

Policy

City of Kwinana Town Planning Scheme No. 2

Town Planning Scheme Requirements Special Rural Zone No. 2



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Although care has been taken in compiling this document, the Council accepts no liability for errors or omissions in the text.

For legal purposes, references should be made to the Town Planning Scheme No. 2, the Government Gazette of 20 November 1992, and subsequent amendments.

It should be noted that the Policy requirements are printed in italics.

The uses permitted within the zone are determined by cross referencing to the following symbols:

- “P” - DWELLING HOUSE
- “AA” - PRIVATE RECREATION
HOME OCCUPATION
PUBLIC UTILITY
AGED AND/OR DEPENDANT PERSONS ACCOMMODATION
STABLES
EQUESTRIAN USES
- “X” - ALL OTHER USES ARE NOT PERMITTED

*Please see attached detailed interpretations for each use.

The symbols have the following meaning:

“P” A use that is permitted provided it complies with the relevant standards and requirements laid down in the City of Kwinana Town Planning Scheme No. 2 and all conditions (if any) imposed by the Council in granting planning consent;

“AA” A use in respect of which the Council exercising discretionary powers available to it may approve under the City of Kwinana Town Planning Scheme No. 2.

1 GENERAL PROVISIONS

- 1.1 The subdivision shall be generally in accordance with the Subdivision Guide Plan No. 2 for Special Rural Zone No. 2 dated June 2008 endorsed by the Chief Executive Officer.
- 1.2 No lot shall be less than 2 hectares.
- 1.3 No further subdivision to that shown on the Subdivision Guide Plan No. 2 for Special Rural Zone No. 2 dated June 2008 will be supported by Council.
- 1.4 Notwithstanding the development conditions for Special Rural Zone No. 2 within Schedule 2 'Special Rural Areas' in the Scheme, management, use and development of land shall be in accordance with the Subdivision Guide Plan No. 2 for Special Rural Zone No. 2 (and the notations contained thereon).

2 PRE-SUBDIVISION REQUIREMENTS

- 2.1 Prior to the approval of a Deposited Plan the subdivider shall define to the satisfaction of the Council the location and size of building envelopes for each of the proposed lots. The Council's approval of the building envelopes shall be signified by the designated Council officer's signature on a plan showing the building envelopes.
- 2.2 The subdividing owner shall prepare and undertake a tree planting program to encompass all land outside building envelopes at the density of not less than 1,000 stems per hectare. The areas shown on Subdivision Guide Plan No. 2 for Special Rural Zone No. 2 dated June 2008 as 'revegetation required' and 'landscape protection areas' shall be planted in accordance with the tree planting program prior to subdivision.
- 2.3 Prior to subdivision in Special Rural Zone No. 2 a Fire Management Plan shall be prepared to include but not be limited to:
 - a) Firebreaks;
 - b) Water tanks, including cost, timing of provision;
 - c) Contributions towards fire fighting equipment.

The Council, in consultation with the Fire and Emergency Services Authority of Western Australia may approve and the Chief Executive Officer shall endorse such an approved plan.

- 2.4 Prior to subdivision the Council shall prepare an estimate of costs for the provision of such 50,000 litre water tanks (to the specification of the Fire and Emergency Services Authority) as nominated in the approved Fire Management Plan required for emergency fire fighting purposes in Special Rural Zone No. 2 (including land acquisition) and a schedule for

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the reasonable contribution of potential subdividing owners in Special Rural Zone No. 2 to share the costs thereof upon subdivision in accordance with Subdivision Guide Plan No. 2 dated June 2008.

