



6.1.23 Container Deposit Infrastructure

Purpose

This policy provides 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 (CDS) infrastructure proposals which satisfy minimum development standards.

Objectives

The objectives of this Policy are:

-) To ensure the location, design and siting of CDS infrastructure is complementary to the character, functionality and amenity of urban localities;
-) To prevent negative impacts on local amenity from the operation of CDS infrastructure; and
-) To enable the timely, cost effective delivery of essential CDS infrastructure.

Application of Policy

This Policy applies to the development assessment of infrastructure associated with the Container Deposit Scheme in the Shire of Manjimup Scheme Area.

The Policy is to be read in conjunction with the Scheme and any other relevant Local Planning Policies. If a provision of the Policy is inconsistent with the Scheme, the Scheme prevails.

Definitions

For the purpose of this policy, the following definitions shall apply:

Container deposit scheme infrastructure means a reverse vending machine or a container collection cage.

Reverse vending machine means a permanently-located unattended device that accepts empty beverage containers, and is incidental the predominant land use.

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.

All other terms and references shall have the same meaning as given by the Shire of Manjimup's Local Planning Scheme No. 4, the *Planning and Development Act 2005* and associated regulations.

Relationship to Building Code of Australia

Notwithstanding that development approval may not be required for the development of some forms of CDS infrastructure a building permit may be required to be sought and issued prior to being erected on site. Accordingly, proponents should liaise with the Shire of Manjimup noting that a Building Permit is required for any building or structure not listed by Schedule 4 of the *Building Regulations 2012*, which deals with

building work for which a building permit is not required.

Background / Issues

The Western Australian Government is implementing a CDS to complement existing kerbside recycling services. The CDS provides for a refund to be paid to any person who returns an eligible beverage container through the scheme. The CDS operates by the return of containers via various container return points. In the context of the position statement, the return points are referred to as CDS infrastructure. The CDS is not intended to collect normal household waste.

The role of planning in the implementation of the CDS is to ensure that the infrastructure required to facilitate the scheme is established in appropriate locations.

Policy Measures

Provisions

Specified Exemptions
<p>Small reverse vending machines that are:</p> <ul style="list-style-type: none">) less than three square metres;) located within existing shopping centres or public spaces;) does not result in non-compliance with any relevant development standards and/or requirements of the Scheme; and) does not restrict pedestrian/vehicular movements. <p>The development or operation of a large reverse vending machine and/or container collection cage is development for which development approval is not required where it complies with all the relevant development standards outlined below (unless otherwise agreed by the local government), and may take place within the following zones and reserves::</p> <ul style="list-style-type: none"> a) town centre, industry, enterprise and clubs and institutions zones; and b) parks and recreation or public purpose reserves.
Development Standards
General
<p>Where the development of a large reverse vending machine and/or container collection cage is proposed, the infrastructure must not result in any change to the approved land use in a way that would result in the use no longer complying with any relevant development standards and/or requirements of the Scheme.</p>
Location
<p>Where the development of a large reverse vending machine and/or container collection cage is proposed, the infrastructure must not be erected within 10 metres of an adjoining lot boundary that accommodates a residential or short stay accommodation land use.</p>
<p>Where the development of a reverse vending machine and/or container collection cage is proposed, the 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.</p>

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Where the development of a large reverse vending machine and/or container collection cage is proposed, the 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.

Where the development of a large reverse vending machine and/or container collection cage is proposed, to preserve pedestrian and vehicular sightlines, and servicing access, the infrastructure must not be erected within two (2) metres of any road reserve or right-of-way intersection or crossover, and shall be located in such a way that it does not reduce existing car park sightlines, aisle widths and manoeuvring spaces.

Where the development of a container collection cage is proposed, the collection cage must be located in a car park (surplus to requirements) or service area to be visually unobtrusive, and must be secured, locked and immovable. The cage must be more than two bay parking bays from an accessible bay.

Visual Amenity

Where the development of a large reverse vending machine and/or container collection cage is proposed outdoors, placement of the infrastructure must not result in the removal of any vegetation, landscaping or street tree.

Where the development of a large reverse vending machine and/or container collection cage is proposed outdoors, the infrastructure must not display any advertising signage other than promotional or brand signage approved under the operation of the container deposit scheme.

Where the development of a large reverse vending machine and/or container collection cage is proposed outdoors, the infrastructure must be constructed and clad with low-reflective, graffiti-resistant materials, which provide protection from the elements and, where not consisting of promotional or branding material approved under the operation of the container deposit scheme, are consistent in colour and finish to that of nearby existing buildings.

Where the development of a large reverse vending machine is proposed outdoors, and the infrastructure exceeds a development footprint of 10 square metres, to maintain the amenity of the area, the site shall be monitored and all waste or recyclable materials not accepted by the infrastructure removed and disposed of by an appropriate method.

Operational Amenity

Where the development of a large reverse vending machine and/or container collection cage 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.

Where the development or operation of a large reverse vending machine is proposed adjacent to land that accommodates a residential or short stay accommodation use, the machine must operate only between the approved opening hours of the predominant land use, or in the absence of any other use:

- a) between 7.00 am and 6.00 pm Monday to Saturday; and
- b) between 9.00 am and 6.00 pm on Sunday and public holidays.

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Where the development or operation of a large reverse vending machine is proposed, the reverse vending machine when in operation must not emit noise at a level which exceeds any requirement(s) under the Noise Regulations

Where the development or operation of a large reverse vending machine and/or container collection cage is proposed, the infrastructure must be accessible to any person with a disability.

Development footprint

Where the development of a container collection cage is proposed outdoors, the cage must not: (a) have a development footprint of more than eight (8) square metres; or (b) be more than two (2) metres in height.

Where the development of a large reverse vending machine is proposed outdoors, on land not used for car parking, the machine must not: (a) have a development footprint of more than 45 square metres, and (b) be more than three (3) metres in height, or have dimensions greater than eight (8) metres by six (6) metres.

Administration

Development approval will not be required for container deposit scheme infrastructure proposals that comply with the provisions of this policy, provided for by the Regulations, unless the development is proposed on land in a place that is:

1. entered in the Register of Heritage Places under the Heritage Act;
2. the subject of an order under Part 6 of the Heritage Act;
3. included on a heritage list prepared in accordance with the Scheme;
4. within an area designated under the Scheme as a heritage area; or
5. the subject of a heritage agreement entered into under section 29 of the Heritage Act.

Where an application for development approval is required, applications submitted to the Shire of Manjimup are to be supported by the submission of:

-) A site plan showing the proposed location of the infrastructure on the property and the location of any existing buildings/structures;
-) Plans, dimensions and details of the infrastructure;
-) Photographs/diagrams of any proposed supporting or storage structure(s); and
-) Details of proposed modifications and other works to be carried out to improve appearance and address amenity concerns.

ADOPTED – 23 January 2020

EFFECTIVE – 5 February 2020

NEXT DUE FOR REVIEW – February 2024

The Administration of this Policy is by the Development and Regulation Division.