

Development Planning Guidelines

1. Index and Glossary of Terms

1. Guideline Objectives

The objective of this Guideline is to provide developers and applicants applying the Development Planning Policy, Development Planning Guidelines, and Site-Specific Development Guidelines:

- (a) The index to the suite of Development Planning Guidelines
- (b) A Glossary of Terms that apply to the policy and all processes, plans, and approvals applicable to the development planning process for all developments within Wadjemup / Rottneest Island.

2. Scope

This Guideline and any associated procedures and forms applies to an Application for Development Approval.

3. Development Planning Guideline Index

The table below is a list of Rottneest Island Authority's (RIA's) Development Planning Guidelines.

Developers must note that RIA has other approved guidelines and plans that are referenced within the individual Development Planning Guidelines listed below that will have relevance to development applications as applicable.

Guidelines and plans are available on RIA's website at [ria.wa.gov.au.https://www.ria.wa.gov.au/projects-and-developments/developments](https://www.ria.wa.gov.au/projects-and-developments/developments)

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4. Glossary Of Terms

Aboriginal Heritage Act means the *Aboriginal Heritage Act 1972*.

Act means the *Rottnest Island Authority Act 1987*.

Amenity means all those factors which combine to form the character of an area including its values, use, accessibility, and include the present and likely future amenity.

Ancillary Development means a development that is of an ancillary nature and is likely to have no or minimal impact on Rottnest Island's cultural and natural environments.

Applicant means a person, entity, organisation or body authorised to make an application for development under the Act or to act on any other matter in relation to the land.

Balcony means a balustrade platform on the outside of a building with access from an upper internal room.

Bicycle means any two wheeled vehicle that is designed to be propelled solely by human power.

Bicycle rack is a permanent or moveable structure designed to accommodate and store stationary bicycles in an upright manner.

Building means a structure whether fixed or moveable, temporary or permanent, placed or erected on land and includes structures not for habitation.

Building height means the vertical distance at any point from the natural ground level to the uppermost part of the building above that point (roof ridge, parapet or wall), excluding minor projections above that point.

Building permit means a formal notice of approval under the *Building Act 2011*, including conditions, issued by the City of Cockburn for a developer to access the site and commence construction.

Carbon footprint means a measure of the impact our activities have on the environment. Carbon footprint relates to the amount of greenhouse gases produced in our day-to-day activities through the burning of fossil fuels for electricity such as heating and transportation. The carbon footprint is a measurement of all greenhouse gases individually produced in units of tonnes or kilograms of carbon dioxide equivalent.

Carrier means the holder of a carriers licence.

Commercial signage means signage installed and maintained by commercial operators for commercial purposes.

Community Comment means advertising of a development application seeking comment from key stakeholders and/or the general public with the aim of obtaining comments or opinions about the planning merits of the development within a defined period.

Complete application means a development application that is submitted to RIA's satisfaction, including a completed application form, payment of application fee if applicable, complete set of development plans, and all required supporting information.

Construction means the assembly of a structure or building using planning and controlled measures.

Construction Management Plan means a plan detailing how the construction or demolition

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phase of a development is to be managed by the developer.

Cultural significance means 'aesthetic, historic, scientific or social value for past, present or future generations' as defined in the Burra Charter 1999.

Demolition means the complete or partial dismantling of a structure or building using planned and controlled measures.

Demolition Permit means a formal notice of approval under the *Building Act 2011*, including conditions, issued by the City of Cockburn for a developer to access the site and commence demolition.

Designs and Concepts means sketches, coloured or other representations of the proposed development that do not provide scaled dimensions, however depicting scale through presentation to accompany a preliminary submission, concept or response to a public request.

Determination Period means the period of time allocated for determining a Standard Development Application or a Substantial Development Application, exclusive of any additional time required for an Applicant to fully respond to a Preliminary Written Response from the RIA or any other requests from the RIA for additional information.

Developer means any person, entity or organisation that proposes to or is approved to undertake development on Rottnest Island and may include the Rottnest Island Authority.

Development means the erection, construction, demolition, alteration or carrying out of any building, excavation, or other works, in, over or under land; a material change in the use of land or built structures; and any other act or activity in relation to land declared by regulation to be development, but does not include any work, act or activity specified in Exclusions to Definitions of Development.

Development Application and **Standard Development Approval** means:

1. An application to RIA for approval to commence a development
2. A formal submission to a publicly or otherwise advertised development opportunity
3. An internal application to undertake works by and for RIA.

Development Approval means a notice provided in writing from RIA to the developer formally approving a development application. A development approval may include measurable conditions.