- 2.5 The Council shall provide and construct the facilities as mentioned in Clause 2.4 above at such time as it deems fit, but no later than upon 15% of the potential lots shown in Subdivision Guide Plan No. 2 for Special Rural Zone No. 2 dated June 2008 being subdivided.
- 2.6 To facilitate the provision of the facilities mentioned in Clause 2.4 above, the Council may purchase or acquire by compulsory acquisition or otherwise the land necessary for the establishment of the water tanks for emergency fire purposes and the Commission may require the land to be set aside as a lot for acquisition upon subdivision of land incorporating the water tank sites shown in the approved Fire Management Plan.
- 2.7 Where a survey of the property for declared rare flora has not previously been undertaken as a condition of subdivision on lots less than three hectares in area, a spring survey for declared rare flora shall be undertaken to the satisfaction of the Department of Environment Regulation (DER) prior to the commencement of development and Council may on the advice of the DER require the development to be modified in order to preserve the identified flora.
- 2.8 At the time of subdivision Council will recommend that the Western Australian Planning Commission impose a condition:
 - a) To make prospective purchasers aware of the special conditions imposed on the land under Special Rural Zone No. 2;
 - b) Requiring the subdivider to construct front boundary fencing to Council's specification;
 - c) Requiring the subdivider to prepare and implement a tree planting program at a density of not less than 1,000 stems per hectare in accordance with the 'Revegetation Required' and 'Landscape Protection Areas' identified on the Subdivision Guide Plan No. 2 for Special Rural Zone No. 2 dated June 2008.
 - d) Requiring the subdivider to implement the approved Fire Management Plan;
 - e) Requiring the subdivider to pay a contribution towards fire fighting facilities to reimburse the costs of Council providing the water tanks for emergency fire fighting purposes;
 - f) Requiring the landowner to undertake a spring survey for declared rare flora prior to the commencement of subdivisional works and in the event that such flora is identified on the lot or lots that the subdividing landowner should submit amended Plans of Subdivision so as to protect the flora;
 - g) To make prospective purchasers aware that no reticulated water supply can be provided by the Water Corporation.

- h) To make the prospective purchasers aware that the land is subject to the provisions of the Water Corporation by-laws applicable to underground water control.

3 DWELLINGS AND SHEDS

DWELLINGS

- 3.1 No person within Special Rural Zone No. 2 on lots less than 3 hectares shall commence use or development of land including but not limited to the development of a single dwelling, associated outbuildings, agistment of stock and clearing within or outside the defined building envelope without the prior written approval of Council.
- 3.2 Not more than one dwelling may be erected on a lot unless such dwelling complies with the definition of 'Aged and/or Dependent Persons Accommodation' contained in Appendix 4 (interpretations) of the Scheme.
- 3.3 No habitable dwelling shall have a floor level less than **2m** above the highest known water level.

SHEDS

- 3.4 *To ensure that the amenity of the locality is not adversely affected, sheds/garages should generally be no larger than the acceptable aggregate floor area as set out in the parameters of Table 1. Shed Areas for lots:*
 - a) *Less than 10,000m² in area;*
 - b) *Equal to or greater than 10,000m² and up to 30,000m² in area;*
 - c) *Greater than 30,000m² in area.*

Applications for sheds larger than the acceptable aggregate area require planning approval. Sheds larger than 300m² should be considered by Council if it is satisfied that the use, location and appearance of the building will not either detract from the area or adversely impact on neighbouring properties.

Sheds should be constructed of non-reflective neutral materials and be sympathetic with the surrounding landscape/environment elements. Sheds should generally be located where screening vegetation can be utilised.

The use of sea containers for storage purposes within the special rural zone is not considered an appropriate form of shed. Sea containers and other similar storage vessels may be supported on a temporary basis provided it is screened from view of adjoining properties and not located forward of any dwelling.

Table 1:

SHED AREAS				
Lot Size	Acceptable Aggregate Area	Wall Height	Roof Height	Delegation
< 10,000m ²	200m ²	4m	6m	300m ²
10,000m ² - 30,000m ²	250m ²	5m	6m	300m ²
> 30,000m ²	300m ²	5m	6m	300m ²

Variations to the maximum aggregate area subject to;

- a) *Neighbour support for sheds larger than the acceptable aggregate area is required. Where objections are received, Council resolution is required.*
- b) *Applicant(s) shall provide written details of the intended use of a proposed shed and include reasons justifying why a variation should be granted.*

4 EFFLUENT DISPOSAL

- 4.1 All dwellings are to be connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Regulation. The base of the system or the modified irrigation area is to be the required distance above the highest known groundwater level as determined by Council, with a 50m horizontal separation from any wetland, drain or area subject to seasonal inundation as determined by Council.

(Note: Council's Health Department can provide a list of suppliers for these alternative 'NRED' systems.)

- 4.2 Notwithstanding, Clause 6.11.4(g) of the Scheme, where the Subdivision Guide Plan defines effluent disposal areas within building envelopes, these areas shall not be varied and the effluent disposal systems shall be building within.

