



Council Policy

Development Guidelines Scheme No. 3

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Guideline 1 – Residential Development

1.1 Ancillary Accommodation

Ancillary Accommodation shall be permitted within Tourist Residential, Rural and Special Rural, Special Residential or Conservation zone where the relevant provisions of a accommodate Ancillary Accommodation. The Ancillary Accommodation shall comply with the definition and standards set-out within the Residential Design Codes, (including the additional criteria set out under this policy). Ancillary Accommodation means self contained living accommodation on the same site as a single house and may be attached or detached from the single house existing on the lot and will only be approved on a lot where:-

- (a) the applicant agrees to enter into a legal agreement, which shall bind the owner, his heirs and successors in title, requiring that the occupier of the ancillary accommodation shall be a family member of the occupier of the main dwelling.
- (b) the unit does not exceed 75m² internal floor area and contains only one purpose designed bedroom (in order to avoid exploitation of Council's concession; but a dual function of lounge/bed-sitting room, given to another room, would not be precluded by this requirement).
- (c) the principal dwelling and the additional unit exhibit architectural sympathy and consistency in terms of design, textures and colours or the proposed dwelling unit is of a transportable nature and does not adversely affect the amenity of the area in terms of building material, effluent disposal, access and vegetation.
- (d) the proposal does not require the installation of a second complete effluent disposal system.

1.2. Relocated Dwelling

A relocated dwelling means a residential dwelling which has been previously constructed on a building site whether occupied or not and does not include a new house which has been specifically designed as a transportable dwelling. These will only be approved on a lot where:-

- (a) the land is zoned Residential, Residential Development or Rural.
- (b) the relevant provisions of a Special Rural and Special Residential Zone accommodate relocated homes.
- (c) it is a caretakers' cottage in an Industrial Zone.
- (d) the proposal complies with clauses 5.20 (b) and (c) of the scheme and a \$5,000 bond is to be deposited with Council to ensure satisfactory refurbishment of the dwelling within 4 months of its relocation to the lot.

1.3 Consulting Rooms & Places of Public Worship in Residential Zones

Where a purpose built consulting rooms or place of public worship is proposed in the Residential Zone the following shall apply:

- (a) the bulk, scale and appearance of the development shall be in keeping with the existing residential character of the area.
- (b) the building shall be setback in accordance with the prevailing setback of buildings in the locality.
- (c) car parking areas are to be positioned behind the building.
- (d) the road servicing the development shall be a local distributor road that is capable of supporting the additional traffic generated by the development.
- (e) preference shall be given to development which is located on a corner lot to allow for improved traffic distribution, provide a buffer to surrounding residences and to reduce the impact on the streetscape.

1.4 Grouped Dwellings On Rural Zoned Land

- (a) Definition -: Grouped Dwelling means one of two or more dwellings on the same lot.
- (b) A group dwelling comprising a maximum of two dwelling units will only be approved on a Rural zoned lot where:
 - i. the lot size is greater than 20 hectares.
 - ii. the dwellings are to be used for farm management or private residential purposes.
 - iii. the development does not adversely affect rural character, landscape, agriculture, groundwater resources or future urban development.
 - iv. the proposal complies with part (d).
- (c) A group dwelling comprising more than 2 dwelling units will only be approved on a Rural zoned lot where the applicant can-:
 - i. provide justification that the dwellings are needed for farm management purposes.
 - ii. demonstrate the suitability of the site for the intended development in respect to residential and rural land capability.
 - iii. ensure that the land will be included in an appropriate zone or special site with all relevant standards and controls, prior to the completion of building construction.

- iv. ensure the development does not adversely impact on the rural amenity of the area.
- (d) The development of grouped dwellings will not be permitted in:
- i. an area which is undesirably low lying or wet.
 - ii. an area designated as future urban in the Residential Expansion Strategy where no comprehensive detailed Structure Plan has been proposed.
 - iii. areas within the Priority 1 Groundwater Zone identified by the Local Rural Strategy.
 - iv. positions upon properties which encourage the fragmentation of rural lots or the future subdivision of the land.
 - v. positions closer than 100 metres from any existing commercial tree plantation.

