

<b>Policy Number:</b>	LPP 8
<b>Policy Type:</b>	Local Planning Policy
<b>Policy Name:</b>	<b>Development in Flood Prone Land</b>
<b>Policy Owner:</b>	Chief Executive Officer

**AUTHORITY:** Shire of Nannup Local Planning Scheme No.4

## **POLICY BASIS**

This is a local planning policy prepared under the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) and the *Shire of Nannup Local Planning Scheme No. 4* (LPS4).

## **OBJECTIVES**

1. To restrict the subdivision of land within flood prone areas.
2. To limit more intensive development within flood prone areas.

## **DEFINITIONS**

“**Flood Prone Areas**” relates to that land as identified by the Department of Water and Environmental Regulation (DWER) as being within the ‘1 in 25 (4%) Annual Exceedance Probability (AEP) Floodplain’ and the ‘1 in 100 (1%) Annual Exceedance Probability (AEP) Floodplain’ as set out in the *Blackwood River Flood Study* or other flood prone land as advised by DWER.

## **APPLICATION OF THE POLICY**

This Policy applies to land use and development on flood prone land within the district and within Special Control Area 3 (SCA3) in LPS4.

The provisions of this Local Planning Policy apply to all development and/or use of premises in the Local Planning Policy Area where indicated as permitted or discretionary land uses under the Zoning Table of LPS4.

Subject to LPS4, development and use of land shall be in accordance with the standards and requirements of this Policy.

## **LINKS TO LOCAL PLANNING SCHEME AND OTHER DOCUMENTS**

This Policy relates to various requirements set out in LPS4, *State Planning Policy 3.7 Planning in Bushfire Prone Areas*, *State Planning Policy 7: Design of the Built Environment*, *Residential Design Codes – Volume 1 (R Codes)*, *Residential Design Codes – Volume 2 – Apartments*, the *Building Code of Australia* and various Local Planning Policies. Where there is an inconsistency between this Policy and LPS4, then LPS4 prevails to the extent of such inconsistency.

## **POLICY PROVISIONS**

The local government will take a precautionary approach to flood risk.

The local government recognises there is a significant difference in allowing a house and an outbuilding (shed) on a historically created lot, which is completely in flood risk areas, compared to now creating additional new lots in the flood risk areas.

The local government does not support subdivision that will create further flood risk lots unless a

suitable sized building envelope/suitable building area is located outside of the 1 in 100 (1%) AEP floodplain.

The local government seeks to ensure that new lots are both suitable and capable for the intended purpose.

The local government requires that applicants suitably demonstrate a site's suitability and capability for subdivision and associated development which includes addressing flood risk. For development within (SCA3) this includes addressing matters set out in Part 5 Table 11 of LPS4.

The local government will have regard to LPS4, relevant State Planning Policies, the *Blackwood River Flood Study*, information provided by the applicant and as appropriate advice from DWER to determine applications.

Related Policies:	
Related Procedures/ Documents:	
Delegation Level:	Chief Executive Officer or their Delegated Officer
Adopted:	OM 09 June 1994
Reviewed:	OM 27 June 2024