

# Draft Local Planning Policy No. 46

# Sustainable Development

Adopted: Month 2024

Amended: XX Month Year

## 1.0 Citation

This Local Planning Policy is prepared under Schedule 2, Part 2, Division 2 of the Planning and Development (Local Planning Schemes) Regulations 2015. This Policy may be cited as Local Planning Policy 46 – Sustainable Development.

## 2.0 Introduction

This policy outlines sustainability-related requirements for the development of land in the Town. This policy aims to deliver outcomes consistent with the Local Planning Strategy (Objective 5.2 - To encourage best practice ecologically sustainable development relative to the opportunities and constraints associated with the scale and siting of the development) and the Town's Climate Emergency Plan.

Whilst sustainable development can often incur a greater cost up front, the resultant utility cost savings from energy and water efficiencies compensate this over time. Many new buildings already provide some or many of the sustainability measures provided by this Policy, however this Policy provides additional guidance on sustainability outcomes for applicants to consider and implement. There are a variety of options to comply with the Policy provided in Table 1, which accommodate a range of site contexts and budgets.

The Australian Government has put together an independent guide to designing, building or renovating homes to ensure they are energy efficient, comfortable, affordable and adaptable for the future. For further information on sustainable home-design, please visit:

<https://www.yourhome.gov.au/>

The Town hopes that by highlighting the benefits of sustainable design, that landowners and developers will be motivated to pursue and investigate sustainable design out of their own interest, rather than purely responding to the *Table 1 -Sustainability Measures* in a compliance-based mindset.

## 3.0 Objectives

- a) To realise the Town's sustainable built form strategic objectives as identified in the Strategic Community Plan, Local Planning Strategy and Scheme.
- b) To provide a framework of sustainability measures to be integrated into development to achieve sustainable built form, in perpetuity.
- c) To protect the natural environment by minimising energy and water use, and the generation of greenhouse gases.
- d) To provide flexible design options for landowners to develop sustainable buildings that are fit for purpose and appropriate for their specific site context.
- e) To encourage environmentally sustainable design in the Town.

## 4.0 Scope

Part A of Clause 6.0 of This policy applies to applications for development approval for the following development types :

- All new single houses;
- All new grouped dwellings;
- Significant additions and/or alterations to a single house or grouped dwelling;  
(excluding Ancillary Dwellings)
- Multiple Dwellings in areas coded R60 and below.

except where the development is the subject of a Structure Plan or Local Development Plan that contains alternative sustainability requirements.

Part B of Clause 6.0 of this Policy applies to all applications for new non-residential buildings (including the non-residential component of a mixed use development) with a gross floor area (GFA) of 1000m<sup>2</sup> or more.

In the case of Multiple Dwellings in areas coded R80 and above, the provisions of the R-Codes Volume 2 'Apartments' apply.

Should there be any inconsistencies between the provisions of this policy and other local planning policies the provisions of this policy prevail.

## 5.0 Definitions

Where not defined below, words and terms used in this policy are as defined in the Scheme, the *Planning and Development Act 2005*, the Regulations or the Residential Design Codes (the R-Codes):

**Additions and/or Alterations** means any addition and/or alteration to an existing dwelling.

**NatHERS** means the Nationwide House Energy Rating Scheme.

**Passive House** means a design standard that achieves thermal comfort with minimal heating and cooling by using insulation, airtightness, appropriate window and door design, ventilation systems with heat recovery, and elimination of thermal bridges.

**Permeable Driveway** means a driveway that allows for water to naturally pass through its surface.

**Significant Additions and/or Alterations** means an addition and/or alteration with an internal floor area greater than 50 per cent of the existing internal floor area.

**Solar Absorptance** means the fraction of the total incident solar radiation that is absorbed by the roofing material, with the remainder being reflected.

**Solar PV** means solar photovoltaic (PV) system

**Waterwise Plants** has the same meaning as classified in the Water Corporation's Waterwise Plant Search for the Town of Victoria Park.

