

Second Residence

In some cases within the General Rural zoning, a second residence may be considered for approval, provided it meets certain criteria.

Consideration Criteria

To be considered for a second residence, the property must meet the following:

- The property must have a General Rural zoning under the City's Town Planning Scheme (TPS) No. 4;
- The subject lot must be eight hectares (8ha) or greater in size, 'provided it can be demonstrated to the satisfaction of the City that the additional accommodation is required for the continued operation of an existing productive rural use of the property'; as outlined in the TPS; and
- The second residence must be for the purpose of farm management only.

Application Submission

The following information and details must be submitted:

- A completed application form (Application for Development Approval) signed by all landowners.
- A completed Development Application Checklist.
- A non-refundable application fee as per the Schedule of Fees and Charges.
- Site, floor and elevation plans as detailed on the Development Application Checklist. The site plan is to show:
 - The position of all structures (existing and proposed) on the entire site, with dimensions and areas;
 - The location, dimensions and layout for all existing car parking areas, access ways, crossovers and loading/unloading areas (including the extent of the sealed areas and stormwater drainage);
 - Extent of landscaped areas with the position and type of existing and proposed vegetation and the method of irrigation;
 - Existing and proposed contours, embankments and retaining walls;
 - Location of any existing and/or proposed on site effluent disposal facilities; and
 - Setback distances and road widening.

Incomplete applications will not be processed until all information is received or returned. Additional information may be required at the City's discretion.

Assessment Process

When an application is lodged, the City's Planning Services staff will assess the information provided by the applicant and determine whether it requires public advertising. If the application is to be advertised, then generally 14 - 21 days would be allocated for submissions to be received.

Depending on whether the application meets the criteria of City's Town Planning Scheme, the application may be determined by the relevant officer, under delegated authority. If variations are proposed to these standards Council may need to determine the application.

The timing of applications can vary depending upon workload, process and Council meeting times. Note in accordance with Part 9, Clause 75 of the Planning and Development (Local Planning Schemes) Regulations 2015 there is a statutory time frame of 60 days on development applications or 90 days where an application must be advertised for public comment in accordance with Part, Clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015.

In considering an application, staff members and Council must have due regard for the following:

- Compliance with the relevant provisions of the Town Planning Scheme;
- Any planning policy, strategy or plan adopted by the Council;
- Appropriate use of the property in relation to its zoning;
- The potential for detrimental or adverse impact upon occupants of adjoining properties;
- Any relevant submissions received regarding the application;
- Requirements of orderly and proper planning;
- Preservation of the amenity of the locality;
- Effluent disposal issues;
- Preservation of any object or place of heritage significance; and/or
- Any other matters that are considered relevant.

Second Residence (continued)

Referrals

Referral to other agencies for their comments may also be required, such as Government agencies responsible for the environment, water resources and/or transport etc.

Determination of Applications

In determining an application for the keeping of farm animals, the City or Council may:

- Grant approval with or without conditions as it deems necessary to the proposal; or
- Refuse to grant its approval giving its reasons for refusal.

Where approval is granted for the development, the approval shall remain valid for two years from the date of the approval.

However, if the development is not substantially commenced within that time, the approval shall lapse and be of no further effect.

Occasionally, an application may require referral to the Western Australian Planning Commission for determination.

However this does not normally occur and should it be necessary the applicant will be notified accordingly.

Further Information

For further information, refer to the Planning section of the City's website where the following information is available:

- Town Planning Scheme No. 4
- Local Planning Policies
- Information Sheets
- Schedule of Fees and Charges
- Application for Development Approval
- Development Application Checklist

Contact the City's Planning Services for further information.

Please note the information contained within this brochure is intended as a guide only. It is recommended that advice and assistance of City's Planning Services staff be sought prior to lodgement of a development application. The City of Armadale disclaims any liability for any damages sustained by a person acting on the basis of this information.