5 BUILDING ENVELOPES, SETBACKS AND TREE PRESERVATION

BUILDING ENVELOPES

- 5.1 No development, including earthworks, shall occur outside the approved building envelope, illustrated on the Subdivision Guide Plan No. 2 for Special Rural Zone No. 2 dated June 2008, or an alternative location which has been approved by Council.
- 5.2 Building Envelopes may be altered to preserve declared rare flora to the satisfaction of Council.
- 5.3 Land within the building envelope is to be managed in such a manner as to avoid the land being laid bare in vegetation resulting in loose,

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wind erodible conditions. Land outside the building envelope is to be managed in such a manner that there will be no further clearing of the land save for vegetation that has to be removed for housing, firebreaks, outbuildings and access way construction; the Council's approval shall be deemed as Council's written consent to remove vegetation.

- 5.4 *Building envelopes should be of about 2000m² in area. Council may consider larger building envelopes, up to 10% of the area of the property. Council needs to be satisfied that the extension is warranted, does not impact on remnant vegetation or other feature of the property and does not affect adjoining landowners.*
- 5.5 *Building envelopes should be generally of a rectangular shape.*
- 5.6 *Orchards/Gardens*
- a) *Unless specified in the Subdivision Guide Map, all gardens and orchards are to be wholly within the building envelope;*
 - b) *The abovementioned garden/orchards are to be for personal/domestic purposes only and not part of a commercial operation (ie no sales of produce).*
- 5.7 *Cut and Fill*
- a) *Cut and fill should be retained within the building envelope where possible;*
 - b) *Cut and fill should not be located within 10m of any boundary;*
 - c) *Where cut and/or fill is proposed to encroach over the building envelope no loss of vegetation should occur and the area is to be replanted with locally native species. The proponent should obtain Council's written approval prior to development;*
 - d) *All retaining walls are to be within the building envelope.*

SETBACKS

- 5.8 Where no building envelope is illustrated on the Subdivision Guide Plan No. 2 for Special Rural Zone No. 2 dated June 2008, the minimum setbacks from the boundaries of lots shall be;
- a) Front – 15m, unless Council is of the opinion that site conditions are such that a reduction of the setback distance is warranted. In any event, the front setback shall not be less than 7.5m;
 - b) Others – 10m.

TREE PRESERVATION

- 5.9 Notwithstanding, Clause 6.11.4(i) of the Scheme, no vegetation shall be cleared within any allotment except for the purposes of:
- a) Compliance with the requirements of the Bush Fire Act 1954 (as amended);
 - b) Compliance with an approved Fire Management Plan;

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- c) Constructing vehicular access way(s), the location of which is to be approved by Council;
 - d) Clearing within an approved building envelope;
 - e) Removing dead, diseased or dangerous trees.
- 5.10 Removal of indigenous trees, scrub or other substantial vegetation for any purpose other than the above exceptions, shall require the written approval of Council.
- 5.11 The Council may require the landowner to undertake a tree planting program on lots nominated by Council as being deficient in vegetation cover.
- 5.12 The Council may specify that groups of trees are required to retain the rural character of the locality. No person shall remove without the prior written consent of Council any of these groups of trees.
- 5.13 *Replanting*
- a) *REHABILITATION of remnant bush and degraded areas should be with local native species (trees and shrubs, etc.);*
 - b) *REPLANTING of non native species should be limited to for 'feature planting' along driveways and trees adjacent to dwellings, etc. In accordance with an approved planting plan in degraded areas with no remnant vegetation in the vicinity;*
 - c) *'Exotic' plants (including, but not limited to; palms, foreign species, bamboo, fruit trees, etc.) should not be planted outside the building envelope.*

6 ACCESS AND DRAINAGE

ACCESS

- 6.1 All public roads within a Special Rural Zone shall be constructed to the Council's specification and satisfaction.
- 6.2 The access strips of the lots shown as battle-axe lots shall be constructed prior to subdivision to a 2.5m wide road sub-base or gravel standard.

DRAINAGE

- 6.3 Prior to subdivision land within any Special Rural Zone shall be drained to the specification and satisfaction of Council.

7 STOCK AND PADDOCKS

7.1 *Paddocks*

- a) *All paddocks for horses to comply with Council's Health (Equine Premises) Local Law;*
- b) *No further clearing of remnant or re-growth vegetation to occur to facilitate paddock location;*

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- c) *Paddocks outside the building envelope should only be located on existing cleared areas;*
- d) *Paddocks should be fenced to the satisfaction of Council;*
- e) *Stables and yard to be constructed within the building envelope;*
- f) *Fencing of the firebreak, where used as an exercise area, may be supported subject to the satisfaction of Council's Bush Fire Coordinator and Manager Environmental Health Services where no nuisance to neighbours is likely to occur;*
- g) *Where paddocks are planned to be located in previously cleared areas outside the building envelope, the landowner should rehabilitate an equivalent degraded area (of at least equal size) with local native species to the satisfaction of Council's Manager Planning Services and Environmental Officer.*

8 WETLANDS AND DAMS

8.1 Development on lots less than three hectares in area and containing Department of Environmental Regulation and Department of Water identified wetlands shall be in accordance with the Property Management Plans approved by Council prior to commencement of development. A property Management Plan is to address, but not limited to:

- a) Defining the proposed use and development of land on the lot;
- b) Define measures by which wetlands and associated vegetation are protected.