## 6.0 Policy Requirements

### Part A – For applicable residential developments

- A1 All new single houses, all grouped dwellings and multiple dwellings in areas coded R60 and below must reach a minimum of 100 points under Table 1 below.
- A2 Proponents are required to submit the Sustainability Checklist (Form 1) when lodging a development application to indicate which sustainability measures have been incorporated into the development. If there is more than one dwelling, a Form 1 must be provided for each dwelling.
- A3 Sustainability measures must also be reflected on the development plans and will be reinforced through condition(s) of development approval.
- A4 Significant additions and/or alterations to an existing dwelling are required to reach a minimum 60 points under Table 1 below.
- A5 In the case of significant additions and/or alterations, where proponents can demonstrate that an item(s) under Table 1 is already included in the design of an existing dwelling, discretion to the point value allocation of the sustainability measure(s) may be reduced to the minimum points required under clauses 1.1 and 1.4. The sustainability measure(s) must:
- Be of a minimum standard as per Table 1; and
  - Be able to be maintained in perpetuity.
- A6 The Town may consider request(s) for alternative sustainability measure(s) to be included in the proposal. Where a proponent wishes to pursue this option:  
All requests must be made to the Town of Victoria Park in writing seeking approval as part of the development application. The request must include:
- (i) A description of the sustainability measure(s); and
  - (ii) Unit of measure (if applicable); and
  - (iii) Manufacturer (if applicable); and
  - (iv) A description of the proposed tangible sustainability benefit that would be provided.

**Table 1 – Sustainability measures**

Item	Theme	Sustainability Measure	Points
1	Solar Efficiency	Solar PV system with a minimum 3kW inverter(s)	15
2		Solar battery storage of a minimum 8kWh	15
3		A minimum 150L: <ul style="list-style-type: none"> <li>• Solar hot water system with a minimum 2 panels of solar collector area; or</li> <li>• Heat pump hot water system.</li> </ul>	15
4		Roof colour to have a solar absorptance value of not more than 0.45. Note: this value is usually listed on the material specification sheet/data sheet available from the manufacturer Note: this sustainability measure is an option for new single houses and grouped dwellings, and applicable detached additions and/or alterations only.	15
5		100% of windows double glazed with <ul style="list-style-type: none"> <li>• Conductive (metal/aluminium) frames</li> <li>• Insulative (timber/PVC/'thermally broken') frames</li> </ul> Note: this sustainability measure is an option for new single houses and grouped dwellings, and applicable detached additions and/or alterations only.	15 30
6	Water Efficiency	Rainwater tank of minimum 3,000L capacity that is plumbed into a toilet and/or laundry. Note: refer to Local Planning Policy 32 (table 1, row 15) for guidance on water tanks	15
7		A grey water reuse system that collects grey water from the laundry and bathroom and redirects it for garden irrigation. Note: Refer to the <a href="#">Code of Practice for the Reuse of Greywater in Western Australia 2010</a> , which specifies the minimum areas of garden or lawn required for greywater disposal.	15
8		Permeable paver driveway(s) Note: Please be advised that for the purposes of calculating stormwater retention requirements (eg for strip drains and soakwell's etc) the Town will assume that permeable paver driveways act as an impervious surface.	15
9	Vegetation	Waterwise plants as defined by the Water Corporation comprise 75% of the total landscaped area. The landscaped area must be a minimum of 20m <sup>2</sup> . A landscaping plan must be provided with the development application, to the satisfaction of the Town of Victoria Park. Note: See <a href="https://www.watercorporation.com.au/">https://www.watercorporation.com.au/</a> for further information on waterwise plants	15
10		Within the dwelling site, retain one healthy mature tree with a tree height of: <ul style="list-style-type: none"> <li>• Under 8m</li> <li>• 8m or higher</li> </ul> for current and future protection. An arborist report and Form 2 must be provided with the development application to verify the ongoing health of the tree. The Town of Victoria Park will determine whether the proposed tree satisfies the requirement of this sustainability measure.	30 45
11		Within the dwelling site, provide a new tree and associated planting area in addition to/in excess of what is required under the R-Codes. The tree must be a native species with a planting size of at least 35L and must be retained in perpetuity.  For dwellings assessed under: <ul style="list-style-type: none"> <li>- Part B of the R-Codes, this entails an additional tree with minimum 2mx2m planting area.</li> <li>- Part C of the R-Codes, then this would entail an additional 'small tree' with minimum 9m<sup>2</sup> deep soil area and minimum dimension 1.5m<sup>2</sup></li> </ul>	15

