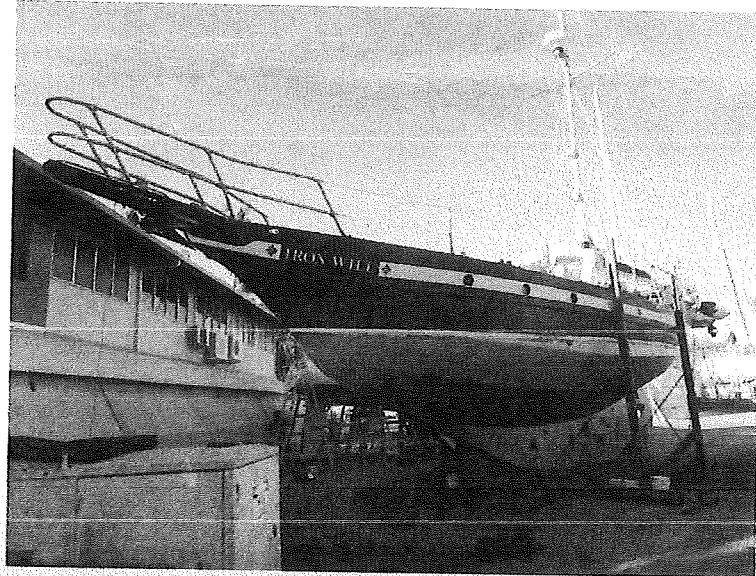




**DEVELOPMENT SERVICES ATTACHMENTS
ORDINARY MEETING OF COUNCIL
WEDNESDAY 20 NOVEMBER 2019**

REPORT NUMBER	REPORT TITLE AND ATTACHMENT DESCRIPTION	PAGE NUMBER(S)
9.1.1	Application for Development Approval: Lot 89 Koomal Street, Bindoon “Temporary Placement of Yacht Monument” 1. Development Plans 2. Submission	1 – 7
9.1.2	Acceptance of Management Order over Portion of the Ellen Brook 1. Letter from Department of Planning, Lands and Heritage (DPLH)	8 – 9
9.1.3	Proposed New Environmental Health Policy: Temporary accommodation during construction of a dwelling 1. Draft Policy Temporary accommodation during construction of a dwelling 2. Application for temporary accommodation during construction of a dwelling. 3. Local Planning Policy No.27 “Living in Sheds”	10 – 17
9.1.4	Application for Exemptions of Limitation of Number of Dogs: 4 Moon Rise, Muchea 1. CONFIDENTIAL “NOT FOR PUBLIC DISCLOSURE” 2. Site Plan	18



Thursday, 26 September 2019

Title

Subject

- Application for development [MONUMENT] of temporary information centre corner WOOLAH RISE and KOOMAL St BINDOON
- MONUMENT DETAILS
- 50 FT YACHT 'IRON WILL '
- LENGTH. 15.5 overall
- WIDTH. 3.9 metres
- HEIGHT. [including mast approximate 16.5 meters]
- WEIGHT 25.5 tons
- LENGTH OF APPROVAL 6 months minimum , maximum 2 years
- DETAILS OF PLACEMENT
- Yacht will be placed in an engineered trench for SECURE SUPPORT 2metres deep x 3.5 meters wide
- MESSAGE ON SAIL Dementia village / aged care
- The site will be secured with security fencing around the monument 2 metres high
- PURPOSE OF DEVELOPMENT
- Aged care has been none existent in Chittering
- TO ADVISE THE COMMUNITY ON THE URGENT NEED FOR AGED AND DEMENTIA CARE IN OUR REGION .
- AN AGED CARE FACILITY IN BINDOON WILL PROVIDE PROFESSIONAL DEVELOPMENT, SECURE EMPLOYMENT, AND MAKE OUR TOWN A DEMENTIA REGIONAL CENTRE
-

