

Local Planning Policy

General Development Requirements for Properties
Abutting an Artificial Canal Waterway

1. Background

The Shire has five artificial canal waterways which were constructed between the 1970s and early 2000s. The canal estates typically contain larger properties for a modern standard, generally varying between 550m² and 800m². Particularly, the properties within Yunderup Canals Stage 1, Murray Lakes and Murray Waters are characterised by open canal frontages where development is generally set back a reasonable distance from the canal frontage. Recently however, there has been increasing desire for landowners to build patios and similar structures closer to the canal frontage in order to maximise the use and enjoyment of their properties. This policy seeks to set out objectives and requirements for various types of development within the canal frontage area that provide a balance between maintaining the visual amenity and open nature of the canal waterways and ensuring that landowners can maximise the use and enjoyment of their property. Appendix 1 indicates the location of the canal estates

2. Application / Definition

This policy applies to certain types of development on properties directly abutting an artificial canal waterway. This policy supersedes any relevant deemed-to-comply requirements of the Residential Design Codes of Western Australia.

‘Artificial canal waterway’ means an artificial channel for navigational, ornamental and recreational purposes. ‘Canal frontage’ means the outer or water side edge of the canal wall associated with land.

‘Balcony’ - a balustraded platform on the outside of a dwelling with access from an upper internal room.

‘Beach Properties’ means those lots that are separated from the canal frontage by a beach or foreshore without the presence of a canal wall.

‘Canal frontage area’ means the area of a property between the canal frontage and a 9 metre setback line as measured from the canal frontage.

‘Canal wall’ means a retaining wall constructed in a canal estate to retain land adjacent to the canal frontage.

‘Deck’ means a raised, unroofed, open platform which may or may not be attached to a dwelling.

‘Patio’ means an unenclosed structure covered in a water permeable material which may or may not be attached to a dwelling.

‘Shade sail structure’ means an unenclosed structure covered in a cloth-like material which may or may not be attached to a dwelling.

‘Stabilised ground level’ means the ground level established at the time of the original subdivision of the canal estate.

‘Verandah’ means a roofed open platform attached to a dwelling.

3. Development Approval Requirements

Any proposal to develop a dwelling, patio, verandah, shade sail structure, deck, retaining wall, fence or outbuilding on a property that abuts an artificial canal waterway that does not meet the requirements of this policy require the planning approval of the Shire.

4. Objectives

The objectives of the policy are to:

- ensure the visual amenity and open natured character of the canal frontage area is not compromised; and
- ensure the canal frontage area is not dominated by building mass and reflects the existing development pattern.

5 Requirements

5.1 Dwellings

- (a) Within Yunderup Canals Stage 1, Murray Lakes and Murray Waters, any component of a residential development including a balcony, other than a patio, verandah, shade sail structure or deck is to be set back a minimum of 9 metres from the canal frontage.
- (b) Within Yunderup Canals Stage 2 (The Moorings) and Yunderup Canals Stage 3 (Batavia Quays), any component of a residential development is to be set back a minimum of 4.5 metres from the canal frontage

5.2 Patios, Verandahs, Shade Sail Structures and Decks within Yunderup Canals Stage 1, Murray Lakes and Murray Waters

- (a) A patio, verandah, or deck is permitted to be setback a minimum of 6 metres from the canal frontage.
- (b) A shade sail structure is permitted to be setback a minimum of 3 metres from the canal frontage.
- (c) Where attached to a dwelling, any part of a patio, verandah or shade sail structure within 9 metres of the canal frontage is to remain open on all sides with exception to the dwelling side of the patio, verandah or shade sail structure and is not to be enclosed by blinds or other similar materials.
- (d) Where not attached to a dwelling, any part of a patio or shade sail structure within 9 metres of the canal frontage is to remain open on all sides and is not to be enclosed by blinds or other similar materials.

