

# Attachment 11.1.7

## EXTRACT FROM LOCAL PLANNING SCHEME NO 4

| USE & DEVELOPMENT CLASS          | Commercial | Environmental Conservation | General Industry | Priority Agriculture | Residential | Rural | Rural Residential | Rural Smallholdings | Special Use        | Tourism | Urban Development             |
|----------------------------------|------------|----------------------------|------------------|----------------------|-------------|-------|-------------------|---------------------|--------------------|---------|-------------------------------|
| Motor vehicle repair             | X          | X                          | D                | X                    | X           | A     | X                 | A                   | REFER TO CLAUSE 21 | X       | REFER TO CLAUSES 18(6) AND 67 |
| Motor vehicle wash               | A          | X                          | D                | X                    | X           | X     | X                 | X                   |                    | X       |                               |
| Multiple dwelling                | D          | X                          | X                | X                    | D           | X     | X                 | X                   |                    | X       |                               |
| Nature based park                | X          | A                          | X                | A                    | X           | D     | X                 | A                   |                    | D       |                               |
| Nightclub                        | A          | X                          | X                | X                    | X           | X     | X                 | X                   |                    | X       |                               |
| Office                           | D          | X                          | X                | X                    | X           | X     | X                 | X                   |                    | X       |                               |
| Park home park                   | A          | X                          | X                | X                    | A           | X     | X                 | X                   |                    | A       |                               |
| Place of worship                 | A          | A                          | X                | A                    | A           | A     | A                 | A                   |                    | A       |                               |
| Reception centre                 | D          | X                          | X                | X                    | X           | A     | X                 | A                   |                    | D       |                               |
| Recreation - private             | D          | X                          | X                | A                    | X           | A     | X                 | A                   |                    | A       |                               |
| Renewable energy facility        | X          | X                          | A                | A                    | X           | A     | X                 | A                   |                    | X       |                               |
| Repurposed dwelling              | D          | D                          | X                | D                    | D           | D     | D                 | D                   |                    | A       |                               |
| Residential aged care facility   | P          | X                          | X                | X                    | P           | X     | X                 | X                   |                    | X       |                               |
| Residential building             | D          | D                          | X                | A                    | D           | A     | A                 | A                   |                    | A       |                               |
| Resource recovery centre         | X          | X                          | X                | X                    | X           | A     | X                 | X                   |                    | X       |                               |
| Restaurant/Cafe                  | D          | A                          | X                | A                    | X           | D     | X                 | A                   |                    | D       |                               |
| Restricted premises              | A          | X                          | A                | X                    | X           | X     | X                 | X                   |                    | X       |                               |
| Roadhouse                        | A          | X                          | A                | A                    | X           | A     | X                 | X                   |                    | X       |                               |
| Rural home business              | X          | A                          | X                | D                    | X           | D     | A                 | A                   |                    | X       |                               |
| Rural produce store              | X          | A                          | X                | D                    | X           | D     | A                 | A                   |                    | A       |                               |
| Rural pursuit/hobby farm         | X          | D                          | X                | P                    | X           | P     | P                 | P                   |                    | P       |                               |
| Second-hand dwelling             | D          | D                          | X                | D                    | D           | D     | D                 | D                   |                    | A       |                               |
| Serviced apartment               | D          | X                          | X                | X                    | X           | X     | X                 | X                   |                    | D       |                               |
| Service station                  | A          | X                          | A                | X                    | X           | A     | X                 | X                   |                    | A       |                               |
| Shop                             | D          | X                          | X                | X                    | X           | X     | X                 | X                   |                    | A       |                               |
| Single bedroom dwelling          | D          | X                          | X                | X                    | D           | X     | X                 | X                   |                    | X       |                               |
| Single house                     | D          | D                          | X                | P                    | P           | P     | P                 | P                   |                    | D       |                               |
| Small bar                        | A          | X                          | X                | X                    | X           | X     | X                 | X                   |                    | A       |                               |
| Tavern                           | A          | X                          | X                | X                    | X           | X     | X                 | X                   |                    | A       |                               |
| Telecommunication infrastructure | D          | D                          | D                | D                    | D           | D     | D                 | D                   |                    | D       |                               |

