

Local Planning Policy No. 1.5 Coastal Setbacks – West Busselton

Version: Draft

1. Head of Power and Scope

This Policy has been adopted pursuant to the *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2 ('Deemed Provisions') Part 2, Clause 4 and R-Codes Volume 1 clause 7.3 Scope of Local Planning Policies, Local Development Plans and Activity Centre Plans.

~~This Policy applies to all Residential Development on lots zoned Residential that adjoin Geographe Bay Road and are located:~~

~~(a) between the intersections of Earnshaw Road and Craig Street (refer Appendix 1)~~

This Policy replaces the deemed-to-comply requirements of clause 5.1.2 (i – iv) Street Setbacks and clause 5.2.1 Setback of Garages and Carports for lots within the Policy Area ~~as identified above~~ and as such, in accordance with Clause 61(c) of the 'Deemed Provisions' where a development does not comply with this Policy, it is subject to development approval.

2. Purpose

The purpose of this Policy is to require additional setbacks for Residential Development within the Policy Area and adjacent to Geographe Bay Road to:

- 2.1. Reduce the impact of built form when viewed from Geographe Bay Road and the adjoining coastal reserve; and
- 2.2. Provide for development that contributes to, and is consistent with, the established streetscape.

3. Interpretation

Terms should be interpreted in the same way as they would be interpreted if they were contained or within the Scheme, other than those terms defined below:

"Balcony" as defined by the R-Codes and provided below:

"A balustraded platform on the outside of a dwelling with access from an upper internal room."

"External Face" means the same as a "Wall" as defined by the R-Codes and provided below:

"The vertical external face of a constructed building comprising solid building material and including enclosures to verandahs and balconies."

"Policy Area" means the area that the Policy applies to, which is all lots zoned Residential that adjoin Geographe Bay Road and are located between the intersections of Earnshaw Road and Craig Street, as identified in Appendix 1.

"R-Codes" means State Planning Policy 7.3 Residential Design Codes Volume 1 (as amended).

“**Residential Development**” means Single House, Ancillary Dwelling, Grouped Dwelling and/or Multiple Dwelling.

4. Policy Statement

4.1. For the purpose of assessing clause 5.1.2 ‘Street Setbacks’ and clause 5.2.1 ‘Setback of Garages and Carports’ of the R-Codes, for all Residential Development subject to this Policy, the External Face:

- (a) up to five (5) metres in height, should be set back from the Geographe Bay Road lot boundary in accordance with the primary street setbacks specified in Table 1 of the R-Codes; and
- (b) five (5) metres or greater in height, should be set back from the Geographe Bay Road lot boundary in accordance with the primary street setbacks specified in Table 1 of the R-Codes, plus an additional three (3) metres.

Note 1: Parts 4.1 (a) and (b) are applicable irrespective of whether Geographe Bay Road is to be treated as the primary or secondary street (where applicable).

4.2. Notwithstanding provision 4.1 above, where a Balcony is covered by an impermeable roof and any part of that roof is five (5) metres or greater in height, the Balcony may be set back in accordance with Table 1 of the R-Codes provided the Balcony is unenclosed by a solid wall on at least three sides.

If a privacy screen is proposed in order to comply with clause 5.4.1 Visual Privacy of the R-Codes, the screening should comply with the following -

- i) a maximum height of 1.6m; and
- ii) no greater than 75 per cent obscure; and
- iii) be restricted in size and design to only the extent that is necessary to restrict view in the direction of overlooking into any adjoining property.

Note 2: See explanatory diagrams at Appendix 2.

4.3. Where a provision of this Policy is inconsistent with the City of Busselton Local Planning Scheme No. 21 (‘Scheme’), the provisions of the Scheme prevail.

5. Review Details

Review Frequency		2 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE		Resolution #	

Appendix 1 – Policy Area



Appendix 2 – Explanatory Diagrams