		(ie, 3mx3m would comply, but so would 6mx1.5m)	
		A Form 3 must be provided with the development application. The Town of Victoria Park will determine whether the proposed tree satisfies the requirement of this sustainability measure.	
12	Transport	At least one car parking bay provided with a minimum 7kW electric vehicle charger. Note: this sustainability measure requires a 'vehicle ready' set of electric vehicle supply equipment to be installed, including power supply, control module and cable attachment/charging socket	15
13	Energy Efficient Design	Ceiling fans provided to all bedrooms	15
14		<p>A major opening to the primary living space is oriented between north-west and east in accordance with Figure 1, with an adjoining uncovered open area with:</p> <ol style="list-style-type: none"> <li>a minimum dimension 3m x 3m<sup>1</sup> in accordance with Figure 2; and</li> <li>the exception of shading devices up to 2m depth.</li> </ol> <p><sup>1</sup>The centre line of the minimum 3m x 3m area must be contained within the glazed area of the major opening (Figure 3).</p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>Orientation of major opening to primary living space</p> <p><b>Figure 1</b> Orientation of major opening to the primary living space</p> </div> <div style="text-align: center;"> <p><b>Figure 2</b> Minimum dimension of an uncovered open area</p> </div> </div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="text-align: center;"> </div> <div style="text-align: center;"> </div> <div style="text-align: center;"> </div> </div> <p><b>Figure 3</b> Adjoining uncovered open areas</p> <p>Note: A deemed-to-comply dwelling designed under Part C of R-Codes Volume 1 will meet this provision by default. This provision is intended to encourage dwellings designed under Part B of the R-Codes to <i>also</i> be designed in accordance with solar passive design principles.</p>	15
15		Achieve a Nationwide House Energy Rating Scheme (NatHERS) star rating of not less than nine stars. The energy efficiency rating for the dwelling shall be certified by a suitably qualified and accredited energy assessor using accredited software and shall	45

		be provided at the development application stage.  The Town will also consider an alternative evidenced through an equivalent rating tool. Where an alternative certification is being sought, seek prior approval from the Town.	
16		Commitment to, prior to occupation, an inspection being undertaken by a suitably qualified and accredited energy assessor to confirm that the dwelling has been constructed in accordance with the energy assessment provided. Note: This sustainability measure is only an option where a NATHERS rating of one star in excess of the Building Codes of Australia requirements is proposed.	15
17		Commitment to, prior to occupation, an airtightness test being undertaken by a suitably qualified professional to confirm the dwelling achieves a maximum air leakage of 5 ACH50 (5 Air changes per hour at 50 pascals).	15
18	Additional Sustainability Measure(s)	Net zero certification, or demonstration of other significant low embodied energy measures, for the construction materials and methodology to the satisfaction of the Town	15
19		The proposal is an accessible dwelling designed to gold level universal design in accordance with R-Codes Volume 1 Part B, 5.5.4 C4 or R-Codes Volume 1 Part C, C2.7.2	15
20		The proposal is a 'Small Dwelling' as defined by the R-Codes Volume 1 - this being a single house or grouped dwelling with an internal floor area no greater than 70m <sup>2</sup>	15
21		No natural gas is to be used for cooking, dwelling or water heating.	15
22		Refer to clause 6 A6 of this policy. Note: Should a proponent wish to use an alternative sustainability measure in accordance with clause 6 A6, it is recommended they contact the Town of Victoria Park for advice on the suitability of the measure prior to lodgement of the development application. The Town of Victoria Park will advise if further sustainability measures in addition to the alternative sustainability measure is required to achieve the points required in accordance with clause 6 A1 and A4.	