| USE & DEVELOPMENT CLASS              | Commercial | Environmental Conservation | General Industry | Priority Agriculture | Residential | Rural | Rural Residential | Rural Smallholdings | Special Use        | Tourism | Urban Development             |
|--------------------------------------|------------|----------------------------|------------------|----------------------|-------------|-------|-------------------|---------------------|--------------------|---------|-------------------------------|
| Tourist development                  | D          | X                          | X                | X                    | X           | X     | X                 | X                   | REFER TO CLAUSE 21 | D       | REFER TO CLAUSES 18(6) AND 67 |
| Trade display                        | D          | D                          | D                | D                    | X           | D     | X                 | D                   |                    | A       |                               |
| Trade supplies                       | D          | X                          | D                | X                    | X           | X     | X                 | X                   |                    | X       |                               |
| Transport depot                      | A          | X                          | D                | A                    | X           | A     | X                 | A                   |                    | X       |                               |
| Tree farm <sup>2</sup>               | X          | D                          | X                | D                    | X           | D     | A                 | A                   |                    | A       |                               |
| Veterinary centre                    | D          | X                          | D                | D                    | X           | D     | X                 | A                   |                    | A       |                               |
| Warehouse/storage                    | D          | X                          | D                | X                    | X           | X     | X                 | X                   |                    | X       |                               |
| Waste disposal facility              | X          | X                          | A                | X                    | X           | A     | X                 | X                   |                    | X       |                               |
| Waste storage facility               | X          | X                          | A                | A                    | X           | A     | X                 | X                   |                    | X       |                               |
| Winery                               | X          | D                          | X                | D                    | X           | D     | A                 | D                   |                    | D       |                               |
| Workforce accommodation <sup>3</sup> | X          | X                          | X                | D                    | A           | D     | X                 | A                   | X                  |         |                               |

Note 1. Refer to Clause 57 - Mining operations.

Note 2. Refer to Clauses 46 - Tree farms and Clause 68 - Additional site and development requirements.

Note 3. Refer to Clause 44 - Workforce accommodation.

## 18. Interpreting zoning table

- (1) The permissibility of uses of land in the various zones in the Scheme area is determined by cross-reference between the list of use classes on the left hand side of the zoning table and the list of zones at the top of the zoning table.
- (2) The symbols used in the zoning table have the following meanings -
  - P means that the use is permitted if it complies with all relevant development standards and requirements of this Scheme as it relates to the use of the land;
  - I means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with all relevant development standards and requirements of the Scheme as it relates to the use of the land;
  - D means that the use is not permitted unless the local government has exercised its discretion by granting development approval;**
  - A means that the use is not permitted unless the local government has exercised its discretion by granting development approval after advertising in accordance with clause 64 of the Deemed Provisions;
  - X means that the use is not permitted by this Scheme.

Note: 1. The development approval of the local government may be required to carry out works on land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the carrying out of works on, and the use of, land.

- S137) support proposals, subject to addressing other planning considerations, that:
- i. incorporate innovative building styles which enhance the area's character;
  - ii. reinforce agreed townscape principles;
  - iii. reinforce local character and a sense of place;
  - iv. respect topography including protecting the integrity and character of ridgelines;
  - v. implement best practice urban design to create built environments that enable walking and cycling, support community safety and provide adequate shade;
- S138) require subdivision designs to demonstrate inclusive and connected principles;
- S139) support proposals that provide an accessible and high-quality public realm;
- S140) support the use of appropriate vegetation in private and public spaces;
- S141) support the preparation of Building and Landscaping Guidelines to promote higher levels of sustainability, a sense of place and agreed design standards which are appropriately supported by restrictive covenants, a local planning policy or Local Planning Scheme provisions to ensure effective implementation; and
- S142) not support a proliferation of signage which will detract from the character of the Shire.

#### *Actions*

The local government will:

- C85) introduce a Special Control Area (SCA) designation, in either an amendment to LPS3 or in LPS4 generally over the Nannup townsite area relating to design; and
- C86) as required, develop, fund, implement and review townscape plans for Nannup.

