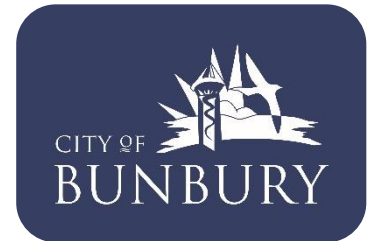


Local Planning Policy 3.7

Site Works



1.0 Citation

This Local Planning Policy (LPP or policy) is prepared under Schedule 2, Part 2 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

2.0 Introduction

This policy has been prepared to supplement State Planning Policy 7.3 – Residential Design Codes Volume 1 (R-Codes). The policy applies only to residential development, where the R-Codes apply, and a variation to the deemed-to-comply provisions of clause 5.3.7 Site works is sought. The policy provides guidance on meeting the objective and design principles of the clause 5.3.7 of the R-Codes and seeks to facilitate necessary site works that respond to the natural topography of the land and reduces impact on adjoining properties.

3.0 Objectives

The objectives of this LPP are:

- a. To provide a consistent approach to the planning assessment of development applications for 'site works and retaining walls' (site works).
- b. To ensure that site works are sympathetic to the natural topography of the surrounding land and minimise the extent of excavation/fill.
- c. To ensure that site works do not adversely impact on streetscapes, or detrimentally affect adjoining properties.

4.0 Applications subject of this Policy

- 4.1 This policy applies to applications for development approval where the R-Codes apply and a variation to the deemed-to-comply requirements of clause 5.3.7 of the R-Codes is proposed.
- 4.2 Where a proposal relates to a heritage-protected place, the standards and requirements of the City's local planning policies relevant to heritage conservation shall prevail over any inconsistency.

5.0 Policy Provisions

Application for site works on vacant land

- 5.1 Applications for site works on vacant lots should be made concurrently with an application (building permit and/or a development approval) for a dwelling(s) on a site in order to assess the overall impact of development (site works and dwelling) and building height. Applications to alter site levels or for the construction of retaining walls prior to an application for dwellings being made will not be supported, unless required to satisfy a condition of subdivision approval.

Excavation and/or fill on a development site

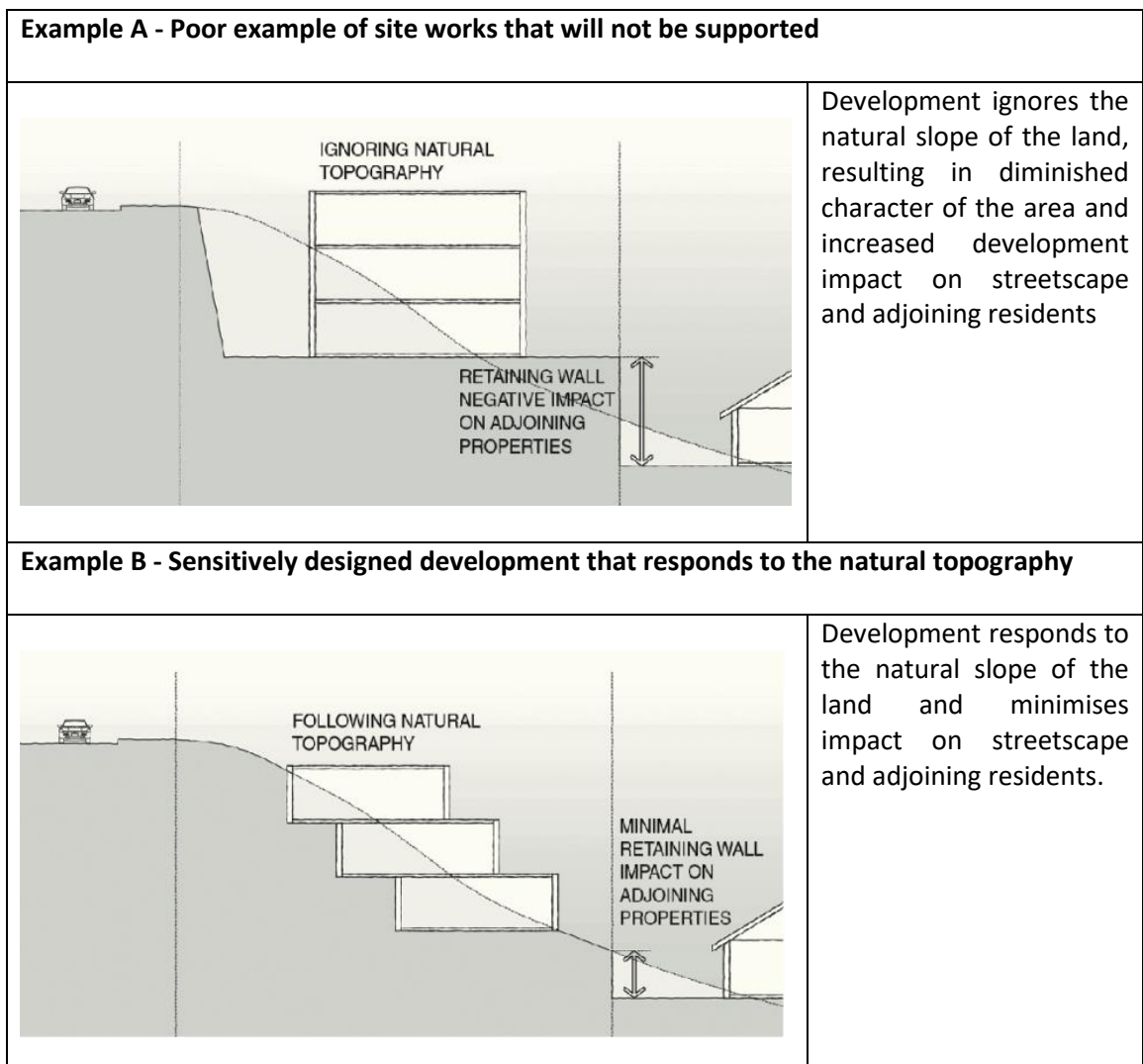
5.2 The principles of ‘cut and fill’ below are to be read to support the interpretation of the design principles of clause 5.3.7 (P7.1 and P7.2) of the R-Codes Volume 1.

