

LOCAL PLANNING POLICY 1.1: RESIDENTIAL DEVELOPMENT

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1 PURPOSE

- 1.1** To provide guidance and supplementary requirements to Local Planning Scheme No. 3 (LPS 3) and the Residential Design Codes (R-Codes) Volume 1 in relation to single houses and grouped dwellings in all density codes; and multiple dwellings with an R-Code of R60 or less.
- 1.2** To ensure consistent assessment and decision making in the application of the LPS 3 and R-Codes Volume 1.
- 1.3** To ensure the context and character of the City of Nedlands is reflected in the built form and landscaping outcomes for residential development.

2 APPLICATION OF POLICY

- 2.1** This Policy applies to all development within the scheme area to which the R-Codes Volume 1 applies.

3 SCHEDULE OF AMENDMENTS TO THE R-CODES

3.1 This Policy augments or replaces Deemed-to-Comply requirements relating to existing design elements of the R-Codes Volume 1 as shown in Table 1 below. The Deemed-to-Comply columns of the following table are set out to first mention the existing clause of the R-Codes and then the Clause of the policy that replaces or augments that clause.

Table 1: R-Codes Volume 1 Elements that are varied or replaced by this Policy

Design Element	Additional Local Housing Objectives	Vol 1 Part B Deemed-to-Comply Requirement	Vol 1 Part C Deemed-to-Comply Requirement
Street setback	Clause 6.3.1	<i>See footnotes in Clause 6.1</i> Clause 5.1.2 C2.1 i to iv is replaced by Clause 6.1.1 a). Clause 5.1.2 C2.1 iii is replaced by Clause 6.1.1 b) Clause 5.1.2 C2.4 is replaced by Clause 6.1.1 c) Clause 5.1.2 is augmented by Clause 6.1.1 d) Clause 5.1.2 is augmented by Clause 6.1.1 e)	<i>See footnotes in Clause 6.1</i> Clause 3.6 is augmented by Clause 6.1.1 e)
Lot Boundary setback	Clause 6.3.2	-	-
Building height	Clause 6.3.3	Clause 5.1.6 C6 is replaced by Clause 6.1.2 a) Clause 5.1.6 is augmented by Clause 6.1.2 b)	-
Setback of garages and carports	Clause 6.3.8	<i>See footnotes in Clause 6.1</i> Clause 5.2.1 C1.1-C1.4 is replaced by Clause 6.1.3 a) Clause 5.2.1 is augmented by Clause 6.1.3 b)	-

Garage width	-	Clause 5.2.2 is augmented by Clause 6.1.4 a)	-
Street walls and fences	Clause 6.3.9	Clause 5.2.4 C4.1 is replaced by Clause 6.1.5 a) Clause 5.2.4 C4.2 is replaced by Clause 6.1.5 b) Clause 5.2.4 is augmented by Clause 6.1.5 d) Clause 5.2.4 is augmented by Clause 6.1.5 e) Clause 5.2.4 is augmented by Clause 6.1.5 f)	Clause 3.6 C3.6.7 is replaced by Clause 6.1.4 a) Clause 3.6 C3.6.8 is replaced by Clause 6.1.5 b) Clause 3.6 C3.6.9 is replaced by Clause 6.1.5 c) Clause 3.6 is augmented by Clause 6.1.5 d) Clause 3.6 is augmented by Clause 6.1.5 e) Clause 3.6 is augmented by Clause 6.1.5 f)
Sightlines	-	Clause 5.2.5 is augmented by Clause 6.1.6	-
Site works	-	Clause 5.3.7 is augmented by Clause 6.1.7	Clause 3.5 is augmented by Clause 6.1.7
Parking	Clause 6.3.5	-	-
Vehicular access	Clause 6.3.6	-	-
Solar access for adjoining sites	Clause 6.3.7	-	-
Site works and retaining walls	-	For Single Dwellings R30 to R40 (inclusive) Clause 5.3.7 is replaced by Clause 6.2.5	-

Note: Not all Local Housing Objectives in this policy relate to modified or additional requirements of the R-Codes.

3.2 This policy provides additional Deemed-to-Comply requirements and Design Principles relating to new design elements not included in the R-Codes Volume 1. Clause 6.2 of this policy, which only applies to Single Dwellings with an R-Code of R30 to R40 (inclusive), augments the existing elements of Part B with the exception of Clause 6.2.5 which replaces Clause 5.3.7 of Part B. Any replacement of Volume 1 or other policy provisions are noted where necessary.

4 RELATIONSHIP TO OTHER POLICIES AND LEGISLATION

- 4.1** This Policy has been prepared in accordance with Clause 4 of the Deemed Provisions of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.
- 4.2** This Policy should be read in conjunction with the following planning instruments, and its requirements apply unless specifically stipulated elsewhere in any of the below:
- *Planning and Development Act 2005*
 - *Planning and Development (Local Planning Schemes) Regulations 2015*
 - *Residential Design Codes Volume 1*
 - *City of Nedlands Local Planning Scheme No. 3*
 - *City of Nedlands Local Planning Policy 5.10 Precincts*
 - *City of Nedlands Local Planning Policy 1.3 Sustainable Design – Residential*
 - *City of Nedlands Local Planning Policy 3.3 Tree Retention*
- 4.3** Where this Policy is inconsistent with a Local Development Plan, Structure Plan, Precinct Plan or Local Planning Policy that applies to a specific site, precinct, area or R-Code, the provisions of that specific instrument shall prevail for the extent of the inconsistency.

5 OBJECTIVES

- 5.1** To maintain the spacious, leafy green character, retain existing trees on private property and enhance the amenity and aesthetics of the City of Nedlands.
- 5.2** To ensure development does not detrimentally impact the amenity of adjoining properties or the streetscape.
- 5.3** To provide for residential development that is consistent with the established or desired future character.
- 5.4** To reduce the dominance (scale, mass and bulk) of buildings as viewed from the street.
- 5.5** To facilitate quality residential development that provides occupants with high amenity and liveable housing for an enhanced quality of life.

6 AMENDMENTS TO THE RESIDENTIAL DESIGN CODES VOLUME 1 AND LOCAL HOUSING OBJECTIVES

The following provisions in Clauses 6.1 and 6.2 below replace and/or augment the R-Codes. Clause 6.1 applies to all development assessed under Volume 1 of the R-Codes unless a specific R-Code or other situation is identified. Clause 6.2 only applies to Single Dwellings assessed under Part B Volume 1 of the R-Codes coded R30 to R40 (inclusive). The Local Housing Objectives in Clause 6.3 provide guidance in the judgement of merit for all developments subject to the R-Codes Volume 1 that do not meet the Deemed-to-Comply criteria.

Development Applications that do not meet the Deemed-to-Comply criteria will be assessed against the relevant Design Principles of the R-Codes, objectives of the scheme, provisions and objectives of this policy, the Local Housing Objectives in Clause 6.3 and the Design Principles of this policy (Clause 6.2) where applicable.

