeuvring aisles appropriate to differing situations;
5. provide for the management and convenience of vehicle parking for all developments and land uses at a scale and to a standard consistent with the amenity of a progressive town and district;
6. clarify when sealed crossovers are required for new subdivision and development;
7. improve the level of amenity and visual appearance of residential, commercial, industrial and other areas of the municipality through site development requirements;
8. outline the opportunities and limitations for variations to car parking and access requirements; and
9. set out the circumstances where landscaping for parking areas will be a requirement of planning approval.

DEFINITIONS

In this Policy, the following definitions apply:

“Agriculture zone” – includes the Agriculture, Agricultural Priority 1 – Scott Coastal Plain, Agriculture Priority 2, Cluster Farming and Coastal Landscape zones.

“AS 2890 - Australian Standard AS/NZS 2890.1.2004 – Parking Facilities – Part 1 – Off Street Car Parking published by Standards Australia in 2004 and reissued incorporating Amendment No 1 in August 2005 (and any associated updates).

“Car Parking” - the provision of off-street parking spaces for cars in accordance with LPS3 and this Policy.

“Crossover” - a constructed traffic way connecting a public road to the private property boundary that connects with the internal site circulation driveway, parking manoeuvring aisle or domestic driveway and which may carry one or two-way traffic.

“Gross Floor Area” – in relation to a building means the aggregate of the total floor area of each level of the building including the thickness of external walls but excluding the space set aside for car parking or access thereto.

“Kerbed” - parking areas or spaces around which a barrier kerb is constructed to provide support for the surface of the car park and/or to separate parking areas from footpaths, landscaped areas or other spaces not designed to carry vehicles.

“Lined Out” - the marking out of each car parking space by painted lines and/or contrasting paving inserts or other means to identify each bay or the corners thereof to guide users as to manner in which the car park is intended to be used and to show the limits of each bay. The term also applies to the provision of directional arrows on the sealed surface denoting the direction of traffic movement within the car park.

“Manoeuvring Aisle” - the area at the rear of each car parking space used to manoeuvre vehicles into and out of such spaces all of which combined comprise an access driveway providing access to the individual bays.

“Off-Site Parking” - the provision of car parking accommodation on a different lot to that on which the new development that gives rise to the need for the parking accommodation is to occur.

“R Codes” - the *Residential Design Codes* adopted by the Western Australian Planning Commission including any updates.

“Reciprocal parking” - where parking facilities serve separate uses or a mixed use development and the parking demand generated by the various uses do not coincide.

“Sealed” - the use of impenetrable surfaces such as sprayed bitumen (two coat seal), bituminous concrete (hot-mix or asphalt), insitu concrete, paving bricks or blocks, or pea gravel seal on a compacted gravel base.

Application of the Policy

This Policy applies throughout the municipality and will be applied to Planning Applications and Subdivision Applications.

This Policy applies to all developments including new development, alterations or extensions to existing development, new site uses, additional uses, extension of uses or change of uses as considered appropriate by the

Council **local government**.

Links to Local Planning Scheme and other documents

This Policy relates to various requirements set out in LPS3, ~~Council's the Shire of Nannup~~ Local Planning Strategy, the R Codes and relevant Australian Standards.

The provision of onsite parking is a requirement of LPS3 for new development and for various changes in land use (especially if the proposed use is expected to increase the demand for car parking spaces and/or lead to increased traffic impacts). The number of car parking spaces to be provided in relation to a range of different land use types is set out in Schedule 11 of LPS3.

POLICY

1. General

No development shall be occupied or a use commenced on a lot unless and until the on-site vehicle parking areas, associated access driveways and the crossover/s, as set out in the Planning Approval, have been constructed and completed, and the parking bays clearly defined or marked out to the specification and satisfaction of the ~~Council~~local government. The ~~Council~~local government will support performance bonds to assist in enabling earlier occupation for the development and/or use.

There is a presumption in this Policy in favour of parking areas and crossovers being sealed and suitably drained. Unless otherwise set out in this Policy or approved by the ~~Council~~local government, car parking spaces, vehicular manoeuvring areas and access ways are to be sealed for new development within the Nannup townsite and in urban zones e.g. the Town Centre, Mixed Use, Industry, Residential and Future Development zones and for the Special Use Zone (within and adjoining the Nannup townsite).

There is a presumption in this Policy for crossovers to be sealed onto sealed roads in the Nannup townsite and for land zoned Residential and Special Residential outside the Nannup townsite.-

Except for a single house and certain group dwelling proposals, all car parking spaces should be designed so vehicles can enter and leave the site in a forward direction. Additionally, car parking should be designed so that both ingress and egress from each space can be achieved in one movement.

Tandem car parking is not supported for commercial or industrial development. Although generally discouraged, ~~Council~~the local government may permit tandem parking in some forms of residential development.

An existing building extended, with or without a change of land use, may be required to comply, wholly or partly, with the provisions of this Policy. The ~~Council~~local government shall determine the extent of car parking required in

each case, having regard to the degree of extensions and the nature of the altered land use.

Where redevelopment of an existing approved building is proposed, then the gross floor area of the existing building will be deleted from the gross floor area of the new building for determining additional car parking requirements (i.e. provided that existing parking bay numbers are retained, additional parking is only required for new floor space established). This provision is therefore not intended as a control or means to achieve retrospective provision of car parking to service an existing development, provided the land use remains the same (there is no intensification of car parking and traffic).

An applicant shall have regard, as appropriate, for the on-site provision of parking for owners/operators, staff, customers, people with disabilities, in addition to loading spaces and special purpose bays.

The Council-local government may through issuing planning approvals or making recommendations on subdivision applications, require applicants to provide reciprocal rights of access to facilitate parking and access arrangements with adjoining owners.

Where a Planning Application proposes access to a road under the control of Main Roads Western Australia (which means the State Government's lead agency that is responsible for managing highways and the primary road network should it be renamed), the location and standard of access are to be to the satisfaction of Council-the local government and Main Roads Western Australia.

2. Location and Availability

In most situations, car parking will be provided on-site. On-site car parking should be situated in locations readily accessible to staff, clients, residents and visitors, as the case may be to the satisfaction of the Council-local government.

The number of on-site car parking spaces required to be provided for a particular development/use is set out in Schedule 11 of LPS3 or in the R Codes. The Council-local government reserves the right to define a car parking requirement for uses not detailed according to the merits of the particular development proposed.

Unless otherwise set out in LPS3, premises and/or proposals with more than one use will be determined on the basis of the floor area for the use.

Unless otherwise set out in LPS3, the car parking standard to be applied by the Council-local government is gross floor area.

3. Residential Development

The R Codes, adopted into LPS3, specify parking and access requirements for residential development together with the requirement to provide landscaping for parking areas where the number of parking bays is 6 or more. The Council-local government will require compliance with those standards.

The R Codes stipulate that provision be made on-site for vehicles to be able to leave a residential site without reversing onto the street where the driveway serves five or more dwellings.

In the Residential Zone and in areas classified as "Residential" in the Special Use Zone or in the Future Development Zone, all resident car parking areas should generally be located behind the building line. Visitor car parking will be considered in front of the building line, but only where suitable landscaping will screen the car parking and there will be no adverse effects on streetscape or traffic movement.

All parking for residential development, whether free-standing or as a component of retail/commercial development, shall be provided on-site.

4. Non-Residential Development

LPS3 sets out the provision to be made for parking for various non-residential land uses. Except as otherwise provided in LPS3 and this Policy, the Council-local government will expect compliance with these standards.

In the Town Centre and Mixed Use Zones, except for resident car spaces and staff car spaces expressly agreed to by the Council-local government, all car parking areas must be freely available to the general public. Closure of car parks, at certain times, for reasons of security or other agreed reasons may be approved by the Council-local government.

In the Nannup town centre, preference is given to creating a continuous commercial facade fronting the street (usually with a nil/zero setback from the front property boundary) making the use of the rear part of the site, behind the building, suitable for parking. Where rear service lanes are available, this arrangement is particularly convenient. Unless constrained by existing development, the Council-local government expects that car parking will be located at the rear of commercial lots where a lot adjoins a service lane.

In the Town Centre and Mixed Use Zones, the Council-local government will require the loading and unloading areas for new development to be designed to ensure that loading/unloading occurs on-site (not on the street) and vehicles are able to exit and re-enter the street both in a forward gear.

In the Industry Zone, where front setbacks are normally applied, parking areas combined with site landscaping can be provided close to the street for the convenience of visitors, customers and employees.

In the cases of uses not included in Schedule 11 of LPS3 or where requested by the applicant, the Council-local government will determine the number of parking spaces to be provided in each case having regard to:

- the nature of the proposed use;
- the number of employers and employees likely to be employed or engaged with the proposed use of the land;
- the likely demand for visitor parking;
- the orderly, proper and sustainable planning of the area in which the development is to occur;
- the times of peak usage and opportunities to share parking; and
- any other matter considered relevant by the Council-local government.

5. Loading and Unloading Spaces

In addition to the provision of car parking spaces, the Council-local government may also require loading and unloading to be provided on the subject land, where goods need to be despatched from or delivered to the premises by truck. The Council-local government may require the provision of these spaces to be marked exclusively for the use of delivery and services vehicles.

Loading bays should be situated such that commercial vehicles can be positioned wholly within the bay when loading and that loading activities can occur without undue disruption to, or access to, other car parking spaces.

Parking dimensions for trucks and buses should be determined by using the swept path templates as appropriate.

The minimum dimensions to be provided for a sealed loading and unloading area should be at least 7 metres long and 3.5 metres wide with a minimum height clearance of 3.5 metres. Depending on the anticipated length of heavy haulage vehicles, the dimensions may need to be greater to ensure usability.