5.3 An equal ‘cut and fill’ approach should generally be taken in considering all applications involving the alteration of ground levels on a site. The principles of ‘cut and fill’ on a development site is such that:

- a) Equal amounts of cut and fill is undertaken when establishing modified finished ground levels; and
- b) Filling and/or retaining to the highest level of a site for the purpose of establishing a building pad level is not appropriate as it does not reflect the natural contours, and therefore would not be supported – see Figure 1: (A) Design of Site Works.

5.4 Development should be designed to respond to the natural topography, in turn resulting in diversity of housing styles and a sense of place and neighbourhood identity within the City of Bunbury. Sensitive adaptation of existing site levels can also reduce impacts on adjoining residents.

Figure 1: Design of Site Works



Alteration of ground levels within the street setback area and on lot boundaries

5.5 Where excavation or fill is proposed within the street setback area (primary and secondary street) or across the lot that does not meet the deemed-to-comply requirements, development that meets the provisions set out in Table 1: Development Standards, will be considered to meet the design principle - subject to demonstrating that visual privacy (R-Code clause 5.4.1) and overshadowing requirements (R-Code clause 5.4.2) are met.

Table 1: Development Standards

Street Boundary (Primary and Secondary)	
<p>a) The maximum height of any retaining wall located on the street boundary (or within 1.0m of the street boundary) is not to exceed 0.5 metres</p>	<p>A = minimum of 1.0 metre B = maximum of 1.0 metre C = maximum of 0.5 metres</p>
<p>b) Subsequent terraces within the street setback area should be spaced a minimum of 1.0 metre apart and retaining wall height for terracing should not exceed 1.0m metres above natural ground level.</p>	
<p>c) Terraced areas within the primary street setback area are to be landscaped to mitigate the visual impact of the retaining walls from the street.</p>	
Lot Boundary	
<p>d) Applications for retaining up to 1m in height on the lot boundary will generally be supported subject to satisfying the Design Principles.</p>	

5.6 Any variation to the required setbacks for site works is to demonstrate compliance with the applicable design principle and may require neighbour consultation.

Note: Front fences are to comply with R-Code Clause 5.2.4 Street walls and fences.

Building Design

5.7 Where sites have significant slopes, consideration should be given to stepping the building (split level) rather than maintaining a single floor level.

5.8 Filling and/or retaining to the highest level of a site, without consideration of the natural topography of the land, will not be supported.

5.9 Where the cut and/or fill is not retained - the toe of any cut/fill batter in the street setback area is set back from the lot boundary a minimum distance of 1.5 metres, and the batters along property boundaries are to be no steeper than 1 in 4 and are to be landscaped.

Note:

A Building Permit is required prior to the construction of a retaining wall greater than 500mm height. Applicants are advised to contact the City of Bunbury's Building and Compliance Department to discuss the requirements of the Building Code of Australia on (08) 9792 7000.

Exemptions may apply under Section 157 of the *Planning and Development Act 2005* for retaining required in accordance with a condition of subdivision.

6.0 Variations of Policy Requirements

- 6.1 In exercising any discretion, the Local Government is to ensure that the variation meets the objectives of this Local Planning Policy, the Objective and Design Principles of clause 5.3.7 of the R-Codes, and relevant considerations set out in clause 67 of Schedule 2 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 6.2 Where advertising is required to be undertaken or is deemed to be required due to impacts on residential amenity and/or streetscape, advertising will be undertaken in accordance with Part 4 of the R-Codes.

7.0 Application Requirements

- 7.1 Applications for development approval that involve any changes to ground levels and/or retaining should be accompanied by a site plan prepared by a licenced land surveyor or other suitably qualified person. In addition to the standard requirements, the following shall be submitted to demonstrate the impact of the proposed site levels:
- a) existing levels to an established datum, preferably using Australian Height Datum (AHD), contours at maximum intervals of 0.5m and spot levels at all boundaries at intervals no greater than 5m;
 - b) The position and dimensions, setback distances both horizontal and vertical, of existing buildings, retaining walls and other structures on the site;
 - c) The location of any easement or services provided on or traversing through the site;
 - d) Proposed site area boundaries of any proposed strata lots (if applicable);
 - e) Existing and proposed ground levels over the whole of the land the subject of the application' to form part of the materials to accompany an application for development approval.
 - f) The position and height of proposed retaining walls. The height of the proposed retaining walls is to be demonstrated by annotating proposed top of wall (TOW) and bottom of wall (BOW) levels; and
 - g) Any other information as may be requested by the City of Bunbury.

8.0 Meaning of Terms

- 8.1 The definitions referred to in this policy are as per:

Local Planning Policy 3.7: Site Works and Retaining Walls

8.2 Terms used in Part 1, Schedule 2 of the Deemed provisions for Local Planning Schemes, and Appendix 1 – Definitions of the R-Codes.

Responsible Department	City Growth
LPP Category	Development and Engineering
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Adoption Date (amended)	18 October 2022
Review Date	
Superseded Policy	3.3