



Planning & Development Services

**City of Albany
Policy**

SLOPING LAND

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Objectives:

- 1) ***Encourage a philosophy that discourages the recontouring of land as being the preferred method of undertaking the development of sloping sites.***
- 2) ***Restrict excessive cutting and filling of steeply sloping land and encourage house design sympathetic (split level) to the natural topography.***
- 3) ***Reduce neighbour conflict by encouraging a reduction in the level of cutting and filling on development sites and the size of the retaining walls that need to be constructed along the common property boundary(s).***
- 4) ***Promote development that is sensitive to the natural topography and character of Albany.***
- 5) ***Promote housing designs which complement the slope of the land to reduce the building's bulk and visual impact.***

Definitions

"Height Bonus" - Height permitted (1.5m) over and above category "B" of the Residential Design Codes.

"Neighbouring Property Boundary" - A boundary that is common to two freehold lots that are shown on a Diagram of Survey and does not include a common boundary to a reserve vested in the Crown or to a road reservation.

Scope

The provisions of this policy apply to those lots identified in Schedule 1 below which have been created as part of a subdivision process and have a slope greater than 1:10.

Policy Statement

General Requirements

Landowners or development proponents seeking to vary the requirements of this policy must demonstrate how the Policy Objectives are to be achieved as part of any application to development contrary to this policy

Retaining on Property Boundaries

The maximum height of a retaining wall on a neighbouring property boundary is to be no higher than 2.0m, with a maximum change in the height of the natural ground level being limited to 1.0m (refer to Figs 1 and 2).

Retaining Within the Confines of the Lot

Retaining within 4.0m of a neighbouring property boundary and the street frontage(s), is to be no higher than 2.0m, with a maximum change in the height of the natural ground level being limited to 1.0m (refer to Fig 1).

Beyond 4.0m of the boundaries, retaining is to be no higher than 3.0m, with a maximum change in the height of the natural ground level being limited to 1.5m (refer to Figs 1 and 5)

Where retaining is undertaken for the purpose of constructing a building, the external walls of the building should be designed as retaining walls and therefore contain the soil created by the cutting and filling (refer to figs 3 and 4).

Minor retaining within the lot is acceptable to provide for discrete garden areas, open spaces and to accommodate vehicle movements within the site.

Screening

Where limitations on cutting and filling produce a building located on a podium, the exposed underside of the building is to be screened utilising materials that compliment the remainder of the building (refer to fig 3) and demonstrate connectivity of the building to the site.

Neighbours

Where the retaining wall on a neighbouring property boundary is greater than 0.5m in height and/or does not meet the acceptable criteria for side setbacks as per the Residential Design Codes, the applicant is to provide (on application) evidence of consultation with their neighbour and documentation demonstrating that the proposed retaining wall meets the current and future building objectives of both landowners. Where no agreement is obtained, Council will determine the proposal in accordance with the Performance Criteria specified in Part 2.5 of the Residential Design Codes.

Height Bonus

Where a house design meets the requirements of the policy, the maximum building heights identified in the Residential Design Codes (Category B) may be increased by 1.5 metres as follows:

Top of External Wall (roof above)	7.5 metres
Top of External Wall (concealed roof)	8.5 metres
Top of pitched roof	10.5 metres

