

BUILDING ENVELOPES

Frequently Asked Questions (FAQ)

This FAQ is intended to provide general information and guidance to common questions regarding Building Envelopes.

Planning Framework and Legislation

For detailed information, please refer links to the key planning framework and legislation.

- [Planning and Development \(Local Planning Schemes\) Regulations 2015](#)
- [City of Busselton Local Planning Scheme No. 21](#)

What is a Building Envelope?

The term 'Building Envelope' is defined under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) as follows:

***"Building Envelope"* means the area of land within which all buildings and effluent disposal facilities on a lot must be contained.**

What is the purpose of a Building Envelope?

The purpose of a Building Envelope is to position development in a manner that respects and protects the natural environment and visual amenity of the locality.

In areas designated as Rural Residential, Rural Landscape, Conservation, Bushland Protection, or low-density Residential zones, a designated Building Envelope is required to appropriately cluster development, maximise retention of vegetation, mitigate bushfire risks, and maintain the scenic and natural landscape character of the area.

What is the maximum size of a Building Envelope?

The maximum size of the Building Envelope depends on the zoning of your land.

- Residential zoned land (R2, R2.5, R5 only)

Under Part 4.3 of the *City of Busselton Local Planning Scheme No. 21* (Scheme), the following provisions apply to Building Envelopes in the Residential zone:

(g) *On land coded R2, R2.5 or R5, all building development is to be contained within a building envelope area which does not exceed 1,000m², or as otherwise required by a plan adopted pursuant to Part 4 of the Deemed Provisions.*

- Other zoned land

Under Part 4.34 of the Scheme, the following provisions apply to Building Envelopes in the Rural Residential, Rural Landscape, Conservation or Bushland Protection zone:

4.34.1 *All dwellings and incidental development in the Rural Residential and Rural Landscape zones must be located within an approved building envelope (as may be shown on an approved Structure Plan or approved building envelope plan) or in such other manner that may be identified on a Structure Plan.*

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4.34.2 *Where a building envelope has not been specified on a lot in the Rural Residential zone, then all dwellings and incidental development must be contained within a regular square or rectangular area of land no greater than 2,000m² in area, or as otherwise required by a Structure Plan.*

4.34.3 *Where a building envelope has not been specified on a lot in the Rural Landscape zone, then all dwellings and incidental development must be contained within a circular area of land of radius 30 metres measured from the centre of the innermost building or as otherwise required by a Structure Plan.*

4.34.4 *In the Conservation zone –*

- (a) *all development must be located within an approved building envelope (as may be shown on a Structure Plan or approved building envelope plan) or in such other manner that may be identified on the Structure Plan. Each building envelope is to be located to the satisfaction of local government which shall, in determining such, ensure –*
 - (i) *the preservation of remnant vegetation is maximised;*
 - (ii) *the maintenance of landscape values of the site and the general area; and*
 - (iii) *there is no adverse or potential impact on watercourses, wetlands, river or estuary systems or groundwater.*
- (b) *where a building envelope has not been specified, the dwelling and any incidental development must be contained within a circular area of land with a radius 30 metres measured from the centre of the innermost building or as otherwise required on a Structure Plan.*

4.34.5 *In the Bushland Protection zone –*

- (a) *all development must be located within an approved building envelope (as may be shown on a Structure Plan or approved building envelope plan) or in such other manner that may be identified on the Structure Plan. Each building envelope is to be located to the satisfaction of the local government which shall, in making its determination, ensure –*
 - (i) *where available, a cleared area is used for the location of the building envelope;*
 - (ii) *the preservation of remnant vegetation is maximised;*
 - (iii) *that the envelope is not located within an area of poorly represented vegetation and will not impact on any declared rare flora and fauna.*
 - (iv) *there is no adverse or potential impacts on watercourses, wetlands, river or estuary systems or groundwater; and*
 - (v) *maintenance of landscape values of the site and the general area.*

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(b) *all building envelopes shall be a maximum area of 1,500m². This building envelope area may be increased to a maximum of 2,000m² subject to the approval of the local government and the Commission where –*

- (i) *an existing cleared area is present that could be incorporated into a building envelope; or*
- (ii) *existing structures on the lot are located in such a way that the total building envelope area already exceeds the maximum.*

How do I find the zoning or density code of my land?

Please refer to the City's [Online Property Maps](#) to search general property information.

If you need assistance navigating the Online Property Maps, please refer to the [How to Guide – Online Property Maps \(Search General Property Information\)](#).

