



12.2 Development Services
Directorate

APPENDICES

ORDINARY COUNCIL MEETING

TO BE HELD

28th October 2026
Commencing at 5:00pm

AT

ADMINISTRATION CENTRE EATON
1 Council Drive - EATON

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- ~ Large Print
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Upon request.



POLICY NO:

Dev CP111 – LOCAL PLANNING POLICY – OUTBUILDINGS AND SEA CONTAINERS

GOVERNANCE INFORMATION

Procedure Link:	NA	Administrative Policy Link:	NA
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ADMINISTRATION INFORMATION

History	New	OCM:	Res:	Synopsis:	Policy created. 14/08/2026
1		OCM:	Res:	Synopsis:	

1. RESPONSIBLE DIRECTORATE

Development Services

2. PURPOSE

The purposes of this ~~e-P~~ policy are to:

- Provide guidance on acceptable criteria and set minimum standards ~~and set other guidance~~ with ~~regard~~ regards to proposals for outbuildings.
- Provide guidance and set ~~guidance on~~ acceptable criteria for where outbuilding proposals to be considered prior to dwelling being substantially commenced ~~can be considered~~.
- Provide guidance on the siting and development of shipping containers to ensure they do not detract from the amenity of the local area in which they are situated or affect the existing operation of the site.

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Div. 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*.

3. OBJECTIVE

The objective of the policy is for Council to:

1. Establish a clear position for the construction of outbuildings on lots prior to the construction of an approved dwelling on the same lot in the following zones:
 - (a) ~~within the~~ Residential;
 - (b) ~~Rural Residential;~~
 - (c) ~~Rural Smallholding;~~
 - (d) ~~Tourism;~~
 - (e) ~~Rural;~~ and
 - ~~1(f)~~ Priority Agriculture zone prior to the construction of an approved dwelling on the same lot;
2. Regulate the use of sea containers for storage within the Shire of Dardanup to ensure that they:
 - (a) are located, screened and/or colour treated to appear visually integrated with the surrounding area or builtform; and
 - (b) do not result in an adverse impact on amenity or streetscape.
3. Provide certainty about what is considered minor development and to exempt such development from the need for development approval; and
4. Ensure acceptable development outcomes are maintained.

4. REFERENCE DOCUMENTS

Planning and Development Act 2005
 Planning and Development (Local Planning Schemes) Regulations 2015
 Shire of Dardanup Local Planning Scheme No. 9 (LPS9)
 State Planning Policy 7.3 Residential Design Codes (R-Codes)
 State Planning Policy 2.5 Rural Planning (SPP2.5)
 State Planning Policy 3.7 Bushfire (SPP3.7)
 Dev CP104 Local Planning Policy Caravans as Temporary Accommodation

5. APPLICATION

This Policy applies to all zoned land applicable under the Shire of Dardanup Local Planning Scheme No.9.

It should be noted that whilst the Policy identifies certain development types that do not require development approval, a building permit or other approval may still need to be obtained from the Shire. Before carrying out any development listed in Table 1, [2 and 3](#), any other licences, permits or approvals required must be obtained in accordance with any other law.

This policy does not apply to sea containers which have been previously approved by Council.

6. DEFINITIONS

Outbuilding [as defined by the R-codes and](#) means an enclosed non-habitable structure that is detached from any dwelling and may include a detached garage.

R-Codes means [State Planning Policy 7.3 Residential Design Codes Volume 1 \(as amended\)](#)

Residential Development means [Single Houses, Ancillary Dwelling, Grouped Dwelling and/or Multiple Dwellings.](#)

Substantially commenced means ~~that the footings of an approved dwelling have been completed, that it is deemed to have occurred where there has been physical 'on site' development that comprises at least the preparation of the site including the construction and installation of footings or a slab. Where in a condition of approval there is a requirement to undertake further studies and investigations for submission and approval of the Shire prior to development commencing, such 'work' is not deemed to be substantial commencement. Where no construction is required as part of a development approval, proof that the current use has commenced has to be provided.~~

Scheme means the Shire of Dardanup Local Planning Scheme No 9

Agriculture—Intensive means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following—

- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
- (b) the establishment and operation of plant or fruit nurseries;
- (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);
- (d) aquaculture.

Rural pursuit / hobby farm means any premises, other than premises used for agriculture— extensive or agriculture—intensive, that are used by an occupier of the premises to carry out any of the following activities if carrying out of the activity does not involve permanently employing a person who is not a member of the occupier's household—

- (a) the rearing, agistment, stabling or training of animals;
- (b) the keeping of bees;
- (c) the sale of produce grown solely on the premises.

Sea Container means [a re-sealable metal transportable structure, which is usually rectangular in shape, designed for the storage and transport of goods from one location to another by road, rail and sea and modified for temporary or permanent use on land.](#)

~~a re-sealable metal transportable structure designed for the storage, unitized freight handling and/or transport of goods from one location to another by road and sea.~~

~~Incidental~~

Incidental development means [any non-habitable structure, feature, or activity that associated with a Single House, not considered to be an Outbuilding, that is not located under the main roof of the Single House and/or is not attached to the Single House and serves a minor, subordinate, or supportive function to the main residential use.](#)

7. POLICY

Outbuildings in Residential Area – In accordance with the R-Codes an outbuilding in the residential area cannot exist independently to a dwelling as it is considered to be incidental to the dwelling use.

Outbuildings in Rural Residential, Rural Smallholding, Tourism, Rural and Priority Agricultural Zone etc. – An outbuilding in these zones can be independent from a dwelling where it is considered to be used for a Rural Pursuit or Agricultural Purpose (Intensive or Extensive), or where it is associated with a future dwelling to be built that has a building permit approval.

The policy provision area set out in the following tables:

Table 1: Development Standards For Exempted Outbuilding

Table 2: Construction Of Outbuilding Prior To Completion Of A Dwelling

Table 3: Sea Containers: Development Approval Is Not Required For The Placement Of A Sea Container

Table 4: Sea Container: Development Approval Is Required For The Permanent Placement Of A Sea Container

TABLE 1: DEVELOPMENT STANDARDS FOR EXEMPTED OUTBUILDING	
An application for Development Approval is not required if the below ~~conditions criteria~~ <u>is/are met/are satisfied to in</u> the applicable zone.	
Zone	ConditionsCriteria
Residential zone	<u>Where the proposal complies with following criteria:-</u> ~~Where the following CriteriaConditions are applied:~~ <u>1) Is not attached to a dwelling;</u> <u>2) Is non-habitable;</u> ~~2)3) Collectively the does not exceed a m~~Maximum floor area – 80m² in aggregate or 10% in aggregate of the lot site area, ~~(whichever is the lesser).~~ ~~3)4) Does not exceed a m~~Maximum wall height (including site works and slab/pad height) of 3m. ~~4)5) Does not exceed a m~~Maximum ridge height (including site works and slab/pad height) of 4.2m. <u>6) Located behind the street setback.</u> ~~5) —~~ ~~7) Nil setback to the side and/or the rear boundary setback and 1m setback to a secondary street boundary is permitted for a maximum wall length of 9m.~~ ~~6)8) Compliant with the relevant standards for the zone in the LPS9;~~ ~~7)9) All stormwater including roof run off disposal is to be contained within site.~~ ~~— No required clearing of vegetation.~~ ~~8)10) —~~ ~~— A dwelling exists, has substantially commenced or is exempt from planning approval and will be built at the same time as the proposed outbuilding.~~ <u>This exemption does not apply to land within the SCA1 and SCA4 – as outlined in LPS9; and also does not apply to outbuildings which are proposed to be built before the house is substantially commenced.-</u>
Rural Residential, Rural Smallholdings and Tourism zone	<u>Where the proposal complies with following criteria:-</u> ~~Where the following Criteriaconditions are applied:~~ ~~2)1) For lot area less than 3 ha - Maximum floor area – 300m² in aggregate or 10% in aggregate of the lot site area, (whichever is the lesser); or-~~ ~~3)2) For lot area larger than 3 ha - Maximum floor area – 400m² aggregate or 10% in aggregate of the lot site area, (whichever is the lesser).~~ ~~4)3) Compliant with the relevant standards of the LPS9, located within an approved building envelope or outside building exclusion area.~~ ~~5)4) All stormwater including roof run off disposal is to be contained within site~~ <u>5) No required clearing of vegetation.</u>

	<u>6) The outbuilding is incidental to a dwelling that exists, has substantially commenced or is exempt from planning approval and a building permit has been issued; or</u> <u>6)7) The outbuilding is associated with a Rural Pursuit or Agriculture (intensive-/Extensive);</u> This exemption does not apply to land within the SCA1 and SCA4 - as outlined in LPS9; <u>and also does not apply to outbuildings which are proposed to be built before the house has a building permit approval.-</u>
Rural and Priority Agriculture zone	<u>Where the proposal complies with following criteria:</u> <u>Where the following Criteria/conditions are applied:-</u> <u>2)1) Buildings to be clustered with the dwelling and other outbuildings, if there are existing building on that lot.</u> <u>3)2) Compliant with the relevant standards for the zone in the LPS9.</u> <u>4)3) No required clearing of vegetation.</u> This exemption does not apply to land within the SCA1, SCA2, SCA4, SCA5 and SCA6 – as outlined in LPS9.

TABLE 2: CONSTRUCTION OF OUTBUILDING PRIOR TO COMPLETION OF A DWELLING

This table sets out the criteria for consideration to approve an application for Development Approval and/or Building Permit application

Zone	Conditions/Criteria
Residential zone	Where the <u>proposal complies with the</u> following <u>Criteria/conditions are applied:-</u> <u>1) A dwelling has substantially commenced. Dwelling has Substantially Commenced.</u> <u>1)2) Compliant with the relevant standards for the zone in the LPS9.</u>
Rural Residential zone	<u>Where the proposal for an outbuilding is associated with a dwelling and it complies with the following criteria:-</u> <u>1) Compliant with the relevant standards for the zone in the LPS9; Where the following Criteria/conditions are applied:-</u> <u>1)</u> 2) Building permit for a dwelling on the lot has been issued;- 3) Only one (1) outbuilding prior to the completion of a dwelling may be supported;- 4) The proposed outbuilding shall not be used for human habitation purposes. Temporary occupation within a caravan will be considered under SDev CP104 Local Planning Policy Caravans as Temporary Accommodation; <u>and</u>. 5) The proposed outbuilding shall not be used for any commercial or industrial use.
Rural Smallholding, Tourism Rural and Priority Agriculture zone	No conditions.

TABLE 3: SEA CONTAINER - DEVELOPMENT APPROVAL IS NOT REQUIRED FOR THE PLACEMENT OF A SEA CONTAINER

An application for Development Approval is not required if the below criteria are met in conditions are satisfied to the applicable zone.

Zone	Criteria/conditions
All Zones	Temporary uses: A sea container for temporary use does not require Development Approval in any zone where the following <u>conditions-criteria</u> are <u>met or applied</u>: 1) One sea container only <u>of 20Ft (external dimension of 6.06m L x 2.44m W x 2.59m H)</u> is <u>placed</u> on the lot for up to a maximum of 7 days in any 12 month <u>period, and period</u> <u>and</u> is used solely for the loading/unloading of goods. The sea container must be located wholly within the lot boundaries and must not interfere with vehicle sightlines; or 2) One sea container-only <u>of 20 Ft (external dimension of 6.06m L x 2.44m W x 2.59m H)</u> is placed on a lot for up to a maximum 12 <u>months, and months and</u> is used only in conjunction with building construction or subdivision works occurring, or approved to occur, on the same lot or adjoining lot. The sea container must be located wholly within the lot boundaries and must not interfere with vehicle sightlines.

Light Industry and General Industry zone	Development Approval is exempted where all of the following ~~criteria and~~ <u>conditions</u> are met: ~~1)~~ Sea containers must be located wholly within lot boundaries, and must be setback 10m from both front and rear boundaries, and 3m from all other boundaries; ~~2)~~ <u>The permanent placement of the sea containers on the lot may only be either one sea container of 40Ft (external standard dimension of 2.19m L x 2.44m W x 2.89m H) in size or two sea containers of 20Ft in size (external dimension of 6.06m L x 2.44m W x 2.59m H) in size;</u> ~~3)~~ ~~2)3)~~ Sea containers are stacked no more than two sea containers high; ~~3)4)~~ Sea containers are not located over drainage areas, septic tanks, or vehicle access ways; ~~4)5)~~ No other structures are proposed to be attached to or cover the sea containers; ~~5)6)~~ Is/are ancillary to an approved or permitted use; ~~6)7)~~ No required clearing of vegetation; ~~7)8)~~ Will not be used for human habitation; <u>and</u> ~~9)~~ Only be used for the purpose of storage, unless otherwise approved by Council; <u>and</u>; ~~8)10)~~ <u>External appearance needs to be in good repair and painted in a uniform colour to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot as applicable.</u> ~~9)11)~~ <u>Sea containers being completely screened from view from nearby roads, other public places, and adjoining properties, and</u> ~~10)12)~~ <u>Sea containers must not be stacked no more than two high on top of another.</u>
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TABLE 4: SEA CONTAINERS: DEVELOPMENT APPROVAL IS REQUIRED FOR THE PERMANENT PLACEMENT OF A SEA CONTAINER

An application for Development Approval is required and assessed against the applicable Development Standards.