6. Special Purpose Bays

In addition to the provision of car parking spaces, the Council-local government may where relevant require the provision of:

- areas for parking of vehicles for people with disabilities;
- parking bays marked exclusively for the use of motor cycles, delivery and services vehicles, taxis, buses, coaches, courier services and for other relevant forms of motorised transport; and
- bicycle racks to promote sustainable transport.

All disabled parking bays are to be designed and constructed in accordance with AS2890.1 – 1993 *Carparking – Appendix C – Guidelines for the Provision of Parking Spaces for People with Disabilities* (or any updates).

The ~~Council~~local government will determine the number of special purpose bays to be allocated for vehicles listed above and bicycles racks depending on the nature of the development.

7. Off-Site Parking

Where parking cannot be provided on the lot the subject of the Planning Application, but where an opportunity exists to provide the required parking on adjoining or nearby land, the ~~Council~~local government will consider whether or not to approve such an arrangement.

The prerequisite to any such arrangement is that the proponent of the development that gives rise to the need to provide parking:

- has control over the land (which is not the subject of the Planning Application);
- can set in place legally binding provisions that will ensure that the land will continue to be available for parking while the development operates and/or in perpetuity; and
- will enter into a legal agreement with the Shire to maintain the land for parking purposes and not to sell, lease or otherwise dispose of the land unless other equivalent provision is made elsewhere to the satisfaction of the ~~Council~~local government.

The ~~Council~~local government may be prepared to accept car parking on adjoining or nearby land in the same ownership, provided that the adjoining or nearby land is:

- appropriately zoned; and
- amalgamated with lands the subject of the proposed development; or
- subject of appropriate title restrictions to ensure its continued availability for the car parking use.

Specific ~~Council~~local government approval is required for any such arrangement. Applicants are required to provide relevant information for planning approval under LPS3 setting out the full details of the way in which the above requirements will be met. The costs of preparing and adopting legal agreements under this provision will be borne by the applicant.

8. Cash-in-lieu of Car Parking

Clause 5.5 of LPS3 sets out the method of calculation of cash-in-lieu payments for car parking and vehicular manoeuvring. In summary, the payments relate to what it would have cost in terms of the land value along with sealing and draining the car parking spaces and vehicular manoeuvring areas.

The ~~Council~~local government may accept a cash-in-lieu payment, in lieu of the provision of that required number of parking spaces and vehicular manoeuvring within any zone. Realistically, it is only expected that a cash-in-

lieu payment would apply in the Town Centre Zone or the Mixed Use Zone. The Council-local government will consider cash-in-lieu of parking spaces on the lot as set in clause 5.5 of LPS3. Additionally, the applicant should demonstrate to the satisfaction of the Council-local government that:

- the minimum vehicle parking requirements cannot reasonably be provided on the site, or
- in the interests of the town centre development, it would be better served by providing a portion or all of the vehicle parking requirement off site; and
- the surrounding parking facilities can accommodate the parking demand generated by the development to the satisfaction of the Council-local government. This may require the preparation of a traffic/car parking management study by a suitably qualified professional.

Should the Council-local government accept a cash-in-lieu payment, the following applies:

- the payment is not less than the estimated cost of constructing (sealing) and draining the car parking spaces and vehicle manoeuvring areas required by LPS3, R Codes or as determined by the Council-local government, plus the value of the land which would have been occupied by the area required for parking and vehicular manoeuvring areas. Land values are determined through valuations provide by Landgate or by a licensed valuer at the developer's cost;
- the Council-local government having purchased land for a car park, or having provided a public car park in close proximity, or have a firm commitment to do so; and
- payments made under this clause being paid into a special fund to be used for the provision of public car parking facilities and the Council-local government using these funds to provide public car parks, including on-street and off-street, in the vicinity of the land in respect of which the parking requirement arose (typically in the Nannup town centre).

The Council-local government can set cost per car parking bay is set out in the Council's local government's annual review of land value in its adopted Fees & Charges Manual (although this generally will not include vehicular manoeuvring areas).

Where desirable to facilitate the conservation of a heritage place, or to enhance or preserve heritage values of a place included on the Municipal List or within a Heritage Precinct, a cash-in-lieu payment may be provided up to a maximum of 100% of the car parking and vehicular manoeuvring costs.

The Council-local government will consider options from the proponent to offset costs and partially meet off site car parking requirements, such as the proponent constructing the bays itself on Council-local government land

and/or reserves subject to the location and the detailed design being approved by the Council-local government.

9. Reciprocal Parking

The Council-local government may consider reciprocal parking arrangements where it is convinced that the demand for parking by the uses proposed will not coincide. This is where the applicant can suitably demonstrate that various uses, within a single property, or where justified in adjoining or nearby properties, operate at different times of the day/evening or different days of the week, such that the same parking areas can be used by more than one land use. Any such relaxation will be dependent upon the Council-local government being satisfied that the arrangement will prevail for the duration of the uses concerned.

Where reciprocal parking is proposed, the Council-local government must be satisfied that:

- the parking facilities serving the proposed uses will be located on the one lot, or that parking arrangements are permanent (e.g. legal agreement, easement, registering appropriate caveats on title or any other formal arrangement that the Council-local government may require); and
- parking demand in the immediate and long term can be satisfied; and
- no conflict will occur in the operation of the land uses for which the joint use of parking facilities is proposed; and
- the uses being served by the parking arrangements are compatible (i.e. no overlap demand for parking facilities).

If land uses change, such that the parking area is in demand at the same time, then the Council-local government may require revised parking arrangements to meet the changed circumstances to the satisfaction of the Council-local government.

10. Modifying Development Standards and Requirements for Parking

Where, in the opinion of the Council-local government, conditions are such as to render full compliance with the provisions of this Policy impractical, the Council-local government may permit such departures as are considered to be warranted in the circumstances of the case.

Clause 5.6 of LPS3 allows the Council-local government to modify the requirements of LPS3, including car parking standards, but may only do so where it is fully satisfied that:

- approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality; and

- the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.

| In order for the Council-local government to consider whether to modify a car parking requirement, it must determine that the above matters are met. It is also incumbent upon the Council-local government to ensure that it acts in fairness and equity between land owners and does not set an unreasonable precedent for similar applications from others.

| Given the above, the Council-local government will require the proponent to appropriately justify modifications to development standards and requirements for car parking provision.

| The Council-local government considers that the availability of adjoining and/or nearby on-street parking does not in itself constitute a reason to vary the Policy given circumstances and demands will change over time.

11. Dimensions for Parking Spaces, Manoeuvring Aisles and Access Driveways

The dimensions for parking bays and manoeuvring aisles in differing locations are set out in AS 2890 and Austroads Part 11 (February 2008) and any associated updates. To provide general guidance to prospective developers and applicants, a table and diagram of parking spaces and manoeuvring areas are found in Attachments 1 and 2 to this Policy.

For more specific information, proponents of new development proposing a small number of car parking bays (usually less than 10) should contact the Shire to determine the dimensions that should be used for the parking and access in their particular instances to ensure compliance. For larger car parking areas, proponents are encouraged to seek professional design services.

The dimensions detailed in this Policy are generally minimum requirements. Individual circumstances may require the use of dimensions different from those specified in order to provide satisfactory access, manoeuvrability conditions e.g. topography or the provision of special purpose bays.

12. Construction Standards for Parking Areas

| There is a presumption in this Policy in favour of all parking areas being sealed, drained and line-marked to the satisfaction of the Council-local government. With the exceptions set out below, all car parking areas, access driveways and crossovers will be required to be sealed, drained and as appropriate lined-marked or suitably defined to the satisfaction of the Council-local government. The exceptions are parking for:

- development in Agricultural zones, the Special Residential Zone, the Special Rural Zone and other non-urban zones (although there is a requirement to seal crossovers that access sealed public roads);
- areas used for parking, circulation and manoeuvring of vehicles on Industry zoned land other than those areas required for customer parking, associated access ways and crossovers; and
- a single dwelling in the Residential Zone or areas classified as “Residential” in the Special Use Zone.

Car parking situated in yard areas or generally behind the front building line within the Industry Zone may be constructed to a suitable non-sealed standard e.g. gravel, subject to dust and drainage being effectively controlled. All car parking bays within front setbacks and/or associated with public use and/or showroom/front office use should be sealed and drained to the ~~Council's~~ local government's satisfaction.

All car parking, vehicle access ways, loading and unloading bays and turning and manoeuvring areas in the Town Centre Zone and the Mixed Use Zone shall be sealed and drained to the specification and satisfaction of the ~~Council~~ local government.

Sealed car parking and vehicular access are required for home businesses and commercial uses in the Residential Zone or areas classified as “Residential” in the Special Use Zone.

Draining car parks may involve the provision of a sump connected to the ~~Council's~~ local government's main drainage system or other arrangements to the satisfaction of the ~~Council~~ local government. The drainage design should seek to treat and detain water on-site so that as much water as possible will soak into the ground, with any surplus water being piped or directed off-site. The drainage shall not be connected to the ~~Shire's~~ local government's main drainage without the written authorisation of the ~~Shire~~ local government and shall be constructed to the ~~Council's~~ local government's satisfaction and standards.

Staff, resident and visitor car parking should be appropriately marked and/or signposted to the satisfaction of the ~~Council~~ local government.

For more detailed requirements on the construction of parking areas and width and construction of crossovers, these are set out in the adopted *Guidelines for Subdivisional Development* prepared by the Institute of Public Works Engineering Australia.

13. Pedestrian Movement between Parking Areas and Buildings

The ~~Council~~ local government will seek to ensure there are safe and convenient routes for pedestrians, including disabled persons, between car parks and buildings on each development site.