## Part B – For applicable non-residential developments

- B1 All development is to be designed and constructed to achieve a rating not less than 4 star Green Star using the relevant Green Building Council of Australia Green Star rating tool, or equivalent, demonstrated through a report provided by a suitably qualified professional.
- B2 Council may exercise discretion to waive or vary the requirements of the policy in the case where:
- a) Development involves refurbishment of a building included on the Heritage List or in a Heritage Area where, in the opinion of the Council, adherence to the requirements of clause 1 would detrimentally impact on the heritage values of the building or area; and/or
  - b) No suitable sustainability rating tool has yet been developed for assessment of the type of development proposed but it demonstrates a higher than standard energy and water efficiency.
- B3 An application for development approval is to be accompanied by a written report from a suitably qualified professional stating that that based upon the drawings and information provided as part of the development application, the building is capable of achieving the requirement at part B1 of this Policy.
- B4 Unless the Council waives any particular requirement, an application subject to this policy may be made subject to a condition of approval that:
- a) Prior to the issue of a building permit, the applicant/owner is to submit a copy of documentation from the Green Building Council of Australia or a suitably qualified professional stating how the development will achieve a Green Star rating of at least 4 Stars or equivalent, to the satisfaction of the Town. and
  - b) Prior to occupation, the applicant/owner is to submit a copy of documentation from the Green Building Council of Australia or a suitably qualified professional stating that the development as constructed achieves a Green Star rating of at least 4 Stars or equivalent, to the satisfaction of the Town.

## **Related Documents**

*Local Planning Policy No. 32 'Exemptions from Development Approval'*

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

## **Version Control**

Date Initially Adopted :	
Date(s) Amended :	

# Appendices

## Form 1 - Sustainability Checklist

Name: \_\_\_\_\_

Address of Development: \_\_\_\_\_

Development Type (include Lot No. if grouped dwelling): \_\_\_\_\_

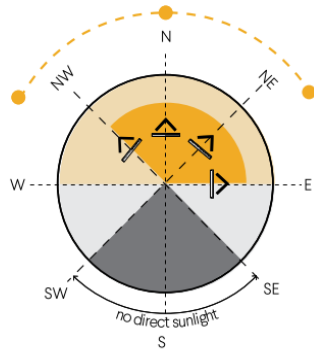
### Notes:

1. In accordance with clause 1.2, if more than one dwelling is proposed on-site, one Form 1 checklist is required for each dwelling
2. In accordance with clause 1.3, sustainability measure(s) must also be reflected on development plans (including site, floor, roof and elevation plans)

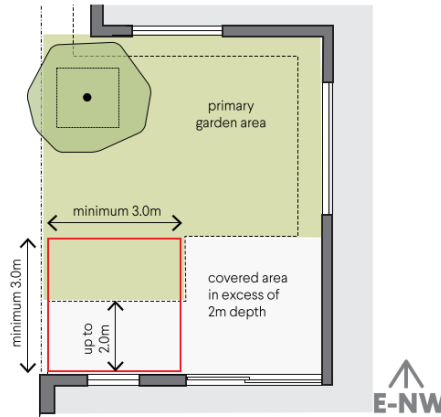
Item	Theme	Sustainability Measure	Points	Check
1	Solar Efficiency	Solar PV system with the following minimum 3kW size inverter(s)	15	
2		Solar battery storage of a minimum 8kWh	15	
3		A minimum 300L: <ul style="list-style-type: none"> <li>• Solar hot water system with a minimum 2 panels of solar collector area; or</li> <li>• Heat pump hot water system.</li> </ul>	15	
4		Roof colour to have a solar absorptance value of not more than 0.45.  Note: this value is usually listed on the material specification sheet/data sheet available from the manufacturer Note: this sustainability measure is an option for new single houses and grouped dwellings, and applicable detached additions and/or alterations only.	15	
5	Water Efficiency	100% of windows double glazed with <ul style="list-style-type: none"> <li>• Conductive (metal/aluminium) frames</li> <li>• Insulative (timber/PVC/'thermally broken') frames</li> </ul> Note: this sustainability measure is an option for new single houses and grouped dwellings, and applicable detached additions and/or alterations only.	15 30	
6		Rainwater tank of minimum 3,000L capacity that is plumbed into a toilet and/or laundry. Note: refer to Local Planning Policy 32 (table 1, row 15) for guidance on water tanks	15	
7		A grey water reuse system that collects grey water from the laundry and bathroom and redirects it for garden irrigation. Note: Refer to the <a href="#">Code of Practice for the Reuse of Greywater in Western Australia 2010</a> , which specifies the minimum areas of garden or lawn required for greywater disposal.	15	
8	Permeable paver driveway(s) Note: Please be advised that for the purposes of calculating stormwater retention requirements (eg for strip drains and soakwell's etc) the Town will assume that permeable paver driveways act as an impervious surface.	15		