Zone	Development Standards
<u>Residential Zone</u>	<u>Not permitted within the Residential zone unless expressly provided for and must not be associated with a single house.</u>
<u>Residential zone</u>	<u>Not Permitted.</u>
Within the townsite boundary (including Reserves) excluding Residential zone	<u>General policy position:</u> <u>The placement of sea containers is generally not permitted within the townsite boundary, including on land reserved under Local Planning Scheme No. 9 (LPS9) and land within the Residential zone.</u> <u>Except in relation to single house development, Council's will be applied to all other proposed sea containers.</u> <u>Notwithstanding the general policy position, Council may consider an application for development approval for the placement of a sea container on land within the Residential zone, or on other land within the townsite boundary and meets the relevant assessment criteria set out below.</u> <u>In determining an application, Council shall have due regard to the zoning, purpose and existing and intended use of the land, the applicable development standards, the visual impact of the sea container, the amenity of the locality and any other relevant planning considerations.</u> <u>Satisfaction of the assessment criteria does not guarantee approval. Council may refuse an application where the proposal is inconsistent with LPS9, the objectives of this policy or the orderly and proper planning of the locality. The following assessment criteria are met:</u> <u>Zoning and development standards: The proposal complies with the applicable zoning requirements and development standards under LPS9, including any applicable requirements relating to setbacks, site coverage and other development controls.</u> <u>Size: The placement of only one sea container of 20Ft in size in the Residential or Urban Development Zone (Structure Plan/Residential) or one container of 40 Ft (external standard dimension of 2.19m L x 2.44m W x 2.89m H) or two containers of 20Ft (external standard dimension of 6.06m L x 2.44m W x 2.59m H) placed on other land other than residential or urban development zone (Structure Plan – Residential) within the townsite boundary.</u> <u>Vegetation: The proposal does not require the clearing of existing native vegetation.</u> <u>Habitation: The sea container is not to be used for human habitation.</u> <u>Purpose: The sea container is to be used solely for storage, unless another use is expressly approved by the local government as part of the development approval.</u> <u>Visual screening: The sea container is to be effectively screened from view from adjoining roads, other public places and adjoining properties.</u> <u>Landscaping and screening: Screening is to be provided by native vegetation comprising a range of plant sizes and growth forms, including understorey and canopy species. The screening vegetation is to provide an effective visual screen and extend to a minimum depth of 2 metres. Unless otherwise approved by the local government, the vegetation is to be planted within three months of the date of development approval and maintained thereafter to ensure the continued effectiveness of the screen.</u> <u>Stacking: Sea containers are not to be stacked on top of one another.</u> <u>External appearance is to enhance the development on the lot or locality and not to be detrimental to the surrounding amenity. This is to be demonstrated at the DA stage:</u> <u>Be in good repair and painted in a uniform colour to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot as applicable; or</u>

	<u>2. The exterior of the sea container is clad in suitable materials to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot or the surrounding landscape, as applicable.</u> ~~Council Discretion.~~
Rural Residential and Rural Smallholding zone	Where the following ~~standards~~/criteria are ~~met~~<u>applied</u>: 1) There must be an existing habitable dwelling on the lot and only one sea container will be supported; 2) Compliant with the relevant standards for the zone in the LPS9; 3) No required clearing of vegetation; 4) Will not be used for human habitation; 5) Only be used for the purpose of storage, unless otherwise approved by Council; <u>6) Sea containers being completely screened from view from nearby roads, other public places, and adjoining properties;</u> ~~6) Size: The placement on the lot only of two sea containers of 20Ft (external standard dimension of 6.06m L x 2.44m W x 2.59m H) each in in size or one sea container of 40 Ft (external standard dimension of 2.19m L x 2.44m W x 2.89m H) in size.~~ <del>7) </del> ~~7)8) Screening planting of native vegetation that comprises a range of sizes (including undergrowth and canopy vegetation), provides an effective visual screen and is a minimum 2m deep, being planted within 3 months of Development Approval, and maintained thereafter;~~ ~~8) Sea containers must not be stacked on top of one another; and~~ <del>9) </del> ~~The exterior of the sea container shall be painted in a colour scheme that is consistent with the majority of the surrounding development on the lot, or that is consistent with the surrounding landscape.~~ <u>10) External appearance is to enhance the development on the lot or locality and not to be detrimental to the surrounding amenity. This is to be demonstrated at the DA stage:</u> a. <u>Be in good repair and painted in a uniform colour to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot as applicable; or</u> b. <u>The exterior of the sea container is clad in suitable materials to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot or the surrounding landscape, as applicable.</u> <del>9) </del>
Rural and Priority Agriculture and Tourism zone	Where the following ~~standards~~/criteria are ~~met~~<u>applied</u>: 1) Compliant with the relevant standard for the zone in the LPS9; 2) No required clearing of vegetation; 3) Will not be used for human habitation; 4) Only be used for the purpose of storage, unless otherwise approved by Council; <u>5) Sea containers being completely screened from view from nearby roads, other public places, and adjoining properties;</u> ~~5)6) Size: The placement on the lot only of four sea containers of 20Ft (external standard dimension of 6.06m L x 2.44m W x 2.59m H) each in in size or two sea containercontainers of 40 Ft (external standard dimension of 2.19m L x 2.44m W x 2.89m H) in size.~~ ~~6)7) Screening planting of native vegetation that comprises a range of sizes (including undergrowth and canopy vegetation), provides an effective visual screen and is a minimum 2m deep, being planted within 3 months of Development Approval, and maintained thereafter;~~ ~~7)8) Sea containers must not be stacked on top of one another; and~~

	<u>9) ~~The exterior of the sea container shall be painted in a colour scheme that is consistent with the majority of the surrounding development on the lot, or that is consistent with the surr-~~ External appearance is to enhance the development on the lot or locality and not to be detrimental to the surrounding amenity. This is to be demonstrated at the DA stage:</u> a. <u>Be in good repair and painted in a uniform colour to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot as applicable; or</u> ~~a.~~ <u>The exterior of the sea container is clad in suitable materials to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot or the surrounding landscape, as applicable</u>~~ounding landscape.~~ ~~b.~~ <u>8)</u>
<i>Note: All Zones</i>	<i>Notwithstanding above, if the Shire considers that a sea container is likely to have a detrimental effect on the local ~~amenity, or~~ amenity or has the potential to visually impair or detract from the exterior design or appearance of other buildings or sightlines in the vicinity, the application will be refused.</i>



POLICY NO:

SDev CP030 – LOCAL PLANNING POLICY - CONSTRUCTION OF OUTBUILDINGS IN THE 'RURAL RESIDENTIAL' ZONE PRIOR TO COMPLETION OF A DWELLING

GOVERNANCE INFORMATION

Procedure Link:		Administrative Policy Link:	
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ADMINISTRATION INFORMATION

History	1	NEW	OCM	18/05/16	Res: 112/16	Synopsis	Policy created.
Version	2		SCM	26/07/18	Res: 251-18	Synopsis	Reviewed and Adopted by Council
Version	3	SDev CP030	OCM	30/09/20	Res: 269-20	Synopsis	Reviewed and Adopted by Council
Version	4	SDev CP030	OCM	28/09/22	Res: 243-22	Synopsis	Reviewed and adopted by Council.
Version	5	SDev CP030	OCM	23/10/24	Res: 275-24	Synopsis	Reviewed and Adopted by Council
Version	6	SDev CP030	OCM	27/08/25	Res: 232-25	Synopsis	Reviewed following gazettal of LPS9 and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

The objective of the policy is for Council to establish a clear position for the construction of outbuildings on lots zoned 'Rural Residential', prior to the construction of an approved dwelling on the same lot.

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Div. 2 of the Planning and Development (Local Planning Scheme) Regulations 2015.

3. DEFINITIONS

All other words and expressions in this policy have their normal and common meaning, and as defined in Part 6, Clauses 37-38 of the Shire of Dardanup Local Planning Scheme No.9, the *Planning and Development Act 2005*, the *Planning and Development (Local Planning Schemes) Regulations 2015* or State Planning Policy 7.3 - Residential Design Codes of WA.

4. POLICY

- 4.1 Unless otherwise exempt in LPS9, the Regulations, or 'SDev CP091 – LPP - Exempted Development and Land Use Policy', all outbuildings within the Rural Residential zone require Development Approval prior to their construction.
- 4.2 All Development Approval applications under the scope of this policy will be assessed having regard to this policy, and may only be supported where the following conditions are met:
 - a) Building permit for a dwelling on the lot has been issued.
 - b) Only one (1) outbuilding prior to the completion of a dwelling may be supported.
 - c) The proposed outbuilding shall not be used for human habitation purposes. Temporary occupation within a caravan will be considered under *SDev CP104 Local Planning Policy Caravans as Temporary Accommodation*.
 - d) The proposed outbuilding shall not be used for any commercial or industrial use.
- 4.3 Notwithstanding Part 4.2 above, if the Shire considers that the outbuilding proposed on the vacant lot has the potential to visually impact upon the amenity of the locality, the application will be refused.

Application

This policy applies to the development of all outbuildings in the 'Rural Residential' zone under LPS9, where a proposed outbuilding will be constructed prior to completion of a dwelling on same lot.

This policy does not apply if there is an existing dwelling on the same lot.

5 REFERENCE DOCUMENTS

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)
Shire of Dardanup Local Planning Scheme No. 9 (LSP9).
SDev CP104 Local Planning Policy Caravans as Temporary Accommodation



POLICY NO:

SDev CP096 – LOCAL PLANNING POLICY - SEA CONTAINERS

GOVERNANCE INFORMATION

Procedure Link:	NA	Administrative Policy Link:	NA
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ADMINISTRATION INFORMATION

History	1	DEV21	OCM	08/03/12	Res: 57/12	Synopsis:	Policy created. 08/03/2012
			OCM:	10/05/12	Res:	Synopsis:	Reviewed Policy Adopted
Version	2	CP096	SCM	26/07/18	Res: 251-18	Synopsis:	Reviewed and Adopted by Council
Version	3	SDev CP096	OCM:	30/09/20	Res: 269-20	Synopsis:	Reviewed and Adopted by Council
Version	4	SDev CP096	OCM:	28/09/22	Res: 243-22	Synopsis:	Reviewed and adopted by Council.
Version	5	SDev CP028	OCM	23/10/24	Res: 275-24	Synopsis:	Reviewed and Adopted by Council
Version	6	SDev CP028	OCM	27/08/25	Res: 232-25	Synopsis:	Reviewed following gazettal of LPS9 and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

The objective of this policy is to regulate the use of sea containers for storage within the Shire of Dardanup to ensure that they:

- are located, screened and/or colour treated to appear visually integrated with the surrounding area; and
- do not result in an adverse impact on amenity or streetscape.

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Div. 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

3. REFERENCE DOCUMENTS

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)

Shire of Dardanup Local Planning Scheme No. 9 (LPS9)

4. DEFINITIONS

‘Sea Container’ - A re-sealable metal transportable structure designed for the storage, unitized freight handling and/or transport of goods from one location to another by road and sea.

All other words and expressions in this policy have their normal and common meaning, and as defined in Part 6, Clauses 37-38 of the Shire of Dardanup Local Planning Scheme No. 9, the *Planning and Development Act 2005*, the *Planning and Development (Local Planning Schemes) Regulations 2015* or State Planning Policy 7.3 - Residential Design Codes of WA.

5. POLICY

- 5.1 The Shire will not permit sea container(s) on land zoned ‘Residential’ or within any designated townsite boundary as defined under LPS9, other than in accordance with part 5.2 below.
- 5.2 Temporary uses: A sea container for temporary use does not require Development Approval in any zone where the following conditions are met:
 - one sea container only is placed on the lot for up to a maximum of 7 days in any 12 month period, and is used solely for the loading/unloading of goods. The sea container must be located wholly within the lot boundaries and must not interfere with vehicle sightlines; or
 - one sea container only is placed on a lot for up to a maximum 12 months, and is used only in conjunction with building construction or subdivision works occurring, or approved to occur, on the same lot or adjoining lot. The sea container must be located wholly within the lot boundaries and must not interfere with vehicle sightlines.
- 5.3 Industrial Lots: On lots zoned General Industry or Light Industry, sea containers do not require Development Approval where all of the following conditions are met:

- (a) sea containers must be located wholly within lot boundaries, and must be setback 10m from both front and rear boundaries, and 5m from all other boundaries;
- (b) sea containers are stacked no more than two sea containers high;
- (c) sea containers are not located over drainage areas, septic tanks, or vehicle access ways; and
- (d) no other structures are proposed to be attached to or cover the sea containers.

5.4 Other than in accordance with parts 5.1 - 5.3 above, an application for Development Approval will be required in all other circumstances. All applications will be assessed having regard to this policy, and may only be supported where all of the following conditions are met:

- (a) The land is not zoned 'Residential' or located within any designated townsite boundary as defined under LPS9.
- (b) The proposed sea container(s)
 - i) is/are ancillary to an approved or permitted use;
 - ii) will not be located within the front setback area of any lot;
 - iii) will not be located in areas designated for car parking, landscaping, effluent control or storm-water control;
 - iv) will not be used for human habitation;
 - v) will only be used for the purpose of storage, unless otherwise approved by Council;
 - vi) Other than on lots zoned General Industry or Light Industry, sea containers being completely screened from view from nearby roads, other public places, and adjoining properties, or:
 - the exterior of the sea container(s) being painted to blend in with the surrounding development, or with the surrounding landscape if the lot is not developed, within 3 months of Development Approval, and maintained thereafter; and/or
 - screening planting of native vegetation that comprises a range of sizes (including undergrowth and canopy vegetation), provides an effective visual screen and is a minimum 2m deep, being planted within 3 months of Development Approval, and maintained thereafter;
 - vii) Other than on lots zoned General Industry or Light Industry, sea containers must not be stacked on top of one another; and
- (c) On a lot zoned 'Rural Residential', there must be an existing habitable dwelling on the lot and only one sea container will be supported.

5.5 Notwithstanding Part 5.4 above, if the Shire considers that a sea container is likely to have a detrimental effect on the local amenity, or has the potential to visually impair or detract from the exterior design or appearance of other buildings or sightlines in the vicinity, the application will be refused.

6. APPLICATION

- a) This policy applies to all land zoned under LPS9.
- b) This policy does not apply to sea containers which have been previously approved by Council.
- c) The storage of all sea containers in all areas will require development approval from the Shire of Dardanup, prior to placement.

7 APPLICATION FOR DEVELOPMENT APPROVAL REQUIREMENTS

- a) An application for development approval shall be made on an Application for Development Approval Form 110 together with the following information:
 - i) A site plan showing the proposed location of the sea container(s) on the property distance of each sea container to all lot boundaries and the location of any existing buildings/structures, and the location of existing or proposed vegetation screens;
 - ii) Plans, dimensions and details of the sea container(s) which also includes the existing and proposed exterior colours;
 - iii) Photographs of the proposed sea container(s);

- iv) Written details of proposed modifications and other works to be carried out to improve appearance and address amenity concerns (eg. painting, screen planting etc.).
- b) Notwithstanding that development approval may be granted by Council, a building permit may also be required to ensure compliance with all relevant requirements under the Building Code of Australia and relevant Australian Standards, if modifications are to be made to the sea container.

8 STANDARD CONDITIONS OF DEVELOPMENT APPROVAL

If granted, the Shire's Development Approval may include the following conditions, as a minimum:

- a) All development being generally in accordance with the approved development plans which form part of this Development Approval.
- b) The exterior of the sea container s) shall be painted in a colour scheme that is consistent with the majority of the surrounding development on the lot, or that is consistent with the surrounding landscape if the lot is not developed, within 30 days of the date of Development Approval and maintained thereafter; and/or
- c) Screen planting of native vegetation that comprises a range of storeys, provides an effective visual screen and is a minimum of 2m deep, must be planted within 3 months of the date of Development Approval, and maintained thereafter; and
- b) The approved sea container(s) shall not be used for human habitation purposes.

RISK ASSESSMENT TOOL								
AGENDA ITEM: CP111 - Local Planning Policy – Outbuildings and Sea Containers - Adoption RISK THEME PROFILE: 8 - Errors, Omissions and Delays Choose an item. 3 - Failure to Fulfil Compliance Requirements (Statutory, Regulatory) Choose an item.								
RISK ASSESSMENT CONTEXT: Operational								
CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
HEALTH / PEOPLE	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
SERVICE INTERRUPTION	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
LEGAL AND COMPLIANCE	Failure to consistent apply policy to all relevant application	Insignificant (1)	Rare (1)	Low (1 - 4)	Failure to resolve to prepare and advertise the draft review policy may result in continued reliance on fragmented policy guidance, increasing the risk of inconsistent decision-making, reduced applicant clarity and reputational impacts for Development Services.	Insignificant (1)	Rare (1)	Low (1 - 4)
REPUTATIONAL	Increase public perception that planning processes are overly complex.	Insignificant (1)	Rare (1)	Low (1 - 4)	Failure to resolve to prepare and advertise the draft review policy may result in continued reliance on fragmented policy guidance, increasing the risk of inconsistent decision-making and a public perception that planning processes are overly complex.	Insignificant (1)	Rare (1)	Low (1 - 4)
ENVIRONMENT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.

CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
PROPERTY	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.



POLICY NO:

SDev CP091 - LOCAL PLANNING POLICY – EXEMPTED DEVELOPMENT**GOVERNANCE INFORMATION**

Procedure Link:	NA	Administrative Policy Link:	NA
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ADMINISTRATION INFORMATION

History:						Synopsis:	
Version	1	New	OCM	26/02/2020	Res: 25-20	Synopsis:	Draft Policy created
Version	2	Adopted	OCM	29/04/2020	Res: 82-20	Synopsis:	Adopted by Council
Version	3	SDev CP091	OCM	30/09/2020	Res: 269-20	Synopsis:	Reviewed and Adopted by Council
Version	4	SDev CP091	OCM	31/03/2021	Res: 61-21	Synopsis:	Amended and Adopted by Council
Version	5	SDev CP091	OCM	28/09/2022	Res: 243-22	Synopsis:	Reviewed and adopted by Council.
Version	6	SDev CP091	OCM	25/09/2024	Res: 275-24	Synopsis:	Reviewed and Adopted by Council
Version	7	SDev CP091	OCM	27/08/25	Res: 232-25	Synopsis:	Reviewed following gazettal of LPS9 and Adopted by Council
Version	8	Dev CP091					

1. RESPONSIBLE DIRECTORATE

Development Services

2. PURPOSE

To exempt certain development proposals from the requirement to obtain Development Approval under *the Shire of Dardanup Local Planning Scheme No.9* (LPS9). In addition to the use and development types identified as being exempt in:

- Schedule 2 ('Deemed Provisions') Clause 61 of the *Planning and Development (Local Planning Schemes) Regulations* 2015 and
- Schedule A – Supplemental Provisions of the Deemed Provisions of the LPS9.

3. OBJECTIVES

This Policy establishes the Shire's position in relation to development that is exempt from requiring development approval.

The objectives of this Policy are to:

- Identify types of development proposals that are suitable for exemption from the need for development approval.
- Streamline the planning approval process and to reduce red tape.
- Ensure acceptable development outcomes are maintained.

4. REFERENCE DOCUMENTS

- Planning and Development Act 2005 (the Act)
- Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)
- Shire of Dardanup Local Planning Scheme No. 9 (LPS9)

5. APPLICATION

This Policy applies to all zoned land applicable under the Shire of Dardanup Local Planning Scheme No.9 inclusive of the land contained within the Ferguson Valley tourism area (SCA2) shown on the Scheme Map according to the legend thereon unless specified in the Table below.

It should be noted that whilst the Policy identifies certain development types that do not require development approval, a building permit or other approval may still need to be obtained from the Shire. Before carrying out any development listed in Table 1, any other licences, permits or approvals required must be obtained in accordance with any other law.

This policy does not allow for X uses to be permitted (*LPS9 clause 18 (2) -X means that the use is not permitted by this Scheme*)

6. DEFINITIONS

Substantially commenced means it is deemed to have occurred where there has been physical 'on site' development that comprises at least the preparation of the site including the placing of footings and slab. Where in a condition of approval there is a requirement to undertake further studies and investigations for submission and approval of the Shire prior to development commencing, such 'work' is not deemed to be substantial commencement.

All other words and expressions in this policy have their normal and common meaning, and as defined in Part 6, Clauses 37-38 of the Shire of Dardanup Local Planning Scheme No. 9 Clause, the *Planning and Development Act 2005*, the *Planning and Development (Local Planning Schemes) Regulations 2015* or State Planning Policy 7.3 - Residential Design Codes of WA.

7. POLICY

7.1 Exemptions in Schedule 2 ('Deemed Provisions') of the Planning and Development (Local Planning Schemes) Regulations 2015 apply to land even though it may be located in the Ferguson Valley tourism area (SCA2) under LPS9.

7.2 Development approval is not required for any development listed in Table 1 'Exempted Development' providing:

1. The proposal complies with corresponding 'Zone' and 'Conditions/Criteria' columns; and
2. The proposal does not vary any standards or requirements of the LPS9.

Development designated as Bushfire Prone Area under the Fire and Emergency Services Act 1998 and development approval is required under Clause 78D(3) for the development are not exempt under this policy.

Table 1 – Development Exempt from Development Approval

DEVELOPMENT	ZONES	CONDITION/CRITERIA
Arbor, archway or gateway - or similar type of decorative structure that defines a pedestrian entrance.	All zones	Where the developments meets the following criteria: • Maximum height 3 metres; and • Maximum width 2.5 metres
Fences	General Industry, Light Industry and Service commercial zone	Where the fence meets the following criteria: • Constructed of 50mm steel mesh; • Maximum height of 1.8m from natural ground level with a maximum overall height of 2.1m where barbed wire is placed on top of the fence; • Supported by steel galvanised pipe posts: ○ 2.7m in length ○ Nominal bore of 40mm and outside diameter of 48mm ○ Spaced at 4m centres ○ Sunk 0.6m into the ground, encased in concrete having diameter of 150mm; and ○ Terminal posts are braced in line of the fence with diagonal pipe braces having nominal bore of 50mm and outside diameter of 60mm • Centre and bottom high tensile galvanised steel wire.

DEVELOPMENT	ZONES	CONDITION/CRITERIA
	Rural Residential, Rural Smallholdings, Tourism, Priority Agriculture and Rural zone	Where the fence meets any of the following criteria: • is located within a 14 metre visual truncation on a corner lot and is no higher than 1.5 metres; or • is located within a 3 metre visual truncation to a vehicular access way and is no higher than 1.5 metres; or • is no higher than 1.8 metres in all other cases; and • is constructed of post and wire or post and rail and • is not located within a Heritage- Protected Place.
Feature walls (Landscape Walls)	All zones	Where the developments meets the following criteria: • Maximum 3m width at a max height of 2.1m from natural ground level; and • Setback behind the primary and/or secondary street setback. • Limited to one.
Outdoor Cooking facilities - Pizza Oven, BBQ	All zones	Where the developments meets the following criteria: • Maximum height 1.8m from natural ground level excluding chimney or flue; and • Structures above 1.8m from natural ground level need to be setback as required by the R- Codes (if applicable) or Scheme Setbacks. • The size of the structure shall not be larger than 3m²
Animal / Horse Shelters	Rural Residential, Rural Smallholdings, Rural and Priority Agriculture zone	Where the development meets all of the following criteria: • External surfaces are clad with non-reflective materials. • No clearing of vegetation is required. • Compliant with the relevant setbacks/building envelope and building exclusion area requirements for the applicable zone/designation. • Not within Special Control Areas (SCA) of the LPS9. • Setback 30m from dwelling(s). • Lot larger than 2000m². <i>This exemption does not consider Horse Stables and the keeping of Horses on the lot.</i>
Commercial Vehicle Parking	Residential zone	Where the parking of the vehicle complies with Schedule 7 Clause (9)(a) – (e) of the Scheme. Limit of one (1) vehicle.
	All other zones	Only one (1) commercial vehicle and one (1) associated trailer is parked per property where the development meets the following criteria: • The parking of the commercial vehicle/s is ancillary to the approved use; or • Where the subject lot has a total area of equal to or greater than 10,000m² (1 hectares); The subject vehicle is rated a gross vehicle mass of less than or equal to 6.5 tonnes.

DEVELOPMENT	ZONES	CONDITION/CRITERIA								
Water tank	All zones	Where the development meets the following criteria: - Maximum height 2.7m above natural ground level; - Compliant with the relevant setbacks/building envelope and building exclusion area requirements for the applicable zone/designation. <table><tr><td colspan="2">Permitted sizes by lot area:</td></tr><tr><td>≥4,000m²</td><td>10m in diameter <u>212 000L tank</u></td></tr><tr><td><4,000m² but ≥2000m²</td><td>3.88m in diameter <u>32 000L tank</u></td></tr><tr><td><2,000m²</td><td>6000L tank no greater than 2.4m in height</td></tr></table> - More than one water tank is exempted in the Rural, Rural Smallholding, Priority Argiculture and Rural Residential Zones where the water tanks are clustered with the farmhouse and other outbuildings, and no clearing of vegetation is required.	Permitted sizes by lot area:		≥4,000m ²	10m in diameter <u>212 000L tank</u>	<4,000m ² but ≥2000m ²	3.88m in diameter <u>32 000L tank</u>	<2,000m ²	6000L tank no greater than 2.4m in height
Permitted sizes by lot area:										
≥4,000m ²	10m in diameter <u>212 000L tank</u>									
<4,000m ² but ≥2000m ²	3.88m in diameter <u>32 000L tank</u>									
<2,000m ²	6000L tank no greater than 2.4m in height									
Satellite Dishes, microwave antennae and radio masts	All zones	The installation of satellite dishes, microwave antennae and radio masts or other low impact facilities which satisfy the following requirements: (i) there are no other existing satellite dishes, microwave antennae or radio masts on the subject lot; (ii) in the case of satellite dishes in residential areas, the maximum diameter is 1.0 metres or less and is not located within any of the street setbacks; and in non-residential areas the maximum diameter is 3 metres; (iii) in the case of microwave antennae, the maximum diameter is 1.0 metre or less, the antennae does not project higher than 3 metres above the ridge line of the building and is not utilised to transmit electromagnetic waves; (iv) in the case of radio masts, the height does not exceed 8 metres, the radio mast is setback in accordance with the Scheme from any of the lot boundaries (or 6 metres whichever is greater) and the dimension of the antennae does not exceed 6 metres and is fully contained within the subject lot; (v) where the structure involves Amateur (Ham) Radio equipment shall be less than 10m above natural ground level and is setback no less than 4m from any lot boundaries; (vi) Is not visible from the primary street; (vii) and shall be clustered or located with existing development on site.								
Site Works and Retaining walls	Rural Residential, Rural Smallholdings, Rural, Tourism and Priority Agrcuilture zone	Where retaining walls, fill or excavation is not more than 0.5m above or below the natural ground level and - Is compliant with the relevant setbacks/building envelope and building exclusion area requirements for the applicable zone/designation. - Is not located within a Flood Prone Area (SCA4) and Strategic Minerals and basic raw materials area (SCA5); - Is not located Heritage-Protected Place.								

DEVELOPMENT	ZONES	CONDITION/CRITERIA
Water Feature (including fish pond)	Residential Zone	Where the structure constructed associated with a dwelling – - Maximum height of 2.4m above natural ground level if located behind the primary street setback; - Maximum height of 1.2m above natural ground level if located within the primary street setback; and - Permitted with a nil boundary setback. <i>This exemption does not consider Dams or large water bodies).</i>
	All other zones	Where the structure meets the following criteria: - Maximum height of 2.4m above natural ground level if located behind the primary street setback; - located in accordance with the Scheme setbacks; - Max Width/ length of the feature no more than 6m; - Does not exceed water depth of 300mm. <i>This exemption does not consider Dams or large water bodies).</i>
Windmills	Rural Residential, Rural Smallholding, Rural, Priority Agriculture, and Tourism zone	Where the development meets the following criteria: - Incidental to a use occurring on the land which has Council approval, or does not require Council approval; - Compliant with the relevant setbacks/building envelope requirements for the applicable zone/designation. - A maximum height of 12m. - One Windmill is permitted per lot. - Noise must be compliant with the Environmental (Noise) Regulations 1997 <i>*Where development is located in the Ferguson Valley tourism area (SCA2), Development Approval is required.</i>
Vegetation Removal	All zones	Where the vegetation modification meets the following criteria: - Exotic and introduced (includes non local native (not endemic) vegetation species - Noxious, declared and pest plants and weeds - Works require to adhere to the Shire of Dardanup Annual Fire Prevention Order: - To create or maintain a 20m wide Building Protection Zone / Asset Protection Zone from the external walls of a dwelling; and - To create or maintain a 20m wide Building Protection Zone / Asset Protection Zones to a building that is less than 10m from the dwelling. - Dangerous vegetation with a arborist report submitted to the satisfaction of the Shire of Dardanup. <i>This exemption does not consider Tree Farming harvesting. The above does not remove the requirement for a Clearing Permit required by the Department of Water and Environmental Regulations (DWER).</i>
Temporary Offices and sheds	All zones	Where the development meets the following criteria: i) offices and sheds (including sea containers) used by builders directly associated with the building works

DEVELOPMENT	ZONES	CONDITION/CRITERIA
		occurring on site for the duration of completing the works; and/or ii) offices (including sea containers) used by real estate agents directly associated to the sale of lots and/or dwellings on the development site for a period of 24 months.
Keeping of live stock	Rural and Priority Argiculture zone	Where the development meets all the following criteria: Animal containment is setback 30m from dwelling(s) <i>This exemption does not consider Animal Establishment and or feedlots.</i>
	Rural Residenital, Rural Smallholding and Tourism zone	Where the development meets all the following criteria: - Complies with Schedule 7 Clause 19 Stocking rates of the LPS9. - Animal containment is setback 30m from dwelling(s). <i>This exemption does not consider Animal Establishment and or feedlots.</i>
Unhosted Short-Term Rental Accommodation (Unhosted STRA) of: - Single houses; - Grouped Dwellings; - Multiple Dwellings; - Holiday House.	All zones	Where the development meets the following criteria: - The period of accommodation shall not exceed 90 days in a relevant 12-month period*; and - the number of guests accommodated within an Un-hosted STRA at any time, where such comprises a Single House, Grouped or Multiple Dwelling, complies with all of the following standards: - A maximum of 12 persons at any time; - A minimum 4m² per person in each bedroom containing beds; and - A minimum 2.5m² per person in each bedroom containing bunks; and - the dwelling is registered under the <i>Short-Term Rental Accommodation Act 2024</i> Part 3. - Car parking is provided at the rate required by the Local Planning Scheme for the relevant land use and is accommodated wholly within the lot boundary. - For a Single House, Grouped or Multiple Dwelling on a lot over 1,000m², and for any other land use listed under this exemption on any sized lot, a Bushfire Attack Level assessment by a registered Level 1 bushfire practitioner being submitted that demonstrates the Bushfire Attack Level does not exceed BAL-29. - Despite an exemption for Short Term Rental Accommodation of the predominant use, Development Approval may be required for the predominant use in accordance with the Local Planning Scheme. * A relevant 12-month period is: - the period of 12 months commencing on the day on which the owner or occupier registered the dwelling under the Short-Term Rental Accommodation Act 2024 Part 3; or - any subsequent 12-month period commencing on the anniversary of that day.
Carports and Patios	Residential zone	Where the development meets the following criteria: - A maximum wall height of 3.5m; - A maximum ridge height of 4.2m as per the Residential Design Codes; - Located behind the street setback;

DEVELOPMENT	ZONES	CONDITION/CRITERIA
		• A nil side and/or rear boundary setback, and 1m setback to a secondary street boundary is permitted, for a maximum length of 12m along any boundary (post nil setback); • The roof cover being setback a minimum of 500mm from all lot boundary; • All other 'deemed to comply' requirements of the R-Codes being met; and • All stormwater including roof run off disposal is to be contained on site.
Outbuildings and Seacontainers	SEE CP 111 – Outbuildings and Seacontainers for exemptions of these types of developments.	