6.1 Deemed-to-Comply Provisions

The following Deemed-to-Comply provisions replace or augment the Deemed-to-Comply provisions of the R-Codes Volume 1. Each subclause specifies where it replaces or augments a clause of the R-Codes including which Part it applies to. Where a subclause does not specify its application, it is additional to the R-Codes and applies to both parts of the R-Codes.

Table 1 provides further clarity regarding what clauses of the R-Codes are replaced or augmented.

Clause	Subclause
<p style="text-align: center;">6.1.1 Street Setback</p>	<p>a) In relation to land coded R10, R12.5 and R15, other than lots identified in Figure 13 - St John's Wood, Clause 5.1.2 C2.1 i to iv of Part B is replaced by the following: Buildings are to be set back a minimum of 9m.^{1,2}</p> <p>b) In relation to land coded R20 and above, Clause 5.1.2 C2.1 iii of Part B is replaced by the following: The minimum primary street setback may be reduced by up to 50%, provided the area of any building (including a garage or unenclosed balcony) encroaching into the setback area is compensated for by at least an equal area of open space (of which 50% is provided as deep soil area) that is located between the setback area and a line drawn parallel to it at twice the setback distance. Common property access legs do not contribute towards compensating open space.²</p> <p>c) Clause 5.1.2 C2.4 of Part B is replaced by the following: A projection such as a porch, balcony, verandah, architectural feature or the equivalent may project not more than 1m into the street setback area without applying the compensating area in Clause 5.1.2 C2.1 iii of Part B as modified by this policy in Clause 6.1.1 b) above.²</p> <p>d) Clause 5.1.2 of Part B has the following additional subclause: For lots with a density code of R20 or greater, projections greater than 1m may project into the street setback area provided an equivalent open space area behind the street setback is provided under Clause 5.1.2 C2.1iii of Part B as modified by this policy.</p> <p>e) Subject to Sightline criteria (Clause 5.2.5 of Part B as modified by this policy or Clause 3.6 of Part C), gatehouses are permitted within primary and secondary street setback areas to a maximum building height of 3.5m, maximum width of 2m and total area of 4m², as measured from the street and outside of the posts (refer to Figure 2 in Appendix).</p>

**6.1.2
Building Height**

- a)** For lots coded R20 and below, Clause 5.1.6 C6 of Part B is replaced with the following deemed-to comply requirement ²:

Table 2: Building Height

Element	Height above natural ground level
Wall height (gable, skillion and concealed roof)	8.5m
Roof height	10m
Wall height (roof above)	8.5m

- b)** For all lots, Clause 5.1.6 of Part B has the following additional subclause: Architectural features and building projections (such as, but not limited to, lift shafts and feature walls) are permitted to project a maximum of 1.5 metres above the external wall height provided the feature does not exceed 3m in width.

**6.1.3
Setback of Garages
and Carports**

- a) In relation to land coded R10, R12.5 and R15, other than lots identified in Figure 13 – St John's Wood, Clause 5.2.1 C1.1-C1.4 of Part B is replaced with the following: Garages and carports set back 9m from the primary street and 1.5m from the secondary street.^{1,2}
- b) On land coded R10, R12.5 and R15, other than lots identified in Figure 13 – St John's Wood, Clause 5.2.1 of Part B has the following additional subclause: Unenclosed carports may be setback forward of the 9m primary setback line provided that the following is met:
 - i. the width of the carport does not exceed 50 percent of the lot frontage;
 - ii. the carport allows an unobstructed view between the dwelling and the street, right-of-way or equivalent;
 - iii. the carport is set back a minimum of 3.5m from the primary street;
 - iv. the carport is not greater than 36m² in floor area as measured from the outside of the posts;
 - v. the carport meets the Deemed-to-Comply provisions for lot boundary setbacks under the R-Codes as modified by this Policy; and
 - vi. the carport meets the provisions of Table 3: Maximum carport height below.

Table 3: Maximum carport height

Carport type	Wall height	Building height
Pitched Roof	3.0m	4.5m
Flat or Skillion Roof	N/A	3.5m

**6.1.4
Garage Width**

- a) Clause 5.2.2 of Part B has the following additional subclause: For lots with a frontage of less than 10m and no access to a secondary street or a laneway 5m or greater in width, garage doors and supporting structures facing the primary street may be a maximum of 6m wide as viewed from the street provided:
 - i. the upper floor or balcony extends for more than half the width of the garage and supporting structures;
 - ii. the entrance to the dwelling is clearly visible from the primary street; and
 - iii. the garage is set back from the street at least 1m more than the main wall of the ground or first floor of the dwelling (excluding a patio, verandah, balcony or similar).

<p style="text-align: center;">6.1.5 Street Walls and Fences</p>	<p>a) Clause 5.2.4 C4.1 of Part B and Clause 3.6 C3.6.7 of Part C is replaced by the following: Fencing within front setback areas is permitted to be a maximum of 1.2m solid and visually permeable infill above to a maximum height of 1.8m, measured from natural ground level on the street side of the fence. Compliance with policy measures and R-Codes requirements regarding sightlines is required.²</p> <p>b) Clause 5.2.4 C4.2 of Part B and Clause 3.6 C3.6.8 of Part C are replaced by the following: Solid pillars that form part of front fences not more than 2.1m above natural ground level provided the horizontal dimension of the pillars is not greater than 500mm by 500mm and pillars are separated by visually permeable fencing in line with Clause 6.1.5 a) above.²</p> <p>c) Clause 3.6 C3.6.9 of Part C is replaced by the following: For sites on street corners, street fences or walls within the secondary street setback area are to be designed in accordance with Clause 6.1.5 a) and b) for a minimum 50 per cent of the street boundary behind the primary street setback (refer to Figure 3.6d in Part C of the R-Codes)².</p> <p>d) For the purposes of housing a utility/meter box, solid fencing within the primary setback area may be:</p> <ul style="list-style-type: none"> • a maximum 1.2m in width; • a maximum 1.8m in height; • perpendicular to the street; and • integrated with the design of the front fence. <p>e) Fencing within the primary street setback area shall be constructed of brick, stone, concrete, timber, wrought iron, tubular steel or glass.</p> <p>f) Fencing to secondary streets, laneways and boundaries to reserves shall be a maximum of 1.8m in height above natural ground level, measured from the secondary street, laneway or reserve side of the fence except where Clause 6.1.5 c) above applies.</p>
<p style="text-align: center;">6.1.6 Sightlines</p>	<p>a) Clause 5.2.5 of Part B has the following additional subclause: The following obstructions are permitted within the 1.5m truncation area stipulated under Clause 5.2.5 C5 of Part B:</p> <ol style="list-style-type: none"> i. one pier with a maximum length and width of 0.5m; and/or ii. Solid fencing up to 0.75m in height with visually permeable in-fill fencing to a maximum of 1.8m in height, both measured from natural ground level on the vehicle access side.

**6.1.7
Site works**

- a)** Clause 5.3.7 of Part B and Clause 3.5 of Part C have the following additional subclause: For single houses, basements are only permitted under the footprint of the proposed dwelling. Vehicle access to undercroft garages and other excavation works are exempt from this subclause.