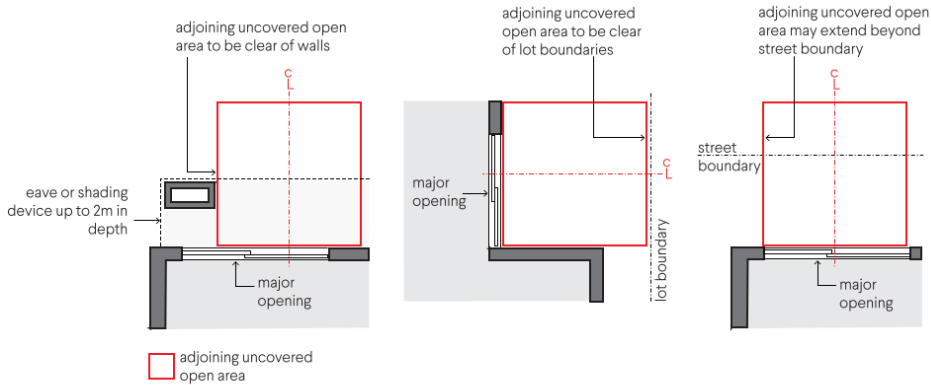
9	Vegetation	Waterwise plants as defined by the <a href="#">Water Corporation</a> comprise 75% of the total landscaped area. The landscaped area must be a minimum of 20m <sup>2</sup> . A landscaping plan must be provided with the development application.	15	
10		<p>Note: See <a href="https://www.watercorporation.com.au/">https://www.watercorporation.com.au/</a> for further information on waterwise plants</p> <p>Retain one mature tree on-site with a tree height of:</p> <ul style="list-style-type: none"> <li>• Under 8m</li> <li>• 8m or higher</li> </ul> <p>for current and future protection.</p> <p>An arborist report and <b>Form 2</b> must be provided with the development application to verify the ongoing health of the tree. The Town of Victoria Park will determine whether the proposed tree satisfies the requirement of this sustainability measure.</p>	30 45	
11		<p>Within the dwelling site, provide a new tree and associated planting area in addition to/in excess of what is required under the R-Codes. The tree must be a native species with a planting size of at least 35L and must be retained in perpetuity.</p> <p>For dwellings assessed under:</p> <ul style="list-style-type: none"> <li>- Part B of the R-Codes, this entails an additional tree with minimum 2mx2m planting area.</li> <li>- Part C of the R-Codes, then this would entail an additional 'small tree' with minimum 9m<sup>2</sup> deep soil area and minimum dimension 1.5m<sup>2</sup> (ie, 3mx3m would comply, but so would 6mx1.5m)</li> </ul> <p>A Form 3 must be provided with the development application. The Town of Victoria Park will determine whether the proposed tree satisfies the requirement of this sustainability measure.</p>	15	
12		Transport	<p>At least one car parking bay provided with a minimum 7kW electric vehicle charger.</p> <p>Note: this sustainability measure requires a 'vehicle ready' set of electric vehicle supply equipment to be installed, including power supply, control module and cable attachment/charging socket</p>	15
13	Energy Efficiency Design	Ceiling fans provided to all bedrooms	15	
14		<p>A major opening to the primary living space is oriented between north-west and east in accordance with Figure 1, with an adjoining uncovered open area with:</p> <ol style="list-style-type: none"> <li>i. a minimum dimension 3m x 3m<sup>1</sup> in accordance with Figure 2; and</li> <li>ii. the exception of shading devices up to 2m depth.</li> </ol> <p><sup>1</sup>The centre line of the minimum 3m x 3m area must be contained within the glazed area of the major opening (Figure 3).</p>	15	



Orientation of major opening to primary living space  
**Figure 1** Orientation of major opening to the primary living space



**Figure 2** Minimum dimension of an uncovered open area



**Figure 3** Adjoining uncovered open areas

Note: A deemed-to-comply dwelling designed under Part C of R-Codes Volume 1 will meet this provision by default. This provision is intended to encourage dwellings designed under Part B of the R-Codes to *also* be designed in accordance with solar passive design principles.