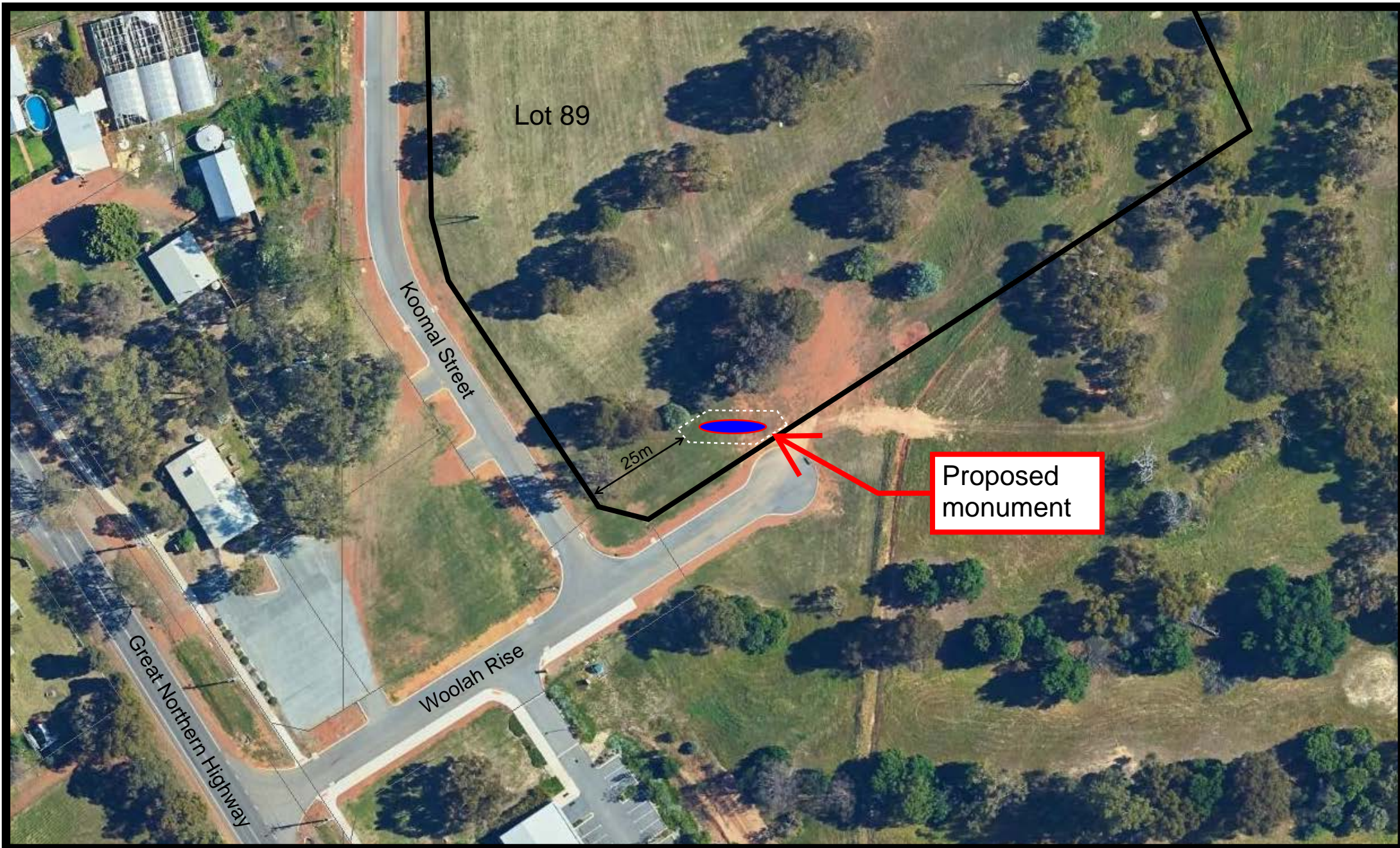
Vessel Description

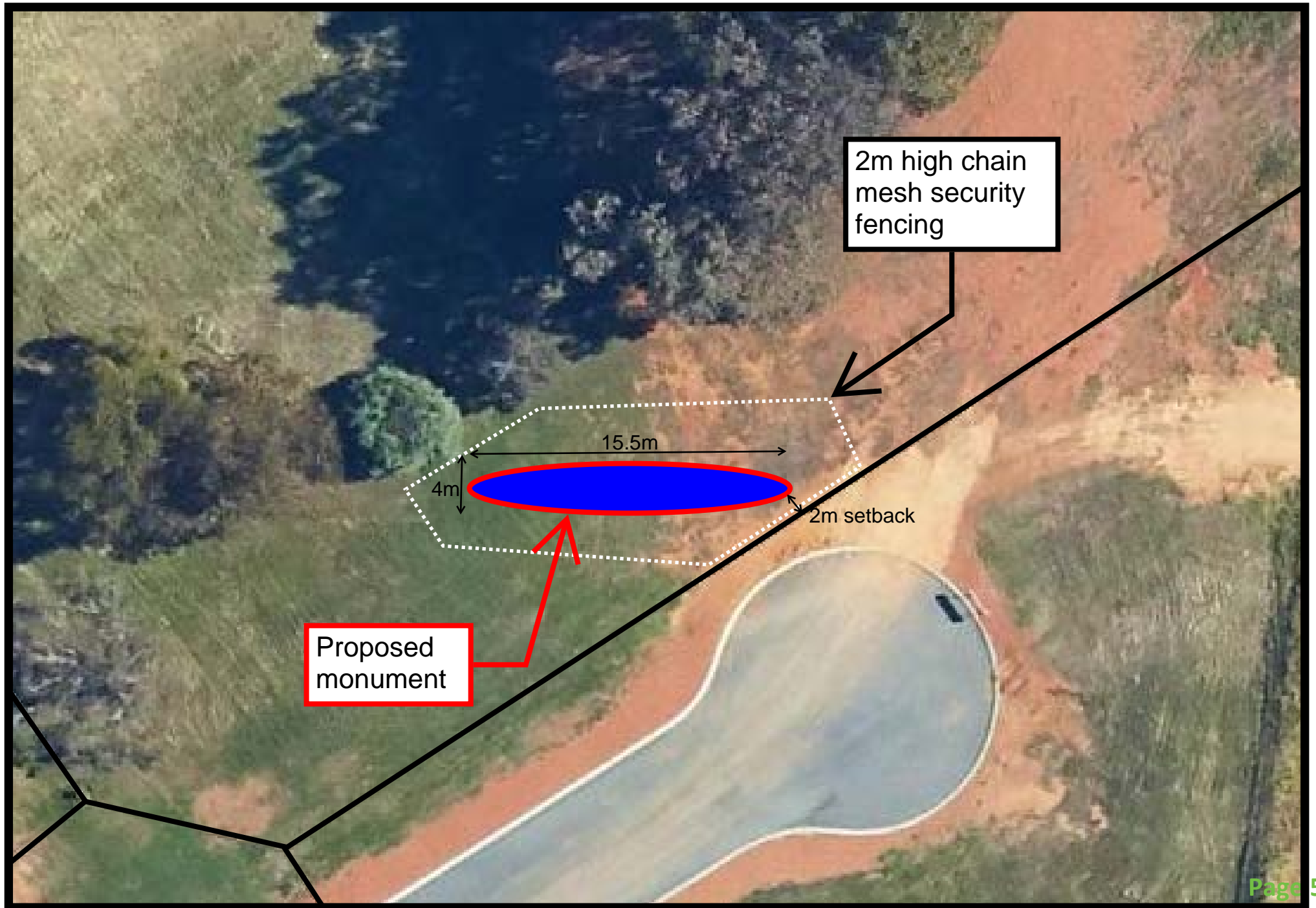
NAME: "IRON WILL"

HOME PORT: Brisbane

Approximate Dimensions:

LENGTH	:	13.70 metres (15.50 LOA)
BEAM	:	3.90 metres
DRAFT	:	1.90 metres
LIFT TONNAGE	:	25.5 t
BUILD DATE	:	1981 to 2001 (launch year)
BUILDER	:	R & R Williamson
PLACE	:	Brisbane
AMSA SHIP REGISTRATION	:	851070
DESIGN / STYLE	:	Monohull centre cockpit auxiliary ketch
DESIGNER	:	Alan Pape
CLASS	:	Private registration
REGISTRATION	:	MF274Q
REGISTRATION VALID TO	:	14/03/2018
REGISTRATION AUTHORITY	:	Queensland Transport
OWNER	:	Matt Stewart
ADDRESS	:	2 Pringle Rd, Woodwark QLD 4802
INSPECTED FOR	:	Owner for insurance purposes
DATE OF INSPECTION	:	28 th August 2017
PLACE	:	Hawkes' Boatyard, Airlie Beach
VESSEL	:	Out of the water undergoing annual maintenance









Tue 5/11/2019 10:41 AM

Proposed Temporary Yacht Monument for Dementia Awareness; Lot 89 Koomal Street, Bindoon



To Chatter; Jake Whistler

Dear Matthew

I am writing with concerns over the proposed Temporary Yacht Monument for Dementia Awareness at Lot 89 Koomal Street Bindoon.