Footnotes for the above:

¹ The provisions for averaging and reductions of the R-Codes Part B (Clause 5.1.2 C2.1 i – iv, and Clause 5.2.1 C1.1 – C1.4 of Part B of the R-Codes) do not apply to lots coded R10, R12.5 or R15 but continue to apply to lots identified in Figure 13 – St John’s Wood.

² Replaces an R-Codes Deemed-to-Comply requirement. All other lots are as per the R-Codes.

6.2 Additional Deemed-to-Comply Provisions and Design Principles for Single Houses on land coded R30-R40

Clause 6.2 is presented in a two-column format. The Design Principles in the left-hand column and the Deemed-to-Comply provisions in the right-hand column.

The following Deemed-to-Comply requirements and Design Principles apply only to Single Houses on land coded R30-R40 (inclusive) where assessment of a Development Application is required. These are to be read as additional elements to Part B.

Clause	Design Principles Subclause	Deemed-to-Comply Subclause																	
<p>6.2.1 Private Open Space</p>	<p>P1.1 Dwellings are designed to have direct access to private open space which provides for entertaining, leisure and connection to the outdoors that is:</p> <ul style="list-style-type: none"> i. of sufficient size and dimension to be functional and usable for the intended number of dwelling occupants; ii. is sited, oriented and designed for occupant amenity, including consideration of solar access and natural ventilation appropriate to the climatic region; and iii. capable of use in conjunction with a primary living space of the dwelling. 	<p>Primary garden area</p> <p>C1.1 A single consolidated primary garden area provided behind the primary street setback, in accordance with Table 4.</p> <p>C1.2 A minimum 1/3rd of the required minimum primary garden area is to be soft landscaping with a minimum dimension of 1m.</p>																	
<p>6.2.1 Private Open Space (continued)</p>	<p>P1.2 Private open space allows for sufficient uncovered area to:</p> <ul style="list-style-type: none"> i. permit winter sun and natural ventilation into the dwelling; and ii. provide for soft landscaping, including the planting of a tree(s) and deep soil area. <p>P1.3 Balconies balance the need for outlook, solar access and natural ventilation with:</p> <ul style="list-style-type: none"> i. visual privacy considerations; ii. acoustic and noise impacts; and iii. local climatic considerations such as high winds. 	<p>Table 4: Primary garden area requirements</p> <table border="1" data-bbox="1249 820 2112 1257"> <thead> <tr> <th>Site area (m²)</th> <th>Minimum primary garden area (m² per dwelling)</th> <th>Maximum permanent roof cover[^]</th> <th>Minimum dimension*</th> </tr> </thead> <tbody> <tr> <td>Greater than 220</td> <td>40</td> <td rowspan="2">One-third of the primary garden area provided</td> <td rowspan="4">3m</td> </tr> <tr> <td>191-220</td> <td>35</td> </tr> <tr> <td>161-190</td> <td>30</td> </tr> <tr> <td>131-160</td> <td>25</td> <td rowspan="2">0m² (open to the sky)</td> </tr> <tr> <td>100-130</td> <td>20</td> </tr> </tbody> </table> <p><i>Site area rounded up to the nearest whole number.</i></p> <p><i>[^] Permanent roof cover excludes eaves.</i></p> <p><i>* Minimum dimension refers to the minimum length and width of the primary garden area. Refer to Figure 5 in the Appendix for dimensions and calculations of primary garden areas.</i></p>	Site area (m ²)	Minimum primary garden area (m ² per dwelling)	Maximum permanent roof cover [^]	Minimum dimension*	Greater than 220	40	One-third of the primary garden area provided	3m	191-220	35	161-190	30	131-160	25	0m ² (open to the sky)	100-130	20
Site area (m ²)	Minimum primary garden area (m ² per dwelling)	Maximum permanent roof cover [^]	Minimum dimension*																
Greater than 220	40	One-third of the primary garden area provided	3m																
191-220	35																		
161-190	30																		
131-160	25	0m ² (open to the sky)																	
100-130	20																		

<p>6.2.2 Size and Layout of Dwellings</p>	<p>P2.1 Dwellings have a primary living space that:</p> <ul style="list-style-type: none"> i. is proportionate to the type and size of the dwelling and intended number of occupants; ii. has a physical and visual relationship with the primary garden area, private open space and/or public open space; and iii. incorporates environmental Design Principles, including passive solar design and appropriate daylighting and shading, appropriate for the climate. 	<p>Primary living space</p> <p>C2.1 Each dwelling is to have one room that is the designated primary living space and can accommodate a dimension of at least 3.8m x 3.8m¹ (refer to Figure 6 in Appendix).</p> <p>¹ <i>Exclusive of built-in cabinetry along walls.</i></p>
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<p style="text-align: center;">6.2.2 Size and Layout of Dwellings (continued)</p>	<p>P2.2 Ceiling heights and room dimensions provide for well-proportioned spaces that facilitate good natural ventilation and daylighting.</p>	<p>C2.2 For single houses:</p> <ul style="list-style-type: none"> i. where the primary living space is provided on the ground floor, it is to have direct physical and visual access to the primary garden area; or ii. Where the primary living space is provided on an upper floor, it is to have direct physical and visual access to a private open space (such as a balcony or rooftop terrace).
	<p>P2.3 The size and layout of dwellings:</p> <ul style="list-style-type: none"> i. is functional and flexibly accommodates furniture; ii. is appropriate to the intended number of occupants; and iii. ensures functional, high amenity spaces. 	<p>C2.3 The maximum depth¹ of a single aspect primary living space shall be a maximum three times (3x) the ceiling height (refer to Figure 8 in Appendix).</p> <p>¹ <i>Exclusive of built in cabinetry along walls.</i></p> <p>Note: <i>Additional living spaces (such as a second lounge room) are not subject to the requirements of C2.1. – C2.3</i></p>
	<p>P2.4 Each dwelling provides adequate, conveniently located storage for large items that are:</p> <ul style="list-style-type: none"> i. proportionate to the size of the dwelling and intended number of occupants; and ii. integrated into the design of the building and/or screened from view to ensure that it is not visually intrusive when viewed from the street. 	<p>Habitable rooms</p> <p>C2.4 Bedrooms have a minimum internal floor area of 9m² and can accommodate a minimum dimension of 2.7m x 2.7m (refer to Figure 8 in Appendix).</p> <p>Note: <i>Minimum area is inclusive of built-in robes and cabinetry, however the minimum dimension excludes built-in robes and cabinetry.</i></p>
	<p>P2.5 The siting and layout of dwellings minimises potential impacts on amenity and provide appropriate visual and acoustic privacy to habitable rooms by:</p> <ul style="list-style-type: none"> i. locating, orienting or setting back habitable rooms; ii. providing adequate landscape screening as a buffer; and/or iii. providing acoustic treatments to reduce noise transfer. 	

