

# Development in Extracts Industrial Area

## Introduction

This policy will provide guidelines and standards for development within the Extracts Industrial Area to ensure that all development occurs in a manner that minimises land use conflicts, maintains safety standards, prevents the use of declared plants and improves the visual appearance of the area.

## Objective

- To minimise problems that may arise from industrial land uses.
- To ensure that development occurs in a manner that improves the safety and visual appearance of the Industrial Estate.
- To provide a tool to ensure that the development standards for the Extracts Industrial Area are consistently applied to all proposals.
- To ensure the development does not introduce or support feral and/or invasive animals or plants.

## Scope

In considering any application for development within the Extracts Industrial Area, the Council will have regard to the following:

- (a) The compatibility of the proposed use with other surrounding uses;
- (b) The potential impact of the proposal on the efficient and effective operations of existing and planned industry, infrastructure, or public purposes; and
- (c) The risks, hazards, health, and amenity associated with the proposed use being located in proximity to existing and planned industry, the natural and agricultural environment, infrastructure or a public purpose or any other use.

## Definitions

Term	Definition
Building Code of Australia (BCA)	is a set of two documents that forms part of the National Construction Code ("NCC") that includes the Plumbing Code of Australia, a series of documents published by the Australian Building Codes Board ("ABCB") to provide a nationally consistent framework for the construction of buildings and structures throughout Australia.
Caretakers Cottage	A detached accessory Dwelling Unit or a Suite constructed within the principal building, used to accommodate a caretaker or watchperson.
Council	The local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the Local

Term	Definition
	Government Act 1995 and under the Shire's Standing Orders Local Law 2008.
Declared plants	A Declared Plant is a weed that has been declared under the relevant Act. Once a weed is declared, landholders are obliged to control that plant on their properties..
Deleterious and hazardous Waste	A substance that because of its quantity, concentration, or physical, chemical, or infectious characteristics may pose an imminent and substantial threat to public health, safety, or welfare or the environment.
Development	Development includes land to be used for a particular purpose, the construction, alteration or demolition of a building or works
Executive Managers	Means the Managers defined as Senior Workers that Council resolved (Res. No. OCM026/03/22) to designate in accordance with section 5.37 of the <i>Local Government Act 1995</i> : <ul style="list-style-type: none"> <li>• Executive Manager Corporate and Community Services;</li> <li>• Executive Manager Infrastructure, Assets &amp; Services; and</li> <li>• Executive Manager Development and Regulation.</li> </ul>
Infrastructure	The resources (such as personnel, buildings, or equipment) required for an activity
Invasive Animals & Plants	An invasive species is an organism that is not indigenous, or native, to a particular area.
Natural Environment	the topography, soils, water systems, flora and fauna species native to the area which excludes introduced species that are declared invasive, potentially invasive, or a threat to biosecurity.
Setback	Minimum distance which a building or other structure must be set back from the boundary
Shire	Shire of Toodyay.
Shire President	Shire President

## Policy Statement

All new development and redevelopment of existing premises within the Extracts Industrial Area shall comply with the development standards set out in this policy. However, these development standards will not be applied retrospectively to existing developments.

The provisions of this policy shall not excuse noncompliance with any other legislation, policy or requirement that may apply to the proposed development.

The Council may vary the requirements of this policy, where it is considered that full compliance with the policy is impractical, or such variation is warranted in the circumstances of the case.

All development must protect against adverse impact to the natural environment.

## 1. Building Setbacks

- 1.1 All structures within the Extracts Industrial Area shall have a minimum setback to the front boundary of 5.0 metres.
- 1.2 The total gross floor area of all buildings on a property will have a maximum coverage of 60% of the total lot area.
- 1.3 All structures shall maintain a minimum setback of 3.0 metres to a secondary street frontage.
- 1.4 A structure may have a “nil” setback to a side boundary, provided that vehicular access to the rear of the lot is maintained and that the provisions of the Building Code of Australia can be achieved.

*Note: The Building Code of Australia requires that commercial and industrial premises achieve a minimum setback of 3.0 metres from boundaries to ensure adequate fire separation between buildings, however the Code allows a lesser setback if appropriate fire walls are installed.*

- 1.5 In the Extracts Industrial Area, no person shall use the setback area between the building line and the street alignment for any purpose other than one or more of the following:
  - (a) A means of access;
  - (b) The daily parking of vehicles used by employees and customer or clients;
  - (c) An open air or trade display, with the consent of the Council; and
  - (d) Landscaping.
- 1.6 Setback areas shall not be used for the permanent storing of vehicles which are being repaired or wrecked, the storage of materials, products, by-products or waste, or the storage of fuel except in underground tanks.

## 2. Land Use

- 2.1 Where a use in the Extracts Industrial Area is defined as a Prescribed Premises in the Regulations to the Environmental Protection Act 1987 (as amended) or an Offensive Trade under the [Health \(Miscellaneous Provisions\) Act 1911](#) (as amended), the proposal shall be advertised for public comment and advice may also be sought from the Department of Environment and Conservation and/or the Health Department.
- 2.2 Factory units may be developed in the Extracts Industrial Area, provided that:
  - (a) There is no more than one occupancy for each factory unit;
  - (b) No industrial unit is used for machinery or automotive wrecking or for the sale of motor vehicles or caravans; and
  - (c) Factory units shall be separated from each other by an internal wall or walls

constructed of brick, stone or concrete in accordance with the Building Code of Australia and shall not be altered, moved or removed without the consent of the Council.