While I sympathise with the cause of raising awareness for Dementia, I really struggle to see how a Yacht symbolises this for our community. A random object placed within a scenic area of our townsite surrounded by a 2 meter high fence does not depict a welcoming sight in my mind and will, I am certain, raise questions in the mind of anyone rounding the corner off of Great Northern Highway as to why a storage area for the yacht has been established on this particular piece of vacant land. If any monument was to be erected within this area, I feel that it should be in keeping with our natural environment of rolling hills and pastured areas and established through a comprehensive community engagement process and in keeping with future plans for the proposed area. At this stage there have been several projects earmarked on this site including a lifestyle village, caravan park, mountain bike park and seniors housing. Does a yacht really best represent our communities vision?

As a member of the Bindoon and Districts Agricultural Society I also have concerns over the positioning of this yacht in an area that is often utilised for large scale events in Bindoon such as the Bindoon Show and Rodeo. The old golf course area is currently utilised for the Rodeo, competitor camping and parking of horse floats, horses in action and miniature pony events, camping for visitors and public parking. This area is also utilise for other large community events within the Bindoon Town site such as Wear Ya Wellies and the Chattering Spring Fest as there is currently no other adequate parking areas to accommodate the visiting numbers for these events.

Therefore, I feel there needs to be more consideration by Council as to the use of this land to ensure that any proposed projects are in keeping with the the future social, economic and recreation needs of the broader community.

Kind regards

Rate Payer.



Department of Planning,
Lands and Heritage

Land Use Management

File: 00555-1982 Job: 1902328

Enquiries: Valerie Ke

Ph: 6552 4761

Fax: 6552 4417

Email: Valerie.Ke@dplh.wa.gov.au

3 October 2019

Chief Executive Officer
Shire of Chittering
PO Box 70
BINDOON WA 6502

SHIRE OF CHITTERING
RECEIVED

15 OCT 2019

Officer.....CEO/EMOS/EA.....
File.....A10083.....
Ref.....119110689.....

Dear Sir/Madam

LOT 403 ON DEPOSITED PLAN 412979, MUCHEA, SHIRE OF CHITTERING

As a result of a freehold subdivision, the above lot (print enclosed) was ceded to the Crown subject to section 152 of the *Planning and Development Act 2005* for the purpose of Public Recreation.

Please advise whether Council agrees to the inclusion of Lot 403 into adjoining Reserve 44070 which is currently under your care, control and management and acceptance of a management order over the combined area.

Should you have any enquiries please contact me on any of the above details.

