A large, bold, black letter 'G' is the central element of the logo. To its left, a white map of Western Australia is set against a background of horizontal lines. The 'G' is partially overlaid by the map's outline.

WESTERN  
AUSTRALIAN  
GOVERNMENT

**Gazette**

6265



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**TOWN PLANNING AND DEVELOPMENT ACT 1928**

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**STATEMENT OF PLANNING POLICY No. 1  
RESIDENTIAL PLANNING CODES**



## TOWN PLANNING AND DEVELOPMENT ACT 1928

STATEMENT OF PLANNING POLICY NO. 1  
(AS AMENDED 1991)

## RESIDENTIAL PLANNING CODES

PREPARED UNDER SECTION 5AA WITH THE APPROVAL OF THE MINISTER FOR PLANNING BY THE DEPARTMENT OF PLANNING AND URBAN DEVELOPMENT AND APPROVED BY HIS EXCELLENCY THE GOVERNOR

1. This Statement of Planning Policy No. 1 (as amended 1991) replaces the Statement of Planning Policy No. 1 published in the Government Gazette of January 30, 1985 which is hereby revoked.
2. All town planning schemes prepared and adopted by local authorities under the provisions of the Town Planning and Development Act 1928 which provide for the zoning and allocation of land shall require residential development in zones where residential development is permitted to be subject to the controls contained in the Residential Planning Codes.
3. In the use and application of these codes Local Authorities should seek to fulfill objectives of urban containment by encouraging a wider range of lot sizes and an increased variety of housing types throughout residential areas.
4. Town planning schemes shall incorporate the Codes by reference to this Statement of Planning Policy using the model scheme text provisions set out in Appendix 1 of the Statement and by the allocation of an appropriate code or codes. The Residential Planning Codes are contained in Appendix 2.
5. Only in exceptional circumstances will variations of these codes be permitted; the variations should be incorporated in the manner provided for in the model scheme text contained in Appendix 1.
6. These Codes shall be read in conjunction with the manual published together with the Codes as "RESIDENTIAL PLANNING CODES OF WESTERN AUSTRALIA MANUAL AND CODES".

APPENDIX 1  
MODEL SCHEME TEXT

1. A town planning scheme shall refer to the Residential Planning Codes in the following manner:  

RESIDENTIAL DEVELOPMENT: RESIDENTIAL PLANNING CODES

  1. FOR THE PURPOSE OF THIS SCHEME "RESIDENTIAL PLANNING CODES" MEANS THE RESIDENTIAL PLANNING CODES SET OUT IN APPENDIX 2 TO THE STATEMENT OF PLANNING POLICY NO. 1, TOGETHER WITH ANY AMENDMENTS THERETO.
  2. A COPY OF THE RESIDENTIAL PLANNING CODES, AS AMENDED, SHALL BE KEPT AND MADE AVAILABLE FOR PUBLIC INSPECTIONS AT THE OFFICES OF THE COUNCIL.
  3. UNLESS OTHERWISE PROVIDED FOR IN THE SCHEME THE DEVELOPMENT OF LAND FOR ANY OF THE RESIDENTIAL PURPOSES DEALT WITH BY THE RESIDENTIAL PLANNING CODES SHALL CONFORM TO THE PROVISIONS OF THOSE CODES<sup>1</sup>.
2. The selected Residential Planning Codes assigned to any given area shall be shown on the Scheme Map or other Map included in the scheme, or in another manner acceptable to the Department.
3. Particular applications, variations, or exclusions to the provisions of the Residential Planning Codes shall be included under the following heading -  

"SPECIAL APPLICATION OF RESIDENTIAL PLANNING CODES"

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## PART 1 - GENERAL PROVISIONS

### 1.1 PRELIMINARY

- 1.1.1 These Residential Planning Codes shall apply to single houses, grouped and multiple dwellings and special purpose dwellings in zones where residential development is permitted. All buildings for such uses shall accord with the provisions applicable to the Code assigned by the Scheme to the particular locality within which the building is to be located.
- 1.1.2 Where these codes take effect, those provisions of the Town Planning (Buildings) Uniform General By-Laws 1989 (as amended) which purport to control the matters contained within these codes shall not have effect.
- 1.1.3 Where these codes contain discretion in the application of a particular provision, that discretion shall be exercised by the applicant except where it is expressly vested in the Council.
- 1.1.4 (a) Where a proposed development necessitates the exercise by Council of a discretion under the Scheme in order for that development to commence, the prior approval in writing of Council shall be obtained notwithstanding that the development may be of a class of development not otherwise requiring approval under this scheme.
- (b) The Council may approve the variation with or without conditions or may refuse to approve the variation.
- (c) The Council shall, before granting its approval, satisfy itself that the variation requested is one which Council has the power to approve.

### 1.2 OBJECTIVES

- 1.2.1 The objectives of these Codes are to:-
- encourage the development of a wide range of dwelling types;
  - ensure adequate standards of privacy, daylighting, sunshine and safety for all dwellings;
  - provide appropriate levels of car parking, access, incidental open space and storage and drying facilities for each type of dwelling;
  - protect the amenity of adjacent buildings by minimising overshadowing, overlooking and visual intrusion;
  - enhance the amenity of residential areas in relation to building size, streetscape, space about buildings, density and landscaping.
- 1.2.2 Compliance with the express provisions of these Codes shall be deemed to achieve these objectives.