14. Vehicular Access/Crossovers

The Council-local government requires that points of entry to and exit from properties/car parking areas onto the street suitably address the safety of all road users, road geometry, sight lines and visibility. The respective positions of street furniture such as poles, street lamps and street trees will also be taken into account.

The width of any such access ways/crossovers will be determined by matters including the numbers of vehicles proposed within the car park and the frequency of movements into and from the land in accordance with AS2890. Generally, crossovers will be required to accommodate simultaneous traffic movements into and out of the land.

Unless appropriately justified by the applicant and agreed to by the Council-local government, parking areas should generally be designed to enable a vehicle to manoeuvre within the site. An exception is where no more than two vehicle bays are provided and where there are safe sight distances in both directions.

The Council-local government will require crossovers to be suitably located (to maximise sight distances and safety), constructed and drained. Any gates and fencing are to be suitably located and designed to ensure there are sufficient areas to enable vehicles to park in the crossover and/or on the property without impeding traffic or compromising safety onto the adjoining road.

Where new development ~~and subdivision~~ is proposed, the Council-local government will require sealed crossovers onto existing sealed roads:

- within the Nannup townsite;
- for land zoned Residential and Special Residential outside the Nannup townsite; or
- for major development, in the opinion of the local government, outside of the Nannup townsite.

The above applies unless the proponent demonstrates exceptional circumstances to the satisfaction of the Council-local government.

The local government will not require crossovers to be sealed for minor development from sealed roads in the Special Rural Zone and for areas outside the Nannup townsite, although there is a requirement for the crossover to be suitably located, constructed, drained and maintained.

If the road is gravel, the Council-local government will allow an unsealed crossover which will need to be constructed and drained to the Council's-local government's satisfaction.

A vehicular driveway (ingress and/or egress) should:

- be located such that any vehicle turning from the street into the driveway or into the street from the driveway can be readily seen by the driver of an approaching vehicle and be clear of all obstructions which may prevent drivers from having a timely view of pedestrians/cyclists;
- have separate entry/exit if it is likely that it will be used simultaneously by vehicles both entering and leaving the site and obstruction to traffic in the street could occur;
- be located to the street with the lowest traffic volume; and
- be at least 6 metres from an intersection.

Road safety and turning radii will be taken into account in deciding the position of a crossover.

Dual crossovers should be provided, wherever possible and practical.

Crossovers/access to main roads are required to be located, designed and constructed to the specifications and satisfaction of Main Roads Western Australia.

The access way should be not less than 4 metres in width, but if the size or shape of the lot makes the provision of any access way of that width impractical or unreasonable, the Council-local government may permit a narrower access way but in no case less than 3 metres in width.

Where laneway access is provided to the rear of a site in the Town Centre or Mixed Use Zones which is not sealed, this is to be generally upgraded through new development and subdivision to provide an effective servicing function. This should be read in conjunction with *Local Planning Policy No. 20 Developer and Subdivider Contributions*.

Where there is conflict between a proposed crossover and public utilities services, such as drainage pits and structures, services inspection pits, power or light poles, traffic medians and street trees, the Council-local government may set the position of the crossover access onto the road, require its construction and/or repair and maintain the crossover as provided for under Schedule 9.1 (7.2) of the *Local Government Act 1995*.

Any alterations for the removal/relocation of the conflicting public utilities will be at the owner's cost and subject to the approval of the service authority concerned.

Owners/designers are advised to take into account Shire-local government services, public utility services and street trees.

The Council will contribute (or subsidise) half the cost of a standard crossover up to a maximum of \$800 (one crossover to a property) or as set by the Council's adopted Fees and Charges. This is subject to the crossover being deemed by the Shire-local government to conform to the Council-local government specifications. This is subject to the following:

- the subsidy applies to only one crossover per lot;
- proponents must make application for their crossover in writing to the Shire-local government and gain necessary approval/s for the location and design prior to any works being undertaken;
- the subsidy is claimed within 6 months of completion of the crossover;
- the Council-local government will not meet the cost of culverts, alteration to services or tree removal;
- reconstruction of an existing crossover to a property will not attract a subsidy;
- applicants/landowners who received planning approval incorporating a condition relating to constructing or upgrading a crossover are not eligible for a subsidy; and
- subdividers are not eligible for a subsidy for freehold (green title) or strata title lots.

As required, the crossover subsidy rates will be set annually by the Council-local government through its adopted fees and charges.

The landowner is responsible for the maintenance of crossovers to the satisfaction of the Council-local government.

The Council-local government will request, where considered appropriate, that the Western Australian Planning Commission impose a condition requiring the subdivider to construct crossovers prior to the clearance of titles. In particular, the Council-local government will require that crossovers are sealed where the crossover accesses a sealed road, and/or suitably constructs/upgrades a crossover where access is from an unsealed road. The Council-local government will seek to ensure crossovers are appropriately located and constructed by subdividers.

15. New public roads created through subdivisions

Where a subdivider proposes to create a new public road, the Council-local government will require the road to be suitably designed by a professional engineer and then suitably constructed and drained to the satisfaction of the Council-local government. The road is to be consistent with the *Guidelines for Subdivisional Development* prepared by the Institute of Public Works Engineering Australia and/or *Liveable Neighbourhoods*.

Where the proposed lots are 3.99 hectares or less, the road/s need to be suitably sealed and drained by the subdivider to the satisfaction of the Council-local government.

For lots that are between 4 and 9.99 hectares, the Council-local government will require that a sealed road is provided where more than 5 lots are created. For lots that are between 4 and 9.99 hectares, where 4 or less lots are created or have the potential to be created from the road, the Council-local government will consider unsealed roads unless there is steeper topography or other ground conditions that create safety issues and/or higher levels of on-going maintenance.

For lots that are 10 hectares or more, the Council local government will accept unsealed roads.

16. Battleaxe access legs

The Council local government will require sealed battleaxe access legs for lots in the Town Centre and Mixed Use zones and generally in the Industry, Residential, Future Development zones and for the Special Use Zone (within and adjoining the Nannup townsite) unless suitably justified by the applicant to the satisfaction of the Council local government.

The Council local government supports unsealed battleaxe access legs in other zones provided they are designed and constructed to enable year round access by two-wheel drive vehicles.

17. Landscaping Parking Areas

Car parking areas, particularly large parking lots, can be unattractive. The provision of landscaping can assist to reduce visual impacts. The use of shade trees and landscaping strips can assist provide visual relief from extensive areas of bitumen, or other forms of sealing or construction agreed to by the Council local government.

The Council local government will require that car park design and construction include adequate provision for suitable landscaping. This could include screen, feature and shade trees and shrubs as appropriate to the satisfaction of the Council local government.

In residential areas, the R Codes require landscaping proposals to be implemented where parking areas accommodate six or more vehicles.

For commercial and industrial developments in the Industry Zone, the Council local government will require at least 5% of the site area to be landscaped. The purposes of this landscaping are to:

- soften the impact of development;
- screen parking and other visually unattractive areas from view from the street; and
- improve the streetscape.

The Council local government will normally require the landscaping to be provided along the street frontage (as a minimum) to act as a screen for parking areas where they are located within the front setback.

Where an individual open car park contains 10 or more parking bays for a non-residential use, one parking bay in 10 shall be set aside and planted with trees and/or shrubs to provide shade and visual relief.

18. Implementation

The Council-local government may require the lodgement of performance guarantees/bonds against the satisfactory construction, completion and establishment of car parking areas, vehicular access, crossovers and associated landscaping. To achieve effective implementation of planning conditions, the performance guarantee/bonds are to be paid prior to the issue of a Building Permit for new/expanded buildings or prior to occupation for a change of use.

The amount of the bond will be determined by the Council-local government and can be set in its annual fees charges.

Crossover construction or reconstruction may be required as a condition of subdivision, development and/or as a condition of issue of Building Permit where it is deemed by the Council-local government that the work is necessary.

The Council-local government may construct the crossover, if not constructed by the owner/agent within 6 months of practical completion or occupation of the building, for which payment of a crossover bond has been made. Where the Council-local government carries out the construction, the owner may not claim a subsidy.

ADMINISTRATION

Application Requirements

Applications for Planning Approval for new development should provide, in addition to the details of the proposed development, a plan/s at a suitable scale with dimensions shown, which sets out for the entire lot the subject of the application, the following:

- the area to be or already covered by buildings or other structures;
- details of land to be allocated to car parking and other parking;
- details of the position of all access driveways and access crossovers;
- details of pedestrian movement systems between the car park and the building/s; and
- areas to be provided for landscaping and shade trees.

In giving consideration to a Planning Application, the Council-local government will require the applicant to:

- clearly indicate on the application form the type of land use that will operate from the land;
- the number of persons to be employed / involved in the operation of the land use; and
- other matters set out in this Policy.