Yours faithfully

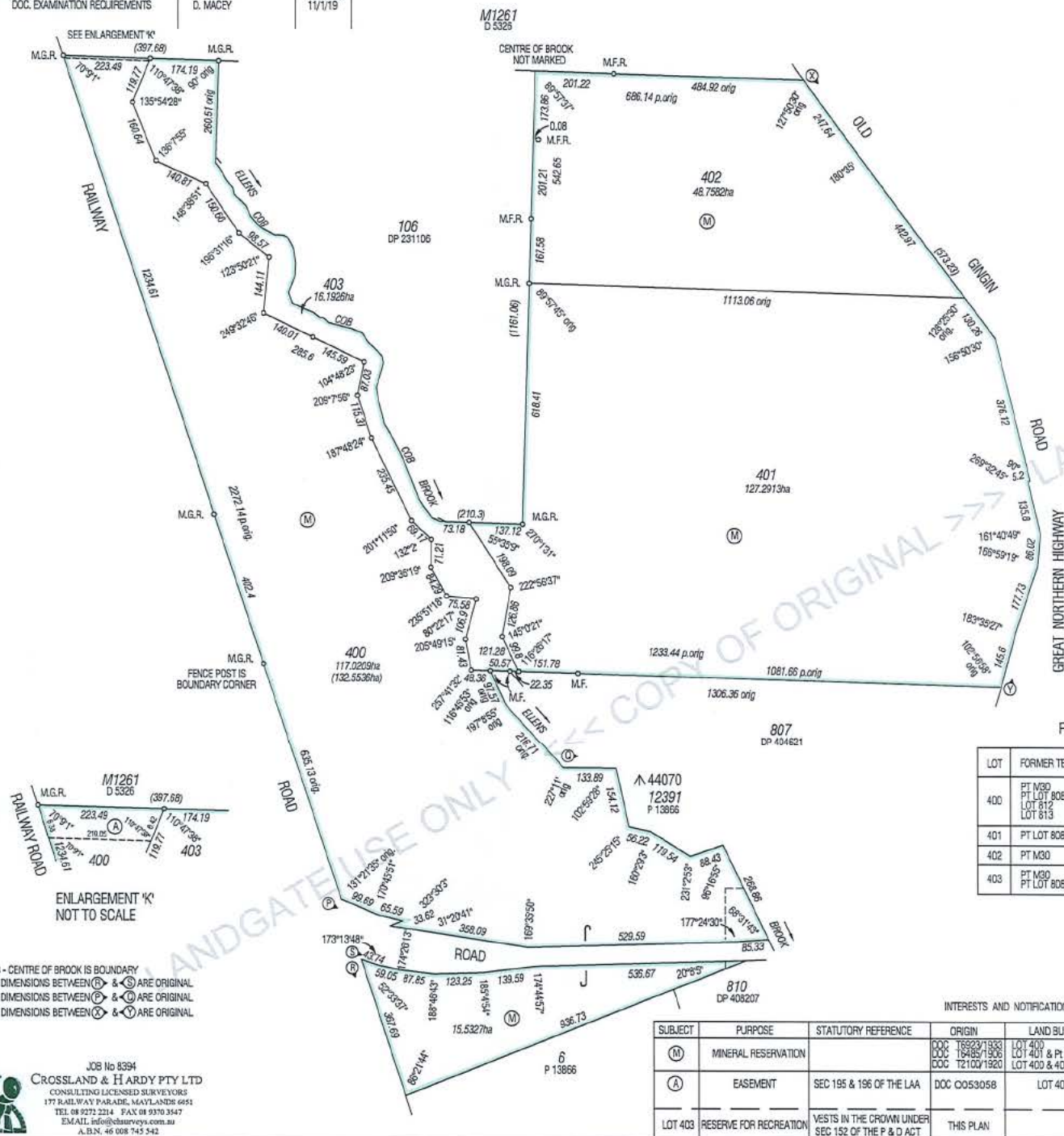


Valerie Ke
State Land Officer
Case Delivery

Position Number 00012923

VER.	ALTERNATIVE	AUTHORISED BY	DATE
2	PLAN EXAMINATION REQUIREMENTS	D. MACEY	10/10/18
3	DOC. EXAMINATION REQUIREMENTS	D. MACEY	11/1/19

SCALE
HELD BY LANDGATE IN DIGITAL FORMAT ONLY



LOT	FORMER TENURE	ON PLANDIA	TITLE
400	PT MGO PT LOT 808 LOT 812 LOT 813	D 1646 DP 404621 CP 408207 CP 408207	2908-71/ 2908-72/ 2908-75/ 2908-75/
401	PT LOT 808	DP 404621	2908-72/
402	PT MGO	D 1646	2908-71/
403	PT MGO PT LOT 808	D 1646 DP 404621	2908-71/ 2908-72/

SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS
(M)	MINERAL RESERVATION		DOC 18829/1933 DOC 12485/1906 DOC 72100/1920	LOT 403 LOT 401 & PI LOT 400 & 402 LOT 400 & 402		
(A)	EASEMENT	SEC 195 & 196 OF THE LAA	DOC O053058	LOT 400	LOCAL GOVERNMENT AND THE PUBLIC AT LARGE	ELLENS BROOK RESERVE ACCESS WAY
LOT 403	RESERVE FOR RECREATION	VESTS IN THE CROWN UNDER SEC 152 OF THE P & O ACT	THIS PLAN			