1.5 Special Residential – Location 488 South Coast Highway (Area No. 3)

The following setbacks shall apply to all dwellings and outbuildings in “Special Residential Area No. 3”-:

Particulars	Setback - metres
From South Coast Highway	Minimum 30 (lot 100 –20)
Eastern boundary	Minimum 15
Front	Average 12
Second Street	Minimum 5
Side	Minimum 1.5 on one side or in accordance with the R Codes (whichever is the greater) And 5m on the other
Rear	Minimum 5

The setback standards for the R5 Density Code of the R-Codes shall apply unless otherwise specified above or in the outbuilding's guideline. In the case of any inconsistency the greater setback requirements shall apply.

Guideline 2: Variations to the Residential Design Codes

2.1 Setbacks of Garages and Carports (6.2.3)

Additional Acceptable Development Criteria

A3.6 - Carports setback 3m from the primary street and 1.5m from a secondary street.

2.2 Excavation or fill (6.6.1)

Additional Acceptable Development Criteria

A1.5 - Retaining walls on the side or rear lot boundaries that adjoin reserved land, not exceeding 1.0m in height from natural ground level.

Additional Performance Criteria

P2 - Retaining walls that will not detrimentally affect the character and/or amenity of the streetscape or from reserve areas.

P3 - Where adjacent to reserved land walls that do not facilitate a decrease in the direct visual surveillance of a public area.

Guideline 3 – Home Based Business

3.1 Bed and Breakfast Accommodation

Bed and Breakfast Accommodation is where a maximum of two rooms of a dwelling house are made available for short stay accommodation for a maximum of five guests at any one time and will only be approved on a lot where:-

- (a) the land is not zoned Industry.
- (b) the land is zoned Rural, Residential or Special Residential.

- (c) if the land is zoned Commercial, the proposal is consistent with surrounding land use activities.
- (d) the relevant provisions of a Special Rural Zone accommodate Bed and Breakfast Accommodation.
- (e) the proposal is within reasonable proximity to a sealed access road.
- (f) the proposal complies with the carparking guidelines in Guideline 5 of this policy.
- (g) if the land is zoned Rural the proposal complies with GP46 & GP47 of the Local Rural Strategy.
- (h) Off street parking is to be provided at the ratio of one car bay for every guest room. Carparking bays should not interfere with vehicular access.
- (i) comments from residents of the locality will be sought in accordance with the provisions of Clause 3.2 of Town Planning Scheme 3.
- (j) consult the affected parties by following one or more of the provisions of advertising uses pursuant to Clause 3.2 of the Scheme, and have regard to any expressed views prior to making its determination.

3.2 Craft Studio

A Craft Studio will only be approved on a lot where-:

- (a) The proposal complies with the definition outlined in Table 1 of the City's Local Rural Strategy.
- (b) the land is zoned Rural or is within TPS 3.2 B Torbay Hill Special Rural Zone.
- (c) the relevant provisions of a Special Rural Zone accommodate a Craft Studio.
- (d) the proposal does not adversely affect the amenity of the area in terms of building materials, building design, access, parking, effluent disposal and positioning of buildings.
- (e) the proposal complies with GP46 and GP47 of the City's Local Rural Strategy.
- (f) comments from residents of the locality will be sought in accordance with the provisions of Clause 3.2 of Town Planning Scheme 3.

3.3 Home Occupation

Additional to the criteria set out under the definition outlined in Clause 1.6 of the Scheme, Home Occupation shall not involve any retail activity or display of goods on the site.