Development Assessment Team means a team comprised of members from RIA's administration and constituted specifically to assess and provide comment on specified development applications.

Development Application Process means the same as defined in the Development Application Process Guideline clause 2.1.

Development Plans means detailed, scaled and dimensioned design drawings for and of the development.

Development Planning Guideline means a guideline issued by the RIA for the purpose of providing Developers with the guidelines and principles for undertaking any development within the Rottnest Island Reserve.

Donga means a demountable building with skid mountings manufactured from metal sandwich panels with a flat roof design.

Emergency Vehicle means a motorised vehicle to be used by or in conjunction with police

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duties; the fighting of a fire or the answering of a fire call; assistance to a sick or injured person, or any other emergency in which human life is reasonably believed by the driver of the vehicle to be in danger.

Emergency work means immediate work required where the life or health of a person or persons is endangered or the structural safety of a Building is at high risk.

Environmental Impact Statement is defined by the Environmental Protection Authority under the power provided by S.122 of the *Environmental Protection Act 1986*, Administrative Procedures, in a related document titled Draft Environmental Assessment Guidelines No.6.

Excavation means the act of digging, trenching, levelling, boring, removal of existing surface, removal of topsoil or ground probing the land.

Exclusions to Definition of Development

The following activities are excluded from the definition of development and therefore excluded from requiring development approval:

- (a) Maintenance or repair work, which does not involve new construction, by a public Authority, utility service provider, RIA, or contractor employed by RIA
- (b) Maintenance or repair work to a building or structure that does not affect its external Appearance or modify its prevailing use or specifications except for buildings listed on The Heritage Council's State Register of Heritage Places or RIA's Heritage Inventory Unless the work is undertaken in accordance with a Management Plan approved by RIA
- (c) Internal work to a Building that does not affect its external appearance or modify its Use or specifications except for buildings listed on the Heritage Council's Register of Heritage Places or RIA's Heritage Inventory

Heritage Act means the *Heritage of Western Australia Act 1990*.

Heritage Council means the Heritage Council of Western Australia established pursuant to the *Heritage of Western Australia Act 1990*.

Heritage Impact Statement means a document that records an evaluation of the likely impact of a proposed development on the significance of a heritage place and its setting and any conservation areas within which it is situated.

Heritage Inventory means RIA's *Inventory of Heritage Places* within the Rottneest Island Reserve.

Heritage Place means a site, an area, land, landscape, building, structure or other work, group of buildings, structures or other works, and may include components, contents, spaces and views that are listed in RIA's Heritage Inventory, Register of Aboriginal Sites or the Heritage Council's State Register of Heritage Places.

Heritage Precinct means a group of Heritage Places that together form a precinct which is of cultural significance, notwithstanding that each place within the precinct may not be itself a Heritage Place and is listed in RIA's Inventory of Heritage Places or the State Register of Heritage Places.

Key Stakeholder means any person, group, organisation or entity who has an interest or

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stake in a development proposed within the Rottnest Island Reserve.

Landscaping means land developed with garden beds, shrubs and trees, or by the planting of lawns and includes features such as retaining walls, rockeries, ornamental ponds, pools, barbeque areas, playgrounds and any other such area approved by RIA as landscaped area.

Low impact Telecommunications Infrastructure means a facility as determined in the *Telecommunications (Low-impact Facilities) Determination 1997* and does not require a development approval from RIA.

Material Change in Use means:

- (a) Change from one land use to another use
- (b) An intensification of use, including significant increase in floor space, or major change in operating hours or customer patronage
- (c) Any change in the nature of the land use that presents a significant change in the function of a development as determined by the ria
- (d) Any change in the nature of a land use that presents a significant impact on the public realm, as determined by the RIA

Natural Ground Level means the identified and recorded levels on a site preceding the proposed development, excluding any site works unless approved by RIA.

Preliminary Written Response means a written response from RIA to an Applicant requesting the Applicant to provide further information, clarification, or justification of compliance issues relating their development application.

Public Authority means a department of the Public Service of the State established or deemed to have been established under the *Public Sector Management Act 1994* and an agency, authority, or instrumentality of the Crown in the right of the State.

Public Realm means the public setting or place that people can see and access with limited or with no restriction, and interact with each other and their surroundings.

Register of Aboriginal Sites means the inventory of Aboriginal sites held at the Department of Indigenous Affairs as a Register of Aboriginal Sites. This is a public database of recorded sites and it is possible that there are sites in existence that have not yet been recorded and entered on the Register.

Regulations means the *Rottnest Island Authority Regulations 1988*.

Renewable Energy means any source of energy that can be used without depleting its reserves and when associated with power generation, has a zero or low carbon dioxide emission.

