

## **6.16 CONTAINER DEPOSIT SCHEME INFRASTRUCTURE**

### **1. Introduction**

This Policy is to provide an exemption in accordance with Clause 61(1)(i) and (2)(e) of the *Planning and Development (Local Planning Schemes) Regulations 2015* from the requirement to obtain development approval for container deposit scheme facility proposals which satisfy minimum development standards.

### **2. Objectives**

- 2.1 To ensure the location, design and siting of container deposit scheme infrastructure is complementary to the character, functionality and amenity of urban localities.
- 2.2 To prevent negative impacts on local amenity from the operation of container deposit scheme infrastructure.
- 2.3 To enable the timely, cost effective delivery of essential container deposit scheme infrastructure.
- 2.4 To provide conveniently located infrastructure to ensure the container deposit scheme effective reduction of litter, increased recycling and protection of the environment.

### **3. Applications Subject of this Policy**

- 3.1 This Policy applies to all container deposit scheme infrastructure developments.
- 3.2 Development approval will not be required for container deposit scheme infrastructure proposals that comply with the provisions of this policy, in accordance with Clause 61(1)(i) and (2)(e) of the deemed provisions of the Local Planning Scheme No. 3 provided for by the Regulations, unless the development is proposed on land that is:
  - a. entered in the State Register of Heritage Places under the Heritage Act; or
  - b. the subject of an order under Part 4 of the Heritage Act; or
  - c. included on a heritage list prepared in accordance with Local Planning Scheme No. 3; or
  - d. within an area designated under Local Planning Scheme No. 3 as a heritage area; or
  - e. the subject of a heritage agreement entered into under section 90 of the Heritage Act.
- 3.3 Container deposit scheme infrastructure proposed to be erected on a temporary basis of not more than 48 hours within a 12 month period are exempt from approval, as per the requirements of 61(1)(f) and (2)(d) of the deemed provisions provided in the Regulations and contained within Local Planning Scheme No. 3. As such, the policy provisions would not apply.

### **4. Definitions**

Container collection cage: means a cage, or other structure, that is designed to store containers deposited at return points, and is incidental to the predominant land use.

Container deposit scheme: means the Western Australian program that provides a refund for the return of eligible beverage containers at various container return points. The program is not intended to collect normal household waste.

Container deposit scheme infrastructure: means a reverse vending machine or a container collection cage used for the container deposit scheme.

<u>Heritage Act:</u>	means the <i>Heritage Act 2018</i> .
<u>Noise Regulations:</u>	means <i>Environmental Protection (Noise) Regulations 1997</i> (as amended) prepared under the <i>Environmental Protection Act 1986</i> .
<u>Regulations:</u>	means the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> prepared under the <i>Planning and Development Act 2005</i> .
<u>Reverse vending machine:</u>	means an unattended device that accepts empty beverage containers used for the container deposit scheme, and is incidental to the predominant land use.
<u>Total lot area:</u>	means the total land area of a freehold or survey strata lot.

## **5. General**

- 5.1 Container deposit scheme infrastructure must not result in any change to the property that results in the site no longer complying with any relevant development standards and/or requirements of the Local Planning Scheme No. 3.
- 5.2 Where the development is no longer incidental to an existing land use, development approval for the change of land use may be required.

## **6. Zones and Reserves**

- 6.1 Development approval for the development or operation of a container collection cage is not required where it complies with all the relevant development standards outlined by this policy, and may take place in any zone or local reserve.
- 6.2 Development approval for the development or operation of a reverse vending machine is not required where it complies with all the relevant development standards outlined by this policy, and may take place in any local reserve or any of the following zones:
- |                         |                     |                         |
|-------------------------|---------------------|-------------------------|
| a. Business;            | b. Civic;           | c. District Centre;     |
| d. Hotel;               | e. Industry;        | f. Local Centre;        |
| g. Mixed Business;      | h. Mixed Use;       | i. Private Institution; |
| j. Regional Centre; and | k. Service Station. |                         |

## **7. Location**

- 7.1 Container deposit scheme infrastructure must not be erected within 10 metres of an adjoining lot boundary that accommodates a residential use.
- 7.2 Container deposit scheme infrastructure must not restrict any vehicular or pedestrian access to or from, or entry to any building, on the land on which the infrastructure is located.
- 7.3 Container deposit scheme infrastructure must not obstruct the operation of, or access to, any utility services on the land on which the infrastructure is located or on adjacent land.
- 7.4 To preserve pedestrian and vehicular sightlines, and servicing access, container deposit scheme infrastructure must not be erected within two (2) metres of any road reserve or right-of-way intersection or crossover, and shall not reduce existing car park sightlines, aisle widths and manoeuvring spaces.

