



## **Policy 4.1.6 – Residential land slopes**

### 1. Policy purpose

Due to the topography of land, there is a risk that newly created land may not be physically capable of development. This Policy aims to assist with ensuring the physical capabilities of the land is considered during the subdivision process.

### 2. Policy objective

To ensure that subdivision of land produces lots which are physically capable of development.

### 3. Policy scope

This Policy applies to all land zoned “Residential” and “Residential Development” within the Shire.

### 4. Policy

#### **Finished Land Gradients**

The finished level of land developed for residential purposes is to have a maximum slope of 1 in 10 (10%), regardless of the original land contours.

If due to the topography of the original landholding, the minimum slope stipulated above cannot be achieved, the land may be subdivided, subject to specific restrictive covenants or caveats being placed on the title of each newly created lot. The covenants or caveats are to contain conditions relating to the type of housing that can be built on the lots given the slope of the land being subdivided.

The subdivision of land, which is to have a finished gradient of greater than 1 in 10 is required to be approved by Council.

#### **Retaining Walls**

If through the subdivision process the maximum slopes mentioned above cannot be achieved, then through the construction phase of the development, retaining walls can be implemented subject to the following conditions;

- A building licence is required prior to construction; and



- Where retaining walls are required for backfill only and not designed to withstand superimposed load of roads and residential development, annotation is required on the Diagram of Survey and Certificate of Title showing the extent of the building line.

## Subdivider's Commitment

If through the preliminary assessment of subdivision application, Staff deems that either of the above two policies are to apply to the proposal, then Council will require an undertaking from the developer that the restrictive covenants, retaining walls and caveats are acceptable, and will be placed on the subdivision, prior to Council issuing any formal support for an outline development plan or subdivision plan.

## 5. Strategic objective

The policy aligns to the following strategic objective:

	<p>We have a balanced respect for our natural assets and built environment, retaining our lifestyle values and community spirit.</p>
	<p>Strong civic leadership representing the whole of the Shire which engages in effective partnerships and reflects the aspirations of an engaged community.</p>

## 6. Definitions

- Nil.

## 7. Legislation

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 2 Deemed Provisions (Part 2)*
- Shire of Harvey's District Planning Scheme No. 1.

## 8. Related documents

- Former Council Policies 15.14 and 4.1.12.

Responsible officer	Director Sustainability		
Responsible team	Planning		
Responsible area	Planning Services		
Version control	Date	Resolution	Number
Version 1	27.10.1998	Resolution	

Version 2	11.12.2007	Resolution	21902
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