How can I request a copy of the Building Envelope for my property?

Building Envelopes are generally designated on approved plans such as a Structure Plan, Local Development Plan or Subdivision Guide Plan. Where a Building Envelope has not been designated, all buildings and incidental development must be contained within a Building Envelope in accordance with the provisions of the Scheme as outlined above.

If you require a copy of the designated or approved Building Envelope for a particular property, please contact Planning on (08) 9781 1731 or lodge an enquiry request online:

<https://www.busselton.wa.gov.au/council/report-an-issue-or-request-assistance>

Where a Building Envelope has been designated on an approved and publicly available plan, it may be provided to customers.

However, where the Building Envelope is part of a development approval granted on the land, the signature(s) of the current landowner(s) will be required to release this information to a third party. If you are not the landowner(s) or an authorised representative of the landowner(s), please refer to the [How-to Guide – Application for Planning Services](#) to request this information.

Can I apply to amend or modify a Building Envelope?

Yes. You can lodge an application for development approval to modify a Building Envelope in association with proposed development.

Please be advised that, typically the City will not accept an application for a newly nominated and/or modifications to a Building Envelope that are not associated with any 'built' development. This position is due to the need to assess various factors during the development approval process, including, but not limited to, compliance with the aims and provisions of the Scheme, protection of the natural environment, preservation of vegetation, bushfire risk management, and maintaining visual amenity.

What should I consider when applying for a modified Building Envelope?

When applying for a modified Building Envelope, landowner(s) should consider the following:

- Design and location of development is compatible with the Objectives of the zone;

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- Reduce bushfire risk by ensuring development is appropriately located.
- Position development within areas clear of vegetation.
- Minimise environmental impact, including limiting removal of vegetation.
- Preserve the visual amenity and natural character of the locality.
- The modified Building Envelope is designed to accommodate all existing and proposed development (as applicable), including the Dwelling, Water Tank(s), Outbuilding(s), Swimming Pool, on-site septic systems, and other relevant incidental development.

What details do I need to include on my modified Building Envelope plan?

A Site Plan, drawn to scale and must clearly detail the following:

- Show all existing and proposed development (as applicable);
- Location of existing Building Envelope (as applicable);
- Location of proposed Building Envelope;
- The existing and proposed Building Envelope(s) shown in a different line type and/or colour;
- The respective areas of the existing and proposed Building Envelope¹;
- The modified Building Envelope must contain all existing and proposed development;
- Setbacks of the proposed Building Envelope to all Lot Boundaries
- The area of the approved envelope and proposed envelope 1.

Note ¹: The area of the Building Envelope should be maintained, meaning that a portion of Building Envelope will need to be removed to extend a portion of the Building Envelope.

Can I clear all vegetation within an approved Building Envelope?

No. Unless the clearing of vegetation is permitted under Part 6 of the *City of Busselton Local Planning Scheme No. 21 (Scheme)* the prior development approval of the local authority will be required.

Will a modified Building Envelope require development (planning) approval?

Yes. Any proposed modification to a Building Envelope will require the prior development approval of the local government.

What supporting information will I need to submit with my application?

Please refer to the [Planning Checklists](#).

How do I lodge an application for development (planning) approval?

Please refer to the [How-to Guide – Application for Development Approval](#).

What is the development (planning) application fees?

Please refer to the [Planning Fees and Charges](#).

How will my application for development (planning) approval be assessed?

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In considering an application for development (planning) approval, the local government shall have due regard to the matters to be considered under cl 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Deemed Provisions) and apply the principles of orderly and proper planning.

Restrictive Covenants

In certain cases, Restrictive Covenants benefiting state agencies may impose specific requirements regarding the location and details of the Building Envelope. In such cases, obtaining further approvals from the relevant agency may be required.

Please refer to the Certificate of Title to determine whether such covenants apply to your property. A copy of the Certificate of Title can be obtained from [Landgate](#).

Further Assistance

If you need further help, contact Planning at (08) 9781 1731 or lodge an enquiry request online:

<https://www.busselton.wa.gov.au/council/report-an-issue-or-request-assistance>

***** Disclaimer *****

This FAQ sheet is intended for general information purposes only and should not be relied upon as a comprehensive source of guidance. For accurate and official information, please consult the relevant planning framework, Local Laws and applicable legislation. The City of Busselton accepts no liability for any errors, omissions, or reliance on the information contained herein.

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