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| Policy Title: | Local Planning Policy: Halifax Industrial Park Precinct Design Guidelines |
| Policy No.: | 4.11.1 |
| Previous Policy (No.): | Bunbury Business Park Design Guidelines (No.7) |
| Date Adopted: | 18 February 2003 (decision no. 47/03) |
| Date Last Reviewed: | 7 June 2011 (decision no. 118/11) |
| Legal Parent: | <u>Planning and Development Act 2005</u> |
| Legal Subsidiary: | <u>City of Bunbury Town Planning Scheme No. 7, Part 2 – Local Planning Policy Framework.</u> |

PART A

1 PRELIMINARY

1.1 Citation

This Local Planning Policy is made under section 2.1 of the City of Bunbury Town Planning Scheme No. 7 (the “Scheme”), and may be cited as Local Planning Policy: Halifax Industrial Park Precinct Design Guidelines (herein referred to as the “Local Planning Policy”).

1.2 Commencement

This Local Planning Policy was adopted by the Council of the City of Bunbury (the “City”) on 18 February 2003. The reviewed Local Planning Policy commenced operation on 23 June 2011.

1.3 Relationship to the Scheme and other Local Planning Policies

1.3.1 Pursuant to section 2.2 of the Scheme, this Local Planning Policy supplements the provisions of the Local Planning Scheme. Where a provision of this Local Planning Policy is inconsistent with the Scheme, the Scheme prevails.

1.3.2 The provisions of this Local Planning Policy comprises of the Policy Text and the Policy Map. This Local Planning Policy is to be read in conjunction with the Scheme.

Notes: 1. Land use and development within the Local Planning Policy Area is also subject to the Local Scheme.

2. A Local Planning Policy is not part of the Scheme and does not bind the Local Government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

1.4 Relationship with Local Laws

- 1.4.1 This Local Planning Policy operates in conjunction with the Local Government's Local Laws in the regulation of development and the use of land within the Scheme Area.
- 1.4.2 Where a provision of this Local Planning Policy is inconsistent with a Local Law, the provision of the Local Law shall prevail.

2 PURPOSE

- 2.1 The purpose and intent of this Local Planning Policy is to ensure that all future planning applications submitted and referred to the City are undertaken in accordance with the procedures and requirements outlined within this Local Planning Policy in order to ensure that assessments are accountable, comparable and consistent.
- 2.2 This Local Planning Policy will provide guidelines for high quality development within the Halifax Industrial Park Precinct.

3 OBJECTIVES

In accordance with the Aims of the Scheme, achievement of the following objectives is sought for all developments and land uses within the Halifax Industrial Park Precinct -

- (a) to achieve and maintain a high quality of urban design, landscaping and visual appearance of commercial and industrial buildings that establishes and protects local streetscape character and amenity within the Halifax Industrial Park Precinct;
- (b) to ensure an attractive entrance and positive City image by promoting and maintaining a high quality of urban design, landscaping and visual appearance of commercial and industrial development along South Western Highway; and
- (c) to promote active frontages to commercial and industrial development through appropriate building design, fencing and landscaping that permits passive surveillance of streetscapes.

4 LOCAL PLANNING POLICY AREA

This Local Planning Policy applies to the Local Planning Policy Area as depicted in Map 1: Local Planning Policy Area.

5 APPLICATION

- 5.1 The provisions of this Local Planning Policy apply to all development and/or use of premises in the Local Planning Policy Area where indicated as permitted or

discretionary land uses under the Zoning Table of the Scheme and/or where proposed development is considered incidental to a permitted use/development within the zone provisions of the Scheme as determined by the Local Government.

- 5.2 Subject to the Scheme, all development and/or use of land and premises shall be in accordance with the standards and requirements of this Local Planning Policy and, except as otherwise provided, shall require the prior planning approval of the Local Government in accordance with the provisions of the Scheme.
- 5.3 In considering an application for planning approval where a variation is proposed to one or more requirements prescribed under this Local Planning Policy, the Local Government may require the submission of an Development Impact Statement (with terms of reference determined by the Local Government), which has been undertaken by an appropriately qualified person or body at the applicant's expense, as part of any application for planning approval.

Note: Section 11 of this Local Planning Policy sets out terms of reference for a Development Impact Statement.

6 EXEMPTIONS FROM PLANNING APPROVAL

Subject to compliance with the relevant development requirements and standards of the Scheme, there are no other exemptions or exclusions permitted under the Scheme.

