

### 1. PURPOSE

Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. The Scheme prevails should there be any conflict between this Policy and the Scheme.

It is not intended that a policy be applied rigidly, but each application be examined on its merits, with the objectives and intent of the policy the key for assessment. However, it should not be assumed that the local government, in exercising its planning discretion, be limited to the policy provisions and that mere compliance will result in an approval. This approach has produced many examples of inappropriate built form that has a long-term impact on the amenity and sustainability of the locality.

The Shire encourages applicants to produce innovative ways of achieving the stated objectives and acknowledges that these may sit outside the more traditional planning and architectural approaches. In these instances the local government is open to considering (and encourages) well-presented cases, during pre-application consultation, having due regard to the outcome of any public consultation undertaken and the orderly and proper planning of the locality.

### 2. SCOPE

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.

### 3. OBJECTIVE

- 3.1 To ensure that grouped dwellings are constructed and located in such a way so as to minimise their impact on the amenity of the locality.

### 4. POLICY STATEMENT

- 4.1 A 'Grouped Dwelling' is defined within the Local Planning Scheme and Residential Design Codes as:

*"A dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property."*

- 4.2 Permissibility of 'Grouped Dwelling' under the Shire's Local Planning Scheme:

Zone	Permissibility
Residential	P
Townsite	D
Development	D

Rural-Residential	X
Rural Smallholdings	X
Rural	D

'P' means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme.

'D' means that the use is not permitted unless the Local Government has exercised its discretion by granting planning approval.

'X' means a use that is not permitted by the Scheme.

4.3 A grouped dwelling (second house) will not be supported on 'General Farming' zoned land within a gazetted townsite, unless approval is granted by Council.

4.4 A grouped dwelling (second house) will be supported on 'General Farming' zoned land outside of a gazetted townsite, conditional upon:

a. Compliance with all relevant development standards and provisions prescribed in the Shire's Local Planning Scheme (i.e boundary setbacks, building height, etc);

b. The dwelling units being clustered; &

c. A maximum of two dwellings per lot. The development of two or more single detached dwellings may be permitted within the Rural zone at the discretion of the Local Government where the land is managed for rural pursuits or agriculture-extensive and where the occupants are engaged in that predominant land use or activity.

d. Be serviced with a minimum 100,000 litre Rainwater Tank or a 10,000 litre storage tank fed from an on-site dam or under-ground bore for domestic and firefighting purposes. This is to include the installation of a 50mm outlet with gate valve and male coupling located at the base of each tank to be clearly marked "Fire Brigade Connection Point";

Note: The taking of water from a domestic supply for firefighting purposes is only supported by Council where the need arises to protect residential development on the same property or in the event the respective landowner/s has granted consent for the water to be used elsewhere.

e. Have provision of a minimum 30 metre building protection zone around the dwelling measured from the outer wall of the building which is to be kept free of combustible undergrowth and ground litter at all times;

f. Have an internal driveway access to 2wd standard with a minimum width of 4.0 metres, horizontal clearance of 6.0 metres and a gradient no greater than 1 in 5 to allow for access of fire emergency vehicles;

g. Have all water pipes laid under ground to a minimum depth of 300mm to withstand the effects of a bush fire.

- 4.5 The subdivision and/or strata titling of land associated with a grouped dwelling within the 'Rural' zone will not be supported by the Shire. Subdivision of land within the 'Rural' zone will generally not be supported unless it is rezoned to facilitate subdivision as specifically provided for in the Shire's endorsed Local Planning Strategy and/or is consistent with the criteria set out in the Western Australian Planning Commission's Development Control Policy 3.4 (Subdivision of Rural Land).
- 4.6 On 'Residential' zoned land each dwelling shall comply with the requirements of the Residential Design Codes.
- 4.7 Applications for grouped dwellings upon land zoned 'Townsite', 'Development' and 'Local Centre' will be assessed on their individual merits and the provision of water, sewer and electricity services.

## **5. REFERENCES AND ADOPTION**

Shire of Chapman Valley Local Planning Scheme No.2  
*Planning & Development Act 2005*

*Adopted at the 19 February 2014 Ordinary Meeting of Council*