



SHIRE OF WOODANILLING
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INFORMATION SHEET – TOWN PLANNING APPLICATIONS FREQUENTLY ASKED QUESTIONS

The Shire of Woodanilling provides the following information as a guide for planning applications. This is not, however, all information regarding its Town Planning Scheme No. 1. Further information can be obtained by contacting the Shire office.

It should be noted that Council may require the application to be advertised, referred to other agencies or adjoining owners. The assessment of your application cannot be completed until all information and fees are received. Your attention to all requirements will ensure prompt assessment of your application. Please note that Council policies change from time to time and the information contained in this information sheet was accurate at the time of printing. Please check with the Council office to ensure the information is up to date.

Is power available to my lot? If not, will this affect the issue of a building licence and has council any restrictions over the use of generators?

If there is no reticulated power available then the provision of power is to be the responsibility of the individual land owner. This will not affect the issue of a building licence on the site. Normal health (noise) regulations apply to the use of generators.

Is water available to the lot? If not, then what size tank will Council require to be installed on the property?

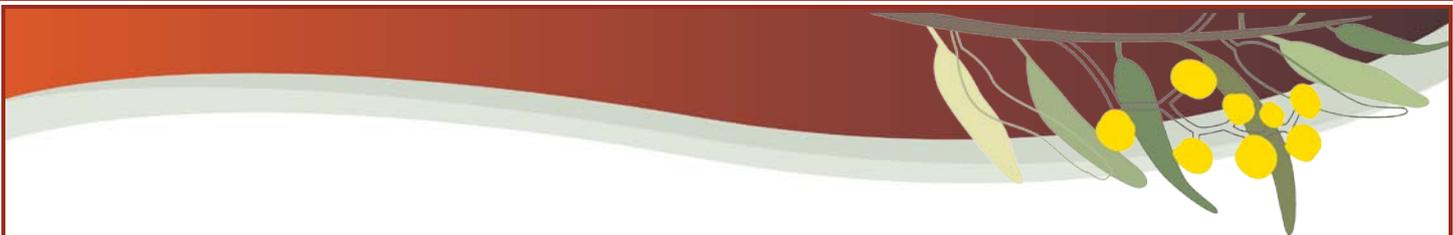
If there is no reticulated water available, it is the responsibility of the individual land owner and each residence is required to have a suitable water supply being a tank with a minimum capacity of 92,000 litres

As a landowners, can I have access to the standpipe in town?

It is expected that with no reticulated water supply, most new landowners may require supplementary water from the standpipe. Council is willing to allow this, however an honour system applies and all water taken from the standpipe is to be paid for.

Who is responsible for constructing the road to the properites?

Council has no responsibility to provide access to individual lots. If landowners request construction of roads and/or access this will be at the owner's full cost.



If a road is not constructed to my property, will Council issue a building licence?

Shire of Woodanilling Town Planning Scheme No. 1:

Clause 5.14 Development on Lots Abutting Unconstructed Roads or with no Gazetted Road Access

Notwithstanding anything else appearing in the Scheme, planning approval is required for development of land abutting an unconstructed road or a lot which does not have frontage to a constructed road. In considering such an application the Council shall either:

- a) *refuse the application until the road has been constructed or access by means of a constructed road is provided as the case may be; or*
- b) *grant the application subject to a condition requiring the applicant to pay a sum of money in or towards payment of the cost or estimated cost of construction of the road or part thereof and any other conditions it thinks fit to impose; or*
- c) *require such other arrangements are made for permanent access as shall be to the satisfaction of the Council*

Will Council allow me to build a shed on the property before I build a house?

Generally no Council will not allow a shed to be constructed prior to a house, please see Town Planning Policy No. 2 – Sheds – attached for full details.

Will Council allow me to live in either the existing shed or a caravan while I build a house?

Council **will not** allow a person to live in either a shed or a caravan on the property. Woodanilling has a commercial caravan park located in close proximity to the town with both caravan bays and on-site vans.