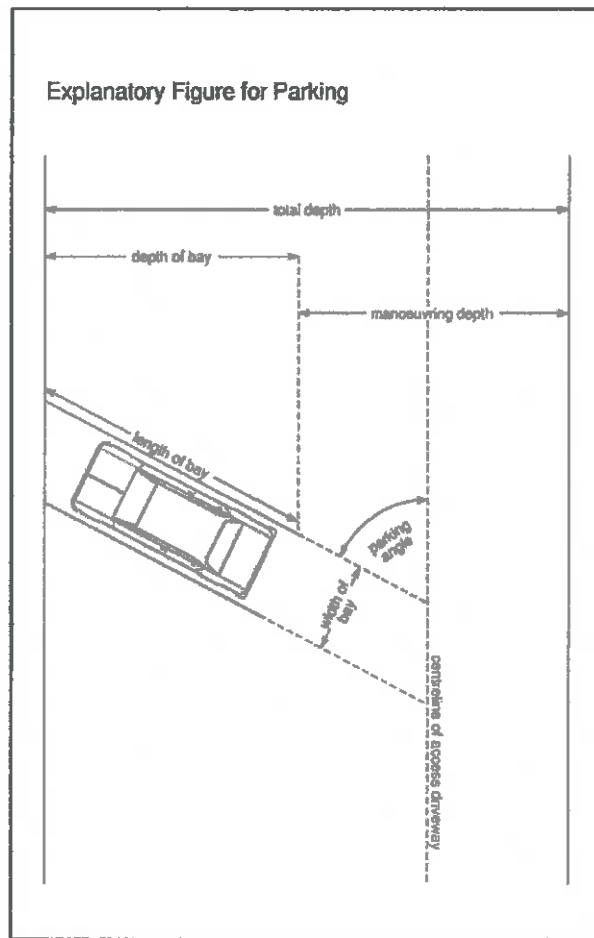
Based on the above information, the Council-local government as part of its development assessment will set out or estimate the expected parking needs of the proposed land use/development.

Related Policies:	<u>LPP 020</u> Developer and Subdivider Contributions WRK 7 Crossovers
Related Procedures/ Documents	
Delegation Level:	CEO, Manager Infrastructure, <u>Executive Officer</u> , Building Surveyor, <u>Development Services Officer</u>
Adopted:	
Reviewed:	28 November 2013 Res.9046

Attachment 1 - Parking dimensions

Parking Angle	Width of Bay (m)	Length of Bay (m)	Depth of Bay (m)	Minimum Manoeuvring Depth (m)	Minimum Total Depth (m)
(a) One-Way Access					
90°	2.6	5.5	5.5	5.9	11.4
75°	2.6	5.5	6.0	5.3	11.3
60°	2.6	5.5	6.1	5.0	11.1
45°	2.6	5.5	6.1	3.6	9.7
30°	2.6	5.5	4.8	3.3	8.1
00° (parallel parking)	3.0	6.7	3.0	3.0	6.0
(b) Two-Way Access					
90°	2.6	5.5	5.5	6.0	11.5
75°	2.6	5.5	6.0	6.0	12.0
60°	2.6	5.5	6.1	6.0	12.1
45°	2.6	5.5	6.1	6.0	12.1
30°	2.6	5.5	4.4	6.0	10.4
00° (parallel parking)	3.0	6.7	3.0	6.0	9.0

Attachment 2 - Explanatory figure for parking



Policy Number:	LPP 015
Policy Type:	Local Planning policy
Policy Name:	Dedication of Road Access
Policy Owner:	<u>Chief Executive Officer</u> <u>Development Services</u>

Authority:

Local Government Act 1995

Land Administration Act 1997 ~~s-56(1)~~

Shire of Nannup Local Planning Scheme No. 3

Objectives:

1. To outline the criteria to guide ~~Council~~ the local government when considering applications from members of the public, government agencies or elected members to dedicate road access to privately owned land;
2. To determine the road safety standard required for any proposed dedicated road to be constructed or upgraded to achieve;
3. To clearly define the ~~Council's~~ local government's responsibility and obligations in regard to any proposed road dedication in respect to future road construction/upgrade timeframes and subsequent maintenance frequency; and
4. To determine whether any costs associated with future construction/upgrading are to be met by the landowner/s, other bodies or by ~~Council~~ the local government (or a combination of some or all), and the extent of any such contribution.

Background:

The Shire of Nannup has numerous un-dedicated tracks that have been used to gain access to private property through areas of State Forest or other Crown reserves. These tracks are little more than narrow tracks that have not been properly designed or constructed to contemporary road construction standards and often have been used as firebreaks or fire access tracks by the Department of ~~Parks and Wildlife~~ Environment and Conservation (DPaWDEC) in the past.

There are also situations within the Shire of Nannup where road access has been provided to privately owned land by way of a "right of carriageway" easement through crown land negotiated between the private landowner and (usually) the Executive Director DPaWDEC (previously the Conservator of Forests, Forests Department or the Executive Director Department of Conservation and Land Management).

These "rights of carriageway" or "private roads" entitled landholders access through areas of State Forest or Crown land under the control of DPaWDEC.

A “right of carriageway” does not always constitute a public road therefore access is technically restricted to the landowner named in the easement.

There are also instances within the Shire of Nannup where historically created lots are “land locked” and do not have direct access to a public gazetted road and other historically created lots do not have access to a constructed public road.

~~where a road reserve has been created to service private land however the reserve is isolated from a dedicated and constructed road either by other private lands or by crown reserves either managed by Council or DEC.~~

Policy Statement

1. ~~Council~~ Local Government Involvement in the Dedication Process:

a. ~~Council~~ The local government will not become involved with any request for the dedication of an access track other than when associated with realignment, closure or extension to an existing dedicated road reserve.

b. ~~Council~~ The local government will only give consideration to an application for the dedication of a track/access as a “road” when the following conditions have been met:

1. The proponent/s provides written agreement from all affected landowners/land managers (including DPaW) agreeing in writing to the proposal. DPaW generally will not consider supporting a proposal which results in the loss of land it manages, so there is usually the requirement for a land swap.; and

2. All landowners that the proposed dedicated road will benefit, have agreed to pay all costs incurred during the dedication process including:

- a. costs incurred to have prepared a Risk Assessment Report of the proposed road dedication to determine the required design required to ensure that the road will be safe for the public to use if dedicated;
- b. costs associated with the subdivision/amalgamation of private land ceded to create the road reserve;
- c. costs associated with compensation for land ceded; and
- d. costs associated with undertaking the survey and lodgement of survey documents with the Department of Regional Development and Lands Services for registering the new dedicated road.

3. All landowners provide ~~Council~~ the local government with a written agreement that all upgrading/construction costs required to meet the safety requirements identified as a result of the Risk Assessment Report will be met by the landowners in full.

2. Landholder Responsibility: Where a property is not serviced by a dedicated road access, all costs incurred to maintain access remains the responsibility of the respective landowner and ~~Council—the local government~~ will not provide any assistance for maintenance or upgrading unless the landowner engages the services of ~~Council—the local government~~ under a “Private Works” contractor basis and pays the full cost of any such work. Where the access track traverses DPaWDEC lands any maintenance works undertaken by ~~Council—the local government~~ will ~~be—in~~ be in accordance with ~~Council’s—the local government~~ Policy WRK.8 Maintenance of DPaWCALM Access Tracks.
3. “Public Good” Road Dedications: ~~Council—the local government~~ will only progress an application for dedicated road access when ~~Council—the local government~~ is of the opinion that is a “public good” in the following circumstances:
 - a. When the proposal is in accordance with ~~Council’s—Shire of Nannup~~ Local Planning Scheme No. 3 and the Local Planning Strategy; and
 - b. The proposal will result in the improvement of ~~Council’s—the local government’s~~ road infrastructure; and
 - c. The proposal will be of benefit to the wider community and meet community requirements under the Scheme or Strategy.
4. ~~This policy will apply to all new requests for dedication of road access from the date of adoption unless otherwise decided by Council.~~

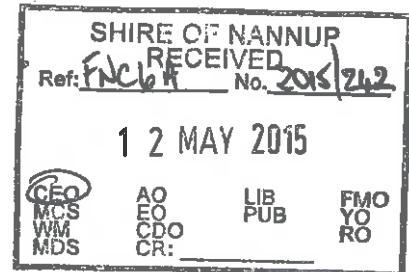
Related Policies:	WRKKS.8 Maintenance of <u>DPaWECALM</u> Access Tracks <u>LPP 020 Developer and Subdivider Contributions</u>
Related Procedures/ Documents	<u>LPP.015.1 — Dedication of Road Procedure (to be developed once policy adopted)</u>
Delegation Level:	Nil
Adopted:	OM 28 October 2010 # 8483
Reviewed:	



Government of Western Australia
Department of Sport and Recreation

DSR File METRO C12253 / 2015/402
 Enquiries Paul Goodley
 Phone 9492 9740
 Email paul.goodley@dsr.wa.gov.au

Mr Robert Jennings
Chief Executive Officer
Shire of Nannup
PO Box 11
NANNUP WA 6275



Dear Mr Jennings

I am pleased to advise that the Department of Sport and Recreation, has approved a grant of \$35,000 to the Shire of Nannup from the Sport 4 All – KidSport program.

Enclosed are two signed Grant Agreements for your consideration. Please read the contents carefully. One copy is to be retained for your records and the original signed and returned to the Department of Sport and Recreation within 30 days from the date of this letter.

Payment will be arranged on receipt of the signed Grant Agreement and acquittal of any outstanding grants.

Should you have any queries regarding this grant please do not hesitate to contact Paul Goodley, Project Leader KidSport, on 9492 9740.

Yours sincerely

Arron Minchin
Director Industry Development & Participation

30 April 2015



246 Vincent Street LEEDERVILLE Western Australia 6007
 P O Box 329 LEEDERVILLE 6903
 Telephone 9492 9700 Facsimile 9492 9711
 www.dsr.wa.gov.au



Government of Western Australia
Department of Sport and Recreation

CLIENT'S COPY

GRANT AGREEMENT

Sport 4 All - KidSport

BETWEEN

DEPARTMENT OF SPORT AND RECREATION

AND

SHIRE OF NANNUP

FINANCIAL YEAR
2014/15 TO 2015/16

Office Use Only

TRIM: 2015/402

Grant No. METRO C12253

Project Coordinator: Paul Goodley

This Agreement is between the following Parties for the period
1 April 2015 to 30 June 2016.