8.2 *All applications to alter wetlands, or construct dams or lakes will be referred to the Department of Water prior to consideration by Council. Council will not support any application:*

- a) *Should any removal of associated indigenous vegetation be proposed;*
- b) *Where there is a likelihood of changing the hydrology (eg altering water levels or regimes);*
- c) *Where there is a likelihood of deterioration in water quality or contamination of groundwater; or*
- d) *The proposal is likely (in the opinion of the Manager Health Services) to result in mosquitoes, midges and other 'nuisance pests'.*

9 WATER SUPPLY

9.1 Within Special Rural Zone No. 2 a well licence must be obtained by the relevant authority prior to construction of a well or bore. The maximum amount of groundwater permitted to be drawn shall be at the discretion of the licensing authority and may be reviewed annually.

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- 9.2 Activities carried out on this land shall not contravene the Water Corporation by-laws applicable to underground water pollution control.
- 9.3 Purchasers of lots shall make their own arrangements to provide a portable water supply and shall prior to the occupation of any dwelling house provide a water storage tank with a minimum capacity of 92,000 litres unless an operating bore is connected to the supply in which case Council may permit the minimum capacity to be reduced to 20,000 litres.

10 FUEL STORAGE (domestic use only)

- 10.1 *Storage and refuelling area to be bunded and covered to the satisfaction of Council, Department of Water and the Department of Mines and Petroleum.*
- 10.2 *Landowners to advise Council in writing prior to the installation or storage of more than 205 litres of fuel.*
- 10.3 *Storage of fuel (more than 205 litres) within the Jandakot Groundwater Protection Zone should not be permitted.*
- 10.4 *Landowners to inform Council of any spillage.*

11 TRUCK PARKING

- 11.1 *Parking of a Truck/Commercial Vehicles (Excluding 4WD's, Utes, Tractors, Vehicles where load capacity is under 2 tonne, and the like...) So that the property is not classed as a 'Transport Depot' (which is not permitted) the following should apply:*
- i. *Numbers of Vehicles on Property:*
- *The truck/heavy vehicle is to be owned and/or driven by the landowner/occupier only, and exclude 'road trains', 'B-Doubles', and the like;*
 - *The landowner is to initially notify Council in writing of any heavy vehicle parking prior to parking occurring;*
 - *Only the one, abovementioned, vehicle is to be parked on a property within any 24 hour period;*
 - *The truck/commercial vehicle movement from the property should generally be limited to one inward and one outward journey per day;*
 - *Other than for the delivery/removal of goods or services, normally associated with a residence, no other truck or commercial vehicle is to be on the property at any time without Council approval.*
- ii. *Storage of Goods:*

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- *Other than for the delivery/removal of goods or services, normally associated with a residence, no unloading or loading of trucks to occur on the property;*
- *No storage of commercial goods is permitted;*
- *No fuel storage tanks or fuel pumps, for the refuelling of a truck, are to be kept on the property at any time;*
- *No truck to be refuelled while on the property.*
- iii. *Servicing of Vehicles:*
 - *The servicing of trucks/commercial vehicles and the testing of these engines or other associated equipment is not permitted on the property.*
- iv. *Distance from Adjoining Properties:*
 - *Driveway: Can be on the boundary/firebreak, but must be at least 20m from any neighbouring dwelling;*
 - *Sealed: Minimum Requirement – (Minimum thickness: 200mm – Limestone or 150mm – Road base);*
 - *Parking: Should be within the building envelope if applicable and be as far away from neighbouring dwellings as possible but no closer than 40m.*
- v. *Noise*
 - *The parking of a truck or commercial vehicle on a Special Rural Zone property is to comply with the Environmental Protection (Noise) Regulations 1997.*

12 FENCING

12.1 The subdividing owner shall construct front boundary fences to Council's specifications prior to subdivision and all associated costs shall be met by the subdividing owner.