### 1.3 INTERPRETATIONS

- 1.3.1 In these Codes, unless the context requires otherwise:-

*"A" Standard*

means a Standard which is designated in the high density codes of Table 1 by the addition of the suffix "A";

*ancillary accommodation*

means self contained living accommodation on the same site as a single house and may be attached or detached from the single house existing on the lot;

*aged or dependent person*

means a person who is aged 55 years or over or is a person with a

recognised form of handicap requiring special accommodation provisions for independent living or special care;

**"B" Standard**

means a Standard which is designated in the high density codes of Table 1 by addition of the suffix "B";

**building**

means any structure or appurtenance thereto whether fixed or moveable, temporary or permanent, placed or erected upon land, and the term shall include dwellings and buildings appurtenant to dwellings such as carports, garages, verandahs and retaining walls, but shall exclude a boundary fence, pergolas, garden sheds and the like, and swimming pools where no part is more than 600mm above surrounding ground level;

**carport**

means a roofed structure designed to accommodate a motor vehicle and enclosed on no more than half its perimeter;

**communal**

open space means open space set aside on a lot for the exclusive use of the occupants of the dwellings on that lot but does not include driveways or car parking areas;

**council**

means the relevant local authority or other body responsible for granting or refusing consent to development pursuant to a town planning scheme;

**dwelling**

means a building or portion of a building being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by -

- a single person,
- a single family, or
- no more than six (6) persons who do not comprise a single family,

**frontage**

means the width of a lot at the average permissible front setback line, provided that in the case of battle-axe or other irregular shaped lots, it shall be as determined by the Council;

**garage**

means a roofed structure designed to accommodate a motor vehicle and enclosed on more than half its perimeter;

**garden shed**

means a shed, workshop or outhouse containing not more than 10 sq.m. of floor area located on the same lot but separate from a dwelling;

**grouped dwelling**

means a dwelling which is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate otherwise.

**habitable room**

means a room, other than a bathroom, laundry, water closet, or the like, that is designed, constructed, or adapted for the activities normally associated with domestic living, and for the purpose -

- (a) includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, sunroom and the like; and
- (b) excludes in addition to bathrooms, laundries, water closets and the like, such rooms or spaces as food storage pantries, walk-in-wardrobes, corridors, hallways, lobbies, photographic darkrooms, clothes-drying rooms and other spaces of a specialised nature occupied neither frequently nor for extended periods and any other room not having a major opening;

*height*

of a wall at any point for the purpose of determining its setback from a boundary means the vertical distance between the top of the eaves at the wall line, parapet or flat roof whichever is highest and the natural ground level of the lot boundary at a point at right angles (90°) to the wall. Where a skillion roof occurs the height shall be measured as the median height of the wall or where a triangular gable roof occurs the height shall be measured as the height of the wall together with 1/3 of the vertical height of the gable;

*landscape, landscaping or landscaped*

refer to land developed with, or by the planting of lawns, garden beds, shrubs and trees and includes such features as rockeries, ornamental ponds, swimming pools, barbecue areas or children's playgrounds and any other such area approved of by the Council as landscaped area;

*major opening*

means a window, door or other opening to a habitable room or space which in the opinion of the Council provides the principal or substantial external means of light or view to that room or space but does not include an opening or openings which in aggregate do not exceed 1.5 sq.m in the area providing that any room may have more than one major opening and no habitable room shall be deemed to have less than one such opening;

*multiple dwelling*

means a dwelling in a group of more than one where any part of a dwelling is vertically above part of any other;

*open space*

means that area of a lot which is not occupied by any building and may include the open surfaces of accessible and useable roof spaces, open car parking, but not covered walkways, parking areas with non-accessible roofs, areas for rubbish disposal, stores, outbuildings or plant rooms;

*plot ratio*

means the ratio of the gross total of the areas of all floors to the area of land within the site boundaries and in calculating the gross total of the areas of all floors the areas shall be measured over any walls but shall not include lift shafts, stairs or stair landings, machinery rooms, air conditioning, equipment rooms, non-habitable floor space in basements, areas used exclusively for the parking of wheeled vehicles at or below ground level, lobbies or amenities common to more than one dwelling or private open balconies;

*private open space*

means open space set aside on a lot for the exclusive use of the occupants of the dwelling to which it abuts and excludes car parking spaces and accessways;

*R Codes*

means the requirements for the control of residential development set out in these Codes;

*residential building*

means a building or portion of a building, together with rooms and outbuildings separate from such building but ancillary thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation -

- temporarily by two or more persons, or
- permanently by seven or more persons, who do not comprise a single family; but does not include a hospital or sanatorium, a prison, an hotel, a motel, or a residential school;

*Scheme*

means the town planning scheme of which these Codes form part;

*setback*

means the horizontal distance between a wall at any point and the adjacent lot boundary measured at right angles (90°) to the wall;

*single bedroom dwelling*

is a dwelling which contains a living room and no more than one other habitable room which is possible to use as a bedroom;

*single house*

means an independently constructed dwelling standing wholly on its own lot created pursuant to the Town Planning and Development Act;

*street alignment*

means the boundary between the land comprising a street and the land that abuts thereon, but where a new street alignment is prescribed, means the new street alignment so prescribed;

*tandem parking*

means two parking spaces arranged one behind the other where parking in one bay precludes entry or exit to or from the other bay.