**6.2.3
Solar Access and
Natural
Ventilation**

- P3.1** The development is sited, oriented and designed to optimise winter solar gain whilst limiting summer sunlight into:
- i. the primary living space and habitable rooms; and
 - ii. private open spaces, including the primary garden area;
 - iii. while balancing site constraints, outlook and views of significance.
- P3.2** Windows to habitable rooms are designed and positioned to optimize daylight, natural ventilation and outlook, while maintaining a reasonable level of visual privacy.
- P3.3** Dwellings optimize natural ventilation to habitable rooms (and bathrooms where possible) that is responsive to the site and climate conditions.

Windows and openings

- C3.1** Every habitable room has a minimum of one openable external window:
- i. visible from all parts of the room;
 - ii. with an aggregate glazed area not less than 10 per cent of the habitable room internal floor area; and
 - iii. comprising a minimum of 50 per cent of transparent glazing.

Note: *Element 5.4.1 of Part B Visual privacy provisions may still apply.*

- C3.2** Where a courtyard is the only source of daylight to a habitable room, the courtyard must be uncovered and open to the sky¹ with a:
- i. minimum dimension of 0.5 times the wall height; and
 - ii. minimum area of 4m² (refer to Figure 9 in Appendix).

¹ *Excludes minor projections*

- C3.3** Bathrooms located on external walls (excluding boundary walls) must have a minimum of one openable window for natural ventilation.

Orientation of major openings

- C3.4** A major opening to the primary living space is oriented between north-west and east in accordance with Figure 10 (in Appendix) with an adjoining uncovered open area with:
- i. a minimum dimension 3m x 3m¹ in accordance with Figure 11 (in Appendix); and
 - ii. the exception of shading devices up to 2m depth.

¹ *The centre line of the minimum 3m x 3m area must be contained within the glazed area of the major opening (refer to Figure 12 in Appendix).*

<p>6.2.4 Waste Management</p>	<p>P4.1 Sufficient space for waste storage is provided that:</p> <ul style="list-style-type: none"> i. is convenient for residents; ii. has collection areas which can be accessed by service vehicles; and iii. can be secured and managed where required. <p>P4.2 Waste management facilities are located and screened to minimise negative impacts on the streetscape, building entries, major openings, and the local amenity.</p>	<p>C4.1 A dedicated and accessible space is provided to accommodate the required number and type of waste storage bins for the development, in line with requirements of the City.</p> <p>C4.2 Waste storage bins are screened from view from the street, public open space, and other areas accessible to the public.</p>
<p>6.2.5 Site Works and Retaining Walls</p>	<p>The below Design Principles are unchanged from the R-Codes Volume 1 Part B and are reproduced here for ease of reference.</p> <p>Clause 5.3.7 of Part B Design Principles states:</p> <p><i>"P7.1 Development that considers and responds to the natural features of the site and requires minimal excavation/fill.</i></p>	<p>The existing Deemed-to-Comply criteria of Clause. 5.3.7 C7.1-C7.3 of the R-Codes are replaced with the following:</p> <p>C5.1 Retaining walls, fill and excavation forward of the street setback line, not more than 0.5m above or below the natural ground level, except where necessary to provide for pedestrian universal access and/or vehicle access, drainage works, or natural light to a dwelling.</p>

**6.2.5
Site Works and
Retaining Walls
(continued)**

- P7.2** *Where excavation/fill is necessary, all finished levels respecting the natural ground level at the lot boundary of the site and as viewed from the street.*
- P7.3** *Retaining walls that result in land which can be effectively used for the benefit of residents, do not detrimentally affect adjoining properties and are designed, engineered and landscaped having due regard to [the provisions of the R-Codes Part B element 5.4.1 Visual privacy]."*

- C5.2** Retaining walls and fill within the site and behind the street setback to comply with Table 5.
- C5.3** Excavation within the site is permitted behind the street setback line and may be constructed up to the lot boundary.

Note: *NCC and engineering requirements may apply.*

Table 5: Setback of retaining walls and fill

Height of retaining walls and fill ¹ As measured from natural ground level	Setback required
1m or less	0m
1.5m	1.5m
2m	2m
2.5m	2.5m
3m +	3m

¹ *Take the nearest higher value for all height calculations. Measurement of the height of site works or retaining walls for the purpose of calculating Table 5 setback is to be taken from the natural ground level at the lot boundary adjacent to that point of the site works or retaining wall.*

The relevant R-Codes Part B provisions of 5.4.2 Solar access for adjoining sites and 5.4.1 Visual privacy apply.

6.3 Local Housing Objectives

The following Local Housing Objectives augment the R-Codes and guide judgements of merit for developments that do not meet the Deemed-to-Comply criteria. They assist the decision maker in assessing development against the Design Principles of the R-Codes, but do not limit considerations when assessing a development.

The numbering for the Local Housing Objectives corresponds to elements of the R-Codes.

Clause	Local Housing Objectives
<p>6.3.1 Street Setback</p>	<p>The City may consider a street setback reduction in the following circumstances:</p> <ul style="list-style-type: none"> a) Existing Streetscape: <ul style="list-style-type: none"> i. 50% or more of dwellings (excluding carports and minor projections) on one side of a street block bound by intersecting streets, have a setback of less than 9m to the primary street boundary; and ii. The proposed setback corresponds with the average setback of dwellings (excluding carports and minor projections) fronting the same side of the street and within the same block (<i>Refer to Figure 3 in the Appendix</i>). b) Site constraints: <ul style="list-style-type: none"> i. A lot has a significant site constraint including but not limited to an irregular configuration, topography changes or being considerably undersized for the assigned density code; and ii. the mass and form of the building is designed with an appropriate bulk and scale which minimises impact to the streetscape and adjoining lots.

<p>6.3.2 Lot Boundary Setbacks</p>	<p>a) The City may consider buildings (other than outbuildings) within the rear setback area on lots with a density of R15 or less for the following:</p> <p>i. Buildings in the rear setback area may be considered where:</p> <ol style="list-style-type: none"> 1. the immediate locality is characterised by similar-sized buildings within rear setback areas; 2. the building provides for more effective use of space on-site for outdoor living areas; 3. the building does not necessitate the removal of mature vegetation; 4. the rear setback remains predominantly soft landscaped; 5. the cumulative bulk and distribution of all buildings on site has a reduced impact on neighbouring properties; 6. the reduced setback demonstrates that a laneway widening could be accommodated in future (For properties that about a laneway less than 6m wide) (Refer to Figure 1 in Appendix).
<p>6.3.3 Building Height</p>	<p>a) When assessing Design Principles for building and/or wall height in relation to amenity impacts, the City may consider:</p> <ol style="list-style-type: none"> i. Slope of the natural ground level; ii. Heights of existing development on lots immediately abutting the site; and iii. Impact on adjoining properties from setbacks and visual privacy as a result of the height.
<p>6.3.5 Parking</p>	<p>a) The City may consider a reduction in the provision of visitor parking in instances where a regulated tree is retained OR where the development exceeds the minimum tree planting requirements in Clause 5.3.2 of Part B or Clause 1.2 of Part C.</p> <p>b) Where a regulated tree is retained for the reduction in provision of visitor parking, the subject tree will need to be protected for the life of the development and an arborist report may be required to confirm the health of tree.</p>
<p>6.3.6 Vehicular Access</p>	<p>a) In relation to Clause 5.3.5 C5.1 of Part B or Clause 3.7 C3.7.1 of Part C, where a lot abuts a laneway or public right-of-way (other than a common property driveway), vehicle access may be considered from the secondary or primary street where:</p> <ol style="list-style-type: none"> i. The laneway is less than 5m in width; and ii. The laneway is not appropriately sealed and drained; <p style="text-align: center;">OR</p> <ol style="list-style-type: none"> iii. Vehicle access from the laneway will result in removal of mature trees on the private property worthy of retention.