15

Achieve a Nationwide House Energy Rating Scheme (NatHERS) star rating of not less than nine stars. The energy efficiency rating for the dwelling shall be certified by a suitably qualified and accredited energy assessor using accredited software and shall be provided at the development application stage.

The Town will also consider an alternate equivalent rating tool. Where an alternative certification is being sought, seek prior approval from the Town.

15

16	Additional Sustainability Measure(s)	Commitment to, prior to occupation, an inspection being undertaken by a suitably qualified and accredited energy assessor to confirm that the dwelling has been constructed in accordance with the energy assessment provided.  Note: This sustainability measure is an only option where a NATHERS rating of one star in excess of the Building Codes of Australia requirements is proposed.	15	
17		Commitment to, prior to occupation, an airtightness test being undertaken by a suitably qualified professional to confirm the dwelling achieves a maximum air leakage of 5 ACH50 (5 Air changes per hour at 50 pascals).	15	
18		Net zero certification, or demonstration of other significant low embodied energy measures, for the construction materials and methodology to the satisfaction of the Town	15	
19		The proposal is an accessible dwelling designed to gold level universal design in accordance with R-Codes Volume 1 Part B, 5.5.4 C4 or R-Codes Volume 1 Part C, C2.7.2	15	
20		The proposal is a 'Small Dwelling' as defined by the R-Codes Volume 1 - this being a single house or grouped dwelling with an internal floor area no greater than 70m <sup>2</sup>	15	
21		No natural gas is to be used for cooking, dwelling or water heating.	15	
22		_____ _____ _____ _____ _____ _____ _____ _____ _____ _____  [state sustainability measure(s)] Refer to clause A6 of this policy.  Note: Should a proponent wish to use an alternative sustainability measure in accordance with clause A6/item 22, it is recommended they contact the Town of Victoria Park for advice on the suitability of the measure prior to lodgement of the development application. The Town of Victoria Park will advise if further sustainability measures in addition to the alternative sustainability measure is required to achieve the points required in accordance with clause 1.1 and 1.4.		
<b>Sustainability Measure(s) Chosen:</b>		[list item numbers]	<b>TOTAL:</b>	

**Declaration:**

I \_\_\_\_\_[print name], will implement the sustainability measure(s) as identified above and understand that relevant conditions will be contained as part of any development approval for the application.

Signature: \_\_\_\_\_

## **Form 2 - Tree Survey Form – Existing Tree**

**Note:** In accordance with clause A3, sustainability measure(s) must also be reflected on development plans (including site, floor and elevation plans)

	<b>Tree Attribute</b>	<b>Description</b>
1	<b>Applicant name:</b>	
2	<b>Address of development:</b>	
3	<b>Development type:</b>	[include lot no. if applicable]
4	<b>Arborist report completed by:</b>	
5	<b>Arborist contact details:</b>	
6	Location map and photo of tree:	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 1px solid black; width: 250px; height: 200px; text-align: center; vertical-align: middle;">                     Insert location map                 </div> <div style="border: 1px solid black; width: 250px; height: 200px; text-align: center; vertical-align: middle;">                     Insert photo                 </div> </div>
7	Location:	
8	Name (Botanical and Common):	
9	DBH* range/ (‘L’ at planting if new tree):	
10	Height:	
11	Canopy Diameter (average):	
12	Canopy Area ( $\pi \times r^2$ ):	
13	Age Class:	
14	Health / Vitality:	
15	Structural Condition:	
16	Useful Life Expectancy:	
17	Comments:	
18	Amenity Valuation (Helliwell):	
19	Total Points:	
20	Monetary Value:	
21	General Significance:	
22	Historical Significance:	

### Form 3 – Tree Survey Form – New Tree

Note: In accordance with clause A3, sustainability measure(s) must also be reflected on development plans (including site, floor and elevation plans)

	Tree Attribute	Description
<b>1</b>	<b>Applicant name:</b>	
<b>2</b>	<b>Address of development:</b>	
<b>3</b>	<b>Development type:</b>	[include lot no. if applicable]
4	Supplier:	
5	Botanical Name:	
6	Common Name:	
7	Litre (at time of planting):	
8	Height at Maturity (average):	
9	Life Expectancy (average):	