DEPARTMENT OF SPORT AND RECREATION
of 246 Vincent Street, LEEDERVILLE WA 6007
(referred to as **DSR** throughout this Agreement).
ABN 14445022107

and

SHIRE OF NANNUP
of PO Box 11 , NANNUP WA 6275
(referred to as the **ORGANISATION** throughout this Agreement).
ABN 43038160786

DEFINITIONS AND INTERPRETATION

In this Agreement, unless the context otherwise requires:

- **Agreement** means this Grant Agreement, including its recitals and any schedules or annexures (if any).
- **Auditor** means an accountant who is a member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practicing Accountants or the National Institute of Accountants and who is independent from the ORGANISATION.
- **Auditor General** means the Auditor General for the state of Western Australia.
- **Party** means DSR or the ORGANISATION as the context requires and **Parties** means both of them.
- **Project** means the planned undertaking as referred to in the Key Results Schedule.

1. **PROJECT TITLE** Sport 4 All - KidSport

2. **DSR FUNDING AND PAYMENT SCHEDULE**

DSR agrees to provide a total of \$35,000 for 2 years from 2014/15 for this project.

Year 1 – 2014/15

\$5,000

Payment will be made upon both parties signing this agreement.

Year 2 – 2015/16

\$30,000

Payment will be made upon your organisation:

- Acquitting your 2014/15 grant, (Performance report and Acquittal statement including Audit Certification).

3. APPROVED PURPOSE

As per Key Result Schedule, Schedule A.

4. OBLIGATIONS AND CONDITIONS OF THIS AGREEMENT

- The ORGANISATION will use the Grant Funds solely for the Approved Purpose.
- The ORGANISATION will not make any changes to the Approved Purpose without the prior written consent of DSR.
- The ORGANISATION agrees that nothing in this Agreement constitutes an endorsement by DSR of any goods or services provided by the ORGANISATION.
- The ORGANISATION is to provide DSR with any documents or information relating to this Agreement or the Project within ten (10) business days of receiving such a request from DSR.
- The ORGANISATION is to keep proper financial records in accordance with generally accepted accounting principles and practices.
- The ORGANISATION must:
 - (a) at all times duly perform and observe its obligations under this Agreement and will promptly inform DSR of any occurrence which might adversely affect its ability to do so in a material way;
 - (b) undertake its responsibilities under this Agreement with integrity, good faith and probity in accordance with good corporate governance practices;
 - (c) not, nor attempt to, sell, transfer, assign, mortgage, charge or otherwise dispose of or deal with any of its rights, entitlements and powers or obligations under this Agreement;
 - (d) comply with all State and Commonwealth laws, rules regulations and by-laws;
 - (e) cooperate fully with DSR in the administration of this Agreement and;
 - (f) upon reasonable notice, provide DSR or its agents, with access at any time and from time to time to the ORGANISATION'S premises financial records, other documents, equipment and other property for the purpose of audit and inspection by DSR in order to verify compliance by the ORGANISATION with this Agreement.
- Access to future DSR funding is dependent upon full acquittal of this grant, as per section 12.
- Certification of the Funding Acquittal Statement is to be completed by your ORGANISATION'S President or equivalent nominated office bearer.
- If your organisation has any outstanding DSR grant acquittals, payment of this grant may be withheld.
- The ORGANISATION must obtain prior approval from DSR for any extension/s to this grant agreement, the agreement period for which must not exceed four years from the date of commencement of this agreement

5. RELATIONSHIP

The Parties agree that nothing in this Agreement may be construed to make either of them a partner, agent, employee or joint venturer of the other.

6. VARIATION

Any modification, amendment or other variation to this Agreement must be made in writing duly executed by both Parties.

7. NOTICES

Any notice or other communication that may or must be given under this Agreement:

- a) must be in writing; and
- b) may be given by an authorised officer of the Party giving notice.

8. WAIVER

- a) No right under this Agreement shall be deemed to be waived except by the notice in writing signed by both Parties.
- b) A waiver by either Party will not prejudice that Party's rights in relation to any further breach of this Agreement by the other Party.
- c) Any failure to enforce this Agreement, or any forbearance, delay or indulgence granted by one Party to the other Party, will not be construed as a waiver of any rights.

9. PAYMENT OBLIGATIONS

In compliance with the Australian Taxation Office (ATO), the Recipient DSR and the Supplier ORGANISATION agree that:

The grant funding referred to in this funding agreement/application is exclusive of GST.

- a) If the ORGANISATION **is registered for GST**, the grant will be 'grossed up' by 10% of the grant amount. DSR will issue the ORGANISATION with a Recipient Created TAX Invoice (RCTI) with the grant payment.
- b) If the ORGANISATION **is not registered for GST** and has an ABN then a payment will be processed in accordance with the funding agreement.
- c) If the ORGANISATION **is not registered for GST** and does not have an ABN, the ORGANISATION must investigate their eligibility to obtain an ABN with the ATO.

If the ORGANISATION **does not** have an ABN, 46.5% of the grant amount will be withheld and forwarded to the ATO on your behalf, as per ATO legislation.

Refer the ATO website – <http://www.ato.gov.au/businesses>, ABN, Introduction to ABN, NO ABN withholding – questions and answers.

- d) With regard to Recipient Created Tax Invoices (RCTI), DSR (recipient) and the ORGANISATION (supplier) agree that:
 - (i) The recipient can issue tax invoices in respect of the supplies;
 - (ii) The supplier will not issue tax invoices in respect of the supplies;
 - (iii) The supplier acknowledges that it is registered for GST when it lodges this application and that it will notify the recipient if it ceases to be registered;
 - (iv) The supplier acknowledges that it is registered when it lodges this application and that it will notify the recipient if it ceases to be registered for the GST or if it ceases to satisfy any of the requirements of the Commissioner's determination of the classes of invoices that recipients may issue; and
 - (v) The supplier must not issue a document that would otherwise be a RCTI, on or after that date when the recipient or the supplier has failed to comply with any of the requirements of the Commissioner's determination of the classes of invoices that recipients may issue.

10. SUFFICIENT FUNDS CLAUSE

The payment of any amount from the DSR funds under this agreement is subject to DSR having sufficient money available for the making of grants in accordance with the Lotteries Commission Act 1990 (Sports Lotteries Account).

DSR may in its absolute discretion, determine whether it has sufficient money available for payment under this agreement, either in whole or in part. If DSR determines that it does not have sufficient money to make any payment under this agreement, DSR may, by notice to the ORGANISATION terminate this agreement without affecting the obligations of the ORGANISATION under this agreement in relation to any part of the grant already paid to the ORGANISATION.

DSR is not liable to the ORGANISATION in any way at all if this agreement is terminated under this clause and the ORGANISATION will not make any claim against DSR for any loss suffered as a result of termination of this agreement.

11. REPAYMENT AND RETENTION OF GRANT FUNDS

The ORGANISATION must repay to DSR any funds that has been paid which are not used in accordance with this Agreement unless there has been written agreement otherwise between the Parties.

12. ACQUITTAL REQUIREMENTS

By accepting this Funding Agreement, the ORGANISATION has agreed to fulfil the following acquittal requirements of DSR;

- Completion of the Key Result Schedule detailing the actual results achieved against each of the Performance Measures (Schedule A), is due within thirty (30) days of the completion of the project.
- The Acquittal Statement (Schedule B) must be completed and returned to DSR within thirty (30) days of the completion of the project.
- Compliance with the Grant Acknowledgement Guidelines, (Schedule C).

13. RIGHT OF STATE AUDITOR GENERAL TO AUDIT GRANT RECIPIENT WITH RESPECT TO THIS GRANT

The Parties agree that, despite any provision of this Agreement to the contrary, the powers and responsibilities of the Auditor General under Financial Management Act 2006 (FMA) and the Auditor General Act 2006 are not limited or affected by this Agreement.

Without limiting the above clause, the ORGANISATION must allow the Auditor General, or his representative, to have access to and examine the ORGANISATION'S records and information concerning this Agreement.

14. FREEDOM OF INFORMATION ACT 1992

The ORGANISATION acknowledges and agrees that this Agreement and information regarding it is subject to the Freedom of Information Act 1992 and that DSR may publicly disclose information in relation to this Agreement, including its terms and the details of the ORGANISATION.

15. LIMITATION OF LIABILITY

DSR does not accept any responsibility or liability for the success or otherwise of the Approved Purpose and is not liable for any losses which may be suffered by the ORGANISATION in undertaking the Approved Purpose.

16. INTELLECTUAL PROPERTY

- a) The title, copyright and all other rights to the intellectual property in and to all materials, information, works, objects and things of whatsoever kind produced by the ORGANISATION in the course of or for the purpose of the Project ("Contract Material") shall vest in the ORGANISATION.
- b) The ORGANISATION shall expressly and prominently acknowledge the financial support of DSR on all Contract Materials.
- c) The ORGANISATION shall grant, and shall ensure that any other owner of any intellectual property rights in any Contract Materials also grants, to DSR an unconditional, irrevocable, perpetual licence free of charge to use, exploit, commercialise and distribute all Contract Materials.
- d) The ORGANISATION warrants that;
 - (i) the ORGANISATION has the right to grant the licences granted under this clause;
 - (ii) no intellectual property rights in any Contract Materials is or will be owned by any third Party unless the Organisation has obtained from the third Party owner a written licence in respect of those intellectual property rights in favour of DSR as hereinbefore provided, and, if the third Party owns moral rights in the Contract Materials, the ORGANISATION has obtained the necessary written consent and waiver of the third Party owner in relation to those moral rights; and
 - (iii) The Contract Materials will not infringe the intellectual property rights of any third Party.
- e) The ORGANISATION indemnifies and will keep DSR from and against all costs, losses, expenses, actions, suits, demands, claims, damages and other liabilities resulting from the ORGANISATION'S failure to comply with this clause, including any breach of warranty, or otherwise resulting from the actual or alleged infringement of the intellectual property rights of any third Party by the ORGANISATION or DSR.