<p>6.3.7 Solar Access for Adjoining Sites</p>	<p>a) In assessing the overshadowing impacts to solar collectors and existing outdoor living areas under the Design Principles, the following factors may be considered:</p> <ul style="list-style-type: none"> i. The extent of existing overshadowing of the solar collectors and/or outdoor living areas from existing buildings or permanent structures; ii. Whether the new development meets the side and rear setback and north-facing windows standards of the R-Codes; iii. Whether the protections of the existing solar collectors and outdoor living area will unreasonably constrain or compromise the proposed development; iv. To what extent the siting of the existing solar collectors considers the potential future development of adjoining properties promoted or permitted under LPS 3. Solar collectors positioned higher on a roof are usually less affected by neighbouring development (Refer to Figure 4 in the Appendix).
<p>6.3.8 Setback of Carports and Garages</p>	<p>a) In assessing a carport or garage within the primary street setback under the Design Principles, the following factors may be considered:</p> <ul style="list-style-type: none"> i. Consistency of the proposed carport or garage with the existing or desired streetscape. This includes consideration of heights and setbacks of other carports and garages in the same street and on the same block; and ii. The quality of materials and finishes on the proposed garage or carport.
<p>6.3.9 Street Walls and Fences</p>	<p>a) In assessing a primary street fence or secondary street fence under the Design Principles, the following factors may be considered:</p> <ul style="list-style-type: none"> i. Consistency of the proposed fence with the heights and materiality of other fences within the same street and on the same block; ii. Primary fence maintains passive surveillance of the street; and iii. Secondary fence subject to Part C maintains passive surveillance of the street.

7 MISCELLANEOUS PROVISIONS

7.1 Development Abutting a Laneway

7.1.1 Where a property abuts a laneway, finished floor levels of dwellings and garages are to be designed to mitigate potential stormwater drainage impacts.

7.1.2 Where a property abuts a laneway and variations to lot boundary setbacks are sought, the Design Principles assessment should consider whether a laneway widening could be accommodated as per Clause 6.3.2 (refer to Figure 1 in Appendix).

7.2 Tree Retention

7.2.1 The local government may consider variations to the deemed-to-comply provisions where a regulated tree is retained on site, provided the development meets the design principles, local housing objectives, and objectives of the R-Codes and this Policy.

8 INTERPRETATION PROVISIONS

8.1 Impervious Surfaces

Impervious area/surface/material is defined in the R-Codes. For purposes of clarity, the City considers that swimming pools, artificial turf, turf-cell, pavement, gravelled or pebble areas and the like are considered to be impervious surfaces.

The following surfaces are **not** considered to be impervious surfaces and are therefore acceptable landscaping options: Garden beds, ground covers, shrubs and trees, lawn, rockeries and ornamental ponds.

9 DEFINITIONS

For this policy the following definitions apply:

Gatehouse	A roofed open-sided entry feature usually incorporated into front fencing. (refer to Figure 2 in Appendix)
Part B	Refers to the Residential Design Codes Volume 1 Part B
Part C	Refers to the Residential Design Codes Volume 1 Part C
Regulated Tree	<p>An existing tree which has a:</p> <ol style="list-style-type: none"> 1) An average canopy diameter of 6m or greater; or 2) A height of 8m or greater; or 3) A circumference in the case of a tree with a single trunk, a trunk circumference of 1.5m or greater, measured 1.4m above the ground; or 4) A circumference in the case of a tree with multiple trunks, a total trunk circumference of 1.5m or greater, with an average trunk circumference of 625 millimetres or greater, measured 1.4m above the ground. <p>Excludes trees of a species that is on a State or local weed register, or shown in Appendix 1 of <i>Local Planning Policy 3.3 Tree Retention</i>.</p>

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Date Reviewed/Modified	OCM 10 December 2024

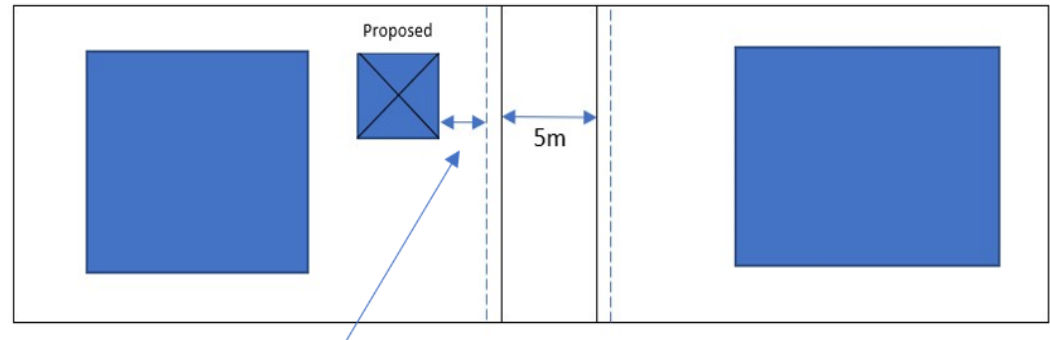
10 APPENDIX

Figure Credits

Figure 4: Department of Transport and Planning – Victoria State Government (Planning Practice Note 88: Planning for Domestic Rooftop Solar Energy Systems)

Figures 5-13 Western Australian Planning Commission – Government of Western Australia (Residential Design Codes Volume 1 (R-Codes Volume 1))

Figure 1: Setbacks from laneways for future widening.



Where a Design Principles assessment considers the ability of a reduced lot boundary setback to accommodate a laneway widening, the shortfall amount between the 6m required and the existing laneway width should be shared equally between the properties on both sides of the laneway. (e.g., A 5m wide laneway should accommodate 0.5m on each side for future widening)

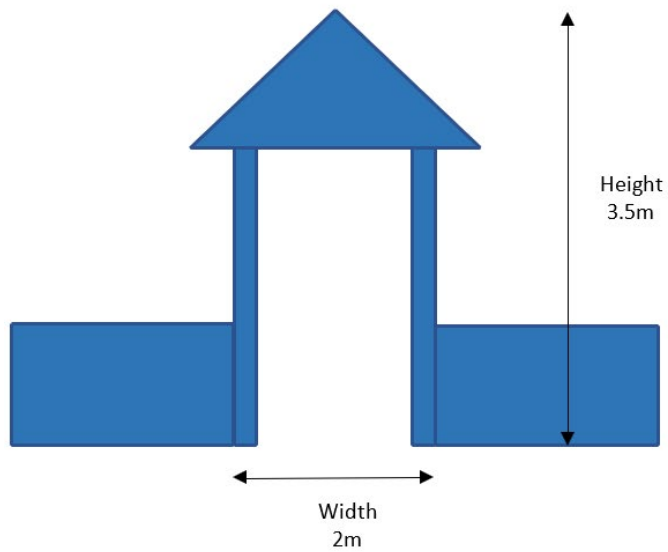


Figure 2: Gatehouse example.

