

## **MINOR NATURE DEVELOPMENT**

### **OBJECTIVE**

To define development of a minor nature which, although complying with provisions of the City of Vincent Town Planning Scheme No. 1, is exempt from the need to obtain planning approval in accordance with Clause 33(d) of the City of Vincent Town Planning Scheme No. 1. A Building Licence is required for building works of a minor nature where this is appropriate.

### **POLICY STATEMENT**

1. Development of a minor nature does not require planning approval and is generally characterised as:
  - 1.1 small in scale and composition and which will not unduly adversely affect the locality by way of emissions of any kind nor generate excessive amounts of traffic;
  - 1.2 of a temporary nature occurring on one-off occasions (although may occur on a number of days) but not of any permanent nature or re-occurrence;
  - 1.3 uses of a limited nature considered to support or be ancillary to the overall operations of the primary approved use;
  - 1.4 uses which will not adversely affect the amenity, streetscape or day-to-day activities of the locality or any other use which, in the opinion of the City of Vincent, constitutes a minor use; and
  - 1.5 not located in a place that is:
    - 1.5.1 in the Register of Places under the Heritage of Western Australia Act 1990;
    - 1.5.2 the subject of an Order under Part 6 of the Heritage of Western Act 1990; or
    - 1.5.3 listed in the City of Vincent Heritage List or Municipal Heritage Inventory;

unless it is a home occupation that fully complies with clause 2.17 of this Policy.

2. Development of a minor nature includes but is not limited to such development/activities as:
  - 2.1 new street fences, walls and gates, including those adjacent to secondary street frontages and main roads that fully comply with the acceptable development provisions of the City of Vincent Policies, and Local Laws;
  - 2.2 retaining walls that do not exceed 500 millimetres in height;
  - 2.3 filling or excavation of land that does not exceed 500 millimetres in height or, in the opinion the City of Vincent, is over a limited area of the lot and will not constitute a significant alteration of the natural ground level of the land;
  - 2.4 single storey pergolas, porches, roofs, patios, verandahs, garages, carports, outbuildings and external fixtures (such as those items attached to buildings as identified in 6.10 Element 10 - Incidental Development of the Residential Design Codes) appurtenant, to a single house, grouped dwelling, multiple dwelling, that fully comply with the acceptable development provisions of the Residential Design Codes and the City of Vincent Policies;
  - 2.5 swimming pools where no part is more than 500 millimetres above the surrounding natural ground level;
  - 2.6 sun-shade sails and the like, used for the purpose of providing shade provided that they:
    - 2.6.1 are not located within any primary street setback area;
    - 2.6.2 do not exceed 3.0 metres in height; and
    - 2.6.3 do not exceed 20 square metres in area;
  - 2.7 garage sales, fairs, fetes, circus, charity goods sales and the like;
  - 2.8 maximum of two amusement machines;
  - 2.9 shop front alterations where the alignment is unaltered, where not affecting heritage requirements or which do not include the installation of roller doors and shutters. Shopfronts are to maintain an active and interactive relationship between the development and the adjacent street(s), to ensure surveillance and visual amenity of the public domain and communal spaces;
  - 2.10 family day care centres for five or less children;
  - 2.11 communications facilities which are listed as being exempt from the requirement to obtain planning approval under the terms of Policy No. 3.5.5 relating to Domestic Satellite Dishes, Microwave Antennae and Tower Mast and Policy No. 3.5.6 relating to Telecommunication Facilities;

- 2.12 signs and advertising that fully comply with the City of Vincent Policy No. 3.5.2 relating to Signage and Advertising, including all signs and advertising which are not visible from any public street and/or adjacent property;
- 2.13 signs and advertising on public places and reserves relating to:
  - 2.13.1 the functions of government, a public authority or the Council of a local government, excluding those of a promotional nature constructed or exhibited by, or on behalf of, any such body;
  - 2.13.2 required for the management and control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed, exhibited by or at the direction of a government department, public authority or the Council of a local government; and
  - 2.13.3 required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein;
- 2.14 change of text and graphics on existing signs and advertising;
- 2.15 works to a building in a dangerous state or of an emergency endangering any person, building or structure, such that the building will be a replication of the building before it became dangerous;
- 2.16 temporary offices and sheds (including containers) used by builders or contractors directly associated with the building works occurring on site for the duration of completing those building works and operations. Containers are not allowed in any other instance;
- 2.17 home occupations that:
  - 2.17.1 does not entail the retail sale, display or hire of goods of any nature;
  - 2.17.2 does not cause injury to or prejudicially affect the amenity of the immediate area;
  - 2.17.3 does not detract from the residential appearance of the dwelling house or domestic outbuilding;
  - 2.17.4 does not entail employment of any other person;
  - 2.17.5 does not occupy an area greater than 20 square metres;
  - 2.17.6 does not display a sign exceeding 0.2 square metre in area;
  - 2.17.7 does not attract customers or regular and frequent deliveries of goods or equipment to the site;

- 2.17.8 will not result in the requirement for a greater number of parking facilities than normally reserved for a single dwelling, and will not result in a substantial increase in the amount of vehicular traffic in the vicinity;
- 2.17.9 does not entail the presence, parking and garaging of a vehicle of more than one (1) tonne tare weight;
- 2.17.10 does not involve the servicing or repair for gain of motor vehicles; and
- 2.17.11 in the opinion of the City is compatible with the principal uses to which land in the zone in which it is located may be put;
- 2.18 Alfresco Blinds on approved premises with Alfresco Dining Licences used for the purpose of outdoor weather protection provided that they:
  - 2.18.1 are non-reflective, transparent and lightweight in appearance and do not have the visual or apparent effect of enclosing public space;
  - 2.18.2 are removed from public areas at the close of business each day;
  - 2.18.3 do not hinder use of public areas during and after trading hours; and
  - 2.18.4 do not cause injury to or prejudicially affect the amenity of the immediate area;
- 2.19 Water Tanks, provided that:
  - 2.19.1 the aggregated capacity is less than 2 cubic metres if located within the primary street setback area; and
  - 2.19.2 no part is more than 2 metres above the natural ground level;
- 2.20 Works that fully comply with the acceptable development provisions of the Residential Design Codes and the City of Vincent Policies, where applicable.

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| <b>Date Initially Adopted:</b> | 27 March 2001                  |
| <b>Date Amended:</b>           | 22 November 2005, 11 June 2013 |
| <b>Date of Next Review:</b>    | March 2018                     |