12.2 *Minimum standard of front fencing is:*

- i. *Posts:*
 - *Shall be sawn or split jarrah or tanalith pine or other suitable material approved by Council not less than 120mm diameter sunk 750mm minimum into ground, with soil well consolidated. Posts to finish not less than 1.2m above ground, set at 4m centres maximum post material in the ground to be treated with an approved preservative;*
 - *Posts to be drilled at 300mm centres maximum to receive fencing wire;*
 - *Strainer assemblies for ends and corners to be constructed using a brace post and end post, a horizontal stay and a diagonal brace wire running from the top of the brace post to the base of the end post. Struted strainer posts shall be provided at 60m centres maximum.*
- ii. *Wires:*

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- *Approved, 3.15mm diameter high tensile, galvanised fencing wire (or bonded plastic coated equivalent) to be strained to achieve a final tension of 135kg after consolidation;*
- *Top wire to be installed 50mm below top of post.*
- iii. *Top Rails:*
 - *On land zoned special rural wherein which the keeping of horses is permitted; in addition to the previous specifications a top rail of tanalith treated pine is required no less than 120mm diameter installed horizontally with the top edge approximately level with the top of the posts 1200mm above the ground level.*
- iv. *Various mesh fencing fabrics:*
 - *Centres of supports, strainers, bracers and fixing to Manufacturer's specification, to be supplied by the Applicant and approved by the Council.*

12.3 *Other Fencing (Within the building envelope)*

- i. *Council will encourage the use of rural type fencing (wooden post and wire/mesh, max. 1.4m high) should the landowner wish to fence the building envelope;*
- ii. *Fencing between 1.4m - 2.1m to be of a rural and open nature will require letters sent to neighbouring landowners and a report to Council. The area surrounding this fencing to be planted with screening vegetation native to the locality;*
- iii. *Security mesh type fencing will not be permitted unless both the mesh and poles are painted/coated in a black or similar dark colour;*
- iv. *Non rural or screening fencing should be painted a neutral non reflective colour such as green, olive, brown, etc;*
- v. *The development of screen fencing should be connected or be in the vicinity of the dwelling and should incorporate planting of vegetation to further limit the visual impact;*

(Outside the building envelope [non boundary])

- vi. *Fencing outside the building envelope for stock paddocks is to be post and wire/railing only;*
- vii. *Fencing to be constructed so that stock can not access wetlands, remnant vegetation;*
- viii. *No fencing to go through wetlands, remnant vegetation or Areas of Landscape Protection without the approval of Council.*

12.4 *Entry Statements and Verges*

Landowners are required to provide the City of Kwinana with a scaled plan outlining the proposed size of and materials used in the proposed entry statement, and shall obtain the written consent of the City of Kwinana to construct an entry statement.

Entry statements shall be designed and constructed of materials that are visually sympathetic with the surrounding built and natural environments and shall be constructed so as not to dominate the streetscape or impact the rural character of the area.

Applications for entry statements greater than 3m in length either side of the main access way require Planning Approval and may be supported if it is satisfied the location and appearance of the structure will not detract from the area.

13 AREA OF LANDSCAPE PROTECTION

- 13.1 Areas of Landscape Protection are shown on the Scheme Map according to the legend thereon and provide specific conservation provision in addition to the development provisions of the underlying zone of the land.
- 13.2 Council's objective in setting aside Areas of Landscape Protection is to conserve areas of natural ecological value or landscape amenity whilst at the same time allowing development as provided in the Zoning Table No. 1 of the Scheme.
- 13.3 No person shall, in any area of Landscape Protection, without Council's Planning Approval in writing;
- i. Carry out clearing of trees or other vegetation;
 - ii. Carry out any filling, dredging or changes to the contour of the land;
 - iii. Erect any advertising sign;
 - iv. Erect or construct any building or outbuilding;
 - v. Degrade any natural wetland system;
 - vi. Detract from the amenity of the locality.
- 13.4 In considering an application for Planning Approval in respect of any land within an Area of Landscape Protection, Council shall have regard to the following:
- i. The overall impact of the proposed development on the landscape amenity of the area and the desirability of limiting or modifying the siting, construction, design or materials of any building or associated services;
 - ii. The need for an overall management plan prepared by Council in consultation with the affected owners as a prerequisite to any Planning Approval being issued;
 - iii. The extent to which any subdivision proposal should guarantee the protection of natural ecological features or areas of landscape amenity;
 - iv. The desirability of minimising the effect of new road construction including earthworks and clearing of vegetation within road reserves.