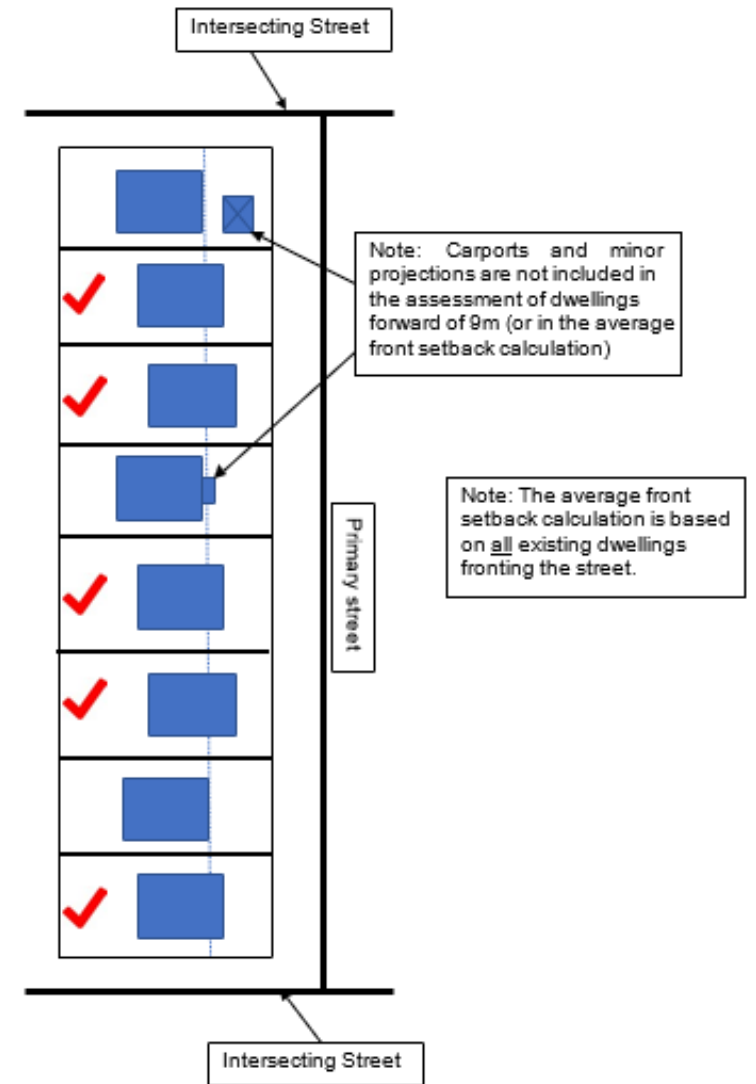
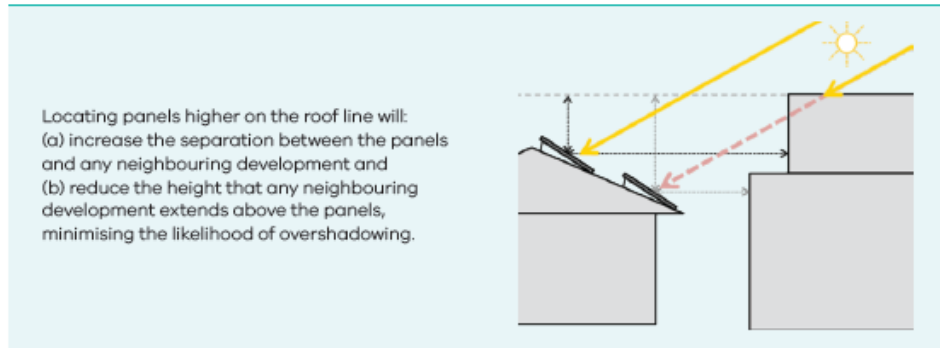
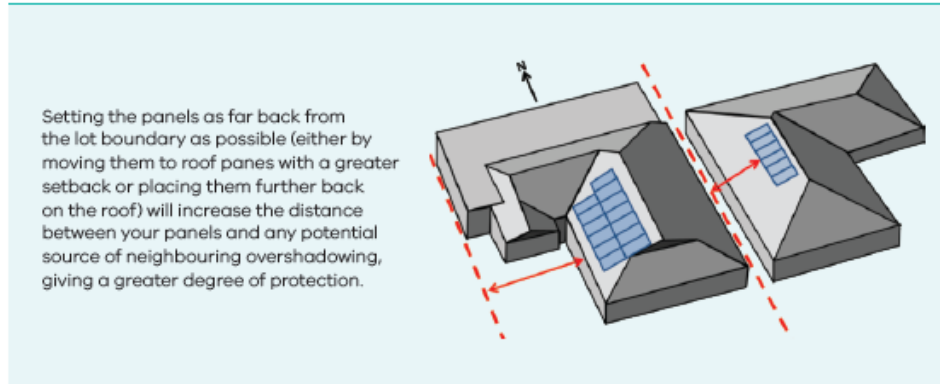


Figure 3: Street setbacks for averaging.



Set as far back from the lot boundary as possible



Higher on the roof peak

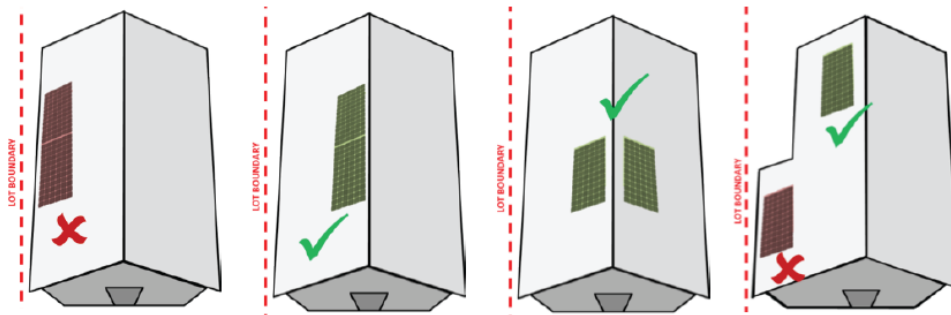


Figure 4: Appropriate locations for solar panels.