*wall*

means part of a constructed building and includes structural supports to verandahs and the like and enclosures to balconies.

## 1.4 MEASUREMENT OF BUILDING SETBACK

- 1.4.1 For the purpose of the Codes the term "length of wall" means the total horizontal dimension of the side of the building nearest that boundary providing that in the determination of the setback the following rules shall apply: (See Fig 1)

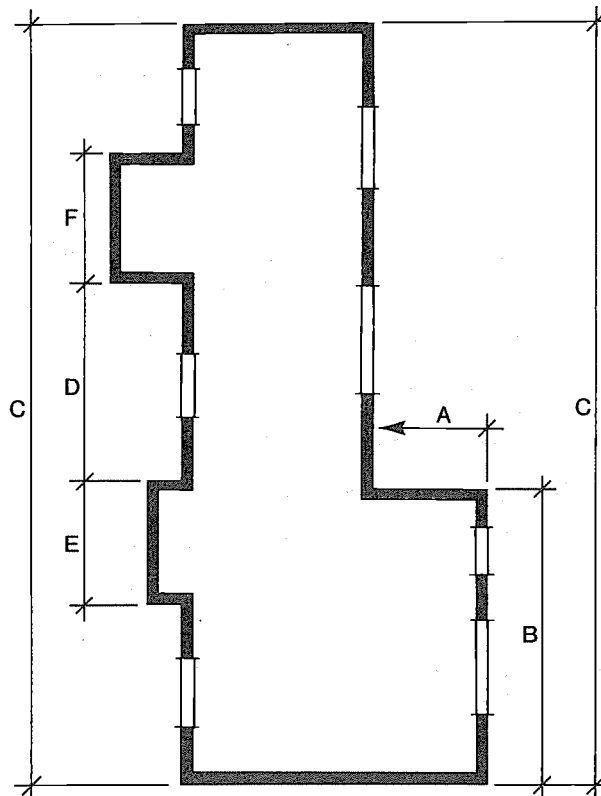


Figure 1



- (a) Where 'A' is more than three metres, 'B' shall be treated as a separate wall in accordance with Table 2 for the purpose of determining its setback, providing that the length 'C' shall be the basis for determining the setback of the rest of the side of the building.
- (b) Where a portion of wall (such as 'E' or 'F') is without a major opening to a habitable room, the setback shall be determined independently providing the setback of the rest of that side of the building is determined on the basis of the total length 'C'.
- (c) Where the side of a building includes 2 or more portions of wall without major opening (such as E and F) their setbacks may be determined independently of each other providing they are separated from one another by a distance (D) of more than 4 metres in the case of walls less than or equal to 6 metres in height and increasing in height of the walls. The setback for the rest of the side of building shall be determined on the basis of its total length (C).

## 1.5 SETBACK REQUIREMENTS

- 1.5.1 Except as otherwise provided buildings shall be setback from lot boundaries not less than the relevant distance set out in Fig 3 and Tables 1 and 2.
- 1.5.2 The minimum distance between separate buildings on the same lot but in different occupancies, or facing portions of a building in different occupancies shall be calculated assuming there was a boundary between them.
- 1.5.3 For the purpose of calculating setbacks an unroofed balcony or the like shall be deemed to have a wall height of 2.4m.
- 1.5.4 An eaves overhang, chimney, or other architectural feature or minor projection from the face of a wall, may project into the required setback area by not more than 750mm, provided that, subject to Clause 1.5.7, such projection shall not be closer to a boundary than 750mm.
- 1.5.5 Notwithstanding any other provisions of these codes,
  - (a) a garage or carport may, with the approval of Council, be constructed up to 4.5 metres of a primary street alignment where vehicles are parked at right angles to the street alignment and 1.5 metres where vehicles are parked parallel to the street alignment;
  - (b) a car port may, with the approval of Council, be constructed up to the street alignment;
  - (c) a car port, garage or the like may be built up to a boundary abutting a private street or right-of-way or secondary street provided that adequate manoeuvring space for any vehicle is provided.
- 1.5.6 The side and the rear boundary setback may be interchanged.
- 1.5.7 Notwithstanding the minimum setbacks specified elsewhere in these Codes the Council may, in a particular case, allow a lesser setback, provided that in so doing the Council shall have regard to:-
  - (a) the objectives set out in Clause 1.2,
  - (b) the effect of such variation on the amenity of any adjoining lot,
  - (c) the existing and potential future use and development of any adjoining lots, and
  - (d) existing setbacks from the street alignment in the immediate locality, in the case of setback from the principal street alignment.
- 1.5.8 Without restricting the generality of Clause 1.5.7 the following variations of setback may be applied:-
  - (a) subject to sub-clause 1.5.7 (d) the minimum setback from primary street alignment may be reduced by up to 50% provided that the area contained by the boundary and the building projected onto that boundary (as illustrated by Figure 2) is not less than would be the case were the setback set out in Table 1 complied with;

- (b) the setback from a rear boundary may be varied provided that the area contained by that boundary and the building projected onto that boundary is not less than the area which would result from the average setback set out in Table 1;
- (c) where a lot has boundaries to two or more streets the setback from the secondary street or streets may be reduced to 1.5m, or less in special circumstances, provided that adequate sight lines for traffic are maintained;
- (d) where a lot adjoins a right of way, pedestrian accessway or similar, the required setback may be reduced by up to half of the width of the right of way or accessway;
- (e) the required setback from a side boundary for any wall not exceeding 2 metres in height may be reduced to nil;
- (f) subject to the procedure set out in Clause 1.5.10 the required setback from a side boundary for any wall may be reduced to nil provided generally that the length of any such wall in relation to its height shall be not more than the following:
- walls not exceeding 2.0m average height - no limit;
  - walls not exceeding 2.5m average and 3.5m maximum height - 2/3 of the length of any common boundary;
  - walls not exceeding 3m average and 4m maximum height - 1/4 of the length of any common boundary;
  - walls exceeding 4m in height - 1/4 of the length of any common boundary.