14 PEEL HARVEY

- 14.1 For the purposes of this Scheme, the Peel-Harvey Coastal Plain Catchment means the Peel-Harvey Coastal Plain Catchment as set out in the State Planning Commission Statement of Planning Policy No. 2.1 together with any amendments thereto.

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- 14.2 Council shall be guided by the objectives and policy statements contained in the Environmental Protection Policy (Peel-Harvey Estuarine System) 1991 and the Peel-Harvey Coastal Plain Catchment Statement of Planning Policy, as amended, a copy of which shall be kept and made available for public inspection at the offices of the Council.

15 JANDAKOT GROUNDWATER PROTECTION ZONE

- 15.1 The property is located within the Metropolitan Region Scheme 'Rural - Groundwater Protection' Zone.

16 FURTHER INFORMATION

- 16.1 Purchasers are advised that following weeds are declared in the Municipality African Thistle, Cape Tulip, Common Heliotrope, Cotton Bush, Geraldton Carnation Weed, Paterson's Curse, Saffron Thistle, Skeleton Weed Thornapple, Variegated Thistle and Council may require each Lot owner to carry out an eradication program.
- 16.2 Please feel free to contact the officers of Council's City Planning Department if you require an explanation of any of these conditions.
- 16.3 Please feel free to contact the officers of Council's Ranger Services Department if you require information regarding the firebreak requirements.
- 16.4 Please feel free to contact the officers of Council's Health Department if you require information regarding effluent disposal.

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INTERPRETATIONS:

DWELLING HOUSE

Means a building or portion of a building containing at least one living room and includes rooms, outbuildings and other structures attached to or separate from such building but ancillary thereto; such building or portion thereof being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by;

- a single person
- a family, or
- no more than six (6) persons who do not comprise a single family.

PRIVATE RECREATION

Means the use of land for parks, gardens, playgrounds, sports arenas whether intended for public participation in sport or spectating, or other grounds for recreation which are not normally open to the public without charge, but does not include a Motor Racing Track.

HOME OCCUPATION

Means an occupation or profession carried on in a dwelling house by a person resident therein that:

- a) Does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury or prejudicial affection due to the emission of noise, vibration, smell, waste water, or waste products;
- b) Does not entail the employment of any person not a member of the occupier's family except in the case of a professional person;
- c) Does not occupy an area greater than 20m²;
- d) Does not require the provision of any essential service main of greater capacity than normally required in the zone in which it is located;
- e) Is not advertised by a sign exceeding 0.2m² in area;
- f) does not give rise to any pedestrian or vehicular traffic substantially beyond that which is normal to the neighbourhood in which the business is located;
- g) Is so conducted that, with the exception of a sign complying with paragraph (e) hereof, no indication is given that the house is used for other than residential purposes;
- h) Does not involve the use of commercial vehicles exceeding 1 tonne in weight for the delivery and collection of materials to or from the premises; and
- i) Does not require the outdoor storage of materials or supplies;
- j) Has been granted planning approval of Council for a specified period.

PUBLIC UTILITY

Means any works or undertaking constructed or maintained by a public authority or municipality as may be required to provide water, sewerage, electricity, gas, drainage, communications or similar services.

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AGED AND/OR DEPENDANT PERSONS ACCOMMODATION

Means self contained living accommodation on the same site as a single house and may be attached but without direct internal access to the principal dwelling or detached from the single house existing on the lot and subject to the following requirements:

- a) Comprises a habitable area of no greater than 40m².
- b) Is located no more than 10m from the principal dwelling.
- c) Is not rented, leased or sold to persons other than aged or dependent persons or relatives of the same family as the owners of the principal residence for commercial gain.
- d) Does not comprise of more than 1 bedroom, 1 dining/living room, 1 kitchen and ablution facilities.
- e) Does not contain a laundry and the laundry facilities are shared between the principal residence and the additional accommodation.
- f) It is to be of an appearance and style similar to the main dwelling and appear as a single residence and not a grouped dwelling.
- g) A statutory declaration to be signed by the owners and each person for whom the ancillary accommodation is intended and submitted to Council with the building licence application.

STABLES

Means land and buildings used or adopted for use for the keeping of horses.

EQUESTRIAN USE

Means buildings, facilities and land designed and used for equestrian activities whether or not for commercial gain and includes but is not limited to riding instruction, horse breeding, horse training, agistment, show jumping and dressage.