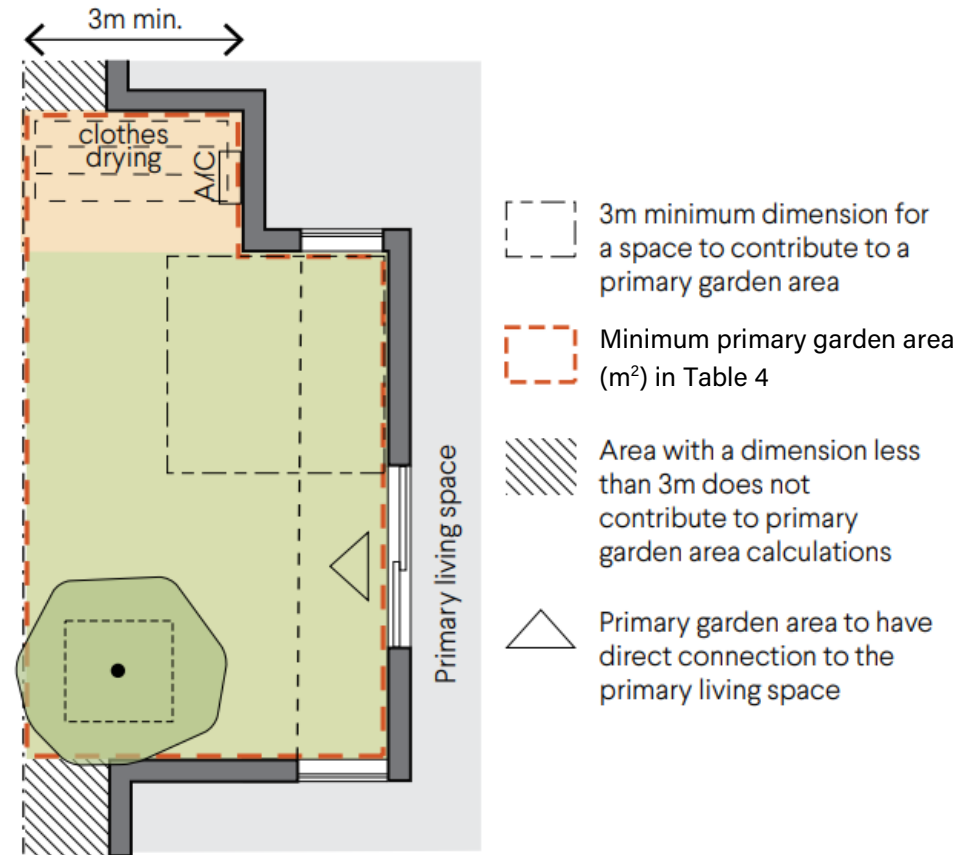


Figure 5: Primary garden area minimum dimensions.

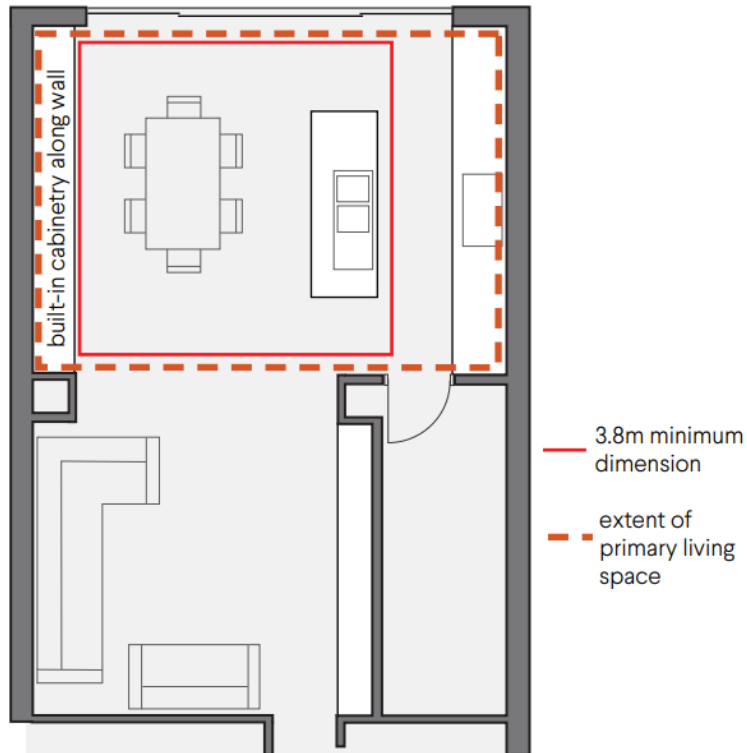


Figure 6: Calculating primary living space minimum dimensions.

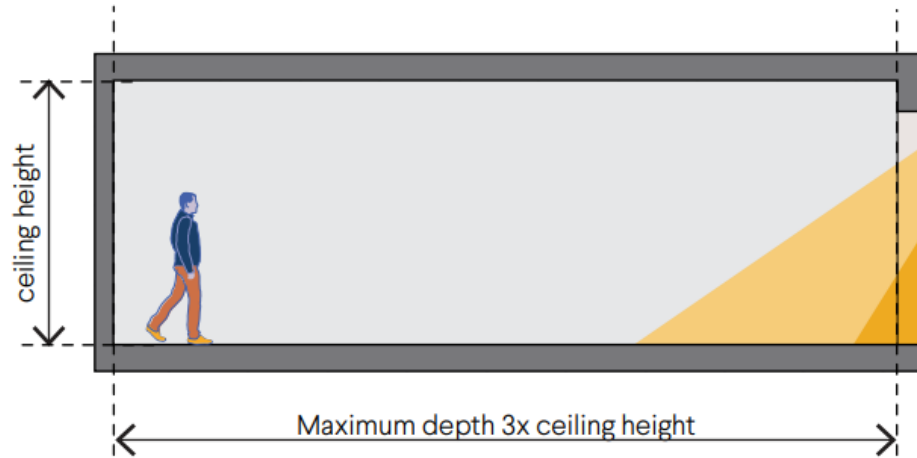
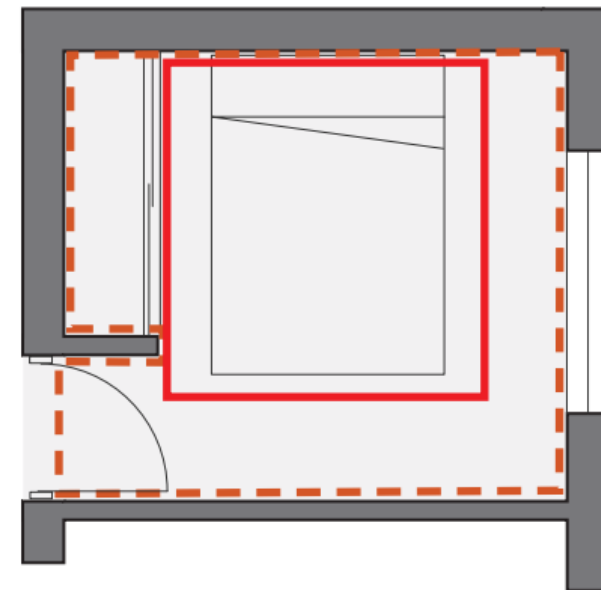


Figure 7: Single aspect primary living space depth and ceiling height.

Figure 8: Calculating bedroom minimum dimensions.