Reused resources and recycled materials means any recycled content achieved through reused structure or façade, reuse of products such as steel or timber, or choice of materials that have high recycled product content.

RIA means the Rottnest Island Authority as determined under Part 2, Section 5 of the *Rottnest Island Authority Act 1987*.

Rottnest Island Management Plan (RIMP) means the five year management plan established under the *Rottnest Island Authority Act 1987* guides the management and

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the direction of Rottnest Island.

Rottnest Island Reserve means the Rottnest Island Reserve as described in section 4 of the *Rottnest Island Authority Act 1987*.

Sea Container means a metal clad transportable container designed for the transport of large volume goods by sea, rail or road.

Service Vehicle means any authorised vehicle, other than an emergency vehicle, brought onto Rottnest Island for the purpose of providing a service to the RIA, private business or other government agency.

Setback means the horizontal distance between a wall at any point and the street, pedestrian path and/or internal road, measured at right angles 90 degrees between the wall and the adjacent wall at any point, street, pedestrian path or internal road.

Site means an area designated for the proposed or approved development whether land, marine, building or infrastructure.

Site Specific Development Guideline means a Guideline prepared by RIA for a specific development by application of the mandatory sections of the Development Planning Guidelines and adopting the principles of all other sections of the Development Planning Guidelines and adopted in accordance with the Development Planning Policy.

Standard Development Application has the same meaning as Development Application.

State Register of Heritage Places means the inventory of Heritage Places and Precincts of State importance prepared and adopted by the Heritage Council of Western Australia in accordance with Part 5 of the *Heritage of Western Australia Act 1990*.

Structure has the same meaning as building.

Substantial Development Application means a development application that, in the opinion of RIA, has the potential to significantly impact the environmental, heritage, social, or financial aspects of Rottnest Island and which may impact the amenity of Rottnest Island.

Sustainability means a development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

Sustainable Development means development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

Sustainable, Renewable Materials means materials that come from sustainably produced organic products such as sustainable forestry operations, straw and sustainable bamboo plantations. They can also include materials that are produced and recycled through an environmentally friendly low-energy usage, non-polluting process.

Telecommunications Facility has the same meaning given to the term in the *Telecommunications Act 1997*.

Telecommunications Infrastructure means any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in or in connection with a telecommunications network.

The Burra Charter (1999) is the Charter produced by the Australian International Council on Monuments and Sites (ICOMOS). The Burra Charter provides guidance for the

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conservation and management of places of cultural significance and cultural heritage places, sets out the principles and procedures to be followed in the conservation of heritage places and is based on the knowledge and experience of Australia ICOMOS members and internationally accepted heritage principles.

Tower means a tower, pole, mast, aerial or similar structure.

Transportable building means a prefabricated building that is purpose built to be moved from one location to another.

Unauthorised Development means a development being undertaken by a person, organisation or entity that is deemed responsible for undertaking the development within the Rottnest Island Reserve without Development Approval from RIA or in contravention of an approval or the conditions of an approval.

Wadjemup / Rottnest Island means the same as Rottnest Island Reserve.

5. Roles and Responsibilities

All RIA officers, including Board members, are responsible for ensuring regard is had to this guideline in the preparation and determination of an application for development approval.

The following RIA roles have specific responsibilities for ensuring conformance with this guideline:

- **Director Contracts and Planning**

Ensuring that regard is had to this guideline in the preparation, acceptance, assessment, and determination of an application for development approval.

- **Development Planning Team**

Identifying and applying relevant guidelines listed in the Development Planning Guidelines Index to the assessment of an application for development approval.

6. Statutory Compliance and Relevant Documentation

This Guideline reflects the requirements of:

- Clause 13 (1) of the *Rottnest Island Authority Act 1987*

The powers and functions afforded by the relevant legislation applicable to this Guideline are detailed in RIA's *Schedule of Delegations and Authorisations*, under section 70, or regulation 55 of the *Rottnest Island Regulations 1988*.

7. Effective Date

This Guideline is effective from 1 July 2024.

8. Review Period

The Guidelines are to be reviewed every three years.

9. Custodian

The Director Contracts and Planning is responsible for the development and maintenance of this Guideline.

10. Authorisation

These Guidelines detail Rottnest Island Authority's Guidelines to be addressed in the preparation, acceptance, assessment, and determination of a development application.

11. Guideline Revision

Rev	Revision Description	Revision by	Date	Page
1	Reformatting this guideline	Development Planning	20 December 2021	All
2	Update the definitions for 'Building permit' and 'Demolition permit'	Development Planning	03 May 2023	2 & 3
3	Review and update Guidelines	Corporate Communications	1 July 2024	All