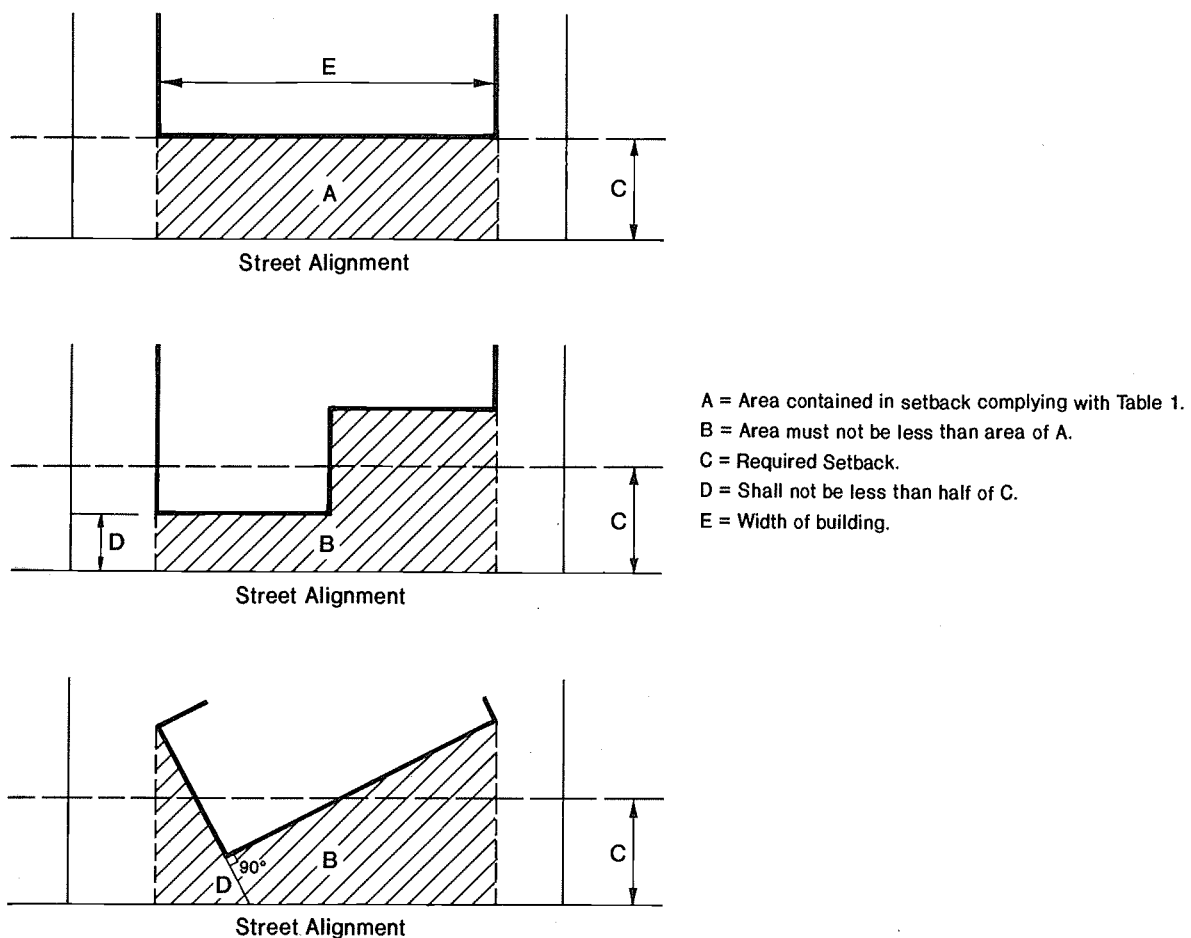


Figure 2

- 1.5.9 No wall constructed to a nil setback to a lot boundary may contain any opening unless that boundary is with a public street or communal open space, driveway or parking area created as part of the development.
- 1.5.10 Where a proposal to vary building setback requirements may significantly affect the amenity of an adjoining property, unless the prior agreement of adjoining owners and occupiers to the proposed development has been advised, Council shall:-
- (a) cause the owners and occupiers of affected property to be advised in writing of the proposed variation;
  - (b) afford reasonable access to the plans of the proposed development for a period of not less than 14 days commencing on the date of notification, and
  - (c) in its determination of the application, have regard for any submissions received during the 14 day period specified in paragraph (b) above, save that the period shall be deemed to be lapsed when submissions from all owners are received.