TYPE		FREEHOLD		Page: 1		S.S.A. NO	
PURPOSE		SUBDIVISION					
PLAN OF		LOTS 400 - 403 (INCL.) AND EASEMENT					
FORMER TENURE		SEE TABLE					
LOCAL AUTHORITY		SHIRE OF CHITTERING					
LOCALITY		MUCHEA					
D.O.L. FILE							
FIELD RECORD		137146					
SURVEYOR'S CERTIFICATE - REG 54 I, Daniel Macey hereby certify that this plan is accurate and is a correct representation of the - (a) *survey, and/or (b) *calculations from measurements recorded in the field records, [* delete if inapplicable] undertaken for the purposes of this plan and that it complies with the relevant written law(s) in relation to which it is lodged. <div style="background-color: black; width: 150px; height: 1.2em; margin-top: 5px;"></div>							
LICENSED SURVEYOR				26-Sep-18		DATE	
LODGED							
26.9.18		FEE PAID		ASSESS No.			
I.S.C.							
SG		EXAMINED		15-Jan-19		DATE	
WESTERN AUSTRALIAN PLANNING COMMISSION FILE 154125 <div style="background-color: black; width: 200px; height: 20px; margin-top: 5px;"></div>							
Delegated under S.16 P&D Act 2005						21-Jan-2019 DATE	
IN ORDER FOR DEALINGS							
SUBJECT TO Lodgement of easement doc; Section 152 P&D Act <div style="background-color: black; width: 150px; height: 40px; margin-top: 10px;"></div>							
FOR INSPECTOR OF PLANS AND SURVEYS						23-Jan-19 DATE	
APPROVED							
<div style="background-color: black; width: 150px; height: 30px; margin-top: 10px;"></div>						23-Jan-19 DATE	
INSPECTOR OF PLANS & SURVEYS / AUTHORISED LAND OFFICER							
							
DEPOSITED PLAN 412979 SHEET 1 OF 1 SHEET VERSION 3							



SHIRE OF CHITTERING Register of Policies

10.9 Temporary accommodation during construction of a dwelling

Policy Owner:	Development Services
Person Responsible:	Principal Environmental Health Officer
Date of Approval:	<Date approved by Council Resolution>
Amended:	<Date amended by Council Resolution>

Background	It is recognised that property owners are often short of financial resources and seek an inexpensive form of accommodation while building their main dwelling. Being able to live on site while their dwelling is being constructed can also save considerable travelling expenses and improve site security.
Objective	The objective of this policy is to permit the use of temporary accommodation on site during the construction of a permanent dwelling to ensure that minimum standards are applied with respect to environmental health, safety and amenity.
Policy	<p>Approval is required to occupy temporary accommodation in the Shire of Chittering pursuant to the Caravan Parks and Camping Grounds Regulations 1997. The Principal Environmental Health Officer has been delegated the authority to approve permits to camp on private property under Section 5.44 of the <i>Local Government Act 1995</i> (Delegated Authority Register DA 26).</p> <p>Living in a shed is prohibited unless approval has been granted in accordance with this policy.</p> <p>This policy supersedes Local Planning Policy No.27 'Living in Sheds'.</p>
Legislation	This policy is in accordance with the provisions of the Building Code of Australia, the <i>Caravan Parks and Camping Grounds Act 1995</i> , the <i>Caravan Parks and Camping Grounds Regulations 1997</i> , the <i>Health (Miscellaneous Provisions) Act 1911</i> , the <i>Public Health Act 2016</i> , the <i>Shire of Chittering Health Local Law 2017</i> , the <i>Local Government Act 1995</i> and the Shire of Chittering Local Planning Scheme No 6 where applicable.

Definitions

Authorised Person means a person appointed under section 17 of the *Caravan Parks and Camping Grounds Act 1995*.

Caravan means a vehicle that is fitted or designed for habitation and can include an annexe.



SHIRE OF CHITTERING Register of Policies

Dwelling means a Class 1 A structure defined in the Building Code of Australia which is used for habitation.

Permit means a building permit or a demolition permit as defined in the Building Act 2011 section 3;

Shed means a Class 10 building defined in the Building Code of Australia which is non-habitable.

Substantial progress means a dwelling is at least 50 % completed.

Temporary accommodation means a caravan that is temporarily occupied while a dwelling is being constructed.

Policy Provisions

Living on a property (in a caravan) whilst a dwelling is being constructed may be considered for approval by the Shire subject to the following provisions:

1. A current permit has been issued to construct a permanent dwelling or demolish a building on the site.
2. The caravan must not exceed the accommodation capacity that it is designed for and must comply with the ventilation requirements of the *Shire of Chittering Health Local Law 2017*.
3. Caravans used for temporary accommodation may be placed inside a shed.
4. Caravans must be mobile and capable of being moved offsite at all times.
5. A temporary accommodation approval will be permitted for a period no longer than twelve (12) consecutive months.
6. Approval will only be considered on land zoned under the Shire's Local Planning Scheme as:
 - a. Agricultural resource
 - b. Rural Residential
 - c. Rural Smallholdings
 - d. Rural Retreat
7. The following minimum facilities are to be provided in a caravan to enable approval for temporary occupation to be granted:
 - a. Connection to an approved wastewater treatment and disposal system;
 - b. An adequate supply of potable water;
 - c. Cooking facilities and sink;
 - d. A refrigerator;
 - e. Connection to the mains power supply or an alternative power supply eg solar panels with battery storage, however the use of a generator is not approved;
 - f. Shire waste and recycling bins (in serviced areas); and
 - g. Beds for all occupants.



