

## Wetland, Floodway & Coastal Management Areas Information Sheet

### Important Links

[Local Planning Scheme No. 21](#)

[State Planning Policy SPP 2.6 - Coastal Planning Policy](#)

[Local Planning Policies](#)

### What is a Wetland, Coastal Management Area or Floodway?

A Wetland, Coastal Management Area or Floodway is land identified as a 'Special Control Area' in the City of Busselton Local Planning Scheme No. 21 (the Scheme). They are each considered to be delicate natural ecosystems where additional provisions apply to ensure that proposed development does not compromise the sustainability and preservation of these ecosystems.

#### Wetland Area

In accordance with Clause 5.5 of the Scheme, wherever possible, all development should be carried out on that part of the land which is not land identified in a Wetland Area. When assessing a development application for development within a Wetland Area, Clause 5.5.4 of the Scheme will be considered as provided below -

- 5.5.4 The local government shall not grant development approval for the carrying out of development on land to which this clause applies unless the applicant has satisfied the local government that -
- (a) the development is essential for the reasonable economic use of the land, the provision of utility services or to reduce the risk of bushfires;
  - (b) the development is proposed to be carried out in a manner which minimises -
    - (i) visual and scenic impact;
    - (ii) the risk of soil erosion (including erosion by wind);
    - (iii) the risk of water pollution, through increased siltation or otherwise;
    - (iv) the destruction of rare or locally important vegetation systems; and
  - (c) appropriate measures are proposed to retain parts of existing vegetation or to landscape the site.

In determining an application for development approval advice may be sought from the Department of Biodiversity, Conservation and Attractions, the Department of Water and Environmental Regulation and the Water Corporation.

## Coastal Management Area

When assessing a development application within a Coastal Management Area, Clause 5.6.2 of the Scheme will be considered as provided below –

- 5.6.2 In deciding whether to grant development approval for development referred to in clause 5.6.1 the local government must consider –
- (a) the provisions of State Planning Policy No. 2.6 – State Coastal Planning;
  - (b) the likelihood of the proposed development adversely affecting, or being adversely affected by, coastal processes;
  - (c) the likelihood of the proposed development adversely affecting any dune or beach of the shoreline or foreshore;
  - (d) the likelihood of the proposed development adversely affecting the landscape or the scenic or environmental quality of the land in the locality;
  - (e) whether adequate safeguards and rehabilitation measures have been, or will be, taken to protect the environment; and
  - (f) any comments made by the Department of Planning, Lands and Heritage and, where applicable, the Department of Parks and Wildlife.

## Floodway Area

When assessing a development application within a Floodway Area, Clause 5.11.2 of the Scheme will be considered as provided below -

- 5.11.2 Notwithstanding any other provision of this Scheme –
- (a) prior to granting development approval for the carrying out of any development on land that is shown on the Scheme map as being within, or partly within, a Floodway area, the local government is to carry out an assessment of –
    - (i) the effect of the proposed development on the efficiency and capacity of the floodway to carry and discharge floodwaters;
    - (ii) the safety of the proposed development during flood events; and
    - (iii) whether the proposed development involves any possible risk to life, human safety, or private property in time of flood.
  - (b) land identified as flood prone land or which, in the opinion of the local government, may be liable to flooding, may not be developed unless –
    - (i) where no works have been carried out to protect the land from flooding, the floor of any habitable building is, or will be, raised 500 millimetres above the 1 in 100 year flood level, as determined by the local government, or where a 1 in 100 year flood level has not been determined, above the maximum recorded flood level; or
    - (ii) in any other case, the local government is satisfied that adequate measures have been taken to offset the likely effects of flooding on the development concerned.

## Approval Requirements

The lodgement of a Development Application for development approval is required for all proposed development located within a designated Wetland, Coastal Management or Floodway Area; and will also require referral to various State Government agencies for comment. Please refer to the Residential Development Application Checklist to ensure the submitted application is complete.

### Enquiries

Contact Planning and Development Services staff on (08) 9781 1731, email [city@busselton.wa.gov.au](mailto:city@busselton.wa.gov.au), or in person at the City Administration Building during office hours, Monday – Friday.

**\*\*Disclaimer\*\***

*This information sheet is a guide only. Verification with original Local Laws, Acts, the City's Local Planning Scheme and other relevant documents is recommended for detailed references. The City of Busselton accepts no responsibility for errors or omissions.*