

Policy Title:	Local Planning Policy: Engineering Requirements for Subdivision and Land Development
Policy No.:	6.1
Previous Policy (No.):	Connection to the City's Stormwater Drainage Disposal System (No. 37), Stormwater Disposal from Private Properties (No. 62), Subdivision Engineering Administrative Procedures (No. 63)
Date Adopted:	18 February 2003 (decision no. 47/03)
Date Last Reviewed:	25 September 2012 (decision no. 286/12)
Legal Parent:	<u>Planning and Development Act 2005</u>
Legal Subsidiary:	<u>City of Bunbury Town Planning Scheme No. 7, Part 2 – Local Planning Policy Framework.</u>

PART A

1 PRELIMINARY

1.1 Citation

This Local Planning Policy is made under section 2.1 of the City of Bunbury Town Planning Scheme No. 7 (the "Scheme"), and may be cited as Local Planning Policy: Engineering Requirements for Subdivision and Land Development (herein referred to as the "Local Planning Policy").

1.2 Commencement

This Local Planning Policy was adopted by the Council of the City of Bunbury (the "City") on 18 February 2003. The reviewed Local Planning Policy commenced operation on 21 March 2013.

1.3 Relationship to the Scheme and other Local Planning Policies

1.3.1 Pursuant to section 2.2 of the Scheme, this Local Planning Policy supplements the provisions of the Local Planning Scheme. Where a provision of this Local Planning Policy is inconsistent with the Scheme, the Scheme prevails.

1.3.2 Where a provision of this Local Planning Policy is inconsistent with another adopted Local Planning Policy that relates to a designated area, then the provisions of the Local Planning Policy that relate to design guidelines for a designated area shall prevail.

1.3.3 The provisions of this Local Planning Policy comprises of the Policy Text. The Local Planning Policy is to be read in conjunction with the Scheme.

Notes:

1. Land use and development within the Local Planning Policy Area is also subject to the Local Planning Scheme.
2. A Local Planning Policy is not part of the Scheme and does not bind the Local Government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

1.4 Relationship with Local Laws

- 1.4.1 This Local Planning Policy operates in conjunction with the Local Government's Local Laws in the regulation of development and the use of land within the Scheme Area.
- 1.4.2 Where a provision of the Local Planning Policy is inconsistent with a Local Law, the provision of the Local Law shall prevail.

2 LOCAL PLANNING POLICY PURPOSE

The purpose and intent of this Local Planning Policy is to provide clarity and certainty of subdivisional and land development engineering requirements within the City of Bunbury

3 LOCAL PLANNING POLICY OBJECTIVES

The objectives of this Local Planning Policy are to ensure future City of Bunbury infrastructure assets created by subdivision or land development are:

- a) designed to function effectively and efficiently throughout their economic lifecycle;
- b) designed to maintain functionality and are beneficial to the community;
- c) meeting or exceeding relevant Australian Standards construction standards;
- d) provided in a planned, cost-efficient and timely manner;
- e) minimising adverse effects on the natural and built environment and downstream natural environmental values;
- f) producing appropriately designed subdivision design that complement the topography incorporating allotments that take advantage of passive solar access, and associated community facilities with a minimal residual cost to the community; and
- g) allowing for future development and maintenance liability.

4 LOCAL PLANNING POLICY AREA

This Local Planning Policy applies to all land within the local government district of the City of Bunbury, and as such, the Local Planning Policy Area is the Scheme Area.

5 LOCAL PLANNING POLICY OVERVIEW

The Institute of Public Works Engineering Australia Local Government Guidelines for Subdivisional Development prescribe the minimum standards applicable to the design and construction of roads, storm water systems, paths, canals and public open space, and sets out provisions for the control of dust and noise pollution from the development sites.

6 LOCAL PLANNING POLICY DETAILS

All works associated with subdivision and land development within the City of Bunbury shall comply with (or exceed) the minimum standards specified in the Institute of Public Works Engineering Australia Local Government Guidelines for Subdivisional Development, Edition 2.1, and any subsequent updated versions.

Where appropriate, minimum standards should be encouraged to be exceeded, particularly where cost-efficiencies and longevity of materials and infrastructure provide longer term economic advantage.

7 MEANING OF TERMS

7.1 Unless the context otherwise requires, words and expressions used in this Local Planning Policy have the same meaning as they have -

- (a) in the Planning and Development Act 2005; or
- (b) if they are not defined in that Act -
 - i. in the Dictionary of Defined Words and Expressions in Schedule 1 of the City of Bunbury Town Planning Scheme No. 7; or
 - ii. in the Residential Design Codes; or
 - iii. Building Code of Australia; or
 - iv. in a relevant Australian Standard.

7.2 Notes, and instructions printed in italics, are not part of this Local Planning Policy.

PART B

8 NOTIFICATION & ADVERTISING

Where advertising is required to be undertaken or is deemed to be required by the Local Government, advertising will be undertaken in accordance with the provisions of section 9.4 of the Scheme.

9 IMPLEMENTATION & REVIEW

9.1 Why a Local Planning Policy?

The Scheme is a prescriptive instrument that sets out the legal provisions for how land may be used and developed. Sole reliance upon it for regulating all forms of development under all circumstances is not always practical and the Scheme makes allowance for this by enabling the Local Government to adopt Local Planning Policies from time to time in order to address specific issues or a range of issues in a specific place.

A Local Planning Policy is a tool to assist developers in preparing proposals with a greater understanding of the Council's desired outcomes for the City. This helps to ensure that developers can invest the time and resources needed in preparing applications for planning approval with increased confidence; and that the City's staff and Councillors can assess development proposals in a more consistent and transparent manner.

9.2 Policy Review

The Local Government will review this Local Planning Policy annually in conjunction with the rest of the Local Planning Policy Framework in accordance with the Planning and Development Act 2005.

Map 1: Local Planning Policy Area

[refer to clause 4]