17. DISPUTE RESOLUTION

Before resorting to external dispute resolution mechanisms, the Parties shall in good faith attempt to settle by negotiation any dispute in relation to this Agreement, and where practical, each Party shall refer the matter to personnel who have authority to intervene and facilitate some form of resolution.

18. CLOSE OUT CLAUSE

DSR reserves the right to request a formal project close out. If this option is to be invoked DSR will notify the ORGANISATION, in writing, of the requirement for a formal close out no later than two weeks prior to the completion date of the project. In-project alterations to either the agreed project timeline or project outcomes will automatically trigger a formal project close out.

The formal project close out will comprise a Close Out Report detailing:

- The completion of major milestones and the timing of these completions.
- The specific outcomes achieved by the project (including the method of determining these achievements).
- The final (agreed) Key Result Schedule showing satisfactory achievement of targets outlined on the schedule.
- Acknowledgement of achievements beyond those agreed between DSR and the ORGANISATION.

When a project close out is required, project completion is contingent upon DSR sign off on the project close out.

19. DEFAULT AND TERMINATION

Event of Default by the Organisation

An Event of Default occurs if:

- (a) The ORGANISATION breaches any of its obligations under this Agreement which continues without remedy for ten (10) business days after notice in writing has been served on the ORGANISATION by the DSR;
- (b) The ORGANISATION becomes insolvent or is deemed to be insolvent under the *Corporations Act (Cwlth)*; or
- (c) If the DSR has reasonable grounds to believe that the ORGANISATION is unwilling or unable to comply with its obligations under this Agreement.

Effect of Event of Default

If an Event of Default occurs, the DSR may either:

- (a) Terminate the Agreement by providing a further ten (10) business days notice in writing to the ORGANISATION of the Event of Default; or
- (b) Suspend payment of the Grant Funds until the Event of Default is remedied.

Recommencement of Grant Payment

The DSR may, at its absolute discretion, recommence payment of the Grant Funds if and when the ORGANISATION has rectified the Event of Default.

Termination of Grant

This Agreement may be terminated at any time, by agreement between the Parties and/or by either Party after one month's notice to the other Party.

If the grant is terminated by either Party, DSR will determine the amount of grant funds to be returned.

20. ACKNOWLEDGEMENT AND AGREEMENT FOR FUNDING

The ORGANISATION accepts the funding for the period 1 April 2015 to 30 June 2015 and agrees to comply with the Key Result Schedule, Acquittal Requirements and Obligations of this Agreement.

This Agreement constitutes the entire agreement between the Parties and supersedes all communications, negotiations, arrangements and agreements, whether oral or written, between the Parties with respect to the subject matter of this Agreement.



(Signed)

PETER CLARKE

(Print name)

CHIEF EXECUTIVE OFFICER

(Position held)
Shire of Nannup

12/5/2015

Date



(Signed)

Arron Minchin
Director
Industry Development and Participation
Department of Sport and Recreation

06/05/15

Date



KEY RESULT SCHEDULE

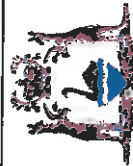
ORGANISATION:	Shire of Nannup	GRANT #: METRO C12253	TRIM #: 2015/402
PROJECT TITLE:	Sport 4 All - KidSport	PROJECT DATE: 1 April 2015 to 30 June 2015.	
GRANT TYPE :	Sport 4 All - KidSport	AMOUNT: \$5,000	
BRIEF PROJECT DESCRIPTION:			
KidSport will make it possible for Western Australian children to participate in community sport and recreation, no matter their financial circumstances. KidSport will allow eligible children and youth aged 5 – 18 years to apply for financial assistance to contribute towards club membership fees. The fees will go directly to the registered KidSport clubs who are participating in the project through their local government.			
PROJECT OBJECTIVES:			
<ul style="list-style-type: none">▪ Increase participation opportunities for eligible KidSport children and youth in sport and recreation clubs.▪ Increase in 'new' eligible KidSport participants joining sport and recreation clubs.▪ Increase club membership in sport and recreation clubs.▪ KidSport is promoted and supported by State sporting associations (SSA's), local sport and recreation clubs and community organisations.▪ Develop partnerships/relationships between Dept of Sport and Recreation (DSR), State sporting associations, local governments, referral agents, other community organisations, and government agencies.▪ Develop and strengthen local government support, education and training for community sport and recreation organisations.▪ Identification of targeted areas for implementation of KidSport. I.e.: localities, clubs, individuals.▪ Effective administration and promotion of KidSport.			
Outputs/Outcomes		Performance Measures	Results
An increase in membership of eligible KidSport applicants in sport and recreation clubs.		The Shire of Nannup: <ul style="list-style-type: none">▪ engages the community to implement KidSport.▪ registers Referral Agents to assist in identification of targeted youth to access KidSport vouchers i.e. school representatives, community groups, doctors, police and other as identified.	



Outputs/Outcomes	Performance Measures	Results
<p>An increase in membership of eligible KidSport applicants in sport and recreation clubs. (Continued).</p>	<ul style="list-style-type: none"> identifies Referral Agents, where relevant, to deliver community inclusion projects in your local government area (including development and maintenance of formal links with community organisations engaged by DSR) will distribute funding to clubs for 25 <i>KidSport vouchers 1 April 2015 to 30 June 2015</i> supports clubs to include eligible applicants in KidSport. representative/s attend at least one club development forum conducted by DSR. monitors and captures data and provides evidence of increased membership through the data base and clubs. 	
<p>Partnerships are developed between State sporting associations, local sport and recreation clubs and community groups which are supported by the Shire of Nannup to communicate and promote KidSport.</p>	<ul style="list-style-type: none"> Continual communication and support provided to identified groups. i.e. Information Packs, newsletters, websites, workshops etc. – <i>evidence to be provided.</i> Club Development Officer/s and similar are utilised to support the implementation of KidSport. DSR Sport 4 All projects, in particular Community Volunteer Project opportunities are identified to 'value add' and support clubs i.e. recruit/retain/train volunteers, build capacity of clubs, etc. 	
<p>The Shire of Nannup administers the KidSport program effectively and keeps records to provide a comprehensive evaluation of the project.</p>	<ul style="list-style-type: none"> <i>Payment within 30 days to clubs on receipt of invoice and KidSport vouchers.</i> Information from application forms is entered into online database. Data from Club Registration forms and Referral Agent Registration forms is captured (will be entered into State-wide online data base when developed). 	



Outcomes/Outcomes	Performance Measures	Results
<p>The Shire of Nannup administers the KidSport program effectively and keeps records to provide a comprehensive evaluation of the project. (Continued).</p>	<ul style="list-style-type: none"> ▪ The Shire of Nannup will use information and data collected from applicants for KidSport matters <i>only</i>. ▪ Agreed evaluation data is provided to DSR when required. ▪ Quarterly project progress meetings and/or reports with DSR. (face to face / phone/ video conference) 	
<p>KidSport is promoted in the Shire of Nannup to the wider community.</p>	<ul style="list-style-type: none"> ▪ Promotional collateral, templates and forms provided by DSR to the Shire of Nannup as agreed. ▪ DSR promotional collateral, templates and forms used to promote and implement KidSport in the Shire of Nannup. ▪ Logos provided to DSR for inclusion on promotional material. <p>KidSport Communication Protocols</p> <ul style="list-style-type: none"> ▪ The 'KidSport Communication Protocols' document is adhered to by Shire of Nannup and used to assist in promotion and advocacy. ▪ Local government partners with DSR on: <ul style="list-style-type: none"> o identification of local case studies. o opportunities for the Minister for Sport and Recreation and the local Mayor to be involved. ▪ Press releases to the local media to be jointly produced by the Shire of Nannup and the DSR. It will be a case-by-case discussion on which organisation should distribute the release. 	



Outputs/Outcomes	Performance Measures	Results
<p>KidSport is promoted in the Shire of Nannup to the wider community. (Continued).</p>	<ul style="list-style-type: none"> Answers to media enquiries to the Shire of Nannup to be formulated in consultation with the DSR. The Department will consult with the Shire of Nannup. 	
<p>DSR is appropriately acknowledged by agreed strategies between DSR and the Shire of Nannup.</p>	<p>DSR is acknowledged consistent with Schedule C and including:</p> <p>Verbal At least four public announcements at appropriate opportunities</p> <p>Written At least four written acknowledgements</p> <p>Signage</p> <ul style="list-style-type: none"> At least three events/activities One banner in prominent position at principal place of business. <p>Logo DSR logo to be used on:</p> <ul style="list-style-type: none"> Website Annual Report Official stationery Newsletters Event programs Promotional material relating to the program Other as agreed 	
<p>Satisfactory completion of the project/s and DSR acquittal requirements within the agreed timeframe.</p>	<ul style="list-style-type: none"> Acquittal of funds according to the agreed acquittal schedule and project timelines Completion of Schedule A & B with supporting evidence. 	



KEY RESULT SCHEDULE

ORGANISATION:	Shire of Nannup	GRANT # METRO C12253	TRIM #: 2015/402
PROJECT TITLE:	Sport 4 All - KidSport	PROJECT DATE: 1 July 2015 to 30 June 2016.	
GRANT TYPE :	Sport 4 All - KidSport		AMOUNT: \$30,000

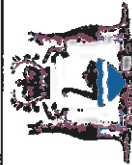
BRIEF PROJECT DESCRIPTION:

KidSport will make it possible for Western Australian children to participate in community sport and recreation, no matter their financial circumstances. KidSport will allow eligible children and youth aged 5 – 18 years to apply for financial assistance to contribute towards club membership fees. The fees will go directly to the registered KidSport clubs who are participating in the project through their local government.