7 MEANING OF TERMS

- 7.1 Unless the context otherwise requires, words and expressions used in this Local Planning Policy have the same meaning as they have -
- (a) in the Planning and Development Act 2005; or
 - (b) if they are not defined in that Act -
 - i. in the Dictionary of Defined Words and Expressions in Schedule 1 of the City of Bunbury Town Planning Scheme No. 7;
 - ii. Building Code of Australia; or
 - iii. in a relevant Australian Standard.
- 7.2 Notes and instructions printed in italics are not part of this Local Planning Policy.

PART B

8 GENERAL STANDARDS FOR DEVELOPMENT

8.1 Development

8.1.1 The development of premises is to be in accordance with the requirements of –

- (a) this Local Planning Policy: Halifax Industrial Park Precinct Design Guidelines;
- (b) the applicable zone provisions under the Scheme;
- (c) relevant Local Planning Policies or Local Laws; and
- (d) applicable Australian Standards.

Note: Section “8 General Standards for Development” of this Local Planning Policy sets out the prescriptive provisions by which any development must be carried out within the Local Planning Policy Area.

8.2 Setbacks

8.2.1 The minimum front setback shall be 9.0 metres from the primary street.

8.2.2 For properties abutting South Western Highway, the minimum setback of development to South Western Highway shall be 13.5 metres to provide for a landscaping strip and car parking, whilst the minimum setback to McCombe Road shall be 9.0 metres.

8.3 Site Coverage

The maximum site coverage shall be 65%.

8.4 Plot Ratio

The maximum plot ratio shall be 0.8.

8.5 Storage

All open air storage areas shall be located behind the front setback area and screened from public view by fencing, walls or landscaping to the satisfaction of the Local Government.

8.6 Car Parking

Car parking shall be in accordance with requirements of the Scheme and relevant Local Planning Policy.

8.7 Loading, Unloading & Service Vehicle Parking

8.7.1 Loading areas, unloading areas and service vehicle parking shall be in accordance with requirements of the relevant Local Planning Policy.

8.7.2 Where lots abut South Western Highway, the location of loading and unloading areas shall be located inside of buildings. Loading and unloading areas proposed at the side or rear of buildings shall be subject to the discretionary approval of the Local Government and shall be screened by landscaping to the satisfaction of the Local Government.

8.7.3 Loading and unloading areas shall be indicated on the plans accompanying the application for planning approval.

8.8 Outbuildings & Other Structures

All structures including but not limited to plant rooms, service areas, garages, collection areas and bin enclosures shall be located at the side or rear of buildings. Structures proposed at front of buildings shall not be located within the front setback area and shall form an integral part of the building design.

8.9 Buildings Façades & Materials

All building façades shall be in accordance with the development requirements of section 9 of this Local Planning Policy.

8.10 Fencing

8.10.1 Fencing within the front setback area shall be visually permeable 1.0 metre above natural ground level (refer to *Figure 1*).

8.10.2 Fencing shall be of a standard equivalent to masonry pillars with tubular steel infill. The 1.0 metre high solid part of the fencing shall be constructed in brick or masonry (refer to *Figure 1*).

8.10.3 Solid fencing (other than described in clauses 8.10.1 and 8.10.2) and chain mesh fencing shall not be permitted within the front setback area and along the side boundaries for a minimum length of 9 metres from the front boundary (refer *Figure 2*).

8.10.4 For corner lots, fencing to the secondary street frontage shall be visually permeable 1.8 metres above natural ground level; however fencing along the whole length of the truncation shall be visually permeable 1.0 metre above natural ground level.

8.10.5 Fencing details shall be submitted together with the application for planning approval.

Figure 1: Fencing.

