

LOCAL PLANNING POLICY

LPP2: GENERAL DEVELOPMENT GUIDELINES

<i>Responsible Department</i>	Development Services
<i>Resolution Number</i>	C.4136
<i>Resolution Date</i>	27/01/2021
<i>Next Scheduled Review</i>	2023
<i>Related Shire Documents</i>	Local Planning Scheme No. 6
<i>Related Legislation</i>	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015

OBJECTIVES

- (a) Ensure that no development adversely impacts upon the amenity of the area or upon vistas from public roads;
- (b) Provide certainty for landowners of the requirements within the Shire and guidance to the Shire's officers by ensuring that all development issues are considered when applying for planning approval and that the rural nature of the Shire is maintained; and
- (c) Limit the impact of development by specifying general guidelines for development and site works.

SCOPE

Definitions

The definitions that are used in this policy are the same as in the Shire of Northam Local Planning Scheme No. 6 and the Residential Design Codes.

POLICY

1. General Development Guidelines
 - 1.1 No building shall be so constructed, finished or left unfinished so that its external appearance would, in the opinion of the Shire, create glare or in

any other way whatsoever significantly detract from the amenity of the locality. All premises shall be so used and maintained so as to preserve the local amenity to the satisfaction of the Shire.

- 1.2 Dwellings are encouraged to be designed to be environmentally sustainable using passive solar design and energy efficiency principles.

2. Earthworks and Retaining Walls

- 2.1 If earthworks are not being undertaken as a component of the building permit then separate development approval for earthworks are to be obtained. Earthworks should be contained within the setbacks applicable to each lot or within the designated building envelope (if applicable).
- 2.2 Any earthworks or retaining walls, whether proposed separately or under a building permit, in the Rural Residential, Rural Smallholdings or Rural zones that exceed 1000mm in height require development approval.
- 2.3 A retaining wall or other type of soil retaining method must be installed where the proposed finished level is more than 1.5m greater than the existing ground level, unless the land is battered at a grade of at least 1:2 (height : length) for sand and clay and at least 1:4 for silt.
- 2.4 Where the proposed top of the retaining wall is greater than 1.5m from natural ground level, terraced retaining walls spaced a minimum of 1m apart and landscaping will be required to reduce the visual impact.
- 2.5 Details of the management of stormwater as a result of earthworks and/or retaining walls shall be included in the application for development approval.

3. Dams

- 3.1 The construction of dams will generally only be supported where there is a demonstrated need for water storage associated with an agricultural use or for domestic purposes.
- 3.2 Dams should be setback an appropriate distance to ensure that neighbouring landowners are not detrimentally affected taking into consideration the standard setback requirements for the respective zone.
- 3.3 The construction of dams in Rural and Rural Smallholding Zones are exempt from development approval where the dam:
 - (a) has been approved or does not require approval from any State Government agency or authority; and
 - (b) the lower edge of the dam wall, and any other part of the dam including the stored water is further than 20 metres from all boundaries of the subject lot.

3.4 Dams in the Rural Residential and Rural Smallholdings zones will only be supported where the following criteria can be met:

- (a) the dam is setback a minimum of 20 metres from the boundaries of the subject lot;
- (b) the construction does not require the clearing of any riparian vegetation;
- (c) the construction is setback a minimum of 30m from any on-site effluent disposal system and/or any watercourse;
- (d) the wall height does not exceed 1 metre and the surface area does not exceed 25m² ;
- (e) the construction is off-stream and ensures that natural flows are maintained within the watercourse at all times including during construction;
- (f) there is a demonstrated need for water storage associated with an agricultural use or for domestic purposes and will generally not be supported where they are solely for aesthetic purposes or on lots with an area of less than 2 hectares, where the scale of rural activities does not normally warrant the provision of a dam.

4. Grouped Dwellings

4.1 The Shire has powers under the provisions of Clause 4.3 of the Scheme to permit development at the higher density for those lots designated as dual coded. Density bonuses will be considered in dual coded areas where the proposed developments:

- (a) are designed for aged persons' accommodation, or provide a variety of housing types for an identified market;
- (b) are connected to the Water Corporation's sewerage system;
- (c) justify the density bonus through good quality and innovative design; and
- (d) are located outside of SCA1 Avon and Mortlock River Special Control Area.

4.2 A density bonus may be allowed subject to compliance with provisions of the R-Codes.

5. Use of Second Hand Materials

5.1 The use of second hand building materials are generally not supported within the "Residential", "Rural Residential", "Rural Smallholdings", "Tourist", "Mixed Use" and "Commercial" zones and require the specific approval of the Shire of Northam.

6. Development on Land Identified as Possibly Having Unexploded Ordnance

6.1 Any application for development proposal or subdivision in an area which may be considered a high danger area for unexploded ordnance, the following conditions over and above determined conditions will apply:

- (a) The area to be searched by the Western Australian Police Force (UXO) Branch and clearance given;
- (b) The purchasers of blocks within a proposed subdivision are to be made aware of the history of the land and the likelihood of unexploded ordnance;
- (c) A restricted covenant being placed on the title explaining the area may be subject to unexploded ordnance; and
- (d) Statutory Declaration from the land owner, both current and future, that a restricted covenant placed on the land recognises the implications of the restricted covenant and that it is understood.

7. Battleaxe Subdivision – Rural, Rural Residential and Rural Smallholding Zones

7.1 Extensive use of the battleaxe configuration in the subdivision of new or broad acre areas is not favoured. Proposed battleaxe subdivision of lots shall be recommended for refusal on the following grounds:

- (a) creation of this type of subdivision results in not being able to provide for two-way access and egress to residents and emergency services;
- (b) creation of long battle-axe legs in areas with particular physical or topographical constraints is inappropriate; and / or
- (c) not be used within areas that are bush fire prone areas.