PROJECT OBJECTIVES:

- Increase participation opportunities for eligible KidSport children and youth in sport and recreation clubs.
- Increase in 'new' eligible KidSport participants joining sport and recreation clubs.
- Increase club membership in sport and recreation clubs.
- KidSport is promoted and supported by State sporting associations (SSA's), local sport and recreation clubs and community organisations.
- Develop partnerships/relationships between State Dept of Sport and Recreation (DSR), State sporting associations, local governments, referral agents, other community organisations, and government agencies.
- Develop and strengthen local government support, education and training for community sport and recreation organisations.
- Identification of targeted areas for implementation of KidSport. I.e.: localities, clubs, individuals.
- Effective administration and promotion of KidSport.

Outputs/Outcomes	Performance Measures	Results
An increase in membership of eligible KidSport applicants in sport and recreation clubs.	The Shire of Nannup: <ul style="list-style-type: none">■ engages the community to implement KidSport.■ registers Referral Agents to assist in identification of targeted youth to access KidSport vouchers i.e. school representatives, community groups, doctors, police and other as identified.	



Outputs/Outcomes	Performance Measures	Results
<p>An increase in membership of eligible KidSport applicants in sport and recreation clubs. (Continued).</p>	<ul style="list-style-type: none"> identifies Referral Agents, where relevant, to deliver community inclusion projects in your local government area (including development and maintenance of formal links with community organisations engaged by DSR) will distribute funding to clubs for 150 <i>KidSport vouchers 1 July 2015 to 30 June 2016</i> supports clubs to include eligible applicants in KidSport. representative/s attend at least one club development forum conducted by DSR. monitors and captures data and provides evidence of increased membership through the data base and clubs. 	
<p>Partnerships are developed between State sporting associations, local sport and recreation clubs and community groups which are supported by the Shire of Nannup to communicate and promote KidSport.</p>	<ul style="list-style-type: none"> Continual communication and support provided to identified groups. i.e. Information Packs, newsletters, websites, workshops etc. – <i>evidence to be provided.</i> Club Development Officer/s and similar are utilised to support the implementation of KidSport. DSR Sport 4 All projects, in particular Community Volunteer Project opportunities are identified to 'value add' and support clubs i.e. recruit/retain/train volunteers, build capacity of clubs, etc. 	
<p>The Shire of Nannup administers the KidSport program effectively and keeps records to provide a comprehensive evaluation of the project.</p>	<ul style="list-style-type: none"> <i>Payment within 30 days to clubs on receipt of invoice and KidSport vouchers.</i> Information from application forms is entered into online database. Data from Club Registration forms and Referral Agent Registration forms is captured (will be entered into State-wide online data base when developed). 	



Outputs/Outcomes	Performance Measures	Results
<p>The Shire of Nannup administers the KidSport program effectively and keeps records to provide a comprehensive evaluation of the project (Continued).</p>	<ul style="list-style-type: none"> ▪ The Shire of Nannup will use information and data collected from applicants for KidSport matters <i>only</i>. ▪ Agreed evaluation data is provided to DSR when required. ▪ Quarterly project progress meetings and/or reports with DSR. (face to face / phone/ video conference) 	
<p>KidSport is promoted in the Shire of Nannup to the wider community.</p>	<ul style="list-style-type: none"> ▪ Promotional collateral, templates and forms provided by DSR to the Shire of Nannup as agreed. ▪ DSR promotional collateral, templates and forms used to promote and implement KidSport in the Shire of Nannup. ▪ Logos provided to DSR for inclusion on promotional material. <p>KidSport Communication Protocols</p> <ul style="list-style-type: none"> ▪ The 'KidSport Communication Protocols' document is adhered to by Shire of Nannup and used to assist in promotion and advocacy. ▪ Local government partners with DSR on: <ul style="list-style-type: none"> ○ identification of local case studies. ○ opportunities for the Minister for Sport and Recreation and the local Mayor to be involved. ▪ Press releases to the local media to be jointly produced by the Shire of Nannup and the DSR. It will be a case-by-case discussion on which organisation should distribute the release. 	



Outputs/Outcomes	Performance Measures	Results
<p>KidSport is promoted in the Shire of Nannup to the wider community. (Continued).</p>	<ul style="list-style-type: none"> Answers to media enquiries to the Shire of Nannup to be formulated in consultation with the DSR. The Department will consult with the Shire of Nannup. 	
<p>DSR is appropriately acknowledged by agreed strategies between DSR and the Shire of Nannup.</p>	<p>DSR is acknowledged consistent with Schedule C and including:</p> <p>Verbal At least four public announcements at appropriate opportunities</p> <p>Written At least four written acknowledgements</p> <p>Signage</p> <ul style="list-style-type: none"> At least three events/activities One banner in prominent position at principal place of business. <p>Logo DSR logo to be used on:</p> <ul style="list-style-type: none"> Website Annual Report Official stationery Newsletters Event programs Promotional material relating to the program Other as agreed 	
<p>Satisfactory completion of the project/s and DSR acquittal requirements within the agreed timeframe.</p>	<ul style="list-style-type: none"> Acquittal of funds according to the agreed acquittal schedule and project timelines Completion of Schedule A & B with supporting evidence. 	



ACQUITTAL STATEMENT - FIRST YEAR 2014/15 METRO C12253 2015/402

ORGANISATION: Shire of Nannup

PROJECT TITLE: Sport 4 All - KidSport

FOR THE PERIOD: 1 April 2015 to 30 June 2015

Revenue Items		Actual
DSR Grant amount	\$5,000	(1)
From other Government Departments (please specify)		
Other revenue received for project		
Supplied by your organisation		
TOTAL REVENUE		
Expenditure Items (e.g. Administration costs, venue hire, instructor's fees, equipment hire)		
TOTAL EXPENDITURE		(2)

ORGANISATION CERTIFICATION

- I certify that the above figures are correct and that the ORGANISATION expended a total of \$ _____(2) on the program as detailed in the Key Result Schedule (KRS) including the DSR grant of \$ _____ (1).
- I have enclosed our completed Key Result Schedule for the period as required under Section 12 (Acquittal Requirements) in the Funding Agreement.
- I certify that I have the authority, as vested by the Board/Committee/Council/CEO, to submit this acquittal documentation by electronic transmission.

Name: _____

Position Held: _____

Signature: _____ **Date:** _____



ACQUITTAL STATEMENT - SECOND YEAR 2015/16
2015/402

METRO C12253

ORGANISATION: Shire of Nannup

PROJECT TITLE: Sport 4 All - KidSport

FOR THE PERIOD: 1 July 2015 to 30 June 2016

Revenue Items		Actual
DSR Grant amount	\$30,000	(1)
From other Government Departments (please specify)		
Other revenue received for project		
Supplied by your organisation		
TOTAL REVENUE		
Expenditure Items (e.g. Administration costs, venue hire, instructor's fees, equipment hire)		
TOTAL EXPENDITURE		(2)

ORGANISATION CERTIFICATION

- I certify that the above figures are correct and that the ORGANISATION expended a total of \$ _____(2) on the program as detailed in the Key Result Schedule (KRS) including the DSR grant of \$ _____ (1).
- I have enclosed our completed Key Result Schedule for the period as required under Section 12 (Acquittal Requirements) in the Funding Agreement.
- I certify that I have the authority, as vested by the Board/Committee/Council/CEO, to submit this acquittal documentation by electronic transmission.
-

Name: _____

Position Held: _____

Signature: _____ Date: _____



Grant Acknowledgment Requirements

Department of Sport and Recreation

The State government through the Department of Sport and Recreation (DSR) provides significant grant funding for sport and recreation in Western Australia.

In receipt of grant funding, sport and recreation organisations must acknowledge the contribution made by DSR in appropriate ways.

There are a number of ways funding can be acknowledged. These include but are not limited to:

Signage

DSR signage will be prominently displayed at agreed events/programs.

To order signage, contact Compac Marketing (email/phone) to request an order form. A list of signage available will be forwarded to you (via email/fax) along with the signage order form. Please complete and return to Compac Marketing Australia to arrange your signage.

Compac Marketing Australia
27 Distinction Road, WANGARA WA 6065
PO BOX 1308, WANGARA DC WA 6947
Phone: (08) 9303 4646
www.compacmarketing.com.au
reception@compacmarketing.com.au

All signage requirements MUST be ordered via Compac Marketing Australia and placed at least 21 days prior to the event and 14 days prior to dispatch to ensure availability and delivery.

Receiving and returning signage is controlled and managed by Compac Marketing Australia, hence you will not be charged for courier or hire unless damages or loss occur whilst in your possession.

If you have further enquires about signage, please contact your DSR Consultant on 9492 9700 or your DSR regional office.

Verbal Acknowledgement

DSR will be acknowledged as a major supporter of the organisation and/or event in speeches, interviews and public announcements. The suggested wording for this acknowledgement is:

The State government through the Department of Sport and Recreation is a major supporter of (the sport or recreation organization and/or the name of the event/program). Sport and recreation builds stronger, healthier, happier and safer communities).

Written Acknowledgement

DSR will be acknowledged in all public material of the organisation. The suggested wording for this acknowledgement is:

The State government through the Department of Sport and Recreation is a major supporter of (name of sport or recreation organization and/or the name of the event/program) in Western Australia. Sport and recreation builds stronger, healthier, happier and safer communities).