## 1.6 CAR PARKING REQUIREMENTS

- 1.6.1 Car parking shall be provided for each development in accordance with the requirements of the relevant part of the Codes.
- The minimum internal dimensions of any car bay shall be 5.5m x 2.4m wide provided that;
- (a) where a bay abuts a wall or other barrier the minimum width shall be not less than 2.8m;
  - (b) where tandem parking is permitted, the overall depth of the two bays shall be not less than 10m.
- 1.6.2 Car parking requirements shall be calculated by rounding up to the nearest whole number.
- 1.6.3 Parking spaces may, with the approval of the Council, be located within the street setback area, provided that:-
- (a) there is adequate screening from the street, with a minimum of 1m. width in the case of landscaping, and
  - (b) separate pedestrian access from the street is provided.
- 1.6.4 Vehicle accessways and parking areas shall be located so as to minimise noise and headlight glare to windows.
- 1.6.5 No parking area or vehicle accessway shall be closer to ground floor habitable room windows of a dwelling than 4m, unless that parking area or vehicle accessway is for the exclusive use of the occupants of that dwelling or unless such parking area or accessway is screened to the satisfaction of the Council.
- 1.6.6 Any continuous line of car parking shall be provided with planting areas, including shade trees approved by the Council at the rate of 1 per 8 car parking bays.
- 1.6.7 Where an access point to a street serves more than 6 car parking spaces adequate provision shall be made on site for all cars to be able to leave the site without reversing onto the street.
- 1.6.8 Where street crossovers are required they shall be spaced not less than 6m apart on the same site.

## 1.7 AMENITY

- 1.7.1 The Council may have regard to, and may impose conditions relating to, the following:-
- (a) the height or location of buildings;

- (b) the preservation of existing trees or areas or buildings of architectural or historical interest;
- (c) building materials and finishes where these relate to the preservation of local character and the amenity of the area generally;
- (d) the dispersal of building bulk in order to minimise its impact;
- (e) an increase in building setbacks where the adjoining land is controlled under a lower density residential code in order to ensure adequate protection for adjoining residents;
- (f) the location and orientation of a building or buildings on a lot in order to achieve higher standards of daylighting, sunshine or privacy or to avoid visual monotony in the street scene as a whole.

1.7.2 No development shall cause more than 50% of an adjoining lot to be in shadow at noon on June 21, save with the approval of Council.

## **PART 2 - SINGLE HOUSES AND ANCILLARY ACCOMMODATION**

### **2.1 SETBACK REQUIREMENTS**

- 2.1.1 Setbacks shall be as set out in Clauses 1.5 and 2.5.
- 2.1.2 A single house may be constructed with one or more walls built up to one or more side or rear boundaries and with part of the open space requirement included in a confined, unroofed area and in such cases such open space shall have a minimum area of 40m<sup>2</sup>, a minimum side dimension of 5m and a maximum eaves overhang of 750mm.

### **2.2 CAR PARKING REQUIREMENTS**

- 2.2.1 Not less than two car parking spaces shall be provided within each lot.
- 2.2.2 Notwithstanding Clause 1.6 one car space may be provided within the street setback area and in tandem with the other.

### **2.3 ANCILLARY ACCOMMODATION**

- 2.3.1 In the case of a lot not large enough to accommodate two or more grouped dwellings, Council may approve the development of ancillary accommodation provided that:-
  - (a) any occupier shall be a member of the family of the occupier of the main dwelling;
  - (b) parking spaces additional to those required for a single house may be required;
  - (c) Council may require the owner to enter into legal agreement, which shall bind the owner, his heirs and successors in title, requiring that the occupier of the ancillary accommodation shall be a member of the family of the occupier of the main dwelling.

## 2.4 WAIVER OF PROVISIONS

- 2.4.1 Where the provision of these Codes prevent the building of a single house in keeping with the standards of its locality, the Council may waive or vary provisions.

## 2.5 SUBDIVISION CONCURRENT WITH DEVELOPMENT

- 2.5.1 Any application for development which requires the creation of a lot smaller in area than 350m<sup>2</sup> shall be accompanied by or integral with an application for approval of the development of a house on such lot. Any approval of one shall be contingent on approval of the other.
- 2.5.2 In the case of a subdivision involving the development of two or more single houses the side setback between adjoining houses in the subdivision may be reduced to nil.
- 2.5.3 In the case of a subdivision involving the development of two or more single houses the Council may vary the front setback to a minimum of 1.5m provided that:-
- (a) such development would be compatible with existing development in the locality or the Council's policy for development in the locality;
  - (b) such development would not adversely affect the amenity of the locality; and
  - (c) adequate access for parking and rubbish storage and removal is provided.
- 2.5.4 Where a street is created as part of the subdivision involving the development of two or more single houses the street setback of a wall not exceeding 9m in length and 6m in height may at the discretion of the Council be reduced to 1.5m and in exceptional circumstances to nil provided that in any case no ground floor window shall be setback less than 1.5m.

## PART 3 - GROUPED DWELLINGS

### 3.1 SETBACK REQUIREMENTS

- 3.1.1 Setbacks for grouped dwellings shall be in accordance with Clauses 1.5, 3.1.2 and 3.1.3.
- 3.1.2 Where three or more grouped dwellings are arranged side by side and attached to each other, the Council may vary the street setback to a minimum of 1.5m provided that:
- (a) such development would be compatible with existing development in the locality or Council's policies for such development in that locality;
  - (b) such development would not adversely affect the amenity of the locality; and
  - (c) adequate access for parking and rubbish storage and removal is provided.
- 3.1.3 When a street is created as part of a development involving two or more grouped dwellings the street setback of a wall not exceeding 9m in length and 6m in height may at the discretion of the Council, be reduced to nil provided that in no case shall any ground floor window be set back less than 1.5m.