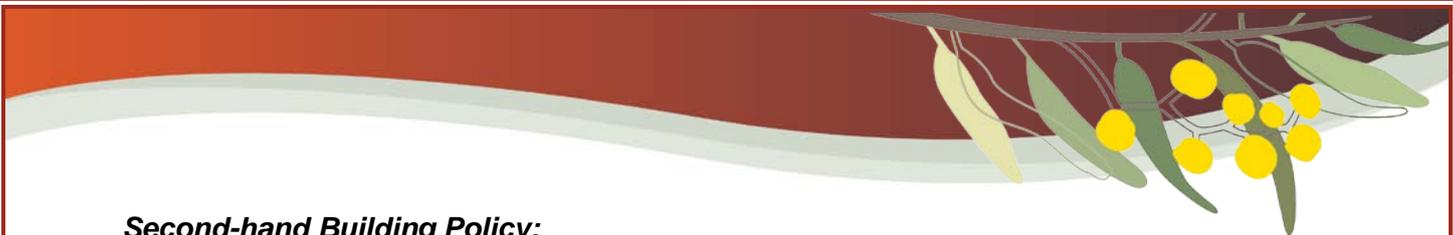
Will Council allow me to relocate a house on the property?

There is a difference between a transportable building and a relocated house.

A transportable building means one that is specifically designed to be moved and there are a number of commercial house builders that do this, e.g. T & R Homes. These are basically houses built in Perth and brought down to the site and assembled as a new house.

A transportable building could also be a demountable unit, e.g. single men's quarters or park home. However, these units may not comply with the Building Code of Australia (BCA) regulations for a dwelling.

Council's policy on second hand materials can be used to address the relocation of an existing residence.



Second-hand Building Policy:

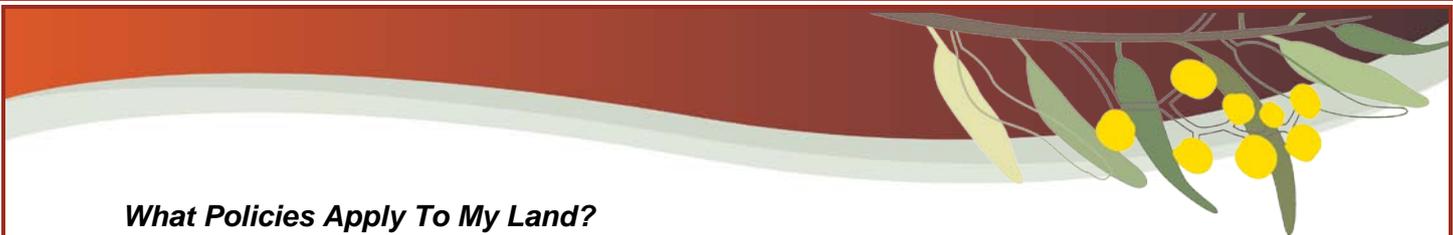
1. *All proposals for buildings involving the relocation of second hand buildings to the Shire of Woodanilling shall be subject to Council approval.*
2. *All second hand buildings shall be subject to engineering certification confirming that the building is capable of retaining its structural integrity during the course of relocation. Obtaining the certification is the responsibility of the applicant.*
3. *All second hand buildings, if separated into sections, shall include the following engineering details:*
 - *The manner in which the building is to be separated including the line of separation.*
 - *Additional bracing details confirming that the separated sections will retain their structural integrity during the course of the relocation.*
 - *Rejoining details particularly with respect to structural framing members including plating and fixing details.*
4. *Planning consent for second hand buildings will be valid for a period of six (6) months.*
5. *All applications shall be forwarded to the Shire of Woodanilling on the appropriate forms with three (3) recent photos of the second hand building and shall include lodgement of a bond to be determined by Council, refundable on completion of the project to Council's satisfaction.*
6. *All health and building legislative requirements will be applicable to all secondhand buildings even though those requirements may not be stipulated on the approved plans.*
7. *The Shire Building Surveyor shall be given 72 hours notice regarding the time of transportation to the site.*
8. *The following works must be completed within the six (6) months of the building arriving on site:*
 - *Dwelling to be properly fixed to the stumps.*
 - *External and internal walls, fixtures and fittings to be made good.*
 - *Doors and windows to be installed and operational.*
 - *Septic installation to be completed.*
 - *All plumbing to be connected and operational.*
 - *Dwelling to be painted externally as required to Council's satisfaction.*
 - *Vermin boards or brick perimeter skirts shall be provided to all second hand buildings as directed by council.*
 - *All debris to be removed from building site and site to be left clean to the satisfaction of councils building surveyor.*
9. *Any buildings containing asbestos will not be approved for relocation into the Shire of Woodanilling.*