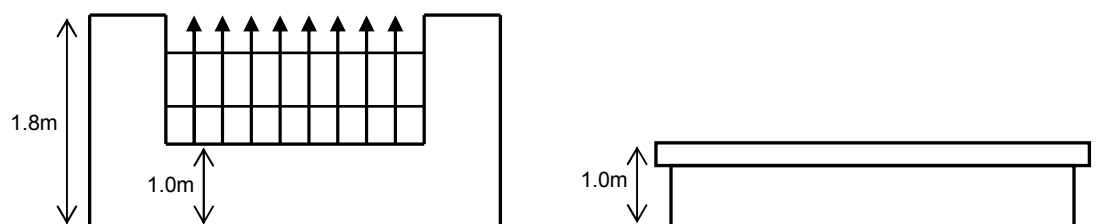
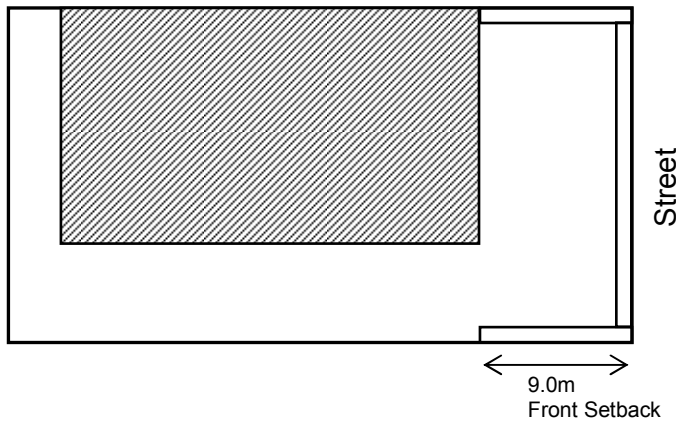


Figure 2: Front Setback Area.



8.11 Landscaping

- 8.11.1 The minimum percentage of the site required to be landscaped is 5%.
- 8.11.2 Up to 50% of the landscaping requirement (excluding street trees under clause 8.11.6 and 8.11.7) may be met by the establishment, reticulation and on-going maintenance of the road verge bordering a lot to the specification and satisfaction of the Local Government (relevant Local Planning Policy).
- 8.11.3 For corner lots 80% of the landscaping requirement (excluding street trees under clause 8.11.6 & 8.11.7) may be met by the establishment, reticulation and on-going maintenance of the road verge bordering a lot to the specification and satisfaction of the Local Government (relevant Local Planning Policy) where the whole of the verge is treated.
- 8.11.4 At least 80% of the landscaping is to be provided at the front of the site unless the site has dual frontage, then 40% is to be provided within each setback area facing the road reserve.
- 8.11.5 A minimum garden bed width of 2.0 metres is required along the front boundary.
- 8.11.6 Property owners along McCombe Road are required to provide street trees. Local Government will nominate tree species and will maintain street trees along McCombe Road in consultation with property owners.
- 8.11.7 Developers will be required to replace any street trees damaged during construction in order to claim the landscaping and reticulation rebate.

- Notes:
1. Street trees & landscaping requirements are given in the Local Planning Policy: Landscaping and standard conditions of planning approvals. For more information on the nominated species for your locality contact the Local Government.
 2. A landscaping rebate may be available. For further details contact the Local Government.

PART C

9 DEVELOPMENT REQUIREMENTS

The development within the Halifax Industrial Park Precinct is to be in accordance with the general requirements and standards of the Scheme, and the following development requirements of this Local Planning Policy.

| Performance Criteria | Acceptable Development |
|---|---|
| Notes: | |
| <p>1. Section 9 of this Local Planning Policy sets out the performance-based provisions by which any land use and development within the Scheme Area is regulated.</p> <p>2. Pursuant to Part 4 and Part 5 of the Scheme, development must meet the following Performance Criteria.</p> | <p>3. Pursuant to Part 4 and Part 5 of the Scheme, development that complies with the following Acceptable Development is deemed to have met the relevant Performance Criteria.</p> <p>4. The Acceptable Development provisions illustrate one way of meeting the associated Performance Criteria.</p> |
| 9.1 Building Façades & Materials | |
| <p>PC1.1 Building design that provides attractive presentation from public areas, and as far as practicable, provides surveillance of public and semi-public spaces, taking account of the following objectives -</p> <ul style="list-style-type: none"> • complement or enhance local streetscape character and amenity; and • provide passive surveillance from buildings over public and semi-public spaces. | <p>AD1.1.1 All building façades facing a primary street are constructed in brick, painted concrete, masonry or glass or a combination of those materials for 2/3 of the vertical height of the façade or 2.4 metres above natural ground level whichever is the greater.</p> <p>AD1.1.2 Building façades and walls that front a street (primary and/or secondary) are detailed and articulated with design indentations/reliefs, architectural features, colour schemes and active frontages, such as door and window openings, that reduce the visual impact of large blank wall spaces.</p> <p>AD1.1.3 All external surfaces of concrete tilt panel shall be painted.</p> |
| 9.2 Surveillance | |
| <p>PC2.1 Building design, fencing and landscaping fronting a street provides active frontages that incorporate major openings which permit passive surveillance of streetscapes.</p> | <p>AD2.1 Building design, fencing and landscaping complies with Designing Out Crime Planning Guidelines (available from the Western Australian Planning Commission).</p> |

Notes: The Codes Based Approach

This policy document utilises a nationally accepted practice of setting out Performance Criteria (“PC”) and Acceptable Development (“AD”) solutions. When policy is written in this way it is commonly referred to as a “code”. A good example of the performance based approach can be seen in the Western Australian Planning Commission’s Residential Design Codes (“R-Codes”).