### 3.2 CAR PARKING REQUIREMENTS

- 3.2.1 Car parking spaces shall be provided at the rate of not less than two spaces per grouped dwelling for the first 4 dwellings and 1.5 car spaces per dwelling for each dwelling in excess of four.
- 3.2.2 Not less than 10% of the required car parking bays, with a minimum of 2 bays shall be provided, marked and retained permanently for the use of visitors.
- 3.2.3 At least one space shall be exclusive to each dwelling and, subject to this requirement, spaces other than visitor spaces may be provided in tandem or side by side where these are marked and permanently retained for the exclusive use of occupants of a particular dwelling.
- 3.2.4 Access and manoeuvring space shall be provided on-site such that any vehicle may leave or enter a marked space other than the innermost space of tandem spaces, without being inhibited by other parked vehicles, vegetation or other obstacles.
- 3.2.5 Some or all of the required parking spaces may, with the approval of Council, be located on other privately owned land provided that:-
- (a) the parking area is sufficiently close to ensure its use by residents of the dwellings or visitors to them;
  - (b) any increase in numbers of dwellings or possible floorspace thereby is matched by a concomitant increase in aggregate parking spaces;
  - (c) permanent legal right of access is granted to all users and occupiers of dwellings for which the parking space is to be provided, and
  - (d) where such parking is shared with other uses, the total aggregate parking requirement for all such uses, as required by the Codes and the Scheme shall be provided. Spaces may be reduced by up to 15% if Council is satisfied that the non-residential parking occurs substantially between 9.00 am and 5.00 pm on weekdays only.

### 3.3 OPEN SPACE REQUIREMENTS

- 3.3.1 Open space for grouped dwellings shall be provided in accordance with the provisions of Table 1 and, in the case of three or more Grouped Dwellings, a plan showing the areas to be landscaped shall be incorporated in any application.
- 3.3.2 Private open space shall include only areas which are:
- (a) easily accessible only from house or dwellings to which they are appurtenant; and
  - (b) capable of being screened from the view of the public and other dwellings.
- 3.3.3 Each dwelling shall be provided with reasonable access from a habitable room other than a bedroom to at least one portion of private open space, which shall have a minimum area of 24m<sup>2</sup> a minimum dimension of 4m and not be built on except for structures of a pergola type.

### 3.4 PEDESTRIAN ACCESS

- 3.4.1 Any grouped dwelling development comprising ten or more dwellings shall be provided with pedestrian access separate from or adjacent to vehicular access.
- 3.4.2 Pedestrian accessways shall not be closer than 3m to a wall with a major opening at ground level unless the accessway is screened.

### 3.5 ADDITIONAL FACILITIES

- 3.5.1 Each grouped dwelling shall be provided with a permanent enclosed storage area of at least 4 sq.m., accessible from outside and compatible with the overall development.

- 3.5.2 Each dwelling shall have adequate provision for the storage of garbage and, if the design of the development precludes the Council from collecting garbage from each individual dwelling, a garbage pick-up area.
- 3.5.3 The Council may require, as a condition of approval, or agree on application by the developer in a particular case, that certain additional facilities be provided on the site and in such a case, shall grant a bonus by way of plot ratio or additional dwellings, provided that:-
- (a) the facilities provided are permanent and available to all occupants of the whole development;
  - (b) the facilities provided are appropriate to the needs of the anticipated occupants;
  - (c) the bonus granted is not significantly more valuable in monetary terms than the cost of providing the amenities;
  - (d) the plot ratio or dwelling unit bonus granted does not exceed 20%;
  - (e) the general amenity of the lot is not adversely affected thereby; and
  - (f) all adjoining and other affected owners and occupiers are directly notified of the proposal and are given 21 days in which to view the proposal and to comment to the Council prior to a decision being made.

## PART 4 - MULTIPLE DWELLINGS

### 4.1 'A' AND 'B' STANDARDS

- 4.1.1 In areas coded R80A, R100A and R160A where the 'A' standard applies, the developer may choose to develop under the 'A' or 'B' standard. Areas coded R80B, R100B and R160B shall only be developed in accordance with the B Standards.

### 4.2 SETBACK REQUIREMENTS

- 4.2.1 Setbacks for buildings containing multiple dwellings shall be as set out in Clause 1.5.

### 4.3 CAR PARKING

- 4.3.1 Car parking spaces shall be provided at the rate of:
- (a) 0.35 spaces per dwelling unit plus 0.015 spaces per square metre of plot ratio floor area to a maximum requirement of 3 car spaces per dwelling unit;
  - (b) not less than 10% of the required car parking spaces, with a minimum of 2 spaces provided, marked and retained permanently for the use of visitors; and
  - (c) at least one space shall be exclusive to each dwelling and subject to this requirement spaces other than visitor spaces may be provided in tandem pairs where these are marked and permanently retained for the exclusive use of occupants of a particular dwelling.
- 4.3.2 Access and manoeuvring space shall be provided on-site such that any vehicle may leave or enter a marked space (other than the innermost space of tandem spaces) without being inhibited by other parked vehicles, vegetation or other obstacles. There shall be sufficient space to enable any vehicle to enter or leave the public street while travelling forwards.