Logo

The DSR logo will be included on all print material as agreed with DSR, including but not limited to:

- Annual Report
- Event programs
- Official stationery
- Brochures/flyers/posters
- Certificates/awards
- Newsletters
- Web-site

The DSR logo can be accessed on line at www.dsr.wa.gov.au. Click on 'Resources' to find 'Logo'.

NB: The size and positioning of the DSR logo on all print material must reflect DSR as a major supporter.

Media

Any media releases will acknowledge DSR as a major supporter as per written acknowledgement above.

The funded organisation will endeavour to gain pictorial, written and/or verbal acknowledgement for DSR in all print and electronic media opportunities.

Clothing

Where appropriate, wear any promotional clothing provided by DSR during media opportunities and at the activity/event.

Other

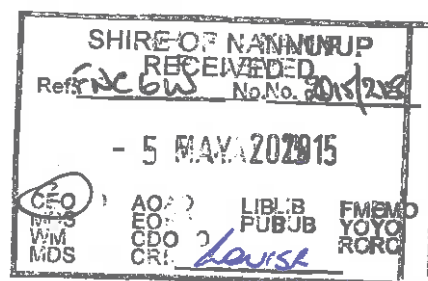
Other opportunities for DSR acknowledgement agreed between DSR and the funded organisation.



Please quote

Our ref: 11005097 / 421007251 / Approval

30 April 2015



Mr Jim Kelly
Acting Chief Executive Officer
Shire of Nannup
PO Box 11
NANNUP WA 6275

Dear Mr Kelly

YOUR APPROVED LOTTERYWEST GRANT, APPLICATION: 421007251

I am pleased to advise you that your application for a grant has been recommended by the Board and approved by the Hon Colin Barnett MLA, Premier of Western Australia.

The following content is enclosed to guide you through the rest of the grant process and help you to meet your grant obligations:

- **What happens now**
- **Grant approval schedule**
- **Recipient created tax invoice**
- **Grant payment and acquittal information**
- **Acknowledging your grant**
- **Publication on the Lotterywest Website**

Please read this information carefully as it provides important details regarding the management, payment, acquittal and publicity of your grant.

The Premier, Board and all of us at Lotterywest are pleased to be able to support your organisation.

Yours sincerely

PAUL ANDREW
Chief Executive Officer

End

Now that your organisation's grant has been approved, the enclosed information aims to guide you through the rest of the grant process and enable you to effectively manage your grant and meet your grant obligations.

- **Grant approval schedule**

Please read the enclosed grant approval schedule very carefully as it contains information about your approved grant. This includes amounts and items for which the grant was approved, any conditions that you will need to meet and the grant accountability requirements.

- **Payment of the grant**

Payment of your grant will be in accordance with the conditions outlined in your Grant approval schedule.

- **Recipient created tax invoice (RCTI)**

Organisations registered for the Goods & Services Tax (GST), will receive 10% GST in the total amount of any payment from Lotterywest. Organisations are required to pay the 10% GST to the Australian Taxation Office (ATO); as a result a RCTI will be forwarded to you after each grant payment. The exact amount of GST due to the ATO will be shown in the 'Payment' column of the RCTI.

- **Grant payment and acquittal information**

Your organisation is accountable for the expenditure of the grant within the nominated timeframe. Enclosed is information regarding the payment and acquittal of your grant.

- **Acknowledging your grant**

Wherever appropriate, we encourage organisations who have received a grant to publicly acknowledge our support. Find out how to acknowledge Lotterywest's support in the enclosed information sheet.

- **Publication on the Lotterywest website**

We publicise your success in obtaining your grant by listing it in the Approved grants section on our website and in our annual report. In this way the WA community as a whole can read about your work as well as ours.

Further Information

If you have any questions about your grant please do not hesitate to contact James Wild on 9340 5270 or 1800 655 270 or email: grants@lotterywest.wa.gov.au. If you have questions about our payment and acquittal requirements our Customer Service Officer (Finance) Varun Sadhana would be more than happy to help and can be contacted via the same details above.

Organisation name: Shire of Nannup
 Organisation number: 11005097
 Application number: 421007251
 Grants Manager / Grant Officer: James Wild

Details of your Approved Grant

Total amount granted: \$56,026.00
 Date granted: 23 April 2015

Overall conditions of the grant that must be met before payment can be made on any of the approved items below:
 There are no overall conditions applicable to this grant; however please see below as conditions may apply for specific items.
Overall grant accountability requirements that are applicable to all of the approved items below:
 • The timeframe for initial drawdown of this grant is 12 months from date granted. Subsequent drawdown periods must be no further than 6 months apart.

Items	Item specific prepayment conditions	Payment and accountability requirements	Amount approved
Transport/Bus			
Towards the purchase of a community bus.	Payment to be made on: • Provision of documentation that identifies the vehicle to be purchased, registration number, chassis number, engine number and model, year and colour details and insurance details.	Once the overall conditions (if any) and item specific conditions (if any) have been met, payment will be made IN ARREARS on provision of: • Original or certified copies of itemised suppliers' receipts for goods and services purchased and a written request for payment.	\$38,308.00 \$38,308.00
Building Purchase & Construction			
Towards the construction of a shed.	Not applicable. See Payment & Accountability requirements.	Once the overall conditions (if any) and item specific conditions (if any) have been met, payment will be made IN ARREARS on provision of: • Original or certified copies of itemised suppliers' receipts for goods and services purchased and a written request for payment.	\$17,718.00 \$17,718.00
Total amount granted			\$56,026.00

This Grant approval schedule is valid as of 30 April 2015

This information is provided to support you through the Lotterywest grant payment and acquittal process.

The Lotterywest grant conditions and organisation declaration that you signed as part of your application relate to this grant. Please re-familiarise yourself with this document as it outlines conditions that you have agreed to. A copy is available on our website at <http://www.lotterywest.wa.gov.au/GrantConditions>

In your Grant approval schedule the payment of your grant has been detailed as **Advance** or **In Arrears**. An Advance payment is money paid upfront that we require you to acquit according to the accountability requirement/s detailed in your Grant approval schedule. An Arrears payment will only be made once you have met the accountability requirement/s detailed in your Grant approval schedule.

Please forward all documentation for payment and acquittal to:
Grants and Community Development
Lotterywest
POBox 1113
OSBORNE PARK DC WA 6916
Fax: 9340 5274

The cover letter and supporting documents (including certified copies of invoices) must be signed by the Chief Executive Officer or another officer formally delegated with such authority. Please provide the application number that is provided on your Grant approval schedule.

Please contact Lotterywest if you have any questions about our payment or acquittal requirements. Our Grants Finance Team would be more than happy to help and can be contacted on 9340 5270, 1800 655 270, or email: grants@lotterywest.wa.gov.au.

- **Grants with overall grant conditions or item specific conditions**

The payment of your grant is subject to certain conditions being met. Please refer to your grant approval schedule for detailed information about the items and amounts for which the grant can be used and the conditions that must be met before payment/s will be made.

Your Grant approval schedule will detail if payment of your grant, once conditions have been met, is to be Advance or In Arrears. If you are to receive an initial Advance payment, payment of any subsequent advance payment/s is usually conditional on full or partial acquittal of the previous advance payment. If payments are to be made In Arrears, payment will only be made once you have met the accountability requirement/s detailed in your Grant approval schedule.

- **Goods and Services Tax (GST) on goods and services purchased with your grant**

Organisations registered for GST cannot use the grant to pay GST on goods/services purchased. Organisations will be able to claim back the GST from the Australian Tax Office in their Business Activity Statement.

- **Extension of time to meet accountability requirements**

Should your organisation not be able to meet the accountability requirements as detailed in your Grant approval schedule, the Authorised signatory will need to write to Lotterywest requesting an extension (details provided above). Please include your application number and a brief explanation why you require the extension of time to acquit or draw down the grant, including an estimated timeframe when you will do so.

- **Grant Variations**

The Grant approval schedule provides detailed information about the items and amounts for which your grant has been approved. Should your organisation need to vary this in any way, the Authorised signatory will need to write to Lotterywest requesting a variation (details provided above). Please note that you must have approval from Lotterywest for a variation to the grant before any money is spent on items different to that which are detailed on your Grant approval schedule.

- **Unspent Grant Monies**

Any advance payment monies that are not spent on the items detailed in your Grant approval schedule must be returned to Lotterywest to complete the acquittal process. Unspent grant money is returned to the overall Lotterywest grants budget for reallocation to other grant applicants.

If you do return some or all of the grant monies this will not affect our consideration of any future grant application.

As your organisation is registered for GST, the amount of your refund payment must include:

- the unspent amount of the grant and
- 10% GST on the grant refund amount.

The GST refund is required because Lotterywest must adjust its GST input tax credit claim to the Australian Tax Office. Your organisation would also need to adjust its GST reporting to reflect its reduced GST liability to the Australian Tax Office.

Grant refunds should be sent to Lotterywest (details provided above). Please include in your covering letter your application number and a brief explanation why you are returning the money.

Lotterywest is the only Australian lottery with our own direct grants program, providing millions of dollars every month to Western Australian charities, community groups and local government authorities. It's therefore very important that people recognise that our support is made possible because of the retailers that sell our products and the players who play our games.

To help with this recognition, your organisation is encouraged to acknowledge the support you have received from Lotterywest in one or more of the following ways:

- Contact your local media outlet.
- Display Lotterywest decals.

If asked to promote our support we have resources to assist you. For further information please visit www.lotterywest.wa.gov.au/grants/acknowledgements or contact the Lotterywest Corporate Communications Team on 9340 5270 or 1800 655 270.

We are happy to hear your suggestions on other ways to publicise our support. Please let us know your plans, we like to help if we can.

Thank you for your help in acknowledging the support Lotterywest has provided to your organisation.