## **9.0 RURAL**

### **9.1 Development and Use - Rural and Priority Agriculture**

The following aims, strategies and actions apply to the Strategy Plan areas shown as:

- a) Rural;
- b) Priority Agriculture;
- c) Scott Coastal Plain Special Control Area

unless otherwise stated.

#### *Aims*

The aims are to:

- A89) protect rural land from incompatible uses by:
- i. making land-use decisions for rural land that support existing and future primary production;
  - ii. minimising the fragmentation of rural land;
  - iii. providing investment security for the existing and future primary production sector; and
  - iv. minimising land use conflicts that compromise agricultural land uses;

- A90) preserve the productivity of agricultural land and water resources to maximise economic advantages to the Shire and ensure long-term food security;
- A91) provide for a range of rural pursuits which are compatible with the capability of the land and retain the rural character and amenity of the locality; and
- A92) retain farming land in large landholdings to support primary production and generally limit the creation of additional lots.



*Sheep and vines at Hillbillé Vineyard*

### *Strategy*

The local government's strategy is to:

- S143) acknowledge that the primary function of cleared land is agriculture and this should be managed to ensure its long term use for sustainable agricultural activities;
- S144) protect the rural character and environmental and visual qualities of the area;
- S145) promote a range of rural uses compatible with the capability of the land;
- S146) provide for the development of land for alternative and complementary non-agricultural uses including tourism, where the applicant can demonstrate:
  - i. suitable land or buildings are not available elsewhere or the proponent suitably demonstrates there are exceptional circumstances to the satisfaction of the local government;
  - ii. the use will not detrimentally affect on-going agricultural operations and that it will not result in the removal of productive agricultural land;
  - iii. adequate separation distance between potential conflicting land uses; and
- S147) not support scheme amendment requests to Residential, Rural Residential or Rural Smallholding for land shown as Rural or Priority Agriculture on the Strategy Plans;
- S148) encourage the establishment of value-adding industries in appropriate locations to maximise economic advantages to the Shire;
- S149) consider Animal Husbandry – Intensive applications on their merits with proponents required to appropriately address matters including buffers, environmental impacts and land, water and bushfire management; and
- S150) acknowledge and encourage implementation of the Hardy Inlet water quality improvement plan, August 2012 (WQIP).

Action

The local government will:

- C87) in the preparation of LPS4 make the following zoning name changes in accordance with SPP2.5 and *Planning and Development (Local Planning Schemes) Regulations 2015*:
- i. rename 'Agriculture' to 'Rural';
  - ii. rename 'Agricultural Priority 1 – Scott Coastal Plain' to 'Priority Agriculture' and include a Scott Coastal Plain Special Control Area to carry over specific controls; and
  - iii. rename 'Agricultural Priority 2' to 'Priority Agriculture'; and
  - iv. delete 'Cluster Farming' zone.

## 9.2 Dwellings in Rural Areas

Strategy

The local government's strategy is to:

- S151) support only one dwelling per lot except as where justified by the proponent to manage the land for sustainable agricultural use or Heritage Protection purposes; and
- S152) require all dwellings to be provided with a sustainable water supply for domestic, firefighting and land management purposes consistent with WAPC Policy DC3.4.



Rural farmhouse - Wadi Farm, East Nannup

Action

- C88) In addition to existing criteria in LPS3 for workers accommodation in the Rural and Priority Agriculture zones, it is proposed to include the following considerations in LPS4:
- i. a minimum lot size of 40 hectares for workers accommodation;
  - ii. consideration of up to three dwellings (consisting of a single house, workers accommodation and heritage dwelling) where a dwelling is listed on the Shire's adopted Heritage List and/or on the Heritage Council's State Heritage Register with agreement, to the satisfaction of the local government (in

## 5.4 Tourism

### Aims

The aims are to:

- A45) encourage the development of a wide range of tourist and recreation facilities, tourist accommodation and activities for visitors in appropriate locations within and near the Nannup townsite and in the rural areas of the Shire that appropriately address bushfire planning, environmental assets, landscape qualities and compatibility with adjoining land uses; and
- A46) encourage the establishment of businesses, which attract and promote the Nannup townsite and the Shire as a tourist destination.