SECONDHAND MATERIALS

Written permission shall be obtained from Council before the use of second hand materials for the construction of fences and outbuildings.

How many dogs can I keep on the land?

Two dogs can be kept under the Dog Act without the need for Council approval. Dog kennels (including the breeding of dogs) may be prohibited under the Scheme.



What Policies Apply To My Land?

Building Incentive

Council will provide sand/gravel required for a 600mm maximum depth pad to a level site for residences free of charge for persons building a residence in the Woodanilling Shire within one year of purchasing the property and only after a building licence has been issued for the residence. If the residence is not completed to a satisfactory level as determined by the Works Supervisor after a further period of 12 months, Council may recover costs at full private works rates at that time.

Sand/gravel pads for any other structure will be charged at full private works rates and will be scheduled only when the road works programme allows.

Council will level the site, spread and compact materials for building pads if requested to do so, and this will be charged at full private works rates, to its best practice but such pads will not be certified as suitable for building.

Landowners must gain their own compaction certification prior to building construction.

Crossovers

Council provides, free of charge, one standard gravel crossover (with culvert if considered necessary) to each property. For the purposes of this policy, each property will be all that land described on a single rates assessment.

Any additional crossovers constructed by Council will be on an at-cost basis as a private works contract.

Council will not construct or contribute to the cost of crossovers constructed in other materials.

An application form to be completed in all instances where a crossover is to be constructed. The provisions of the Local Government Act be adhered to and that where Council damages a property crossover during its road works or maintenance, Council will provide a replacement crossover free of charge to Council's normal standard and any request for additional width be at the expense of the owner.



TOWN PLANNING POLICY No 1 - PERMITTED USES

Policy Area

This Policy applies to the whole Shire.

Objective

To clarify what development requires Council Planning Approval.

Background

Clause 8.1 of the Scheme requires that all development requires the approval of Council. Clause 8.2 then sets out the types of development which are except from this requirement; including a single dwelling.

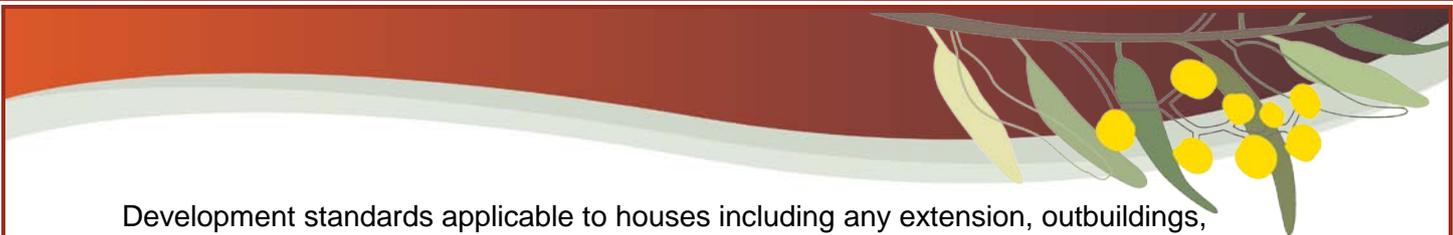
Table 1 – Zoning Table; then sets out uses which:

- Are permitted by the Scheme providing that they meet the relevant development standards in the Scheme;
- Require Council's Planning Approval;
- Require Council's Planning Approval and must be advertised; and
- Are prohibited.