Figures

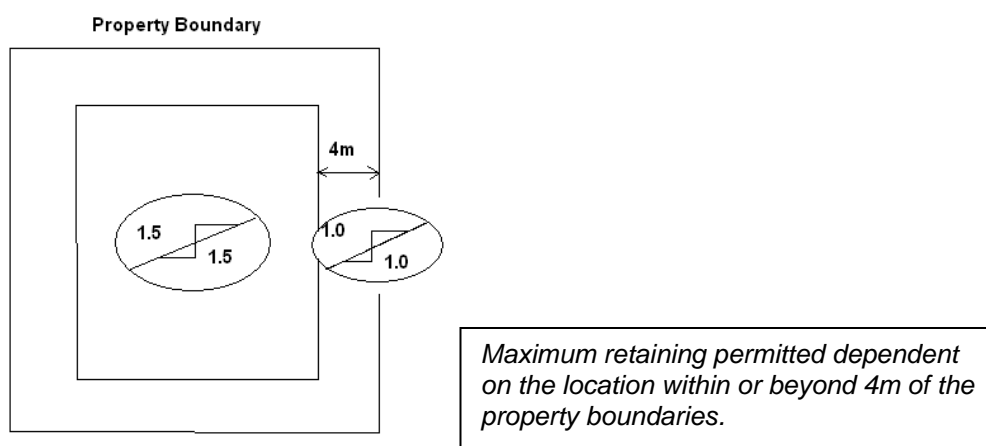


Fig.1

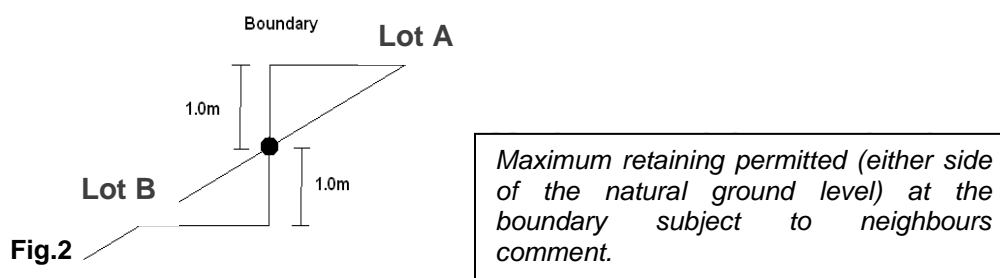
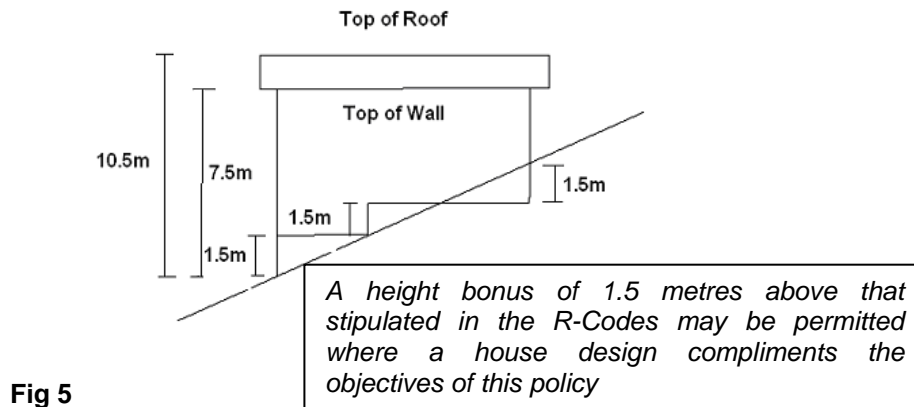
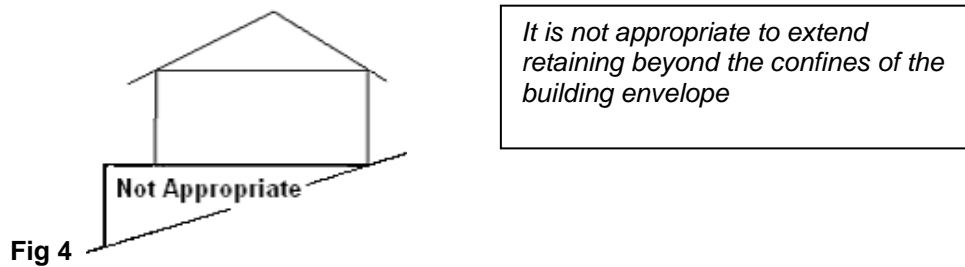
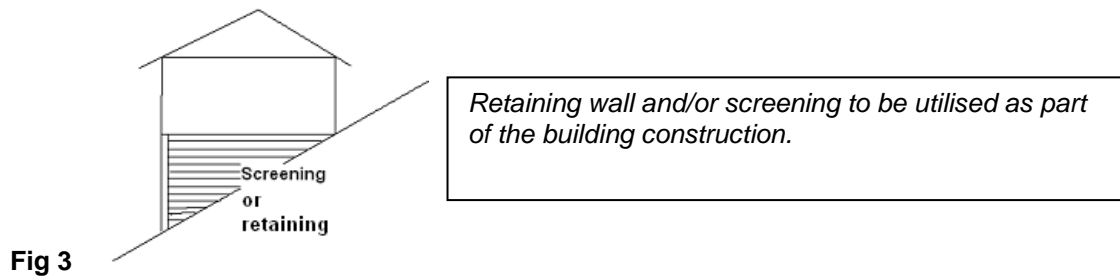


Fig.2



Schedule 1 - Sloping Land Policy Schedule

1. Bayonet Head - Proposed Lots 478-484 Berliner Street, 489-501 Culley Road, 506-515 White Place and 518-519 cnr. Tipping Road and Paul Terry Drive (as per WAPC subdivision #124643).
2. Spencer Park - Proposed Lots at Lot 103 Ulster Road (as per WAPC subdivision #243-07)