DRAFT



POLICY NO:

SDev CP091 - LOCAL PLANNING POLICY – EXEMPTED DEVELOPMENT AND LAND USE**GOVERNANCE INFORMATION**

Procedure Link:	NA	Administrative Policy Link:	NA
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ADMINISTRATION INFORMATION

History:						Synopsis:	
Version	1	New	OCM	26/02/2020	Res: 25-20	Synopsis:	Draft Policy created
Version	2	Adopted	OCM	29/04/2020	Res: 82-20	Synopsis:	Adopted by Council
Version	3	SDev CP091	OCM	30/09/2020	Res: 269-20	Synopsis:	Reviewed and Adopted by Council
Version	4	SDev CP091	OCM	31/03/2021	Res: 61-21	Synopsis:	Amended and Adopted by Council
Version	5	SDev CP091	OMC	28/09/2022	Res: 243-22	Synopsis:	Reviewed and adopted by Council.
Version	6	SDev CP091	OCM	25/09/2024	Res: 275-24	Synopsis:	Reviewed and Adopted by Council
Version	7	SDev CP091	OCM	27/08/25	Res: 232-25	Synopsis:	Reviewed following gazettal of LPS9 and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

This Policy establishes the Shire's position in relation to development that is exempt from requiring development approval. These exemptions are in addition to the use and development types identified as being exempt in Schedule 2 ('Deemed Provisions') of the Planning and Development (Local Planning Schemes) Regulations 2015.

The objectives of this Policy are to:

1. Provide certainty about what is considered minor development and to exempt such development from the need for development approval;
2. To streamline the land use planning regulatory process and to reduce red tape;
3. Ensure acceptable development outcomes are maintained;

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Div. 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

3. REFERENCE DOCUMENTS

- Planning and Development Act 2005
- Planning and Development (Local Planning Schemes) Regulations 2015
- Shire of Dardanup Local Planning Scheme No. 9 (LPS9)

4. DEFINITIONS

In this policy, **substantially commenced** means that the footings of an approved dwelling have been completed.

short-term rental accommodation —

- (a) means a **dwelling** provided, on a commercial basis, for occupation under a **short-term rental arrangement**; but
- (b) does not include a dwelling that is, or is part of, any of the following —
- (i) an aged care facility as defined in the Land Tax Assessment Act 2002 section 38A(1);
 - (ii) a caravan park;
 - (iii) a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);
 - (iv) a park home park;
 - (v) a retirement village as defined in the Retirement Villages Act 1992 section 3(1);
 - (vi) workforce accommodation;

short-term rental arrangement means an arrangement under which —

- (a) a **dwelling**, or part of a dwelling, is provided for occupation by a person; and

(b) the person occupies the dwelling, or part of the dwelling, for a period or periods not exceeding a total of 3 months in any 12-month period;

hosted short-term rental accommodation means any of the following —

- (a) short-term rental accommodation where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the same dwelling during the **short-term rental arrangement**;
- (b) short-term rental accommodation that is an ancillary dwelling where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the other dwelling on the same lot, resides at that other dwelling during the short-term rental arrangement;
- (c) short-term rental accommodation that is a dwelling on the same lot as an ancillary dwelling where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the ancillary dwelling during the short-term rental arrangement.

unhosted short-term rental accommodation means short-term rental accommodation that—

- (a) is not hosted short-term rental accommodation; and
- (b) accommodates a maximum of 12 people per night.

All other words and expressions in this policy have their normal and common meaning, and as defined in Part 6, Clauses 37-38 of the Shire of Dardanup Local Planning Scheme No. 9 Clause, the *Planning and Development Act 2005*, the *Planning and Development (Local Planning Schemes) Regulations 2015* or State Planning Policy 7.3 - Residential Design Codes of WA.

5. POLICY

Prior to the commencement of development works, land owners and applicants are encouraged to discuss all development proposals with Shire Planning Staff to determine whether the terms and requirements of this policy apply.

Exemptions in Schedule 2 ('Deemed Provisions') of the Planning and Development (Local Planning Schemes) Regulations 2015 apply to land even though it may be located in the Ferguson Valley tourism area (SCA2) under LPS9. Exemptions in Schedule 2 ('Deemed Provisions') do not apply to land that is designated as Bushfire Prone Area under the Fire and Emergency Services Act 1998 and development approval is required under Clause 78D(3) for the development.

Before carrying out any development listed in Table 1, any other licences, permits or approvals required must be obtained in accordance with any other law.

In addition to the exemptions in Schedule 2, Development approval is not required for any development listed in Table 1 'Exempted Development' providing:

- 5.1 The proposal complies with the listed zones and criteria contained in the corresponding 'Applicable Zone' and 'Conditions' columns;
- 5.2 The land use or development does not represent an 'X' (Prohibited Use) in Clause 17 Table 3 – Zoning Table of the Shire of Dardanup Local Planning Scheme No.9;
- 5.3 The proposal does not vary any standards or requirements prescribed in the Scheme or the Planning and Development (Local Planning Schemes) Regulations 2015, or any other requirements of the R-Codes (if applicable).

Table 1 – Development Exempt from Development Approval

EXEMPTED DEVELOPMENT	APPLICABLE ZONE (UNLESS 'X' IN LAND USE TABLE)	EXEMPTION CRITERIA
Arbor, archway or gateway - or similar type of decorative structure that defines a pedestrian entrance.	All zones	- Maximum height 3 metres; and - Maximum width 2.5 metres
Ancillary Dwelling	All zones	one ancillary dwelling on the same lot as a Single House or Grouped Dwelling;

EXEMPTED DEVELOPMENT	APPLICABLE ZONE (UNLESS 'X' IN LAND USE TABLE)	EXEMPTION CRITERIA
		- clustered with the main dwelling with provision of access and services to be shared with the main dwelling; - the works comply with the deemed-to-comply provisions of the R-Codes and/or the general development requirements specified in this Scheme, except that the internal floor area may be up to a maximum of 100m² (i.e. excluding carport/garage, verands, patios, pergolas, etc.); and - the works are not located in a heritage-protected place.
Family Day Care	All zones	Where development complies with the Scheme definition of a 'Family Day Care'
Fences	Residential	Where the fence is not located within a Heritage Area or on a lot that contains a place on the Heritage List and meets any of the following criteria: - is a front fence and meets the acceptable development provisions of the Residential Design Codes, including; - front fences within the primary street setback area being visually permeable 1.2 metres above natural ground level; and - fences being truncated or reduced to no higher than 0.75 metres within 1.5 metres of where the fence adjoins a vehicle access point, where the driveway meets a public street and where 2 streets intersect; - is located on a common boundary, is located greater than 4.5 metres from a primary street boundary and is no greater than 2 metres in height; - is located on a secondary street boundary and is not greater than 1.8 metres in height.
	General / Light Industry, Service commercial	- Constructed of 50mm steel mesh; - Maximum height of 1.8m from natural ground level with a

EXEMPTED DEVELOPMENT	APPLICABLE ZONE (UNLESS 'X' IN LAND USE TABLE)	EXEMPTION CRITERIA
		maximum overall height of 2.1m where barbed wire is placed on top of the fence; - Supported by steel galvanised pipe posts: 2.7m in length - Nominal bore of 40mm and outside diameter of 48mm - Spaced at 4m centres o Sunk 0.6m into the ground, encased in concrete having diameter of 150mm; and - Terminal posts are braced in line of the fence with diagonal pipe braces having nominal bore of 50mm and outside diameter of 60mm - Centre and bottom high tensile galvanised steel wire.
	Rural, Rural Residential, Tourism	Where the fence meets all of the following criteria: - is located within a 14 metre visual truncation on a corner lot and is no higher than 1.5 metres; - is located within a 3 metre visual truncation to a vehicular access way and is no higher than 1.5 metres; - is no higher than 1.8 metres in all other cases; - is constructed of post and wire or post and rail; - is not located within a heritage area and is not on a lot that contains a place on the Heritage List
Feature walls (Landscape Walls)	All zones	- Maximum 3m width at a max height of 2.1m from natural ground level; and - Setback behind the primary and/or secondary street setback.
Outdoor Cooking facilities - Pizza Oven, BBQ	All zones	Maximum height 1.8m from natural ground level excluding chimney or flue; and

EXEMPTED DEVELOPMENT	APPLICABLE ZONE (UNLESS 'X' IN LAND USE TABLE)	EXEMPTION CRITERIA
		- Structures above 1.8m from natural ground level need to be setback as required by the R-Codes (if applicable) or Scheme Setbacks. - The size of the structure shall not be larger than 3m²
Home Business	All Zones	Where development complies with the Scheme definition of a 'Home Business'
Horse Shelters	Rural Rural Residential	Where the development meets all of the following criteria: - External surfaces are clad with non-reflective materials. - No clearing of vegetation is required. - Compliant with the relevant setbacks/building envelope and building exclusion area requirements for the applicable zone/designation. - A Greater Bunbury Region Scheme application is not triggered due to the land being affected by the Floodplain Management Policy 2017 and/or the Strategic Minerals and Basic Raw Materials Resource Policy and/or the land abuts a Region Scheme Reservation under the GBRS. In the Rural Residential zone where the number of livestock kept on the lot is equal to or less than the base (dry) stocking rate that applies to the land (as defined in the Agriculture Western Australia document titled "Stocking Rate Guidelines for Rural Small Holdings, Swan Coastal Plain and Darling Scarp").
Industry – Cottage	Rural Rural Residential	Where development complies with the Scheme definition of a 'Industry – Cottage' and the following criteria is met: a) The cottage industry is attached or detached from the dwelling located on the property; b) The use is to remain ancillary to the main dwelling or the

EXEMPTED DEVELOPMENT	APPLICABLE ZONE (UNLESS 'X' IN LAND USE TABLE)	EXEMPTION CRITERIA
		principal land use of the property; c) Retail of goods produced on-site is only permitted through the establishment of a small gallery located within the scheme floor area restrictions; d) Art and craft classes or demonstrations may be conducted at a rate of no more than 2 classes or demonstrations per week; e) The development does not involve the construction of any permanent works, structures or buildings unless otherwise approved by the Shire of Dardanup; f) Does not unduly impact on vehicular or pedestrian accessibility; g) May include temporary works small in scale which includes, but is not limited to, the following: • Marquees; • Stall setups; • Tables; or • Umbrellas h) Operates within the hours of 7.00am and 10.00pm i) Noise must be compliant with the Environmental (Noise) Regulations 1997
Keeping of Livestock	Rural	No Conditions.
	Rural Residential Tourism	Where the number of livestock kept on the lot is equal to or less than the base (dry) stocking rate that applies to the land (as defined in the Agriculture Western Australia document titled "Stocking Rate Guidelines for Rural Small Holdings, Swan Coastal Plain and Darling Scarp").
Outbuildings, Patios, detached garage, carports and lean-to structures attached to an outbuilding	Residential	Outbuildings and detached Garages where the development meets all of the following criteria: • Where the outbuilding is to be constructed on a lot where a building permit for a dwelling has already been issued and the dwelling has been "substantially

EXEMPTED DEVELOPMENT	APPLICABLE ZONE (UNLESS 'X' IN LAND USE TABLE)	EXEMPTION CRITERIA
		commenced" according to the definition in this policy; • Maximum outbuilding floor area - 80m² in aggregate or 10% in aggregate of the site area (whichever is the lessor); • A maximum wall height of 3m; • A maximum ridge height of 4.2m as per the Residential Design Codes; • Located behind the street setback; • A nil setback to the side and/or the rear boundary setback and 1m setback to a secondary street boundary is permitted for a maximum wall length of 9m. Carports and Patios where the development meets all of the following criteria: • A maximum wall height of 3.5m; • A maximum ridge height of 4.2m as per the Residential Design Codes; • Located behind the street setback; • A nil side and/or rear boundary setback, and 1m setback to a secondary street boundary is permitted, for a maximum length of 12m along any boundary; • The roof cover being setback a minimum of 500mm from all lot boundary; • All other 'deemed to comply' requirements of the R-Codes being met; and • All stormwater including roof run off disposal is to be contained on site.
	Residential zoned lots in the Bushland Development Area	Where the development meets all of the following criteria: • Where the outbuilding is to be constructed on a lot where a building permit for a dwelling has already been issued and the dwelling has been "substantially commenced" according to the definition in this policy; • Maximum outbuilding floor area - 80m² in aggregate or 10% in aggregate of the site area (whichever is the lessor); • A maximum wall height of 3.5m; • A maximum ridge height of 4.4m; • A minimum setback of 2m to the side and the rear for Burekup;

EXEMPTED DEVELOPMENT	APPLICABLE ZONE (UNLESS 'X' IN LAND USE TABLE)	EXEMPTION CRITERIA
		• A minimum setback of 2m to the side and 10m to the rear in Eaton; • Patios must be constructed in accordance with the above listed criteria however are not subject to a maximum aggregate floor area. • All other 'deemed to comply' requirements of the R-Codes being met. • All Stormwater including roof run off disposal is to be contained on site.
	Rural Residential	Where the development meets all of the following criteria: • Where the outbuilding is to be constructed on a lot where a building permit for a dwelling has already been issued and the dwelling has been "substantially commenced" according to the definition in this policy. • Maximum floor area – 300m² in aggregate where the lot size is less than 3ha. • Maximum floor area – 400m² in aggregate where the lot size is larger than 3ha. • A maximum wall height of 5m. • Compliant with the relevant setbacks/building envelope and building exclusion area requirements for the applicable zone/designation. • A Greater Bunbury Region Scheme application is not triggered due to the land being affected by the Floodplain Management Policy 2017 and/or the Strategic Minerals and Basic Raw Materials Resource Policy and/or the land abuts a Region Scheme Reservation under the GBRS. • All Stormwater including roof run off disposal is to be contained on site.
Rural shed or farm outbuilding	Rural	Where the development meets all of the following criteria: • Buildings to be clustered with the farmhouse and other outbuildings, if there are existing buildings on the lot. • Compliant with the relevant setbacks for the zone. Notwithstanding these exemptions, approval under the Greater Bunbury

EXEMPTED DEVELOPMENT	APPLICABLE ZONE (UNLESS 'X' IN LAND USE TABLE)	EXEMPTION CRITERIA
		Region Scheme (GBRS) application may be required due to the land being affected by the Floodplain Management Policy 2017 and/or the Strategic Minerals and Basic Raw Materials Resource Policy and/or the land abuts a Region Scheme Reservation under the GBRS.
Parking of one (1) Commercial Vehicle	Residential	Where the parking of the vehicle complies with Clause Schedule 7 Part (9)(a) – (e) of the Scheme.
	All other zones	Where: a) The parking of the commercial vehicle/s is ancillary to the approved use; or b) Only one (1) commercial vehicle and one (1) associated trailer is parked per property; and c) Where the subject lot has a total area of equal to or greater than 10,000m ² (1 hectares); and d) The subject vehicle is rated a gross vehicle mass of less than or equal to 6.5 tonnes.
Pool Pump Shed	All zones	Subject to compliance with the provisions part 5.4.3 Outbuildings of the Residential Design Codes.

