

# Local Planning Policy

## **POL-C-080 Building Envelopes**

### **1. Objective**

The objective of this policy is to specify the Council's position with regard to the nomination, relocation and modification of building envelopes and to outline the matters that will be considered when assessing a development application for the construction of a building outside a building envelope. The policy will also:

- a) Provide for the orderly development of rural land through the use of building envelopes;
- b) Minimise the need to clear vegetation for buildings;
- c) Ensure adequate separation distances between buildings and effluent disposal systems from watercourses, wetlands and groundwater levels;
- d) Ensure suitable site conditions for development within building envelope; and
- e) Minimise the visual impact of buildings on the landscape.

### **2. Legislative framework**

This policy has been endorsed as a Local Planning Policy under clause 2.4 of Local Planning Scheme 17.

### **3. Policy statement**

This policy applies to all building envelopes nominated or proposed to be nominated on land zoned under the City's Local Planning Scheme as 'Rural-Residential', 'Special Rural', 'Landscape' or 'Special Use'.

Building envelopes are used by the City of Swan to control the location of buildings and development on lots within certain rural zones in order to protect vegetation; ensure that development is setback from watercourses, floodplains and groundwater levels; and for fire protection and management.

In some instances, the location or shape of building envelopes has been poorly planned with little or no regard to site conditions. This restricts development options within the building envelope and causes landowners to want to either undertake development outside of the nominated building envelope, or to modify or relocate the building envelope.

In other instances, building envelopes have been too generous in size and shape, with little regard to the location of vegetation on the property. This can result in the clearing of vegetation within the building envelope that should have been protected from clearing by being located outside the building envelope.

In the case of rural development on lots that have been subdivided under an approved structure plan, building envelopes often constitute the only means for Council to control the siting of buildings on a property, as single dwellings and outbuildings are usually exempt from requiring planning approval in such cases.

The use of buildings envelopes to control the siting of buildings on a rural property is considered necessary in order to ensure that due regard is given to environmental factors, the need to maintain rural character and to ensure that buildings are not constructed in locations where physical constraints would result in construction difficulties.

## 4. Definitions

"**Building Envelope**" has the same meaning as in the City's Local Planning Scheme.

"**Structure Plan**" has the same meaning as in the City's Local Planning Scheme.

"**Watercourse**" means a river, stream or creek.

"**Wetland**" means an area of seasonal, intermittent or permanent waterlogged soils or inundated land with ecological attributes.

## 5. Policy

### 5.1 Nominating building envelopes

5.1.1 Council will generally only endorse a building envelope where each building envelope meets all of the following criteria:

- a) Is regular in shape and does not exceed 10% of the area of the lot or 4000m<sup>2</sup> whichever is the lesser;
- b) Achieves the minimum boundary setbacks prescribed for the relevant zone;
- c) Is sited to cover the least vegetated areas of the lot, in order to minimise the clearing of vegetation on the property;
- d) Is sited on soils that are suitable for conventional on-site effluent disposal;
- e) Is not located within a floodplain or within 100m of any watercourse or wetland and is located in an area with a minimum vertical distance of 2m to the highest known level of groundwater;
- f) Is located a sufficient distance from the top of a ridgeline to ensure that any buildings constructed will not have a visual impact upon the skyline; and
- g) Does not contain rock outcrops or slopes exceeding 20%, in order to maximise development options within the building envelope and minimise the need for site works or alteration of natural topographical features of the site.

5.1.2 A building envelope may be split into a maximum of two parts provided that the total area of the two parts does not exceed that specified for a single envelope and that both part envelopes meet the criteria specified in 5.1.1.

5.1.3 Where a building envelope does not meet all of the above criteria, the applicant will need to demonstrate to the City's satisfaction that the envelope is unable to satisfy the relevant criteria due to the location of the lot and/or site conditions.

### 5.2 Approval of Development Outside Building Envelopes

5.2.1 The Scheme allows Council discretion in approving the construction of the following structures outside of building envelopes:

- a) watertanks;
- b) windmills;
- c) stock water and feed troughs; and
- d) roofed structures open on all sides for the purpose of providing shade and shelter for animals.

5.2.2 Council will generally only approve such development where it meets all of the following criteria:

- a) Is located no closer than 15m to the lot boundaries;
- b) Does not require clearing of any significant vegetation on the lot;
- c) Is constructed using materials or colours that do not detract from the visual amenity of the locality;
- d) Is not located in a visually prominent position such as on a skyline or in close proximity to a building envelope on an adjoining lot.

5.2.3 Where in Council's opinion there is insufficient certainty that development outside a building envelope would satisfy all of the above criteria, then Council will seek comment from affected adjoining landowners for a period of not less than 14 days, prior to making a decision on the matter.

## Document control

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