- 4.3.3 Car parking in developments under the 'B' standards shall be located so that not more than 30% of all spaces are visible from any street or other public place, or from any dwelling on the lot. If the spaces are contained in a separate building, the top of the roof of such building shall be not more than an average of one metre above ground level at its external perimeter and may be required to be designed, located and finished as landscaped open space. Car spaces which are not fully concealed shall be located below ground level, in surface areas, or on decks the top of which are not greater than 1m above ground level, with screening by landscaping or other means from view from other dwellings.
- 4.3.4 Some or all of the required parking spaces may, with the approval of Council, be located on other privately owned land provided that:-
- (a) the parking area is sufficiently close to ensure its use by residents of the dwellings or visitors to them;
  - (b) any increase in numbers of dwellings or possible floorspace thereby is matched by a concomitant increase in aggregate parking spaces;
  - (c) permanent legal right of access is granted to all users and occupiers of dwellings for which the parking space is to be provided, and
  - (d) where such parking is shared with other uses, the total aggregate parking requirement for all such uses, as required by the Codes and the Scheme shall be provided. Spaces may be reduced by up to 15% if Council is satisfied that the non-residential parking occurs substantially between 9.00 am and 5.00 pm on weekdays only.
- 4.3.5 Where street parking is controlled by the Council during normal business hours, the Council may permit the car parking requirements for multiple development to be reduced by up to 50%.

#### **4.4 OPEN SPACE**

- 4.4.1 Open Space for multiple dwellings shall be provided in accordance with the provisions of Table 1.
- 4.4.2 Communal open space shall include only areas which are designed, developed and maintained for the use of residents on the site for active or passive use, including children's play areas, swimming pools, other active recreational or sporting facilities and areas of garden or natural landscape.
- 4.4.3 Communal open space provided in accordance with Table 1 shall be provided and retained as common property for the use of all occupants.
- 4.4.4 In the case of three or more multiple dwellings, the development plan shall show the areas to be landscaped.

#### **4.5 BALCONIES**

- 4.5.1 Each multiple dwelling under the 'B' standards shall be provided with a private balcony area, opening directly from a living room, with a minimum dimension of 2m and a minimum area of 10m<sup>2</sup>.
- 4.5.2 Notwithstanding the provisions of Clause 1.5.8 a balcony may project into the required minimum setback by a maximum of 1.5m but shall in no case be less than 3m from the boundary.
- 4.5.3 Each external face of a balcony shall be treated as a major opening, except when permanently screened.

#### **4.6 PEDESTRIAN ACCESS**

- 4.6.1 Any multiple dwelling development comprising ten or more dwellings shall be provided with pedestrian access separate from or adjacent to vehicular access.
- 4.6.2 Pedestrian accessways shall not be closer than 3m to a wall with a major opening, unless the accessway is screened.



- 4.6.3 Access above ground level to all multiple dwellings developed in accordance with the 'B' standards and access above second floor level to all other multiple dwellings shall be totally protected from the weather.
- 4.6.4 Where dwellings developed in accordance with the 'B' standards are served by stairs only, such stairs shall be provided so that for normal access purposes no more than two dwellings at each floor level are served by each flight of stairs.

#### **4.7 ADDITIONAL FACILITIES**

- 4.7.1 Each multiple dwelling shall have exclusive access to an enclosed storage area, accessible from outside, of a minimum area of 4sq. m nett per dwelling in the case of the 'B' standards and of 1.5 sq. m nett per dwelling in all other cases.
- 4.7.2 Each multiple dwelling development shall have an adequate area set aside for clothes drying screened from view from any adjacent public place except where drying facilities are provided in each unit.
- 4.7.3 Each multiple dwelling development shall have adequate provision for the storage of garbage and a garbage pick-up area which shall be fully screened from the public view.
- 4.7.4 In the case of multiple dwelling developments greater than 12 metres in height or with more than 20 dwellings the Council may require provision of a change room and toilet at ground level for the use of residents and maintenance staff.
- 4.7.5 The Council may require that an area within a building be designated and set aside for communal purposes and such an area shall not be included in plot ratio calculations.
- 4.7.6 Other than in developments under the 'B' Standard, the Council may require, as a condition of approval, or agree on application by the developer in a particular case, that certain additional facilities be provided on the site and in such a case, shall grant a bonus by way of plot ratio or additional dwellings, provided that:-
- (a) the facilities provided are permanent and available to all occupants of the whole development;
  - (b) the facilities provided are appropriate to the needs of the anticipated occupants;
  - (c) the bonus granted is not significantly more valuable in monetary terms than the cost of providing the amenities;
  - (d) the plot ratio or dwelling unit bonus granted does not exceed 20%;
  - (e) the general amenity of the lot is not adversely affected thereby; and
  - (f) all adjoining and other affected owners and occupiers are directly notified of the proposal and are given 21 days in which to view the proposal and to comment to the Council prior to a decision being made.

### **PART 5 - SPECIAL PURPOSE DWELLINGS**

#### **5.1 AGED OR DEPENDENT PERSONS' DWELLINGS**

- 5.1.1 Dwellings designed for the accommodation of aged or dependent persons shall incorporate appropriate provision for the special needs of their prospective occupants.
- 5.1.2 Council may require the owner of such a dwelling, to enter into a legal agreement, which shall bind the owner and his heirs and successors in title,

requiring that at least one permanent occupant of the dwelling is an aged person or dependent person, or the surviving spouse of that person.