### Strategy

The local government's strategy is to:

- S66) support a range of tourism development (accommodation, facilities and activities) in appropriate locations which respect to bushfire and flood risk, land use compatibility and servicing considerations;
- S67) ensure that tourism/recreation use and development are managed, located, designed and sited which conserves and enhances environmental assets and landscape qualities;
- S68) encourage development which recognises the architectural style and scale of development within the Nannup townsite and the Shire;
- S69) support the development of tourist attractions on Crown land where appropriate;
- S70) support low-key tourist and recreational uses in areas classified as 'Activity Node' on the Strategy Plans subject to appropriately addressing environmental, servicing, landscape and other planning considerations as per the *Augusta Walpole Coastal Strategy* i.e. 'Activity Node';
- S71) support public coastal access in areas classified as 'Coastal Access Point' on the Strategy Plans subject to appropriately addressing environmental, servicing, landscape and other planning considerations as per the *Augusta Walpole Coastal Strategy* i.e. 'Coastal Access Point';
- S72) require major tourist accommodation proposals in rural areas (in excess of six chalets or occupancy of 24 or more people) other than for camping, to be subject to an amendment to the scheme;
- S73) not support tourist and recreational development, beyond low-key activities such as bed and breakfast establishments, for lots that do not have direct access to a constructed public road e.g. forestry track; and
- S74) develop a Tourism Strategy for the Shire.



Foreshore Park Totems

### Actions

The local government will:

- C42) introduce a 'Tourism' Zone into LPS4 with relevant sites currently zoned as 'Special Use' changed to 'Tourism';
- C43) seek a 'Special Use' zoning for caravan park sites where the predominant use is for caravanning and camping;
- C44) have regard to the definitions and recommendations of the *Tourism Planning Taskforce Report 2006* and *Planning Bulletin No. 83/2011 Planning for Tourism* in preparing LPS4;
- C45) support a Blackwood River Valley iconic tourist attraction including supporting the feasibility of an iconic tourist attraction (possibly adventure based);
- C46) maintain and develop high quality tourist related facilities including public toilets, foreshores, parks and reserves and streetscapes; and
- C47) examine opportunities for the development of trails in and around Nannup.

## 6.0 INFRASTRUCTURE, TRANSPORTATION AND COMMUNITY SERVICES

### 6.1 Hard Infrastructure

#### Aims

The aims are to:

- A47) seek the timely provision of infrastructure to service the demands of growing communities and to facilitate planned growth;
- A48) seek increased energy security and diversification in order for the Shire and the local economy to be more resilient; and
- A49) seek to address environmental and public health through the extension of the infill sewerage program.

#### Strategy

The local government's strategy is to:

- S75) maximise existing infrastructure through efficient and effective management;

|                       |                                      |
|-----------------------|--------------------------------------|
| <b>Policy Number:</b> | LPP 012                              |
| <b>Policy Type:</b>   | Local Planning Policy                |
| <b>Policy Name:</b>   | Tourist Accommodation in Rural Areas |
| <b>Policy Owner:</b>  | Chief Executive Officer              |

**Authority:**

*Shire of Nannup Local Planning Scheme No.3*

---

**OBJECTIVE**

To approve high quality tourist 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 accommodation are:

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

As set out in Local Planning Scheme No.3, in particular in the Zoning Table or in the Schedules for certain land, various types of tourist accommodation can be considered in most zones.



## **Guidelines for the Assessment and Approval of Tourist Accommodation**

In determining an application, the local 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.