EXEMPTED DEVELOPMENT	APPLICABLE ZONE (UNLESS 'X' IN LAND USE TABLE)	EXEMPTION CRITERIA						
Water tank	All zones	- Maximum height 2.7m above natural ground level; - Compliant with the relevant setbacks/building envelope and building exclusion area requirements for the applicable zone/designation. - Permitted sizes by lot area:<table><tr><td>≥4,000m²</td><td>10m in diameter <u>212 000L tank</u></td></tr><tr><td><4,000m² but ≥2000m²</td><td>3.88m in diameter <u>32 000L tank</u></td></tr><tr><td><2,000m²</td><td>6000L tank no greater than 2.4m in height</td></tr></table> - More than one water tank is permitted in the Rural and Rural Residential Zones where the water tanks are clustered with the farmhouse and other outbuildings, and no clearing of vegetation is required.	≥4,000m ²	10m in diameter <u>212 000L tank</u>	<4,000m ² but ≥2000m ²	3.88m in diameter <u>32 000L tank</u>	<2,000m ²	6000L tank no greater than 2.4m in height
≥4,000m ²	10m in diameter <u>212 000L tank</u>							
<4,000m ² but ≥2000m ²	3.88m in diameter <u>32 000L tank</u>							
<2,000m ²	6000L tank no greater than 2.4m in height							
Satellite Dishes, microwave antennae and radio masts	All zones	The installation of satellite dishes, microwave antennae and radio masts or other low impact facilities which satisfy the following requirements: (i) there are no other existing satellite dishes, microwave antennae or radio masts on the subject lot; (ii) in the case of satellite dishes in residential areas, the maximum diameter is 1.0 metres or less and is not located within any of the street setbacks; and in non-residential areas the maximum diameter is 3 metres; (iii) in the case of microwave antennae, the maximum diameter is 1.0 metre or less, the antennae does not project higher than 3 metres above the ridge line of the building and is not utilised to transmit electromagnetic waves; (iv) in the case of radio masts, the height does not exceed 8						

EXEMPTED DEVELOPMENT	APPLICABLE ZONE (UNLESS 'X' IN LAND USE TABLE)	EXEMPTION CRITERIA
		metres, the radio mast is setback in accordance with the Scheme from any of the lot boundaries (or 6 metres whichever is greater) and the dimension of the antennae does not exceed 6 metres and is fully contained within the subject lot; (v) where the structure involves Amateur (Ham) Radio equipment shall be less than 10m above natural ground level and is setback no less than 4m from any lot boundaries; (vi) Is not visible from the primary street; (vii) and shall be clustered or located with existing development on site.
Site Works and Retaining walls	All zones	- Where the extent of fill and/or height of the retaining wall(s) does not exceed 500mm above the natural ground level; or - Where extent of fill and/or height of the retaining wall(s) exceeds 500mm above the natural ground level, retaining walls shall be located on the boundary and fencing located atop to prevent overlooking (where the R-Codes apply); - Is located on a boundary other than the primary street boundary; - Is not located within a Flood Prone Area; - Is not located within a heritage Area and is not on a lot that contains a place on the Heritage List.
Trading or Events - The use of any land which is approved through a license or permit issued under a local law	All zones	- The activity does not involve alterations to the land or construction of permanent structure(s); - Each event is in existence for less than 48 hours; - Does not require a greater period than 5 days setup and breakdown of event infrastructure, or such

EXEMPTED DEVELOPMENT	APPLICABLE ZONE (UNLESS 'X' IN LAND USE TABLE)	EXEMPTION CRITERIA
		other period as is specified in the approval by the Shire; and The cumulative total number of events at the property does not exceed more than 5 events in any 12 month period.
Trellis – or similar perforated material attached to Common or Dividing Fence	Residential	If located adjacent to a side or rear (not secondary street) dividing fence, - The combined height of the fence and trellis does not exceed 2.4m from natural ground level; and - Setback 6m from primary street boundary. OR If located on a primary street dividing fence. - The combined height of the fence and trellis does not exceed 1.5m; and - The trellis does not cover more than 25% of the frontage.
Temporary Offices and sheds	All zones	(i) offices and sheds (including sea containers) used by builders directly associated with the building works occurring on site for the duration of completing the works; and/or (ii) offices (including sea containers) used by real estate agents directly associated to the sale of lots and/or dwellings on the development site for a period of 24 months.
Vegetation Removal	All zones	For removal, destruction or lopping of any vegetation that is not identified as being significant vegetation or identified as such on a Structure Plan or a Local Development Plan, and meets any of the following: (i) to create or maintain a 20m wide Asset Protection Zone from the external walls of the primary dwelling on the property, for bushfire management; (ii) To create or maintain a 20m wide Asset Protection Zone from the external walls of any building that is 10m or less from the primary dwelling on a property; (iii) all vegetation other than trees within 80m of the Asset Protection Zone (i) above, for bushfire hazard reduction. (iv) any harmful weed species identified on an approved list of

EXEMPTED DEVELOPMENT	APPLICABLE ZONE (UNLESS 'X' IN LAND USE TABLE)	EXEMPTION CRITERIA
		any Federal or Western Australian Government Agency, including those listed by Department of Primary Industries and Regional Development (DPIRD) as Declared Plant, prescribed as a pest plant under the <i>Biosecurity and Agriculture Management Act 2007</i> (BAMA), or any other weed species as advised by DPIRD or (v) Where the vegetation removal does not require a 'Clearing Permit' under the (WA) <i>Environmental Protection Act 1986</i>. * Note: Despite any exemption in this section, approval may still be required under the (Cwlth) <i>Environmental Protection and Biodiversity Conservation Act 1999</i>, or a Clearing Permit may be required under the (WA) <i>Environmental Protection Act 1986</i>, in some instances. The applicant should check with DWER.
Water Feature	All zones	Where the structure constructed on a residential lot and associated with a dwelling – • Maximum height of 2.4m above natural ground level if located behind the primary street setback; • Maximum height of 1.2m above natural ground level if located within the primary street setback; and • Permitted with a nil boundary setback. All other zones shall be located in accordance with the Scheme setbacks
Windmills and Wind Turbines	Rural Rural Residential Tourism *Where development is located in the Ferguson Valley tourism area (SCA2), Development Approval is required	• Incidental to a use occurring on the land which has Council approval, or does not require Council approval; • Compliant with the relevant setbacks/building envelope requirements for the applicable zone/designation. • A maximum height of 12m. • One Windmill or Wind Turbine is permitted per lot.

EXEMPTED DEVELOPMENT	APPLICABLE ZONE (UNLESS 'X' IN LAND USE TABLE)	EXEMPTION CRITERIA
		Noise must be compliant with the Environmental (Noise) Regulations 1997
Works to a building in a dangerous state or state of emergency (i.e. a building that presents a public hazard) Or Painting / Maintenance of a Building	All zones	- The repairs will replicate the external appearance of the structure in its original state; and - No additions are applied or implemented to the structure as part of the works.
Unhosted Short-Term Rental Accommodation (Unhosted STRA) of: - Single houses; - Grouped Dwellings; - Multiple Dwellings; - Holiday House.	All zones	- The Policy excludes the following: - Workforce accommodation; - Park home parks and lifestyle villages. - the period of accommodation shall not exceed 90 days in a relevant 12-month period*; and - the number of guests accommodated within an Unhosted STRA at any time, where such comprises a Single House, Grouped or Multiple Dwelling, complies with all of the following standards: - A maximum of 12 persons at any time; - A minimum 4m² per person in each bedroom containing beds; and - A minimum 2.5m² per person in each bedroom containing bunks; and - the dwelling is registered under the <i>Short-Term Rental Accommodation Act 2024</i> Part 3. - Car parking is provided at the rate required by the Local Planning Scheme for the relevant land use and is accommodated wholly within the lot boundary. - For a Single House, Grouped or Multiple Dwelling on a lot over 1,000m², and for any other land use listed under this exemption on any sized lot, a Bushfire Attack Level assessment by a registered Level 1 bushfire practitioner being submitted that demonstrates the Bushfire Attack Level does not exceed BAL-29. - Despite an exemption for Short Term Rental Accommodation of the predominant use, Development Approval may be

EXEMPTED DEVELOPMENT	APPLICABLE ZONE (UNLESS 'X' IN LAND USE TABLE)	EXEMPTION CRITERIA
		required for the predominant use in accordance with the Local Planning Scheme. * A relevant 12-month period is: (a) the period of 12 months commencing on the day on which the owner or occupier registered the dwelling under the Short-Term Rental Accommodation Act 2024 Part 3; or (b) any subsequent 12-month period commencing on the anniversary of that day.

6. APPLICATION

This Policy applies to all zoned land applicable under the Shire of Dardanup Local Planning Scheme No.9 inclusive of the land contained within the Ferguson Valley tourism area (SCA2) shown on the Scheme Map according to the legend thereon, unless specified in the Table above.

It should be noted that whilst the Policy identifies certain development types that do not require development approval, a building permit or other approval may still need to be obtained from the Shire.



POLICY NO:

Dev CP111 – LOCAL PLANNING POLICY – OUTBUILDINGS AND SEA CONTAINERS

GOVERNANCE INFORMATION

Procedure Link:	NA	Administrative Policy Link:	NA
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ADMINISTRATION INFORMATION

History	New	OCM:	Res:	Synopsis:	Policy created. 14/08/2026
1		OCM:	Res:	Synopsis:	

1. RESPONSIBLE DIRECTORATE

Development Services

2. PURPOSE

The purposes of this ~~e-P~~ policy are to:

- Provide guidance on acceptable criteria and set minimum standards ~~and set other guidance~~ with ~~regard~~ regards to proposals for outbuildings.
- Provide guidance and set ~~guidance on~~ acceptable criteria for where outbuilding proposals to be considered prior to dwelling being substantially commenced ~~can be considered~~.
- Provide guidance on the siting and development of shipping containers to ensure they do not detract from the amenity of the local area in which they are situated or affect the existing operation of the site.

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Div. 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*.

3. OBJECTIVE

The objective of the policy is for Council to:

1. Establish a clear position for the construction of outbuildings on lots prior to the construction of an approved dwelling on the same lot in the following zones:
 - (a) ~~within the~~ Residential;
 - (b) ~~Rural Residential;~~
 - (c) ~~Rural Smallholding;~~
 - (d) ~~Tourism;~~
 - (e) ~~Rural;~~ and
 - ~~1-(f)~~ Priority Agriculture zone, prior to the construction of an approved dwelling on the same lot;
2. Regulate the use of sea containers for storage within the Shire of Dardanup to ensure that they:
 - (a) are located, screened and/or colour treated to appear visually integrated with the surrounding area or builtform; and
 - (b) do not result in an adverse impact on amenity or streetscape.
3. Provide certainty about what is considered minor development and to exempt such development from the need for development approval; and
4. Ensure acceptable development outcomes are maintained.

4. REFERENCE DOCUMENTS

Planning and Development Act 2005
 Planning and Development (Local Planning Schemes) Regulations 2015
 Shire of Dardanup Local Planning Scheme No. 9 (LPS9)
 State Planning Policy 7.3 Residential Design Codes (R-Codes)
 State Planning Policy 2.5 Rural Planning (SPP2.5)
 State Planning Policy 3.7 Bushfire (SPP3.7)
 Dev CP104 Local Planning Policy Caravans as Temporary Accommodation

5. APPLICATION

This Policy applies to all zoned land applicable under the Shire of Dardanup Local Planning Scheme No.9.

It should be noted that whilst the Policy identifies certain development types that do not require development approval, a building permit or other approval may still need to be obtained from the Shire. Before carrying out any development listed in Table 1, [2 and 3](#), any other licences, permits or approvals required must be obtained in accordance with any other law.

This policy does not apply to sea containers which have been previously approved by Council.

6. DEFINITIONS

Outbuilding [as defined by the R-codes and](#) means an enclosed non-habitable structure that is detached from any dwelling and may include a detached garage.

R-Codes means [State Planning Policy 7.3 Residential Design Codes Volume 1 \(as amended\)](#)

Residential Development means [Single Houses, Ancillary Dwelling, Grouped Dwelling and/or Multiple Dwellings.](#)

Substantially commenced means ~~that the footings of an approved dwelling have been completed, that it is deemed to have occurred where there has been physical 'on site' development that comprises at least the preparation of the site including the construction and installation of footings or a slab. Where in a condition of approval there is a requirement to undertake further studies and investigations for submission and approval of the Shire prior to development commencing, such 'work' is not deemed to be substantial commencement. Where no construction is required as part of a development approval, proof that the current use has commenced has to be provided.~~

Scheme means the Shire of Dardanup Local Planning Scheme No 9

Agriculture—Intensive means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following—

- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
- (b) the establishment and operation of plant or fruit nurseries;
- (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);
- (d) aquaculture.

Rural pursuit / hobby farm means any premises, other than premises used for agriculture— extensive or agriculture—intensive, that are used by an occupier of the premises to carry out any of the following activities if carrying out of the activity does not involve permanently employing a person who is not a member of the occupier's household—

- (a) the rearing, agistment, stabling or training of animals;
- (b) the keeping of bees;
- (c) the sale of produce grown solely on the premises.

Sea Container means [a re-sealable metal transportable structure, which is usually rectangular in shape, designed for the storage and transport of goods from one location to another by road, rail and sea and modified for temporary or permanent use on land.](#)

~~a re-sealable metal transportable structure designed for the storage, unitized freight handling and/or transport of goods from one location to another by road and sea.~~

~~Incidental~~

Incidental development means [any non-habitable structure, feature, or activity that associated with a Single House, not considered to be an Outbuilding, that is not located under the main roof of the Single House and/or is not attached to the Single House and serves a minor, subordinate, or supportive function to the main residential use.](#)

7. POLICY

Outbuildings in Residential Area – In accordance with the R-Codes an outbuilding in the residential area cannot exist independently to a dwelling as it is considered to be incidental to the dwelling use.

Outbuildings in Rural Residential, Rural Smallholding, Tourism, Rural and Priority Agricultural Zone etc. – An outbuilding in these zones can be independent from a dwelling where it is considered to be used for a Rural Pursuit or Agricultural Purpose (Intensive or Extensive), or where it is associated with a future dwelling to be built that has a building permit approval.