## **8. Visual Amenity**

- 8.1 Where the development of a container deposit scheme infrastructure is proposed outdoors:
- placement of the infrastructure must not result in the removal of any vegetation, landscaping or street tree;
  - the infrastructure must be constructed and clad with low-reflective, graffiti-resistant materials, which provide protection from the elements, where not consisting of promotional or branding material approved under the operation of the container deposit scheme; and
  - the infrastructure must not display any advertising signage other than promotional or brand signage related to the operation of the container deposit scheme infrastructure, that must be attached to the infrastructure and not extend beyond the surface of the infrastructure. The signage is not to comprise of lights.
- 8.2 Where the development of a container deposit scheme infrastructure is proposed outdoors, and the infrastructure exceeds a development footprint of 10 square metres, bins for the removal of waste or recyclable materials not accepted by the infrastructure must be provided. The bins are to be adjacent to the container deposit scheme infrastructure, and serviced regularly at the applicants expense to maintain the amenity of the area, at a rate of one (1) waste bin and 0.5 recycling bins (both 240L in volume) per 10 square metres or part thereof development footprint.

## **9. Operational Amenity**

- 9.1 Where the development or operation of a container deposit scheme infrastructure is proposed within 100 metres to land that accommodates a residential use, the infrastructure must operate only:
- between 7.00 am and 7.00 pm Monday to Saturday; and
  - between 9.00 am and 7.00 pm on Sunday and public holidays.

Outside of these hours the container deposit scheme infrastructure shall be locked and made inoperable.

- 9.2 Where the development of a container deposit scheme infrastructure is proposed, the operation of the infrastructure must not prejudicially affect the amenity of the locality due to the emission of light, noise, vibration, electrical interference, smell or any other by-product.
- 9.3 Where the development or operation of a container deposit scheme infrastructure is proposed, the infrastructure or use of the infrastructure must not emit noise at a level which exceeds any requirement(s) under the Noise Regulations.
- 9.4 Where the development or operation of a container deposit scheme infrastructure is proposed, the infrastructure must be provided with lighting that complies with AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces, Part 3.1: Pedestrian area (Category P) lighting—Performance and design requirements (as amended).
- 9.5 Where the development or operation of a container deposit scheme infrastructure is proposed, the infrastructure must be accessible to any person with a disability.

## **10. Development Footprint**

- 10.1 For a container collection cage proposed outdoors, the cage must not have a development footprint of more than eight (8) square metres or be more than 2.5 metres in height. There shall not be more than one (1) cage per lot.

- 10.2 For a reverse vending machine proposed outdoors, on land not used for car parking, the machine must not be more than three (3) metres in height, or have dimensions greater than eight (8) metres by six (6) metres. There shall not be more than one (1) machine per 15,000 square metres of total lot area or part there of.
- 10.3 For a reverse vending machine proposed within an existing car park, there must be a minimum of 40 car parking spaces available after the development of the infrastructure with the provision of car parking bays on-site complying with the City's Car Parking Policy. There shall not be more than one (1) machine per 1,000 car parking space or part there of. The area occupied by the large reverse vending machine must not exceed:
- a. 50 square metres, where there are less than 200 car parking spaces; or
  - b. 75 square metres, where there are 200 or more car parking spaces.

## **11. Variations to Policy Requirements**

Any variations to this Policy will be assessed by the City against the objectives of this Policy.

### **OFFICE USE ONLY:**

#### **Local Planning Scheme No.3 – Local Planning Policy History:**

<b>Action</b>	<b>Resolution Number</b>	<b>Effective Date</b>
Adopted	0220/045	9 April 2020