SHIRE OF CHITTERING Register of Policies

8. The caravan must be structurally sound, weatherproof, clean and all facilities in good working order.
9. The following facilities may be installed in a shed to support the comfort, amenity and convenience of the caravan occupiers:
 - a. A toilet
 - b. A sink or trough
 - c. A shower
 - d. A washing machine
10. Overnight sleeping is not permitted in a shed, only a caravan.
11. The Shire may revoke any temporary accommodation approval should it be determined that the approval is not being carried out within the provisions of this policy or any other relevant legislation.

Application Process

1. The applicant is to complete the attached "Application for temporary accommodation during construction of a dwelling" form and submit this to the Shire together with the application fee.
2. An Authorised Person will conduct a site inspection prior to the issue of an approval for temporary accommodation during construction of a dwelling to determine the suitability of the land for camping with respect to:
 - a. Safety and health; and
 - b. Access to services.
3. Following the expiry of the 'living on site' approval, an inspection will be conducted by an Authorised Person to ensure that the temporary accommodation has been vacated and the owners have moved into their new house.
4. Should the above inspection indicate that the main dwelling is not ready for occupancy, an application for an additional twelve (12) consecutive months can be considered for approval providing:
 - a. Substantial progress has been made to the main dwelling;
 - b. No significant complaints or amenity impacts have occurred in the preceding period; and
 - c. A new application form is submitted along with payment of the relevant fee.

Advice relating to approval

1. If the dwelling is being constructed by a building contractor other than by an owner-builder, the owner is advised to seek agreement with the contractor to inhabit the site in temporary accommodation facilities during construction.
2. Failure to comply with the provisions of this policy and related legislation could result in legal action being taken.



6177 Great Northern Highway
PO Box 70 Bindoon WA 6502
☎ (08) 9576 4600
✉ chatter@chittering.wa.gov.au
www.chittering.wa.gov.au

APPLICATION FOR TEMPORARY ACCOMMODATION DURING CONSTRUCTION OF A DWELLING

APPLICANT DETAILS

Name			
Postal Address			
Phone Number		Mobile	
Email Address			
Building Permit Number			

TEMPORARY ACCOMMODATION DETAILS

Property Address			
Proposed Period of Occupation			
Number of persons residing on site			
Toilet Facilities	Flushable Toilet <input type="checkbox"/>	Hand Basin <input type="checkbox"/>	
Bathroom Facilities	Shower <input type="checkbox"/>	Bath <input type="checkbox"/>	
Laundry Facilities	Wash Trough <input type="checkbox"/>	Washing Machine <input type="checkbox"/>	
Kitchen Facilities	Kitchen Sink <input type="checkbox"/>	Cooking Appliance <input type="checkbox"/>	Refrigerator <input type="checkbox"/>

EFFLUENT DISPOSAL SYSTEM DETAILS

Type of Effluent Disposal System	
Date of Approval to Construct System	
Date of Permit to Use System	

POTABLE WATER SOURCE

Scheme Water <input type="checkbox"/>	Rain Water Tank <input type="checkbox"/> Capacity ____,000 Litres
Other <input type="checkbox"/> -- Details provided:	

POWER SUPPLY

Please provide details	
------------------------	--

I hereby certify that the information I am submitting in this application is true and accurate.