The permitted uses are as follows:

Use Class	Zones				
	Residential	Commercial	Industrial	Regional Rural	Local Rural
1 Aged & Dependent Persons Dwelling	P				
2 Agriculture – Extensive				P	P
3 Agro Forestry				P	
4 Animal Establishment				P	
5 Car Park		P	P		
6 Community Purpose	P	P	P	P	P
7 Consulting Room		P			
8 Dry Cleaning Premises		P	P		
9 Home Occupation	P			P	P
10 Home Office	P			P	P
11 Industry Light			P		
12 Industry Service			P		
13 Public Utility	P	P	P	P	P
14 Residential – Single House	P			P	
15 Rural Pursuit				P	
16 Shop		P			
17 Showroom		P			
18 Transport Depot			P		

The development standards are generally contained within Part of the Scheme and all development must comply with these standards unless a variation is approved by Council. Where a Permitted Use meets these standards then Council cannot unreasonably refuse such an application.



Development standards applicable to houses including any extension, outbuildings, swimming pools etc include:

- Compliance with the Residential Planning Codes (with particular reference to boundary setbacks);
- Not being located within a heritage area designated under the Scheme (no such areas apply at this time);
- Does not exceed 8m in height;
- Is not located on an unconstructed road or on a lot with no gazetted road access.

In summary the setbacks for houses are as follows:

Setback from lot boundaries (1)	Residential R 5	Regional Rural	Local Rural
All boundaries		20m	
Front	12.0m		10m
Rear	6.0m		10m
Side (2)	1.5m		5m

(1) *Lot boundaries means any individual allotment as defined within the Town Planning and Development Act 1928*

(2) *Tables 2a & 2b of the Codes define the side setbacks based on the length of the walls and whether there are any major windows.*

Policy Statement

1. In accordance with Clause 8.2 of the Scheme, Council will not require a planning application for a single house within the Residential or Regional Rural zones, provided that such development complies with the minimum setback requirements and any other applicable development standards.
2. A Building Licence is still required for a single house and compliance with the setback requirements and any other applicable development standards will be assessed as part of this application.
3. Item 1 above does not apply to a single house on a lot with an unconstructed road access or no gazetted road access (refer to Clauses 5.14 and 8.2(b)(v)).
4. Council's planning approval for more than one single dwelling in the Regional Rural Zone is required under Clause 5.11.5
5. In accordance with Clause 8.2 of the Scheme, Council will not require a planning application for a 'Home Office' within the Residential, Regional Rural, or Local Rural zones. A 'Home Office' is defined as a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not:
 - (a) entail clients or customers travelling to and from the dwelling;
 - (b) involve any advertising signs on the premises; or
 - (c) require any external change to the appearance of the dwelling.
6. All other P uses listed in Table 1 of the Scheme will require the Planning Approval of Council.



TOWN PLANNING POLICY No 2

SHEDS (AS AMENDED)

Policy Area

This Policy applies to the whole Shire.

Objective

In order to clarify the interpretation and application of Scheme provisions in relation to the development of sheds (outbuildings) and to maintain the character of the Shire and to ensure an adequate standard of residential accommodation.

Background

Town Planning Scheme No 1 does not specifically define or list outbuildings as a separate use of land.

Within 'residential' areas outbuildings when developed in conjunction with a house are governed by the provisions of the Residential Design Codes (2010) and are defined as an enclosed non-habitable structure that is detached from any dwelling.

Carports and garages which abut or are attached to a dwelling are not included in this Policy.

Clause 8.2 (b)(iv) of the Scheme nominates the acceptable standards for outbuildings are a maximum area of 72 m² with a maximum height of 4.0m.

Clause 6.10.1 of the R Codes requires that outbuildings do not detract from the streetscape or the visual amenity of residents or neighbouring properties.

