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## LPP011 – Local Planning Policy 11 - Building Envelopes

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### 1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations). This Policy may be cited as Local Planning Policy No. 11 *Building envelopes*.

### 2. Purpose

The purpose of this Policy is to assist developers and landowners to carefully select locations for building envelopes. Careful consideration in the location of building envelopes will assist with achieving sustainable development outcomes that are outlined in the Local Planning Strategy, Local Planning Scheme and Strategic Community Plan.

### 3. Objectives

Building envelopes should:

1. Retain and enhance landscape values.
2. Enable the responsible development of land.
3. Promote sustainable development outcomes.
4. Protect flora of environmental or community value.
5. Preserve important habitat areas for valued and important fauna.
6. Ensure appropriate locations for development and human habitation.
7. Maintain the rural character and amenity of the area through appropriate setbacks and the location of development away from prominent places.

### 4. Applications subject of this Policy

This Policy applies to all land that contains a building envelope or where the Shire deems it necessary for a building envelope to be established.

### 5. Application requirements

The Shire will generally require the following information where a building envelope is proposed or where there is a proposal to amend a building envelope.

<b>New building envelope</b>  Where no building envelope currently exists, i.e. subdivisions, structure plans, scheme amendments.	<b>Amendment to existing building envelope</b>  Where a building envelope already exists, i.e. relocation, reconfiguration.
<ul style="list-style-type: none"> <li>• Flora survey showing the location, type and estimated mature canopy of vegetation – prepared by a botanist.</li> <li>• Fauna survey showing potential or actual foraging and nesting habitat of animals – prepared by a zoologist.</li> <li>• Bushfire Management Plan (BMP), showing vegetation that may need to be removed to accommodate future development, a hypothetical Asset Protection Zone (APZ), driveway, passing bays, water tank, etc.</li> <li>• Vegetation tagged on-site, identifying what may need to be cleared.</li> <li>• A site plan to scale, identifying the proposed building envelope with dimensions and setbacks to boundaries.</li> <li>• The Certificate of Title, Deposited Plan and details on any Covenants, Notifications or other factors affecting the land.</li> </ul>	<ul style="list-style-type: none"> <li>• Feature survey - mapping the topography, vegetation, natural features, assets and infrastructure on a property.</li> <li>• Bushfire Management Plan (BMP), showing vegetation that may need to be removed to accommodate future development, a hypothetical Asset Protection Zone (APZ), driveway, passing bays, water tank, etc. To compare between the existing and proposed building envelope.</li> <li>• Vegetation tagged on-site, identifying what may need to be cleared – to compare between the existing and proposed building envelope.</li> <li>• A site plan to scale, identifying the proposed building envelope with dimensions and setbacks to boundaries.</li> <li>• The Certificate of Title, Deposited Plan and details on any Covenants, Notifications or other factors affecting the land.</li> </ul>

## 6. Policy provisions

This Policy is intended to compliment the range of policies and guidelines that have been prepared by the State Government. These include, but are not limited to:

- State Planning Policy 2.0 Environment and natural resources policy (WAPC);
- State Planning Policy 2.1 The Peel Harvey coastal plain catchment (WAPC);
- State Planning Policy 2.5 Rural planning (WAPC);
- State Planning Policy 2.9 Planning for water (WAPC);
- State Planning Policy 3.7 Planning in bushfire prone areas (WAPC)
- Guidance Statement No. 33 Environmental guidance for planning and development (EPA);
- Guidance for planning and development: Protection of naturally vegetated areas in urban and peri-urban areas (EPA); and
- Guideline for the Determination of Wetland Buffer Requirements (WAPC).

When dealing with a proposed building envelope or a proposal to modify a building envelope, the Shire will consider the above suite of documents. These will need to be satisfied where applicable.

Requirements that have been developed specifically for the Shire are contained below. If one or more of the '**Issues/matters to be considered**' applies to your situation, you can use the '**Acceptable development provisions**' in the design of a building envelope plan to gain approval.

Where you seek alternative design solutions, you will need to satisfy the '**Principles**'. The Shire will exercise its discretion in this case.

## New Building Envelope

Issues/matters to be considered	Principles	Acceptable development provisions
Bushfire	<ul style="list-style-type: none"> <li>• Fire mitigation measures, such as an Asset Protection Zone (APZ) can be guaranteed over the life of the development to the satisfaction of State Planning Policy 3.7 and the associated Bushfire Guidelines.</li> <li>• All elements required under the Bushfire Guidelines are considered as part of an application to amend the building envelope. A BMP shall be provided to demonstrate that a hypothetical APZ, water tank, driveway, passing bays and/or any other incidental assets/infrastructure, can be accommodated.</li> </ul>	<ul style="list-style-type: none"> <li>• A hypothetical APZ is fully contained within the property boundaries.</li> </ul>
Flora – Quantity	<ul style="list-style-type: none"> <li>• Vegetation clearing is mitigated. If mitigation cannot occur, minimisation shall be pursued. Building envelopes are sited in an area which will minimise the amount of clearing, inclusive of a hypothetical APZ.</li> </ul>	<ul style="list-style-type: none"> <li>• Building envelope and hypothetical APZ is located outside of vegetated areas – no vegetation will need to be cleared.</li> </ul>
Flora – Quality	<ul style="list-style-type: none"> <li>• Minimise the clearing of mature and/or large vegetation. Locate in areas with immature or small vegetation.</li> <li>• Building envelopes are located:               <ul style="list-style-type: none"> <li>- In the most degraded areas;</li> <li>- In areas with the lowest density of vegetation; and</li> <li>- As far as possible outside of vegetated areas – on the periphery.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Building envelope and hypothetical APZ is located outside of:               <ul style="list-style-type: none"> <li>- Threatened Ecological Communities;</li> <li>- Mature vegetation; and</li> <li>- Large vegetation (that may not yet be at maturity).</li> </ul> </li> </ul>
Fauna – Quality & Quantity	<ul style="list-style-type: none"> <li>• Building envelopes will not disturb threatened or endangered species.</li> </ul>	<ul style="list-style-type: none"> <li>• Building envelope and hypothetical APZ is located outside of potential or actual habitat areas (nesting or foraging).</li> </ul>