Applicant Signature

Date



6177 Great Northern Highway
PO Box 70 Bindoon WA 6502
☎ (08) 9576 4600
✉ chatter@chittering.wa.gov.au
www.chittering.wa.gov.au

APPLICATION FOR TEMPORARY ACCOMMODATION DURING CONSTRUCTION OF A DWELLING

PLEASE PROVIDE THE FOLLOWING:

Site Plan	Attach a Site Plan showing:- <ul style="list-style-type: none"> • Location and setback distances for all development (e.g.: proposed main dwelling, shed, caravan , effluent disposal, access driveways and pathways) • Location of natural features (contours, water courses) 	<input type="checkbox"/>
Floor Plan	Attach a Floor Plan of shed showing the location of facilities e.g. toilet, shower, sink or trough, washing machine; and the position of the caravan (if parked in the shed).	<input type="checkbox"/>
Evacuation Plan	Attach an Evacuation Plan showing egress paths in the event of a fire emergency	<input type="checkbox"/>

OFFICE USE ONLY

Application Fee	As per Fees & Charges	Amount Paid	
Receipt Number		Date	
Inspection date		Authorised Person	

SHIRE OF CHITTERING

TOWN PLANNING SCHEME NO. 6

**Local Planning Policy
No. 27**

LIVING IN SHEDS

**SHIRE OF CHITTERING
LOCAL PLANNING POLICY No. 27
LIVING IN SHEDS**

1. STATUTORY CONTEXT

The Shire of Chittering, as enabled under Part 2 of Town Planning Scheme (TPS) No. 6, hereby makes this Local Planning Policy regarding Living in Sheds throughout the Shire of Chittering.

Any Local Planning Policy prepared under this Part shall be consistent with the Scheme and if any inconsistency arises the Scheme shall prevail.

A Local Planning Policy is not part of the Scheme and shall not bind the Local Government in any respect of an application for Planning Approval but the Local Government shall have due regard to the provisions of any Policy and the objectives that the Policy is designed to achieve before making its decision.

This policy applies to all land within the Shire of Chittering.

2. DEFINITIONS

Unless inconsistent with the context, words and expressions used in this policy have the same meaning as they have in the *Town Planning and Development Act 1928* and TPS No. 6.

"Long term" in relation to caravan occupancy, means longer than three months.

3. BACKGROUND

The Council of the Shire of Chittering is concerned that people living in sheds do so in sub-standard conditions. It is recognised that owner-builders of new homes are often short of financial resources and seek a cheap form of accommodation while building. Consequently, the Council acknowledges the need to specify temporary accommodation that is acceptable but makes clear living in sheds is not an option.

Living in sheds is covered in TPS No. 6 in the following provisions:

1.5 Purposes of the Scheme

The purposes of the Scheme are to: -

(d) Control and guide land use and development;

5.8.3 Planning Approval

Residential use will not be permitted in a building other than one approved by the Council for that purpose, except that Council may grant permission for occupation of a caravan for a period not exceeding 12 months if a building permit for a dwelling is concurrently in force or an application for such is before Council.

4. OBJECTIVES

The objectives of this policy are:

To maintain the character of the Shire;

To ensure an adequate standard of residential accommodation.

5. POLICY STATEMENT

- 5.1 Living in sheds is prohibited;
- 5.2 Where a building permit for a dwelling is concurrently in force or an application has been lodged, Council may grant permission for occupation of a caravan on the lot for a period not exceeding 12 months;
- 5.3 The period of caravan occupancy may be extended, provided satisfactory progress is being made on the construction of the dwelling;
- 5.4 Council approval is not required for short-term (week-end) caravan occupancy;
- 5.5 A pre-requisite for any long-term caravan occupancy is:
 - a) water storage in tanks of not less than 120,000 litres capacity, as specified in Local Planning Policy No. 21 Fire Management Plans;
 - b) connection to an approved effluent disposal system;
- 5.6 Caravans used for short or long term occupancy may be stored in a shed or otherwise be provided with weather protection;
- 5.7 Sheds may be provided with a toilet and hand basin/wash trough but no other plumbing facilities (see also Local Planning Policy No. 7 Outbuildings).
- 5.8 Applications for caravan occupancy may be dealt with by the Chief Executive Officer under delegation issued by Council in accordance with Section 5.42 of the *Local Government Act 1995*.

ADOPTED FOR PRELIMINARY APPROVAL by resolution of the **Shire of Chittering** at the Ordinary Meeting of the Council held on the 14th day of December 2005.

ADOPTED FOR FINAL APPROVAL by resolution of the **Shire of Chittering** at the Ordinary Meeting of the Council held on the 17th day of May 2006.

and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

PRESIDENT.....*[Signature]*.....

CHIEF EXECUTIVE OFFICER.....*[Signature]*.....

Date: *25/06*.....



