

## CITY OF BUNBURY

### LOCAL PLANNING POLICY - DEVELOPMENT WITHIN 100M FROM THE TOE OF THE PRESTON RIVER LEVEE

- PURPOSE:** To provide guidance to Developers, the Community and City Development officers to control new development within 100 metres of the toe of the Preston River Floodplain levee
- OBJECTIVE:**
1. To allow for development of land within 100m of the toe of flood levees
  2. To protect Council from liability arising from damage to persons and property resulting from failure of a levee bank.
- GUIDELINES:** No development of buildings or other property improvements is to take place within 100 metres of the toe of the Preston River levees unless:
- No habitable building will be permitted within 20 metres of the toe of the levees under any circumstances due to the risk of major damage from a breach of the levees.
  - No non-habitable building will be permitted within 10 metres of the toe of the levees under any circumstances due to the risk of major damage from a breach of the levees.
  - For habitable buildings to be placed at least 20 metres from and no more than 100 metres away from the toe of *the* levees, the land upon which the building is to be placed is filled to the same height as the levee and the side slopes of the fill are suitably protected against scour from floodwaters, and; scour protection shall be designed and installed under supervision and certified by a suitably qualified Engineer. Scour protection shall be designed to give full protection to the property in the event of failure of the levee.
  - For non-habitable structures to be placed at least 10 metres and no more than 100 metres away from the toe of the levees, the land upon which the building is to be placed is filled to the same height as the levee and the side slopes of the fill are suitably protected against scour from floodwaters, and; scour protection shall be designed and installed under supervision and certified by a suitably qualified Engineer. Scour protection shall be designed to give full

protection to the property in the event of failure of the levee.

- The design of the scour protection shall be considered an integral part of the buildings structural design and as such a final building certificate cannot be issued prior to certification of the scour protection works.
- All habitable buildings must be constructed to ensure Surface waters resulting from a storm having an average recurrence interval of 100 years must not enter the building.
- Non-habitable buildings classified as Class 10 under the Building Code of Australia may be built at a level lower than that recommended by the Waters and Rivers Commission.

The applicant will be responsible for the costs of the required legal agreements.

The applicant shall provide a certified design from a suitably qualified engineer for erosion protection of all embankments.

<b>COUNCIL DECISION NO/ DATE:</b>	47/03 – 18 February 2003
<b>SOURCE OF POLICY:</b>	City Engineer
<b>REVIEW RESPONSIBILITY:</b>	City Engineer
<b>REVIEW DATE:</b>	June Annually or As Required

**Disclaimer**

*While all care has been taken to portray an accurate depiction of the current Local Planning Policy, no responsibility shall be taken for any omissions or errors in this document.*

*It is advised that the City of Bunbury, Development Services be consulted in regard to an up-to-date interpretation of the Local Planning Policy.*