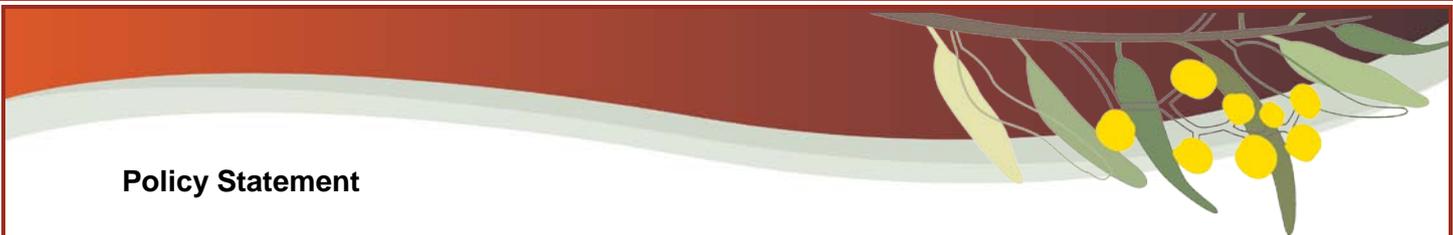
Within 'rural' areas outbuildings are normally considered as being ancillary to the main use of the property. Such uses defined within the Scheme include,

Use Class	Regional Rural	Local Rural
Agriculture - extensive	P	P
Agriculture - intensive	D	D
Industry - rural	D	A
Rural home business	D	A
Rural pursuit	P	D

Setback from lot boundaries *		
All boundaries	20m	
Front and rear		10m
Side		5m

** Lot boundaries means any individual allotment as defined within the in the Planning and Development Act 2005*

Clause 5.5 of the Scheme allows Council to consider variations to the setbacks from boundaries.

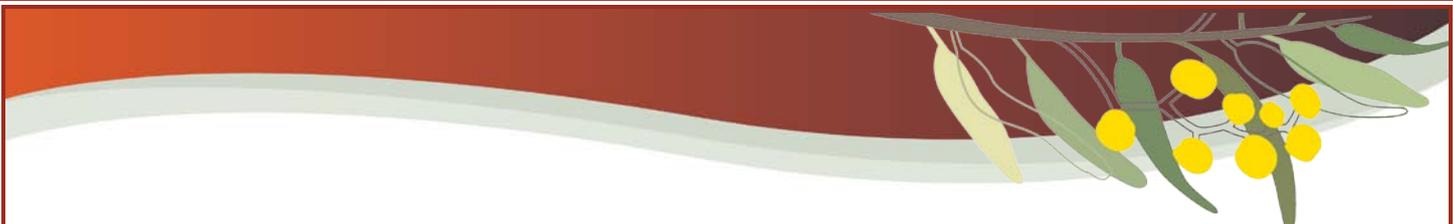


Policy Statement

1. Outbuildings will not require Planning Approval from Council
 - (a) In the Residential and Local Rural Zones provided that:
 - A dwelling already exists on the lot subject to the application;
 - The outbuilding does not exceed 72 m² in size;
 - The outbuilding does not exceed 4.2m in height; and
 - All buildings are setback from lot boundaries in accordance with the R Codes and BCA requirements.
 - The outbuilding in the Residential Zone is placed behind the main residential building line
 - (b) In the Regional Rural Zone where they are for non commercial or non industrial purposes and
 - Do not exceed 500 m² in size
 - Wall heights do not exceed 5.0 m; and
 - Are setback more than 20m from any lot boundaries.
2. Council in considering all applications for outbuildings will have specific regard to the proposed use and location of the outbuilding and how this might impact on the surrounding properties. It may require any such applications to be advertised and may (if it approves any such application) impose conditions relating to:-
 - The provision of landscaping;
 - In the Residential and Local Rural Zones the use of non-reflective natural colours which blend with the natural landscape to the satisfaction of the local government being used on all external surfaces of the outbuilding noting that unpainted zincalume cladding does not apply.
 - The site being so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance
 - The outbuildings shall only be used for purposes incidental to the residential or rural use of the property.
3. Outbuildings will require the Planning Approval of Council in the Commercial and Industrial Zones.
4. Outbuildings **will not** be approved on vacant land within the Residential Zone.
5. Outbuildings **will not** be approved on vacant land within the Local Rural Zone **unless** a simultaneous Building Licence Application for a dwelling has been approved by the local government.
6. Outbuildings are not to be used for human habitation at any time.