The policy provision area set out in the following tables:

Table 1: Development Standards For Exempted Outbuilding

Table 2: Construction Of Outbuilding Prior To Completion Of A Dwelling

Table 3: Sea Containers: Development Approval Is Not Required For The Placement Of A Sea Container

Table 4: Sea Container: Development Approval Is Required For The Permanent Placement Of A Sea Container

TABLE 1: DEVELOPMENT STANDARDS FOR EXEMPTED OUTBUILDING	
<i>An application for Development Approval is not required if the below ~~conditions criteria~~ <u>is/are met/are satisfied to in</u> the applicable zone.</i>	
Zone	~~Conditions~~Criteria
Residential zone	<u>Where the proposal complies with following criteria:-</u> ~~Where the following Criteria~~Conditions are applied: <u>1) Is not attached to a dwelling;</u> <u>2) Is non-habitable;</u> ~~2)3) Collectively the does not exceed a m~~Maximum floor area – 80m² in aggregate or 10% in aggregate of the lot site area, ~~(whichever is the lesser).~~ ~~3)4) Does not exceed a m~~Maximum wall height (including site works and slab/pad height) of 3m. ~~4)5) Does not exceed a m~~Maximum ridge height (including site works and slab/pad height) of 4.2m. <u>6) Located behind the street setback.</u> ~~5) —~~ ~~7) Nil setback to the side and/or the rear boundary setback and 1m setback to a secondary street boundary is permitted for a maximum wall length of 9m.~~ ~~6)8) Compliant with the relevant standards for the zone in the LPS9;~~ ~~7)9) All stormwater including roof run off disposal is to be contained within site.~~ ~~— No required clearing of vegetation.~~ ~~8)10) —~~ ~~— A dwelling exists, has substantially commenced or is exempt from planning approval and will be built at the same time as the proposed outbuilding.~~ <u>This exemption does not apply to land within the SCA1 and SCA4 – as outlined in LPS9; and also does not apply to outbuildings which are proposed to be built before the house is substantially commenced.-</u>
Rural Residential, Rural Smallholdings and Tourism zone	<u>Where the proposal complies with following criteria:-</u> ~~Where the following Criteria~~Conditions are applied: ~~2)1) For lot area less than 3 ha - Maximum floor area – 300m² in aggregate or 10% in aggregate of the lot site area, (whichever is the lesser); or-~~ ~~3)2) For lot area larger than 3 ha - Maximum floor area – 400m² aggregate or 10% in aggregate of the lot site area, (whichever is the lesser).~~ ~~4)3) Compliant with the relevant standards of the LPS9, located within an approved building envelope or outside building exclusion area.~~ ~~5)4) All stormwater including roof run off disposal is to be contained within site~~ <u>5) No required clearing of vegetation.</u>

	<u>6) The outbuilding is incidental to a dwelling that exists, has substantially commenced or is exempt from planning approval and a building permit has been issued; or</u> <u>6)7) The outbuilding is associated with a Rural Pursuit or Agriculture (intensive-/Extensive);</u> This exemption does not apply to land within the SCA1 and SCA4 - as outlined in LPS9; <u>and also does not apply to outbuildings which are proposed to be built before the house has a building permit approval.</u>
Rural and Priority Agriculture zone	<u>Where the proposal complies with following criteria:</u> <u>Where the following Criteria/conditions are applied:</u> <u>2)1) Buildings to be clustered with the dwelling and other outbuildings, if there are existing building on that lot.</u> <u>3)2) Compliant with the relevant standards for the zone in the LPS9.</u> <u>4)3) No required clearing of vegetation.</u> This exemption does not apply to land within the SCA1, SCA2, SCA4, SCA5 and SCA6 – as outlined in LPS9.

TABLE 2: CONSTRUCTION OF OUTBUILDING PRIOR TO COMPLETION OF A DWELLING

This table sets out the criteria for consideration to approve an application for Development Approval and/or Building Permit application

Zone	Conditions/Criteria
Residential zone	Where the <u>proposal complies with the</u> following <u>Criteria/conditions are applied:</u> <u>1) A dwelling has substantially commenced. Dwelling has Substantially Commenced.</u> <u>1)2) Compliant with the relevant standards for the zone in the LPS9.</u>
Rural Residential zone	<u>Where the proposal for an outbuilding is associated with a dwelling and it complies with the following criteria:</u> <u>1) Compliant with the relevant standards for the zone in the LPS9; Where the following Criteria/conditions are applied:</u> <u>1)</u> 2) Building permit for a dwelling on the lot has been issued; 3) Only one (1) outbuilding prior to the completion of a dwelling may be supported; 4) The proposed outbuilding shall not be used for human habitation purposes. Temporary occupation within a caravan will be considered under SDev CP104 Local Planning Policy Caravans as Temporary Accommodation; <u>and.</u> 5) The proposed outbuilding shall not be used for any commercial or industrial use.
Rural Smallholding, Tourism Rural and Priority Agriculture zone	No conditions.

TABLE 3: SEA CONTAINER - DEVELOPMENT APPROVAL IS NOT REQUIRED FOR THE PLACEMENT OF A SEA CONTAINER

An application for Development Approval is not required if the below criteria are met in conditions are satisfied to the applicable zone.

Zone	Criteria/conditions
All Zones	Temporary uses: A sea container for temporary use does not require Development Approval in any zone where the following <u>conditions-criteria</u> are <u>met or applied:</u> 1) One sea container only <u>of 20Ft (external dimension of 6.06m L x 2.44m W x 2.59m H)</u> is <u>placed</u> on the lot for up to a maximum of 7 days in any 12 month <u>period, and period</u> <u>and</u> is used solely for the loading/unloading of goods. The sea container must be located wholly within the lot boundaries and must not interfere with vehicle sightlines; or 2) One sea container-only <u>of 20 Ft (external dimension of 6.06m L x 2.44m W x 2.59m H)</u> is placed on a lot for up to a maximum 12 <u>months, and months and</u> is used only in conjunction with building construction or subdivision works occurring, or approved to occur, on the same lot or adjoining lot. The sea container must be located wholly within the lot boundaries and must not interfere with vehicle sightlines.

Light Industry and General Industry zone	Development Approval is exempted where all of the following ~~criteria and~~<u>conditions</u> are ~~met~~<u>met</u>: ~~1)~~ <u>1)</u> Sea containers must be located wholly within lot boundaries, and must be setback 10m from both front and rear boundaries, and 3m from all other boundaries; ~~2)~~ <u>2)</u> <u>The permanent placement of the sea containers on the lot may only be either one sea container of 40Ft (external standard dimension of 2.19m L x 2.44m W x 2.89m H) in size or two sea containers of 20Ft in size(external dimension of 6.06m L x 2.44m W x 2.59m H) in size;</u> ~~3)~~ <u>3)</u> Sea containers are stacked no more than two sea containers high; ~~4)~~ <u>4)</u> Sea containers are not located over drainage areas, septic tanks, or vehicle access ways; ~~5)~~ <u>5)</u> No other structures are proposed to be attached to or cover the sea containers; ~~6)~~ <u>6)</u> Is/are ancillary to an approved or permitted use; ~~7)~~ <u>7)</u> No required clearing of vegetation; ~~8)~~ <u>8)</u> Will not be used for human habitation; <u>and</u> ~~9)~~ <u>9)</u> Only be used for the purpose of storage, unless otherwise approved by Council; <u>and</u>; ~~10)~~ <u>10)</u> <u>External appearance needs to be in good repair and painted in a uniform colour to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot as applicable.</u> ~~11)~~ <u>11)</u> <u>Sea containers being completely screened from view from nearby roads, other public places, and adjoining properties, and</u> ~~12)~~ <u>12)</u> <u>Sea containers must not be stacked ~~no~~ more than two <u>high on top of another</u>.</u>
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TABLE 4: SEA CONTAINERS: DEVELOPMENT APPROVAL IS REQUIRED FOR THE PERMANENT PLACEMENT OF A SEA CONTAINER

An application for Development Approval is required and assessed against the applicable Development Standards.

Zone	Development Standards
<u>Residential Zone</u>	<u>Not permitted within the Residential zone unless expressly provided for and must not be associated with a single house.</u>
<u>Residential zone</u>	<u>Not Permitted.</u>
Within the townsite boundary (including Reserves) excluding Residential zone	<u>General policy position:</u> <u>The placement of sea containers is generally not permitted within the townsite boundary, including on land reserved under Local Planning Scheme No. 9 (LPS9) and land within the Residential zone.</u> <u>Except in relation to single house development, Council's will be applied to all other proposed sea containers.</u> <u>Notwithstanding the general policy position, Council may consider an application for development approval for the placement of a sea container on land within the Residential zone, or on other land within the townsite boundary and meets the relevant assessment criteria set out below.</u> <u>In determining an application, Council shall have due regard to the zoning, purpose and existing and intended use of the land, the applicable development standards, the visual impact of the sea container, the amenity of the locality and any other relevant planning considerations.</u> <u>Satisfaction of the assessment criteria does not guarantee approval. Council may refuse an application where the proposal is inconsistent with LPS9, the objectives of this policy or the orderly and proper planning of the locality. The following assessment criteria are met:</u> <u>Zoning and development standards: The proposal complies with the applicable zoning requirements and development standards under LPS9, including any applicable requirements relating to setbacks, site coverage and other development controls.</u> <u>Size: The placement of only one sea container of 20Ft in size in the Residential or Urban Development Zone (Structure Plan/Residential) or one container of 40 Ft (external standard dimension of 2.19m L x 2.44m W x 2.89m H) or two containers of 20Ft (external standard dimension of 6.06m L x 2.44m W x 2.59m H) placed on other land other than residential or urban development zone (Structure Plan – Residential) within the townsite boundary.</u> <u>Vegetation: The proposal does not require the clearing of existing native vegetation.</u> <u>Habitation: The sea container is not to be used for human habitation.</u> <u>Purpose: The sea container is to be used solely for storage, unless another use is expressly approved by the local government as part of the development approval.</u> <u>Visual screening: The sea container is to be effectively screened from view from adjoining roads, other public places and adjoining properties.</u> <u>Landscaping and screening: Screening is to be provided by native vegetation comprising a range of plant sizes and growth forms, including understorey and canopy species. The screening vegetation is to provide an effective visual screen and extend to a minimum depth of 2 metres. Unless otherwise approved by the local government, the vegetation is to be planted within three months of the date of development approval and maintained thereafter to ensure the continued effectiveness of the screen.</u> <u>Stacking: Sea containers are not to be stacked on top of one another.</u> <u>External appearance is to enhance the development on the lot or locality and not to be detrimental to the surrounding amenity. This is to be demonstrated at the DA stage:</u> <u>Be in good repair and painted in a uniform colour to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot as applicable; or</u>

	<u>2. The exterior of the sea container is clad in suitable materials to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot or the surrounding landscape, as applicable.</u> ~~Council Discretion.~~
Rural Residential and Rural Smallholding zone	Where the following ~~standards~~/criteria are ~~met~~<u>applied</u>: 1) There must be an existing habitable dwelling on the lot and only one sea container will be supported; 2) Compliant with the relevant standards for the zone in the LPS9; 3) No required clearing of vegetation; 4) Will not be used for human habitation; 5) Only be used for the purpose of storage, unless otherwise approved by Council; <u>6) Sea containers being completely screened from view from nearby roads, other public places, and adjoining properties;</u> ~~6) Size: The placement on the lot only of two sea containers of 20Ft (external standard dimension of 6.06m L x 2.44m W x 2.59m H) each in in size or one sea container of 40 Ft (external standard dimension of 2.19m L x 2.44m W x 2.89m H) in size.~~ ~~7) Screening planting of native vegetation that comprises a range of sizes (including undergrowth and canopy vegetation), provides an effective visual screen and is a minimum 2m deep, being planted within 3 months of Development Approval, and maintained thereafter;~~ ~~8) Sea containers must not be stacked on top of one another; and~~ ~~9) The exterior of the sea container shall be painted in a colour scheme that is consistent with the majority of the surrounding development on the lot, or that is consistent with the surrounding landscape.~~ <u>10) External appearance is to enhance the development on the lot or locality and not to be detrimental to the surrounding amenity. This is to be demonstrated at the DA stage:</u> <u>a. Be in good repair and painted in a uniform colour to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot as applicable; or</u> <u>b. The exterior of the sea container is clad in suitable materials to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot or the surrounding landscape, as applicable.</u> ~~9)~~
Rural and Priority Agriculture and Tourism zone	Where the following ~~standards~~/criteria are ~~met~~<u>applied</u>: 1) Compliant with the relevant standard for the zone in the LPS9; 2) No required clearing of vegetation; 3) Will not be used for human habitation; 4) Only be used for the purpose of storage, unless otherwise approved by Council; <u>5) Sea containers being completely screened from view from nearby roads, other public places, and adjoining properties;</u> ~~5)6) Size: The placement on the lot only of four sea containers of 20Ft (external standard dimension of 6.06m L x 2.44m W x 2.59m H) each in in size or two sea containercontainers of 40 Ft (external standard dimension of 2.19m L x 2.44m W x 2.89m H) in size.~~ ~~6)7) Screening planting of native vegetation that comprises a range of sizes (including undergrowth and canopy vegetation), provides an effective visual screen and is a minimum 2m deep, being planted within 3 months of Development Approval, and maintained thereafter;~~ ~~7)8) Sea containers must not be stacked on top of one another; and~~

	<u>9) ~~The exterior of the sea container shall be painted in a colour scheme that is consistent with the majority of the surrounding development on the lot, or that is consistent with the surr~~ External appearance is to enhance the development on the lot or locality and not to be detrimental to the surrounding amenity. This is to be demonstrated at the DA stage:</u> a. <u>Be in good repair and painted in a uniform colour to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot as applicable; or</u> ~~a.~~ <u>The exterior of the sea container is clad in suitable materials to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot or the surrounding landscape, as applicable</u>~~ounding landscape.~~ ~~b.~~ <u>8)</u>
<i>Note: All Zones</i>	<i>Notwithstanding above, if the Shire considers that a sea container is likely to have a detrimental effect on the local ~~amenity, or~~ amenity or has the potential to visually impair or detract from the exterior design or appearance of other buildings or sightlines in the vicinity, the application will be refused.</i>

RISK ASSESSMENT TOOL**AGENDA ITEM:**

CP091 - Local Planning Policy – Exempted Development - Adoption

RISK THEME PROFILE:

8 - Errors, Omissions and Delays

Choose an item.

3 - Failure to Fulfil Compliance Requirements (Statutory, Regulatory)

Choose an item.

RISK ASSESSMENT CONTEXT:

Operational

CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
HEALTH / PEOPLE	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
SERVICE INTERRUPTION	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
LEGAL AND COMPLIANCE	Failure to consistent apply policy to all relevant application	Insignificant (1)	Rare (1)	Low (1 - 4)	Failure to resolve to prepare and advertise the draft review policy may result in continued reliance on fragmented policy guidance, increasing the risk of inconsistent decision-making, reduced applicant clarity and reputational impacts for Development Services.	Insignificant (1)	Rare (1)	Low (1 - 4)
REPUTATIONAL	Increase public perception that planning processes are overly complex.	Insignificant (1)	Rare (1)	Low (1 - 4)	Failure to resolve to prepare and advertise the draft review policy may result in continued reliance on fragmented policy guidance, increasing the risk of inconsistent decision-making and a public perception that planning processes are overly complex.	Insignificant (1)	Rare (1)	Low (1 - 4)
ENVIRONMENT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.

CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
PROPERTY	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.

Planning for Data Centres Consultation Paper

October 2026

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1. Introduction and Purpose

Data centres are becoming an increasingly important component of the modern economy. They support a range of digital services and infrastructure, including government services, telecommunications networks, cloud computing, business operations, digital storage, financial transactions and emerging technologies such as artificial intelligence and advanced computing.

Australia is experiencing significant growth in demand for data centre infrastructure, driven by increasing digitalisation across government, industry and the community. There is increased interest from both domestic and international investors seeking to establish, expand and operate data centre facilities in Western Australia.

While data centres provide important economic and strategic benefits, their growth is creating new planning, infrastructure and land use challenges. Existing planning frameworks were generally not developed with modern large-scale or 'hyperscale' data centre developments in mind. As a result, Local Governments are increasingly being required to assess developments that exhibit characteristics of industrial infrastructure, utilities, telecommunications facilities and commercial development simultaneously.

This consultation paper is intended to:

- support Local Government sector discussion regarding data centre development in Western Australia
- identify emerging planning, infrastructure and community considerations
- explore whether existing planning frameworks remain fit-for-purpose
- inform WALGA's future advocacy and engagement with State and Commonwealth Governments.

Key Questions for Local Government:

1. Are existing planning systems in WA appropriate for the assessment of data centres?
2. Is a dedicated land use planning definition required?
3. What amenity impacts are Local Governments experiencing?
4. What infrastructure servicing issues are emerging?
5. Should State planning guidance be developed and if so, what form should it take?
6. How should cumulative impacts be considered?
7. Are specific strategic locations desirable for future facilities?

Draft Advocacy Position

WALGA has developed a draft Data Centres Advocacy Position for Local Government feedback:

1. *WALGA supports the Australian Government's objective of providing greater certainty for industry while ensuring that data centre development occurs in a manner that is consistent with community expectations, infrastructure capacity and broader planning objectives.*
2. *Commonwealth standards should complement the state planning system and support coordinated planning and infrastructure outcomes, rather than creating parallel approval pathways.*
3. *The State Government should develop a comprehensive, coordinated plan to guide data centre development in Western Australia, including:*
 - a. *the provision of strategic guidance for data centre development, including on:*
 - i. *suitable locations and precincts based on infrastructure capacity, land use compatibility, network resilience and cumulative impacts*

- ii. *integration of land use planning with electricity, telecommunications and water infrastructure planning, including early engagement with infrastructure providers and Local Governments*
 - iii. *the consideration of cumulative impacts on strategic industrial land, employment areas and broader planning objectives.*
- b. *the inclusion of a land use definition in the Planning and Development (Local Planning Scheme) Regulations 2015*
- c. *the development of a Data Centre Planning Code and supporting guidance that establishes consistent development requirements and assessment criteria, including:*
 - i. *land use compatibility*
 - ii. *community amenity*
 - iii. *noise*
 - iv. *visual impacts*
 - v. *urban design outcomes*
 - vi. *backup generation infrastructure*
 - vii. *the integration of data centres with surrounding development and communities.*

Feedback on the Consultation Paper and draft advocacy position are sought from Local Governments. Comments are due by Friday, 30 October 2026. Feedback can be provided to planning@walga.asn.au.

2. Background

2.1. What are Data Centres?

A data centre is a facility used to house digital computing infrastructure, including servers, networking equipment, data storage systems and associated support infrastructure.

Data centres range significantly in scale and function, including:

- enterprise data centres operated by individual organisations
- colocation of facilities that host equipment for multiple customers
- hyperscale data centres operated by major technology providers
- edge data centres located closer to end users to reduce latency and improve network performance.

Modern facilities often include extensive supporting infrastructure such as:

- cooling systems
- backup power generation
- substations
- telecommunications infrastructure
- battery storage systems
- security infrastructure
- office space and staff amenities.



Figure 1: Indicative Data Centre Site Layout - this image was created with the assistance of AI

2.2. Data Centre Growth

Australia's data centre sector has experienced significant growth over the past decade and is expected to continue expanding rapidly as the economy becomes increasingly dependent on digital services, cloud computing, data storage, cyber security systems and artificial intelligence technologies. Data centres have become essential infrastructure supporting government services, telecommunications networks, financial systems, health services, education, mining operations and a broad range of commercial activities across the economy.

The increasing importance of digital infrastructure is reflected in recent demand forecasts prepared by the Australian Energy Market Operator (AEMO). According to AEMO, approximately 165 data centres were operating across the National Electricity Market (NEM) in financial year 2026. Together, these facilities consumed approximately 5 terawatt hours (TWh) of electricity, representing around 3 per cent of total NEM operational electricity consumption. Average monthly electricity demand from data centres increased from approximately 200 megawatts (MW) in 2018 to more than 700 MW by mid-2026, demonstrating the rapid growth of the sector over a relatively short period.

The growth of the sector is being driven by several interconnected trends. These include the continuing migration of government and business services to cloud-based platforms, increasing digitalisation across the economy, growing cyber security requirements, the expansion of data-intensive industries, and the emergence of artificial intelligence applications that require significantly greater computing capacity than traditional digital services. AEMO identifies cloud computing and artificial intelligence as key drivers of forecast future growth in data centre electricity demand.

Importantly, national forecasts indicate that this growth is expected to accelerate. Under AEMO's central "Step Change" scenario, which represents its most likely outlook, electricity consumption from data centres is forecast to triple from approximately 5 TWh in 2026 to around 15 TWh by 2030. By 2036, electricity consumption is projected to reach approximately 34 TWh, representing almost seven times current levels and accounting for around 13 per cent of total forecast operational electricity consumption across the NEM. This would make data centres a larger source of demand growth than many traditional industrial sectors, although they are not expected to be as significant a driver of future electricity demand as business electrification and electric vehicles.

The scale of forecast growth is also reflected in the development pipeline. AEMO has identified approximately 225 data centre projects at various stages of development across Australia with a combined connection capacity of around 67 gigawatts (GW). While not all projects are expected to proceed, and some are arguably speculative, the volume of planned infrastructure highlights the significant level of market interest and investment currently being directed towards the sector. AEMO notes that data centre developments often take between five and ten years to reach their mature operating load, meaning that planning decisions made today may have implications for infrastructure networks and surrounding communities well into the future.

The projected expansion of the data centre sector presents significant economic opportunities for Western Australia. However, it also raises important planning and infrastructure questions. As facilities become larger and more infrastructure-intensive, decision makers will increasingly need to consider the implications of data centres on strategic land use planning, industrial land supply, infrastructure servicing, transport networks, community amenity and the coordination of major infrastructure investment. The pace and scale of forecast growth suggest these issues are likely to become increasingly important over the next decade.

3. Planning Framework

3.1. National Context

Data centres have become an increasingly important area of Commonwealth policy, reflecting their growing role in supporting Australia's digital economy, artificial intelligence capability, critical infrastructure resilience and economic productivity. While land use planning and development assessment remain primarily matters for State and Local Governments, the Commonwealth is playing an expanding role in shaping the broader policy, energy and regulatory frameworks within which data centres are developed and operated.

This increasing policy focus was reflected in the Commonwealth Government's 2026 publication [Expectations of Data Centres and AI Infrastructure Developers](#), which established a series of national expectations relating to energy, water, community benefits, national security and sustainability outcomes. The expectations recognise that continued expansion of digital infrastructure is essential to Australia's future economic and technological development, while also emphasising the importance of ensuring that growth occurs in a manner consistent with national interests and community expectations.

At National Cabinet on 26 August 2026, First Ministers formally acknowledged that large-scale data centres can have substantial energy, water and land-use implications which require coordinated management. National Cabinet agreed that the Commonwealth would work with State and Territory Governments to develop nationally consistent mandatory standards for large-scale data centres. These standards are intended to address energy, water and land-use requirements while also supporting skills development and workforce opportunities associated with the sector.

The Commonwealth has indicated that legislation establishing the new framework is intended to be introduced to Parliament in 2027. National Cabinet also explicitly noted that the framework is intended to complement, rather than duplicate, existing State and Territory planning and development approval processes.

Alongside Commonwealth reforms, several State Governments have begun developing dedicated policy and regulatory frameworks to address the planning, infrastructure and environmental implications of data centre growth. In September 2026, the Victorian Government released its [Sustainable Data Centre Action Plan](#), establishing requirements relating to renewable energy supply, water use, land use compatibility and community benefit contributions. Key measures include requirements for data centres to secure additional renewable energy generation, utilise recycled or non-potable water for cooling where possible, maintain separation distances from sensitive land uses and contribute to local community outcomes through a new Local Investment Guarantee. Similarly, New South Wales has introduced a specific planning definition for data centres, which requires larger facilities to be assessed as State Significant Development and has recently released a dedicated [Data Centre Planning Framework and Guidelines](#). In June 2026, the South Australian Government released its [Data Centre Strategy](#), which outlines a coordinated approach to supporting sector growth and identifies the development of future legislative and regulatory measures. Collectively, these initiatives demonstrate a growing recognition across Australian jurisdictions that data centres are a distinct form of infrastructure development that may warrant planning, environmental and infrastructure frameworks beyond those traditionally applied to industrial and commercial development.

While responsibility for development assessment will continue to sit predominantly within State and local planning frameworks, national reforms are likely to influence future expectations

regarding the location, design, servicing, operation and community impacts of proposals. As the sector continues to grow, Local Governments will play an important role in ensuring that nationally significant digital infrastructure is integrated into local communities in a manner that appropriately balances economic opportunities, infrastructure capacity, strategic land use objectives and local amenity considerations.

3.2. Western Australia

Planning for data centres in Western Australia is currently undertaken through the *Planning and Development Act 2005*, local planning schemes, State planning policies, development assessment processes and the *Environmental Protection Act 1986* where applicable. Unlike many established land uses, there is currently no dedicated state level policy guidance, strategic planning framework or consistent land use definition specifically relating to data centres. Consequently, proposals are generally assessed using planning frameworks originally developed for industrial, commercial, utility and telecommunications land uses.

The lack of a state planning framework has led some Local Governments to seek to address these concerns and challenges through their local planning frameworks, by developing local planning policies.

As investment in the sector continues to grow, data centre developments are becoming increasingly prominent within strategic industrial areas and infrastructure corridors. The absence of a dedicated planning framework does not prevent data centres from being assessed and approved; however, it raises questions regarding whether existing planning systems are appropriately equipped to manage the scale, complexity and strategic significance of future data centre development proposals.

The State Government's approach to large scale renewable energy infrastructure provides a useful example of how a dedicated planning code can respond to emerging land uses that are not adequately addressed through existing frameworks. The Western Australian Government is progressing a Renewable Energy Planning Code (Code) to provide a clear and consistent framework for assessing renewable energy infrastructure that supports the generation, storage and transmission of renewable energy across Western Australia. The Code, which is expected to be finalised by the end of 2026, is intended to provide clearer guidance to industry, local government and communities by:

- introducing a consistent development assessment framework for renewable energy infrastructure across Western Australia;
- establishing clear development standards and application requirements;
- improving certainty in managing potential land use and environmental impacts, such as noise and landscape considerations.

A comparable planning framework for data centres could improve transparency, reduce assessment complexity, support more predictable planning outcomes and help address growing community concerns across Western Australia.

3.3. Emerging Experience from Western Australian Development Applications

While the number of data centre proposals assessed in Western Australia remains relatively limited, recent development applications demonstrate that a range of recurring planning issues are already emerging.

Analysis of recent applications considered by Local Governments, Development Assessment Panels and the Western Australian Planning Commission indicates that data centres present planning issues that differ from traditional industrial and commercial development. Common assessment issues include:

- land use classification
- strategic industrial land use
- noise and amenity impacts
- parking requirements
- infrastructure servicing
- sustainability outcomes
- compatibility with surrounding land uses.

A summary of recent proposals can be found in Table 1 below, and a detailed summary of recent applications can be found in Appendix A of this paper.

Location	Value (\$M)	Land use Classification	Lot size & building characteristics	Key Issues
Perth	195	Unlisted use	Lot - 6,368m ² 10-level office building and a nine-storey data centre tower	Building height, urban design
Belmont	600	Warehouse	Lot - 37,130m ² Two data centre buildings 34,377m ² Administration 1,691m ² .	Noise, parking, sustainability
Malaga	56	Warehouse	Lot - 10,858m ² Expansion of existing (8,166m ²) data centre. A new five storey building, with a mezzanine and plant equipment on the roof	Parking, acoustics
Gosnells	415	Warehouse	Lot - 76,051m ² 60,446m ² data centre with associated facilities	Parking, bushfire
Hazelmere	600	Warehouse	Lot - 44,456 m ² A new three storey building with associated admin facilities	Noise, community opposition

Table 1: Summary of Recently Considered Data Centre Proposals in Western Australia

4. Emerging Planning Challenges

4.1. Strategic Location, Industrial Land and Precinct Planning

Data centres have distinct locational requirements compared to many other forms of development. Access to high-capacity electricity infrastructure, telecommunications networks and large development sites are often key determinants of site selection. As a result, data centres are increasingly locating within industrial and employment precincts that can accommodate their operational and infrastructure needs.

Recent proposals in Western Australia have predominantly been located within industrial and employment precincts such as Malaga, Hazelmere, Belmont and the Maddington-Kenwick Strategic Employment Area. Many of these proposals have been located on land zoned General Industry under the relevant Local Planning Scheme, reflecting the sector's reliance on large development sites and access to supporting infrastructure. However, this trend also highlights increasing competition for industrial land that has traditionally supported manufacturing, logistics, freight and other employment-generating activities.

Zone name	Objectives
General Industry	• To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses. • To accommodate industry that would not otherwise comply with the performance standards of light industry. • Seek to manage impacts such as noise, dust and odour within the zone.

Figure 2: Excerpt from the Planning and Development (Local Planning Schemes) Regulations 2015

This presents an important strategic planning challenge. Data centres can represent significant capital investment and play a critical role in supporting the digital economy, yet they typically generate lower levels of ongoing employment relative to many traditional industrial land uses. Consequently, questions arise regarding the most appropriate use of strategically located industrial land and how the economic value of digital infrastructure should be balanced against broader employment and industrial development objectives.

While the clustering of facilities within particular precincts or local government areas can create infrastructure efficiencies and support the development of digital infrastructure hubs, it may also result in cumulative impacts on industrial land supply, infrastructure capacity, transport networks and the long-term function of employment areas.

These considerations highlight the importance of strategic planning and precinct-level analysis in addition to project-by-project assessment. As demand for data centre development continues to grow, there may be merit in adopting a State-wide strategic planning approach that identifies suitable locations for future facilities, integrates infrastructure planning with land use planning and considers the cumulative impacts of development on industrial land, employment areas and surrounding communities.