3.4 Chalets

A Chalet will only be approved on a lot where:-

- (a) the proposal complies with the definition as outlined in Table 1 of the City's Local Rural Strategy.
- (b) the land is zoned Rural and;
 - the lot size is greater than 5 hectares.
 - the lot size is greater than 10 hectares if located within the Priority 1 or Priority 2 Groundwater area as defined by the Water Corporation.
 - the lots size is greater than that identified by the specific requirements of individual policy areas in the Local Rural Strategy.
- (c) in the special Rural Zone the relevant provisions of the zone accommodate chalets.
- (d) the proposal is for 3 or less chalets.
- (e) the proposal does not adversely affect the amenity of the area in terms of building materials, access parking, effluent disposal and positioning of buildings.
- (f) the proposal complies with the carparking guidelines in Guideline 5 of this policy.
- (g) the proposal complies with the Fire Control Measures guidelines (No. 6) of this policy.
- (h) an adequate potable water supply demonstrated to be of sufficient quality will be supplied and connected to each chalet. If the water supply is to consist of rainwater storage only then each chalet will be required to be served exclusively via a tank(s) of at least 55,000 litres (12,000 gallons) capacity or,

if the tank's water supply is proposed for firefighting in addition to chalet use, then the capacity must increased to a minimum of 92,000 litres (20,000 gallons). In this event, each chalet shall be provided with a garden hose, served by the upper portion of the water tank, for landscape watering and rapid initial fire suppression.
- (i) the proposal complies with GP46 and GP47 of the City's Local Rural Strategy.
- (j) A minimum of 1 carparking bay shall be provided for each chalet in a suitable location that does not inhibit vehicular movement.
- (k) comments from residents of the locality will be sought in accordance with the provisions of Clause 3.2 of Town Planning Scheme 3.

Guideline 4 – Fire Control Measures

4.1 Chalet Development

- (a) An adequate supply of water for fire fighting shall be provided in close proximity to chalets. Where water is supplied via rainwater tanks only, the tank shall be fitted with a dual tap system whereby the lower 27,600 litres (6,000 gallons) can be accessed only by fire fighters. The fitting shall be a bci 38mm female fitting coupling.
- (b) Other fire fighting precautions shall include a minimum 20 metre low fuel zone being maintained around each chalet, all eaves shall be enclosed, the ground below any raised chalet shall be kept clear of all flammable material.
- (c) The applicant should install gutter guards, downpipe plugs, fire extinguishers and an approved fire blanket as additional fire precautions.

Guideline 5 – Industrial and Commercial Sites

5.1 Building Facades

The front facades of any new building or a refurbished building in the industrial zone shall be designed to enhance the visual appearance of the building from the street. A combination of building materials is encouraged however the use of metal sheeting on the front façade should not be the substantial material used.

5.2 Driveway Construction

For developments upon properties with frontage to primary district or local distribution roads, the vehicle crossover and internal property access road shall be constructed with a stable impervious surface with stormwater runoff being controlled to eliminate the deposit of sand, silt or gravel on the road carriage - way.

5.3 Bulky Goods Outlets (Location in Industrial Zones)

Applications for bulky goods outlets located within industrial zoned land shall only be approved where they are on lots having direct frontage to Chester Pass Road or Albany Highway.

5.4 Bulky Goods Outlets (General)

No more that 20% of the Gross Floor Area shall be made available for the sale and display of incidental smaller items that are not bulky in nature, where such items are not specifically excluded under the definition of 'Bulky Goods Outlet' set out by the Scheme.

Guideline 6: Clearing of Vegetation

6.1 Clearing of Vegetation (after Planning Scheme Consent granted)

Where remnant vegetation is to be cleared as part of a development proposal, Council will require as a condition of Planning Scheme Consent that such vegetation not be removed until such time as a building licence has been issued.

Guideline 7: Public Art

7.1 Private Developments

Private developments involving commercial, non-residential and or mixed residential/commercial developments over the value of \$1,500,000 are required to allocate 1% of the estimated total project cost for the development of public artwork which reflect or enhance local cultural identity.

Guideline 8: Planning Scheme Consent

8.1 Expiry of term

Planning Scheme Consent will be for a period of two years and if the development approved has been substantially commenced at the expiration of that term, the PSC will still be valid and further development on the site consistent with the PSC can be supported through the building licence process.

Substantially commenced is deemed to have occurred in the case of a building if the concrete pad of the structure has been laid on the site. If the development has not yet substantially commenced, a fresh application will need to be made and fees paid accordingly.