

CONTAINER DEPOSIT SCHEME (CDS) INFRASTRUCTURE Local Planning Policy 2			
POLICY OWNER:	Deputy CEO/ Community and Economic Growth		
DEPARTMENT:	Community and Economic Growth		
CREATION DATE:		REVIEW SCHEDULE:	Annually
RELATED PROCEDURES:			
RELATED FORMS:			
RELATED DELEGATIONS:			
RELATED POLICIES:			
LEGISLATION:	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Shire of Exmouth Local Planning Scheme No.4 <i>Heritage Act 2018</i> <i>Environmental Protection (Noise) Regulations 1997 (as amended)</i>		
DOCUMENT CONTROL			
DATE REVIEWED:	REVIEWED BY:	CHANGES (IF ANY):	APPROVED BY COUNCIL:

Local Planning Policy 2- Container Deposit Scheme (CDS) Infrastructure

OBJECTIVES

- Ensure the location, design, and siting of CDS infrastructure is complementary to the character, functionality, and amenity of urban localities.
- Prevent negative impacts on local amenity from the operation of CDS infrastructure.
- Enable the timely, cost-effective delivery of essential CDS infrastructure.
- Provide conveniently located infrastructure to ensure the CDS' effective reduction of litter, increased recycling, and protection of the environment.

POLICY STATEMENT

Provide an exemption in accordance with clause 61 of the *Planning and Development (Local Planning Scheme) Regulations 2015* (Regulations) from the requirement to obtain development approval for container deposit scheme infrastructure proposal which satisfy minimum development standards.

DEFINITIONS

Heritage Act - means the *Heritage Act 2018*.

Regulations - means the *Planning and Development (Local Planning Schemes) Regulations 2015* prepared under the *Planning and Development Act 2005*.

Noise Regulations - means *Environmental Protection (Noise) Regulations 1997* (as amended) prepared under the *Environmental Protection Act 1986*.

Scheme - means the Shire of Exmouth Local Planning Scheme No.4

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

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

Container collection cage (CCC)- means a cage, or other structure, that is designated to store containers deposited at return points and is incidental to the predominant land use.

Total lot area - means the total land area of a freehold or survey strata lot.

PROVISIONS

Development approval will not be required for container deposit scheme infrastructure proposals that comply with the provisions of this policy, in accordance with Schedule 2, clause 61 of the Regulations, unless the development is proposed on land in a place that is:

- Entered in the Register of Heritage Places under the Heritage Act; or
- The subject of an order under Part 6 of the Heritage Act; or
- Included on a heritage list prepared in accordance with the Scheme; or
- Within an area designated under the Scheme as a heritage area; or
- The subject of a heritage agreement entered under Part 7 of the Heritage Act. Container deposit scheme infrastructure installed on a temporary basis of not more than 48 hours within a 12-month period are typically exempt from approval, as per the requirements of Schedule 2, clause 61 of the Regulations. As such, the policy provisions would not apply.

Specified Exemption	
1.1	Development approval is not required for the development or operation of a large reverse vending machine where it complies with all the relevant development standards outlined below (unless otherwise agreed by the local government), and may take place in any zone, except for: (a) Residential, urban development, and Special Use 6 - Area A; and (b) Rural residential zones.
1.2	Development approval is not required for the development of a container collection cage where it complies with all the relevant development standards outlined below (unless otherwise agreed by the local government), and may take place in any zone, including a residential or rural zone or public purpose reserve where the land is lawfully used for the purposes of: (a) Civic use; and/or (b) Community purpose; and/or (c) Educational establishment.
Development Standards	
General	
2.1	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 standard and/or requirements of the Scheme.
Location	
2.2	The infrastructure must not be erected within 10 metres of an adjoining lot boundary that includes a residential use.
2.3	The infrastructure must not be erected within 10 metres of an adjoining lot boundary that includes a residential use.
2.4	The infrastructure must not obstruct the operation of, or access to, any utility service on the land on which the infrastructure is located or on adjacent land.
2.5	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 in such a way that it does not reduce existing car park sightlines, aisle widths and manoeuvring spaces.
2.6	Where a container collection cage is proposed, the collection cage must be in a car park or service area to be visually unobtrusive, and must be secured, locked and immovable.
Visual Amenity	
2.7	Where the development is proposed outdoors, placement of the infrastructure must not result in the removal of any vegetation, landscaping, or street tree.
2.8	Where the development 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.

2.9	Where the development 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.
2.10	Where the development of large reverse vending machine 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 are to be provided and serviced regularly 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 of development footprint.
Operational Amenity	
2.11	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.
2.12	Where the development or operation of large reverse vending machine is proposed adjacent to land that accommodates a residential 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 7.00 pm Monday to Saturday; and (b) Between 9.00 am and 7.00 pm on Sunday and public holidays
2.13	Where the development or operation of 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.
2.14	The infrastructure must be provided with lighting that complies with AS/NZ 1158.3.1: 2005 Lighting for roads and public spaces, Part 3.1: Pedestrian area (Category P) lighting-Performance and design requirements (as amended)
2.15	The infrastructure must be accessible to any person with a disability
Development Footprint	
2.16	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
2.17	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.
2.18	Where the development of a large reverse vending machine is proposed within an existing car park comprising more than 40 car parking spaces, the area occupied by the reverse vending machine must not exceed the greater of the following areas: (a) The area comprising four (4) car parking spaces; or (b) 45 square metres, where the car park contains 200 car parking spaces or less; or (c) 75 square metres, where the car park contains 200 or more car parking spaces
2.19	Where the development is proposed outdoors, the infrastructure shall be installed at a rate no greater than: (a) Container collection cage – one (1) per lot. (b) Large reverse vending machine proposed on land not used for car parking – one (1) per 15,000 square metres of total lot area: or (c) Large reverse vending machine proposed in an existing car park comprising more than 40 car parking spaces – one (1) per 1000 car parking spaces.