- 2.3 Any open air or trade display on a property shall comply with the following requirements:
- (a) The open air or trade display may be used for the display of trade goods and equipment for the purpose of advertisement relating to the business for which the lot is being used;
  - (b) The open air or trade display area shall not impede movement to or from any parking areas, vehicle access ways or loading areas;
  - (c) No more than 30% of the setback area shall be used for an open air or trade display area.
- 2.4 Council may require the provision of one or more areas for the storage of refuse and bulk bins in any industrial development. This refuse or storage area shall be:
- (a) Screened from view from any public street;
  - (b) Enclosed by a wall of masonry or colorbond material and having a minimum height of 1.5 metres;
  - (c) The floor of the refuse or storage area is to be paved and drained to an approved effluent disposal system; and
  - (d) A tap for cleaning purposes is to be installed.
- 2.5 Caretaker's dwellings will not be permitted, other than under extenuating circumstances, where the approved use for the site requires a caretaker's residence. The caretaker's residence shall only be occupied by a supervisor, owner or manager of the legitimate and approved land use undertaken on site.

### **3. Parking and Access**

- 3.1 All development within the Extracts Industrial Area shall make provision for the off-street parking of motor vehicles, in accordance with the provisions of Local Planning Policy – Car Parking . All parking areas shall be designed to enable all vehicles to return to the street in forward gear.
- 3.2 All parking, access and vehicle manoeuvring areas constructed shall be sealed to a minimum bitumen standard, kerbed, drained, line marked and in accordance with the relevant Australian Standards. These areas are to be maintained to the satisfaction of Council.
- 3.3 No land or buildings shall be developed unless provision is made for an area clear of the street for the purpose of loading and unloading goods or materials and all servicing vehicles should be able to leave and enter the street in forward gear.
- 3.4 Vehicular access ways shall not be less than 4.5 metres wide. A lesser width of 3.0m may be permitted where a one-way system of traffic movement may be established on the lot.

## 4. Landscaping

- 4.1 As part of an application to develop within the Extracts Industrial Area, the proponent shall provide details on the proposed landscaping to be installed on the property.
- 4.2 The landscaping of industrial properties aims to soften the impact of the proposed development and to maintain visual amenity. Such landscaping must comply with the following criteria and any other adopted design criteria of the Council:
- (a) A 3.0-metre-wide landscaping strip shall be provided along all road frontages, except at the points of access to the property. This landscaping strip may be reduced to 1.0 metre along a secondary street frontage.
  - (b) The landscaping strips are to be bound by non-mountable kerbing (or similar);
  - (c) All landscaping shall include shade trees and indigenous or common local shrubs, with a minimum plant cover of 75%.
  - (d) Use of declared plants is not permitted.
  - (e) Council will not support the use of loose landscaping materials such as gravel.
  - (f) Landscaping shall be provided to minimise the visual impact of parking areas and to provide shade trees.
  - (g) All landscaping must be installed within 60 days of the commencement of operations on the property: and
  - (h) Landscaping strips must be reticulated and maintained to the satisfaction of the Council.

## 5. Disposal of Wastewater, Effluent and Other Materials

- 5.1 All stormwater and effluent shall be disposed of on site. Approval for all effluent disposal systems must be sought from the Shire through the lodgement of an Application to Construct or Install an Apparatus for the Treatment of Sewage.
- 5.2 Suitable barriers must be provided around leach drains, septic and soak wells to prevent vehicular impact on these systems to the satisfaction of the Shire.
- 5.3 Deleterious and hazardous waste materials and any other noxious by products may not be contained or stored on site and shall be disposed of in an approved waste facility. This will include materials such as asbestos, tyres, and waste oil. As per Australian standards AS 2758.1:2014.
- 5.4 Where inflammable, explosive or petroleum-based products are used and/or are likely to be discharged, a sealed wash down area and a petrol and oil separator must be installed.

## 6. Fencing

- 6.1 The details of the fencing to be used on the property should be provided at the time of making an application to develop land within the Extracts Industrial Area. Dependent upon the nature of the proposed land use, the Council may require that solid screen fencing be provided on one or more of the lot boundaries.

- 6.2 Generally, front fencing should be open in nature and should complement the adjoining landscaping areas.
- 6.3 Second-hand fencing materials will not be permitted within the Extracts Industrial Area.

## Reference Information

[Standards Australia Reference](#)

## Legislation

[Health \(Offensive Trades Fees\) Regulations 1976](#)

[Metropolitan Water Supply, Sewerage and Drainage By-laws 1981](#)

[Transfer of Land Act 1893](#)

[Health \(Miscellaneous Provisions\) Act 1911](#)

## Associated documents

Nil.

## Version control information

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