Adoption

Adopted by Council at its meeting of 20 December 2005
Amended by Council at its meeting of 15 July 2008
Amended by Council at its meeting of 18 October 2011
Adopted by Council at its meeting of 20 December 2011



TOWN PLANNING POLICY No 3 – SEA CONTAINERS

Policy Area

This Policy applies to the whole Shire.

Definitions

All reference to containers shall mean either a sea container or railway carriage.

Objective

The objectives of this policy are to regulate the use of sea containers to ensure they do not detract from the visual amenity of the locality.

Background

In recent years there has been increased use of sea containers within the Shire for storage. While these can serve a useful role in rural areas there have been concerns about aesthetics, particularly in more settled areas such as the Residential and Local Rural Zones.

Sea containers are generally second hand structures which were originally designed for commercial and industrial use but are sought by landowners for use in a residential environment.

TPS No. 1 makes no direct reference to sea or containers and Council regulates them under general development control powers covering amenity and protection of the natural environment.

This policy has been created to provide guidance for Council and land owners in the use and siting of sea containers and railway carriages.

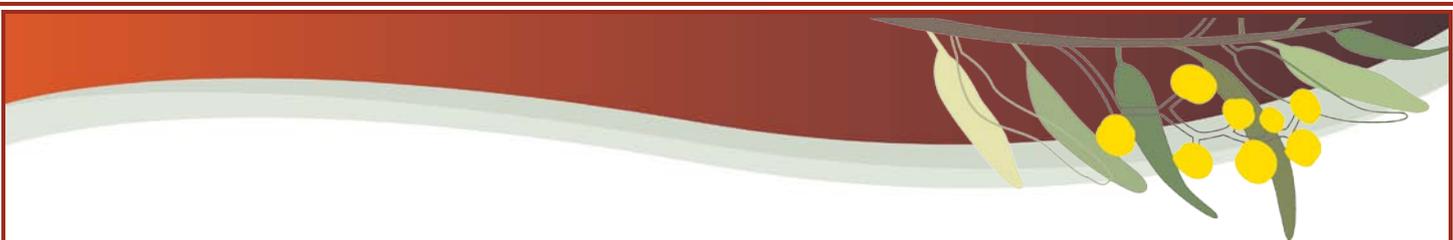
POLICY STATEMENT

Exemptions from Planning Consent Requirements

Planning consent is not required for the use of containers fully enclosed within a building.

General Requirements for Sea Containers

1. All containers shall require the planning approval of Council.
2. As they are second hand relocated structures, containers are not considered as being “ancillary outbuildings”.
3. Containers may be approved in any zone.
4. There is a presumption that no more than one container will be permitted per property, particularly in the Residential Zone. Council may consider additional containers where it is satisfied that there is a genuine need for these and that the objective of this policy is complied with.
5. Containers may be approved on a vacant property.
6. Containers are not to be used for habitable purposes.
7. Containers are not to be located within front boundary setbacks as required by Town Planning Scheme No. 1.
8. Containers may be temporarily placed on a property to store building materials while construction of a house is being carried out on the property. Where containers are proposed for a temporary period the following will apply:
 - (a) The use will expire with the building licence.
 - (b) A building licence for the dwelling must be issued before a planning approval is granted for a container.
 - (c) The container must be maintained in a reasonable condition as determined by Council.



9. Where containers are proposed to be permanently sited on a property the following will apply:
 - (a) They should be adequately screened from view and shall not be easily seen from nearby roads, other public places, or adjoining properties
 - (b) They should be painted in muted tones to the satisfaction of Council so as not to be visually intrusive.
 - (c) They should be maintained in good repair with no visible rust marks.

10. Applications for planning consent shall include:
 - (a) A scaled site plan showing the proposed location of the sea container and detailing setbacks to boundaries. The site plan shall also include other buildings, accessways, watercourses and vegetation on the property.
 - (b) The proposed size and use of the sea container.
 - (c) Evidence that the sea container will be adequately screened from view and shall not be easily seen from nearby roads, other public places, or adjoining properties.

11. Sea containers are approved in the Regional Rural Zones, subject to them not being located within the front boundary setback area or in areas designated for car parking or landscaping.