### **Standard conditions**

Standard conditions which will be imposed on Development Approvals for tourist accommodation are generally:

- 1.1. The preparation of plans to comply with the Building Code of Australia and the issuing of a Building Permit. Demonstration that satisfactory arrangement can be made for effluent disposal.
- 1.2. The design and materials of the tourist accommodation is to generally blend into the landscape of the area.
- 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 local government. This may require the dedication and upgrading of the public road to the satisfaction of the local government at the cost of the applicant.
- 1.4. Provision being made for fire protection to the satisfaction of the local government.
- 1.5. Tourist accommodation 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, 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 the local government to ensure compliance with the *Health (Miscellaneous Provisions) 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 accommodation changes the predominant use of a lot from a rural agricultural base to a non-agricultural base the local government may change the rating of such a lot from Un-Improved Value to Gross Rental Value.

|                                  |  |
|----------------------------------|--|
| Related Policies:                | LPP 004 Bed and Breakfast<br>HLT 5 Bed & Breakfast<br>LPP 020 Developer and Subdivider Contributions<br>LPP 021 Bush Fire Management |
| Related Procedures/<br>Documents |  |
| Delegation Level:                | CEO, Development Services Officer  |
| Adopted:                         | OM 24 September 1992   |
| Reviewed:                        | <a href="#">OM 25 January 2018</a>   |

|                |                                  |
|----------------|----------------------------------|
| 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), in-situ 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 local government.

## **Links to Local Planning Scheme and other documents**

This Policy relates to various requirements set out in LPS3, 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 local government. The 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 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, 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 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 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 the local government and Main Roads Western Australia.

Stormwater from impervious surfaces is to be designed and managed in accordance with the *Decision process of stormwater management in Western Australia* (DoW 2009) using systems as outlined in the *Stormwater management manual for Western Australia* (DoW 2007-2009).

## 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 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 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 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 local government will require compliance with the 'deemed-to-comply' provisions or will provide a discretionary decision based on the 'design principles' of the R Codes.

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.

For land subject to the R Codes, garages and carports are to be sited in accordance with the 'deemed-to-comply' provisions or the local government will provide a discretionary decision based on the 'design principles' of the R Codes.

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 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 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 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 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 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 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 local government.

#### 5. Loading and Unloading Spaces

In addition to the provision of car parking spaces, the 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 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 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 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 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 local government.

The 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 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 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 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 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 local government. This may require the preparation of a traffic/car parking management study by a suitably qualified professional.

Should the 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 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 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 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 local government can set cost per car parking bay is set out in the 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 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 local government land and/or reserves subject to the location and the detailed design being approved by the local government.

## 9. Reciprocal Parking

The 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 local government being satisfied that the arrangement will prevail for the duration of the uses concerned.

Where reciprocal parking is proposed, the 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 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 local government may require revised parking arrangements to meet the changed circumstances to the satisfaction of the local government.

## 10. Modifying Development Standards and Requirements for Parking

Where, in the opinion of the local government, conditions are such as to render full compliance with the provisions of this Policy impractical, the 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 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 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 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 local government will require the proponent to appropriately justify modifications to development standards and requirements for car parking provision.

The 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 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 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 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 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 local government's main drainage system or other arrangements to the satisfaction of the 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 local government's main drainage without the written authorisation of the local government and shall be constructed to the local government's satisfaction and standards.

Staff, resident and visitor car parking should be appropriately marked and/or signposted to the satisfaction of the 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 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 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 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 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 is proposed, the 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, and for commercial development outside of the Nannup townsite.

The above applies unless the proponent demonstrates exceptional circumstances to the satisfaction of the 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 local government will allow an unsealed crossover which will need to be constructed and drained to the 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 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 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 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 local government to conform to the 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 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 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 local government through its adopted fees and charges.

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

The 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 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 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 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 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 local government.

For lots that are between 4 and 9.99 hectares, the 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 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 local government will accept unsealed roads.

#### 16. Battleaxe access legs

The 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 local government.

The 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 local government.

The 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 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 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 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 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 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 local government that the work is necessary.

The 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 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 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 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:             | LPP 020 Developer and Subdivider Contributions<br>WRK 7 Crossovers           |
| Related Procedures/ Documents |  |
| Delegation Level:             | CEO, Manager Infrastructure, Building Surveyor, Development Services Officer |
| Adopted:                      |  |
| Reviewed:                     | <a href="#">OM 25 January 2018</a>   |

#### 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°<br>(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°<br>(parallel parking) | 3.0              | 6.7               | 3.0              | 6.0                           | 9.0                     |

Attachment 2 - Explanatory figure for parking