4.2. Land Use Classification and Regulatory Uncertainty

One of the most immediate planning challenges associated with data centre development is the absence of a clear and consistent land use planning definition within the Western Australian planning framework.

Modern data centres exhibit characteristics of several traditional land use categories simultaneously. They may operate as industrial facilities due to their scale and supporting plant and equipment, resemble utility infrastructure due to their servicing requirements, share characteristics with telecommunications facilities because of their digital connectivity functions, and function as commercial infrastructure through the provision of digital services. As a result, planning authorities are often required to apply definitions and assessment frameworks that were not specifically designed for contemporary data centre developments.

In the Western Australian planning system, when a proposed land use is not completely clear or explicitly defined, the decision maker will apply 'the genus test'. They ask whether the proposed activity broadly fits within the "type, class, or genus of activity" of an already existing, defined use category¹. Where the proposal cannot be assigned a genus, the proposal is managed through a formal statutory procedure known as a "Use Not Listed" under the *Planning and Development (Local Planning Schemes) Regulations 2015*.

This raises questions about whether existing planning definitions remain fit for purpose and whether a dedicated land use classification should be considered. NSW has a specific land use classification for data centres, defining them as '*a building or place the principal purpose of which is to collect, distribute, process or store electronic data using information technology*'. Victoria has also committed to explicitly incorporate a definition into state planning provisions under the Sustainable Data Centre Action Plan, defining a data centre as land used to '*collect, distribute, process, or store digital data*'.

The issue is likely to become more pronounced as facilities continue to increase in scale and complexity. While smaller facilities may fit comfortably within existing industrial land use classifications, large-scale data centres increasingly operate as nationally significant infrastructure assets that extend beyond traditional industrial development models.

More broadly, a lack of planning certainty can affect investment decisions, strategic infrastructure planning and community understanding of proposed developments.

4.3. Community Amenity and Urban Design

Noise appears to be one of the most significant amenity considerations associated with contemporary data centre development. While data centres generally generate relatively low levels of traffic and human activity during operation, they often rely on cooling systems, mechanical plants, ventilation equipment and backup power generation infrastructure that may operate continuously or be tested regularly. These components can create a persistent, low-frequency hum that differ from the broader mid-to-high-frequency noise typically associated with traditional industrial and commercial developments.

In Western Australia, operational noise generated by data centres must generally comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations). Consequently, noise considerations can become a significant factor in both site selection and

¹ Shire of Perth v. O'Keefe (1964) 110 CLR 529

development assessment, particularly where facilities are proposed near residential or other noise-sensitive land uses. Given the scale of cooling infrastructure, mechanical plant and backup power generation associated with many modern data centres, proponents are often required to undertake detailed acoustic modelling and demonstrate compliance with the applicable noise standards. In some cases, this may influence building design, equipment selection, acoustic treatments and operational arrangements to achieve acceptable planning and environmental outcomes.

Recent development applications in Western Australia demonstrate that noise is already emerging as a key assessment issue. A proposed data centre in Belmont required detailed consideration of potential amenity impacts arising from noise due to its proximity to residential development. Similarly, an expansion of an existing data centre in Malaga was approved subject to conditions requiring further acoustic assessment and compliance with applicable noise requirements.

The significance of noise impacts is particularly evident in the assessment of a data centre in Hazelmere. The City of Swan determined that, despite the proposal being generally consistent with the applicable zoning and planning framework, it would result in significant adverse amenity impacts arising from noise emissions across a broad area of the locality. The application was subsequently withdrawn following significant community opposition. This demonstrates that operational noise has the potential to become a determining planning issue where facilities are located close to sensitive land uses.

These examples highlight the importance of careful site selection, appropriate separation distances, acoustic design and operational management measures in the assessment of data centre developments. While the Noise Regulations provide an established framework for assessing operational noise impacts, the increasing scale and complexity of modern data centre developments may create merit in developing complementary planning guidance relating to noise assessment methodologies, site design and the management of operational plants and equipment associated with data centres.

4.4. Parking Standards

Recent development applications in Western Australia have highlighted that the operational characteristics of data centres can differ significantly from those of traditional industrial and commercial developments. While data centres often occupy large sites and involve substantial capital investment, ongoing staffing levels are typically low, resulting in considerably lower parking demand than many conventional land uses.

Several recent applications have sought significant variations to standard parking requirements, including:

- Belmont: reduced parking provision approved due to lower operational demand than a typical warehouse or industrial development.
- Malaga: significant parking shortfall accepted subject to occupancy limits and a parking management plan.
- Maddington-Kenwick Strategic Employment Area: substantial parking variation approved reflecting low workforce numbers and limited on-site activity.

These examples suggest conventional parking standards may not align with the operational characteristics of modern data centres.

5. Infrastructure and Servicing Implications

5.1. Electricity Infrastructure

Electricity infrastructure is a key consideration in data centre development and can significantly influence site selection and broader land use outcomes. Large-scale facilities often require direct connections to transmission infrastructure, new substations and, in some cases, network augmentation works. As a result, the infrastructure required to support a data centre may extend beyond the development site itself and involve multiple agencies, service providers and approval processes.

The increasing importance of electricity infrastructure is also likely to influence future development patterns. Access to high-capacity electricity networks may become a dominant locational factor for data centres, potentially influencing industrial land values, infrastructure investment decisions and the concentration of development within particular precincts and infrastructure corridors.

These considerations highlight the need for greater coordination between planning authorities, electricity network providers and proponents to ensure data centre development is supported by integrated land use and infrastructure planning. Such an approach would assist in identifying servicing requirements early, reducing development uncertainty and supporting more efficient infrastructure investment.

5.2. Water Servicing

Water is another important servicing consideration for many data centre developments, particularly those utilising cooling technologies that rely on water-based systems.

The scale of water demand associated with a facility can vary significantly depending on the size of the development, operating requirements, cooling design and climatic conditions. While not all data centres have substantial water requirements, the increasing scale of modern hyperscale and artificial intelligence facilities has heightened interest in understanding water demand and long-term servicing needs. Recent experience in Australia has highlighted the potential scale of future servicing requirements, with the Water Services Association of Australia reporting that water utilities are receiving requests from proposed data centre developments seeking water allocations of between 5 and 40 million litres per day². These requests demonstrate the importance of understanding servicing requirements early in the planning process and ensuring that future development is aligned with infrastructure capacity and long-term water servicing strategies.

National Cabinet has agreed that future mandatory standards for large-scale data centres should address water-use outcomes, while the Commonwealth Government has proposed expectations relating to water efficiency, the use of non-potable and recycled water where appropriate, and greater transparency around water consumption.

While there are currently limited publicly identified examples of data centres utilising recycled water in Western Australia, State policy encourages the use of alternative water sources where

² Water Services Association of Australia. 2025. Data Centres and Water in Australia - [link](#)

feasible, sustainable and economically viable³. As investment in the sector grows, there may be merit in exploring opportunities for recycled water, non-potable water supplies and innovative cooling technologies to reduce reliance on potable water networks and improve long-term servicing outcomes.

For Local Governments, water-related considerations are less likely to centre on resource scarcity and more likely to involve questions of infrastructure capacity, servicing arrangements and integration with existing networks. The increasing scale of future proposals reinforces the importance of early engagement between proponents, water service providers and planning authorities to ensure infrastructure planning and investment can respond to future demand. Greater coordination between planning authorities, water service providers and proponents may therefore be required to ensure infrastructure delivery aligns with broader regional and local planning objectives.

5.3. Transport and Construction Impacts

The development of major facilities may involve extensive earthworks, large construction workforces, heavy vehicle activity and the transport of specialised equipment. Depending on the scale of the proposal, these construction activities can have implications for local road networks, freight routes and surrounding communities.

Unlike many industrial developments, operational traffic volumes from data centres are often relatively low. Consequently, traditional transport assessment methodologies may not always fully reflect the broader infrastructure implications of these developments. The disparity between significant development scale and comparatively limited operational traffic can also influence how economic and land-use outcomes are evaluated.

As projects increase in size and complexity, Local Governments may need to place greater emphasis on managing construction impacts.

5.4. Integrated Infrastructure Planning

A common theme emerging across all servicing considerations is the growing need for integrated infrastructure planning.

Many of the challenges associated with data centre development arise not from the primary development itself, but from the substantial supporting infrastructure required to enable its operation. Electricity networks, substations, telecommunications infrastructure, water servicing, transport networks and associated utility works are often delivered through separate planning and approval processes involving multiple stakeholders.

As the sector grows, ensuring effective coordination between Local Governments, State agencies, infrastructure providers and proponents will become increasingly important. A more integrated approach to planning may assist in identifying servicing constraints earlier, improving investment certainty and ensuring infrastructure delivery aligns with broader strategic planning objectives.

³ Government of Western Australia 2008. State Water Recycling Strategy - [link](#)

6. Conclusion

Data centres are rapidly emerging as a significant component of Australia's economic, digital and critical infrastructure landscape. Western Australia's existing planning framework provides mechanisms to assess these developments, but it was not designed for facilities of the scale, complexity and infrastructure intensity now being proposed. Many of the issues identified in this paper extend beyond individual development applications and require a more strategic and coordinated response. Alongside Commonwealth standards that complement the State planning system, a comprehensive plan to guide data centre development in Western Australia—including strategic planning guidance, a consistent land use definition and a Data Centre Planning Code—would provide greater certainty for industry, support coordinated land use and infrastructure planning and enable Local Governments to manage local planning and community outcomes more effectively.

DRAFT

Appendix 1: Recently Considered Data Centre Proposals

Year	Local Government	Address	Proposal	Zoning	Land Use	Planning Issues Raised
2018 - 19	City of Perth	25 (Lots 1-6) Newcastle Street and 105 (Lots 7-15) Lord Street, Perth	Proposed 10 level office building and 9 level data centre building containing 44 commercial tenant parking bays	City Centre	Office' and data hall (unlisted use)	The variations to the building heights and setbacks are considered acceptable in the context of the site. The variations to the building height and setbacks will not result in any adverse impact in terms of local amenity with the development satisfying the principles of the City's Building Height and Setback Policy 4.4 in terms of access to sunlight and views of the sky and can be supported in accordance with clause 36 of CPS2. It is considered that the design matters raised by the DAC have been adequately addressed through design modifications and further justification, with the outstanding matters able to be further refined through conditions of approval.
2022 - 23	City of Belmont	37 (Lot 3) Abernethy Road, Belmont	Proposed Warehouse (Data Centre)	Mixed Business	Warehouse - D use	To address the matter of sustainability, a condition is recommended to require the applicant to prepare and submit a sustainability report for the City's approval. Due to the proximity of the development to dwellings, it is necessary to consider the potential amenity impacts arising from the development. In this case it is considered that the most likely impact relates to noise. The proposed carparking for the development does not comply with parking requirements of LPS15. However, given the nature of the use and the likely parking demand, it is considered suitable to accept the reduced figure that is proposed.

WALGA

2023 - 24	City of Swan	Lot 101 (No. 10) Malaga Drive, Lot 327 (No. 10) and Lot 328 (No. 12), Millrose Drive, Malaga	Data Centre (Warehouse) (Expansion of existing DC)	General Commercial Zone General Industrial Zone	Warehouse - P use	While exceeding the typical plot ratio for industrial development, it is considered appropriate as it does not constitute overdevelopment of the site. The data centre has a 332-bay shortfall, which was considered to be appropriately managed through conditions limiting on-site occupancy to 38 people (90 during emergencies) and requiring a parking management plan. The DA was lodged without an acoustic assessment, which was conditioned to ensure compliance with the noise regulations.
2025 - 26	City of Gosnells	Lots 1, 10, 1 (No.307, 323, 329) Kenwick Road & Lot 500 (No.582) Bickley Road, Maddington	Proposed Warehouses and Ancillary Structures	Currently 'Business Development'. Proposed 'Industrial Development' under draft LPS. 'General Industry' under Maddington Kenwick Strategic Employment Area Structure Plan	Warehouse - D use	Shortfall of 638 parking bays was considered appropriate as there was approximately 1 car bay per employee. Whilst being located in a bushfire prone area, DFES raised no objection to the proposal but recommends the vegetation within the Tonkin Highway reserve be reassessed for future substation development.
2025 - 26	City of Swan	Lots 14 & 15 Stirling Crescent. Hazelmere	Proposed Data Centre Development	Special Use Zone No.15 (Hazelmere Enterprise Area Structure Plan)	Warehouse	"Whilst the application is considered to be consistent with the zoning framework under the City of Swan Local Planning Scheme No.17 for the site and this part of the locality and State and local planning policies relevant to the physical development of the land, the proposed data centre would operate to cause a significant and adverse impact to the amenity of a broad part of the locality and parts of the surrounding locality by way of noise emissions. On this basis alone the application is not supported and refusal is recommended." This application was withdrawn.

RISK ASSESSMENT TOOL**AGENDA ITEM:** Data Centres in Western Australia – WALGA Consultation Paper and Draft Advocacy Position**RISK THEME PROFILE:**

3 - Failure to Fulfil Compliance Requirements (Statutory, Regulatory)

Choose an item.

Choose an item.

Choose an item.

RISK ASSESSMENT CONTEXT: Strategic

CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
HEALTH / PEOPLE	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	Unclear funding responsibilities – Unreasonable costs may be transferred to Local Government or the community	Major (4)	Likely (4)	High (12 - 19)	Clear infrastructure funding and cost allocation arrangements by the State Government	Moderate (3)	Possible (3)	Moderate (5 - 11)
SERVICE INTERRUPTION	Infrastructure constraints – Increased pressure on electricity, water, transport and other essential services.	Major (4)	Likely (4)	High (12 - 19)	Early infrastructure planning and cumulative demand assessment by the State Government Service Agencies	Moderate (3)	Possible (3)	Moderate (5 - 11)
LEGAL AND COMPLIANCE	Inappropriate use of industrial land – Reduced availability of land for essential industrial and employment-generating activities	Major (4)	Likely (4)	High (12 - 19)	Strategic identification of suitable locations and protection of important industrial land through a State Planning Framework	Moderate (3)	Possible (3)	Moderate (5 - 11)
REPUTATIONAL	Limited Local Government involvement – Insufficient involvement may result in local planning objectives and community interests not being adequately considered.	Major (4)	Likely (4)	High (12 - 19)	Formal consultation, referral and information-sharing arrangements by the State Government	Moderate (3)	Possible (3)	Moderate (5 - 11)

CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
ENVIRONMENT	Environmental and amenity impacts – Noise, resource consumption, emissions and adverse effects on surrounding land uses.	Major (4)	Likely (4)	High (12 - 19)	Proportionate technical assessment and appropriate mitigation measures	Moderate (3)	Possible (3)	Moderate (5 - 11)
PROPERTY	Inconsistent assessment processes – Local planning objectives and community interests may not be adequately considered for strategic and industrial land.	Major (4)	Likely (4)	High (12 - 19)	Consistent State-wide planning guidance and clear assessment pathways	Moderate (3)	Possible (3)	Moderate (5 - 11)