Issues/matters to be considered	Principles	Acceptable development provisions
	<ul style="list-style-type: none"> <li>• Building envelopes are located in areas that: <ul style="list-style-type: none"> <li>- Are least likely to provide a habitat for threatened and/or endangered species; and</li> <li>- Do not provide potential or actual hollows or nesting spaces for threatened or endangered species.</li> </ul> </li> </ul>	
Size & Shape	<ul style="list-style-type: none"> <li>• A building envelope may be more than one area, on the proviso that they are of a sufficient size and shape to allow for future development on the lot, inclusive of a dwelling, shed and effluent disposal system.</li> </ul>	<ul style="list-style-type: none"> <li>• To be a uniform shape and one connected area.</li> </ul>

When considering a proposal, the Shire will consider and/or assume the following:

- 100% clearing within the building envelope.
- That a house or ancillary dwelling may be able to be developed on any corner/boundary of the building envelope. As such, the hypothetical APZ shall extend from every corner of the building envelope.
- The applicant shall provide information to allow the Shire to compare all areas within the subject site, i.e. a flora and fauna survey shall be undertaken for the entire property, where vegetated.

### Amendment to existing building envelope

Issues/matters to be considered	Principles	Acceptable development provisions
Bushfire prone area	<ul style="list-style-type: none"> <li>• Fire mitigation measures, such as an APZ can be guaranteed over the life of the development to the satisfaction of State Planning Policy 3.7 and the associated Bushfire Guidelines.</li> <li>• All elements required under the Bushfire Guidelines are considered as part of an application to amend the building envelope. A BMP shall be provided to demonstrate that a hypothetical APZ, water tank, driveway, passing bays and/or any other incidental assets/infrastructure, can be accommodated.</li> </ul>	<ul style="list-style-type: none"> <li>• A hypothetical APZ is fully contained within the property boundaries.</li> </ul>
Flora – Quantity	<ul style="list-style-type: none"> <li>• The increase in quantity will protect vegetation of better quality and/or result in a reduction to fauna disturbance.</li> </ul>	<ul style="list-style-type: none"> <li>• The building envelope and hypothetical APZ will not increase the vegetation needing to be cleared.</li> </ul>

<b>Issues/matters to be considered</b>	<b>Principles</b>	<b>Acceptable development provisions</b>
Fauna – Quality & Quantity	<ul style="list-style-type: none"> <li>The impact is comparable to or less than what would occur with the existing building envelope. The proposal would result in a like-for-like or lesser impact.</li> </ul>	<ul style="list-style-type: none"> <li>The building envelope and hypothetical APZ is located outside of potential or actual habitat areas (nesting or foraging) for valued, threatened and/or endangered fauna.</li> </ul>
Size & Shape	<ul style="list-style-type: none"> <li>A building envelope may be more than one area, on the proviso that they are of a sufficient size and shape to allow for future development on the lot, inclusive of a dwelling, shed and effluent disposal system.</li> </ul>	<ul style="list-style-type: none"> <li>To be a uniform shape and one connected area.</li> </ul>

When considering an amendment, the Shire will consider and/or assume the following:

- 100% clearing within the building envelope.
- That a house or ancillary dwelling may be able to be developed on any corner of the building envelope. As such, the hypothetical APZ shall extend from every corner of the building envelope.
- The applicant shall provide information to allow the Shire to compare the existing and proposed building envelope. This may include, but not be limited to:
  - A BMP that compares the existing building envelope and its hypothetical APZ, to the proposed building envelope and its hypothetical APZ.
  - Feature survey with vegetation.



A building envelope should be in a cleared area, not in a partially or fully vegetated area.



A building envelope should be located in the least dense and most degraded area of vegetation

## 7. Consultation

The Shire may conduct advertising in the following cases:

New building envelope

- Where it is proposed in an area of high amenity, landscape or environmental value.
- When a proposal may significantly alter the landscape or lead to significant clearing of vegetation or disturbance of valued fauna.

Amendment to existing building envelope

- Where there is a reduction in a setback to a neighbouring property or street setback.

<b>Division</b>		<b>Planning</b>				
<b>Policy Number</b>		LPP011				
<b>Contact Officer</b>		Coordinator Regulatory & Development Services				
<b>Related Legislation</b>		Planning and Development (Local Planning Schemes) Regulations 2015				
<b>Related Shire Documents</b>		Local Planning Scheme No. 7				
<b>Risk Rating</b>	Choose an item.	<b>Review Frequency</b>	Triennially	<b>Next Review</b>	31 March 2022	
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<b>Amendments</b>						
<b>Date</b>	<b>Details of Amendment</b>					<b>Reference</b>
Click or tap to enter date.						