- (e) Supporting posts or columns of a patio, verandah or shade sail structure which are set back between 6 metres and 9 metres from the canal frontage are to have a maximum diameter of 50cm if round and a maximum width of 50cm if square. No more than 6 supporting posts or columns are permitted in total.
- (f) Supporting posts or columns of a shade sail structure which is setback between 3 metres and 6 metres from the canal frontage are to have a maximum diameter of 20cm if round and a maximum width of 20cm if square. No more than 6 supporting posts are permitted in total.
- (g) Side setbacks of a patio, verandah or deck within 9 metres of the canal frontage are to be a minimum of 3 metres.
- (h) Side setbacks of a shade sail structure within 9 metres of the canal frontage are to be a minimum of 1 metre.
- (i) Maximum post or column height of a patio or verandah within 9 metres of the canal frontage is to be 2.7 metres.
- (j) Maximum ridge height of a patio or verandah within 9 metres of the canal frontage is to be 4.2 metres.
- (k) Maximum post height of a shade sail structure within 9 metres of the canal frontage is to be 3.6 metres.
- (l) The finished floor level of any patio, verandah, shade sail structure or deck is to match or otherwise be lower than that of the dwelling.

Note: The above provisions do not permit any part of a second storey of a dwelling to be within the canal frontage area.

5.3 Retaining Walls within Yunderup Canals Stage 1, Murray Lakes and Murray Waters

- (a) No retaining walls are permitted within 1 metre of the canal frontage.
- (b) No retaining wall set back between 1 metre and 6 metres from the canal frontage is permitted to exceed 1 metre above the stabilised ground level.
- (c) No retaining wall set back between 6 metres and 9 metres from the canal frontage is permitted to exceed 1.5 metres above the stabilised ground level.

5.4 Retaining Walls within Yunderup Canals Stage 2 and Yunderup Canals Stage 3

- (a) No retaining walls are permitted within 1 metre of the canal frontage.
- (b) No retaining wall set back between 1 metre and 9 metres from the canal frontage is permitted to exceed 1.5 metre above the stabilised ground level.

5.5 Fencing and Balustrading within Yunderup Canals Stage 1, Murray Lakes and Murray Waters

- (a) No side boundary fencing is permitted within 1 metre of the canal frontage.
- (b) No side boundary fencing set back between 1 metre and 7.5 metres from the canal frontage is permitted to exceed 1.2 metres above the stabilised ground level or a modified ground level approved by the Shire.
- (c) Side boundary fencing set back between 1 metre and 7.5 metres from the canal frontage is to be visually permeable from top to bottom.
- (d) Balustrading and fencing required by the Building Code of Australia for a swimming pool or retaining wall is to be permeable in nature from top to bottom within the canal frontage area level.

Note: For beach properties, no fencing is to extend beyond the lot boundary, irrespective of how far it is set back from the canal frontage.

5.5 Fencing and Balustrading within Yunderup Canals Stage 2 and Yunderup Canals Stage 3

- (a) No side boundary fencing set back between the canal frontage and 6 metres from the canal frontage is permitted to exceed 1.2 metres above the stabilised ground level or a modified ground level approved by the Shire.
- (b) Side boundary fencing set back between the canal frontage and 6 metres from the canal frontage is to be visually permeable in nature from top to bottom.
- (c) Balustrading and fencing required by the Building Code of Australia for a swimming pool or retaining wall is to be visually permeable in nature from top to bottom within the canal frontage area and is to be contained within the lot boundaries.

5.5 Outbuildings (to be read in conjunction with the Domestic Outbuildings Local Planning Policy)

- (a) No part of an outbuilding is to be located closer to the canal frontage than any part of a dwelling on a property, unless the outbuilding is consistent with the relevant objectives and requirements of the Domestic Outbuildings Local Planning Policy and entails the following:
 - (i) Consists of materials and colours matching those of the dwelling.
 - (ii) Consists of awnings, windows and other architectural features to give the appearance that the outbuilding is a detached extension of the dwelling.
 - (iii) A minimum setback of 9 metres from the canal frontage within Yunderup Canals Stage 1, Murray Lakes and Murray Waters and a minimum setback of 6 metres from the canal frontage within Yunderup Canals Stage 2 and Yunderup Canals Stage 3.

6 Administration

Directorate	Officer Title
Planning and Sustainability	Director Planning and Sustainability

Version	Decision to Advertise	Decision to Adopt	Current Status
1	OCM16/135 – 23/6/2016	OCM17/005 – 9/2/2017	Adopted
2	OCM25/019 – 27/3/2025	OCMXX/XX	