— 2.7m minimum dimension

- - - 9m² minimum internal floor area

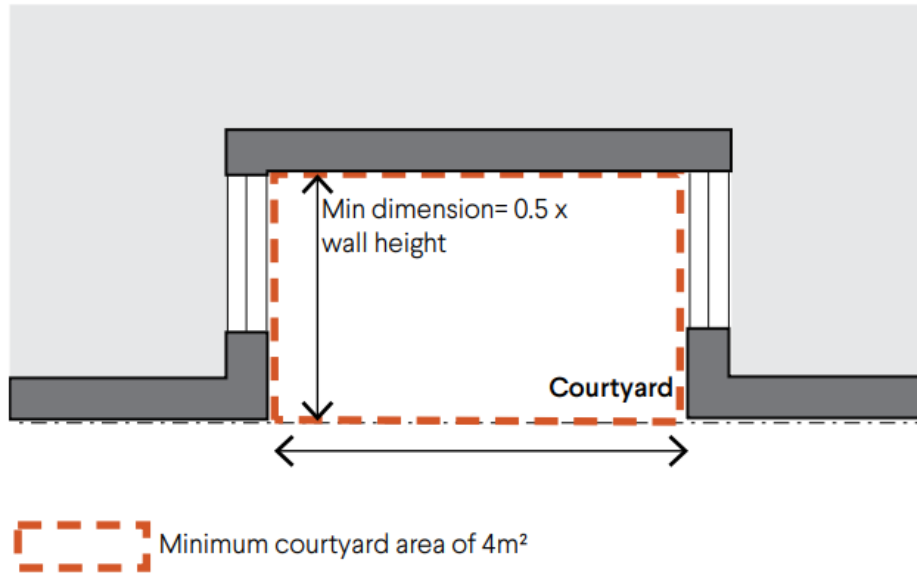
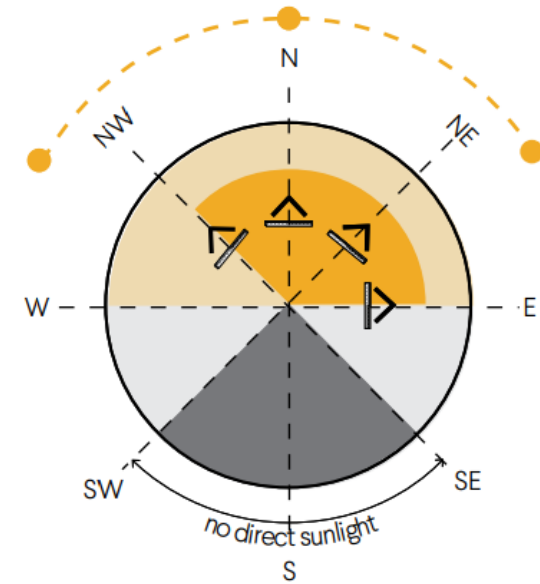


Figure 9: Courtyard minimum dimensions.



- Achieves deemed-to-comply (Clause 6.2.3 C3.4)
- Design Principle for single houses to achieve 2 hours solar access
- Orientation of major openings to primary living space

Figure 10: Orientation of major opening to the primary living space.

Figure 11: Minimum dimension of an uncovered open area.

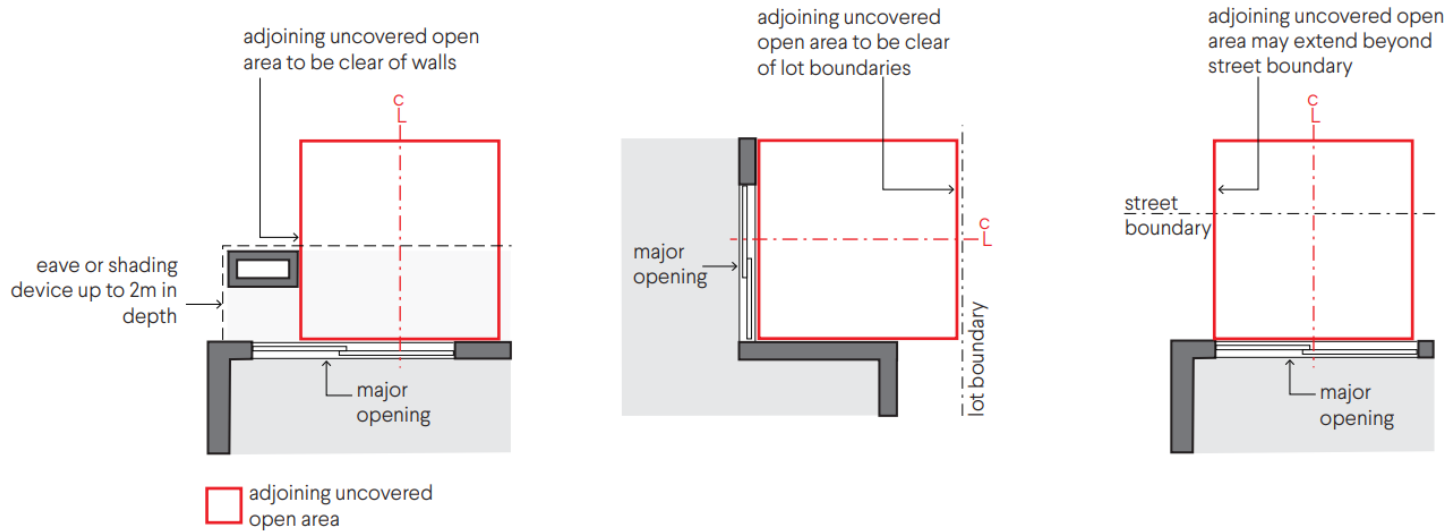
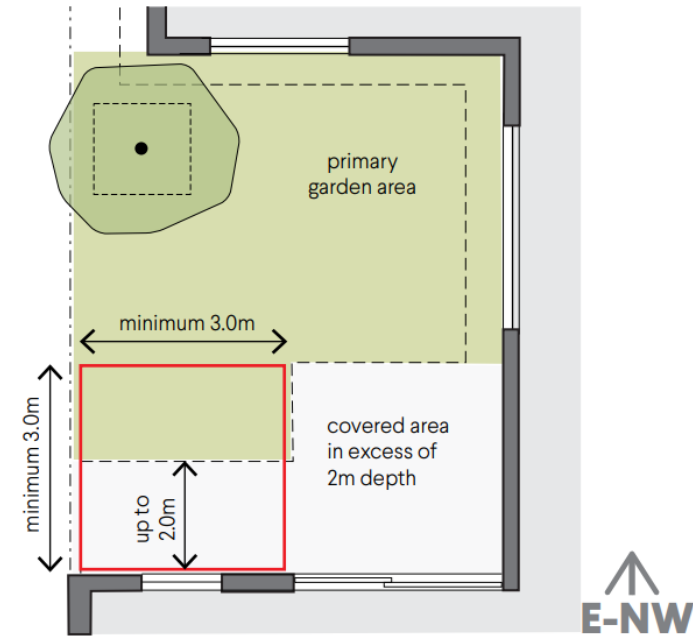


Figure 12: Adjoining uncovered open areas.



Figure 13: St John's Wood. Lots (shaded) to which Clause 6.1.1 a) and Clause 6.1.3 a) and b) of this policy do not apply.