Using the code approach means that the Local Government can differentiate between specifying those aspects of development that must not be contravened under almost any circumstance from those aspects that are open to negotiation or that constantly change over time in response to the community’s values, taste, technology, etc.

A development that conforms to all of the Acceptable Development solutions for that particular design element (e.g. building façades) automatically satisfies the relevant Performance Criteria, the process simply requires that the proposal complies with all of the Acceptable Development solutions for that element. Should this be the case, the proposal is then ‘deemed to comply’, and is therefore satisfactory under this particular policy, subject to the Scheme.

Alternatively, a development proposal that is submitted for an impact assessment must demonstrate that it meets the relevant Performance Criteria and notice has been given in accordance with Clause 9.4.3 of the Scheme before the Local Government may approve it. An impact assessment solution should have regard for the nature of the Acceptable Development solutions as a measure of conformity with the intent and objectives of the Local Planning Policy and the zone under the Scheme.

PART D

10 VARIATION OF DEVELOPMENT REQUIREMENTS

- 10.1 Development in accordance with this policy is deemed to comply. However, alternative designs may be considered subject to demonstration that the proposed land use and/or development is in keeping with the intent and objectives of this policy to the satisfaction of the Local Government.
- 10.2 In exercising any discretion the Local Government should ensure that the variation will not contravene the following provisions of the Scheme -
- (a) intent & objectives of this Local Planning Policy;
 - (b) section 1.6 The Aims of the Scheme;
 - (c) section 4.2 Zone Objectives; and
 - (d) section 10.2 Matters to be considered by Local Government.

11 DEVELOPMENT IMPACT STATEMENT

- 11.1 Where an application proposes a variation to one or more standards and requirements, or is considered to have a significant impact on the existing conditions of a locality, the Local Government shall require a Development Impact Statement to be submitted for assessment as part of an application for planning approval, unless the requirement has been waived by the Local Government.
- 11.2 The report is to be undertaken to the satisfaction of the Local Government and contain the following information in sufficient detail to permit the Local Government to make a proper development assessment of any proposed variation as part of a planning application -
- (a) the location of the subject site and the specific nature of the proposed development and ongoing operations to be undertaken, and all facilities proposed to be provided;
 - (b) site analysis showing the location of existing and proposed buildings on the premises, relationship to adjoining and surrounding uses, and the nature of existing and likely development in the vicinity of the subject lot/development site;
 - (c) the maximum number of employees/staff to be engaged on the premises and their expected parking demand;
 - (d) the maximum number of persons, other than employees, expected to attend/visit the premises at any time, and the resulting expected peak parking demand;
 - (e) the expected demand for site access by trucks and other service vehicles for parking, servicing, loading and unloading;
 - (f) details of proposed materials, colours and other treatments of façades;
 - (g) details of landscaping including location, species and size of existing and proposed vegetation, details of any significant vegetation to be removed, details of reticulation of landscaped areas; and
 - (h) any other relevant information requested by the Local Government.

12 NOTIFICATION & ADVERTISING

Where advertising is required to be undertaken or is deemed to be required by the Local Government, advertising will be undertaken in accordance with the provisions of section 9.4 of the Scheme.

13 IMPLEMENTATION & REVIEW

13.1 Why a Local Planning Policy?

The Scheme is a prescriptive instrument that sets out the legal provisions for how land may be used and developed. Sole reliance upon it for regulating all forms of development under all circumstances is not always practical and the Scheme makes allowance for this by enabling the Local Government to adopt Local Planning Policies from time to time in order to address specific issues or a range of issues in a specific place.

A Local Planning Policy is a tool to assist developers in preparing proposals with a greater understanding of the Council's desired outcomes for the City. This helps to ensure that developers can invest the time and resources needed in preparing applications for planning approval with increased confidence; and that the City's staff and Councillors can assess development proposals in a more consistent and transparent manner.

13.2 Policy Review

The Local Government will review this Local Planning Policy annually in conjunction with the rest of the Local Planning Policy Framework in accordance with the Planning and Development Act 2005.

Map 1: Local Planning Policy Area

[refer to clause 4.1]