- 5.1.3 In the case of dwellings designed for the accommodation of aged or dependent persons, the number of dwellings permitted may, at the discretion of the Council, be up to 50% greater than provided for by the Code applying to the site.
- 5.1.4 In the case of such dwellings the Council may, in a particular case, vary any other provision of the Codes where necessary to enable the density increase to be achieved.
- 5.1.5 In the case of such dwellings car parking bays shall be provided at the rate of 0.5 spaces per dwelling unit which may be increased at the discretion of Council up to 1 bay per unit, with visitors car parking as 10% with a minimum of two bays and not less than 10% of car parking bays (with a minimum of two bays) shall be set aside for visitors car parking.

## **5.2 SINGLE BEDROOM DWELLINGS**

- 5.2.1 In the case of single bedroom dwellings the number of dwellings permitted may, at the discretion of Council, be up to 50% greater than provided for by the Code applying to the site.
- 5.2.2 In the case of such dwellings the number of required car parking bays may, at the discretion of Council, be reduced by up to 50%, with a minimum provision in any case of one bay per dwelling.

## **PART 6 - TABLES**

### **6.1 INTERPRETATION OF TABLE 1**

- 6.1.1 Any land adjacent to a lot which is contained within the abutting road reserve as a standard 8.5m corner truncation shall be credited towards the area of the lot.
- 6.1.2 The 'average' lot area set out in Column 3 shall be calculated as the average area of the residential lots proposed to be created in any application for subdivision.
- 6.1.3 The minimum lot frontages set out in column 4 of the Low Density Codes of Table 1 shall be a guideline for the subdivision of land and may be varied by the responsible authority on approval of subdivision.

TABLE 1

1 R. Code	2 Dwelling Type	3 Minimum Area of lot per Dwelling (sq.m)	4 Maximum Plot Ratio	5 Minimum Lot Frontage (sq.m)	6 Open Space			7 Minimum Setbacks from Boundaries (m)		
					Minimum Total % of Site	Minimum Communal % of Site	Minimum Private Average per Dwelling	Primary Street	Rear (Av.)	Side

## LOW DENSITY CODES

R2	Single house	5000	—	50	80	—	—	20	20	10
	Grouped dwelling	5000	—	—	80	—	—	20	20	10
R2.5	Single house	4000	—	40	80	—	—	15	15	*
	Grouped dwelling	4000	—	—	80	—	—	15	15	*
R5	Single house	2000	—	30	70	—	—	12	12	*
	Grouped dwelling	2000	—	—	70	—	—	12	12	*
R10	Single house	1000	—	20	60	—	—	7.5	7.5	*
	Grouped dwelling	1000	—	—	60	—	450	7.5	7.5	*
R12.5	Single house	Minimum 700 Av. not less than 800	—	17	55	—	—	7.5	7.5	*
	Grouped dwelling	700	—	—	55	—	350	7.5	7.5	*
R15	Single house	Minimum 550 Av. not less than 666 $\frac{2}{3}$	—	12	50	—	—	6	6	*
	Grouped dwelling	500	—	—	50	—	200	6	6	*
R17.5	Single house	Minimum 500 Av. not less than 571	—	12	50	—	—	6	6	*
	Grouped dwelling	500	—	—	50	—	175	6	6	*
R20	Single house	Minimum 450 Av. not less than 500	—	10	50	—	—	6	6	*
	Grouped dwelling	450	—	—	50	—	150	6	6	*

## MEDIUM DENSITY CODES

R25	Single house	Av. not less than 350 Minimum 320	—	—	50	—	—	6	6	*
	Grouped dwelling	400	—	—	50	—	100	6	*	*
R30	Single house	Av. not less than 300 Minimum 270	—	—	50	—	—	6	6	*
	Grouped dwelling	333 $\frac{1}{3}$	—	—	50	—	85	6	*	*
R35	Single house	Av. not less than 260 Minimum 235	—	—	50	—	—	6	4	*
	Grouped dwelling	285	—	—	50	—	70	6	*	*
R40	Single house	Av. not less than 220 Minimum 200	—	—	50	—	—	6	4	*
	Grouped dwelling	250	0.5	—	50	—	60	6	*	*
	Multiple dwelling	250	0.5	—	50	20	—	6	*	*
R50	Single house	Av. not less than 180 Minimum 160	—	—	50	—	—	6	4	*
	Grouped dwelling	200	0.5	—	50	—	50	6	*	*
	Multiple dwelling	200	0.5	—	50	20	—	6	*	*
R60	Single house	as R50	—	—	50	—	—	6	4	*
	Grouped dwelling	166 $\frac{2}{3}$	0.55	—	50	—	40	6	*	*
	Multiple dwelling	166 $\frac{2}{3}$	0.55	—	50	20	—	6	*	*

## HIGH DENSITY CODES

NOTE: All standards for Single houses are as for the R50 Code. All standards for Grouped dwellings are as for the R60 Code.

R80	A Multiple dwelling	125	0.60	—	50	20	—	9	*	*
	B Multiple dwelling	125	0.75	—	60	20	—	9	*	*
R100	A Multiple dwelling	100	0.80	—	50	20	—	9	*	*
	B Multiple dwelling	100	1.0	—	60	20	—	9	*	*
R160	A Multiple dwelling	62.5	1.2	—	50	20	—	9	*	*
	B Multiple dwelling	62.5	1.5	—	60	20	—	9	*	*

KEY: — Not applicable

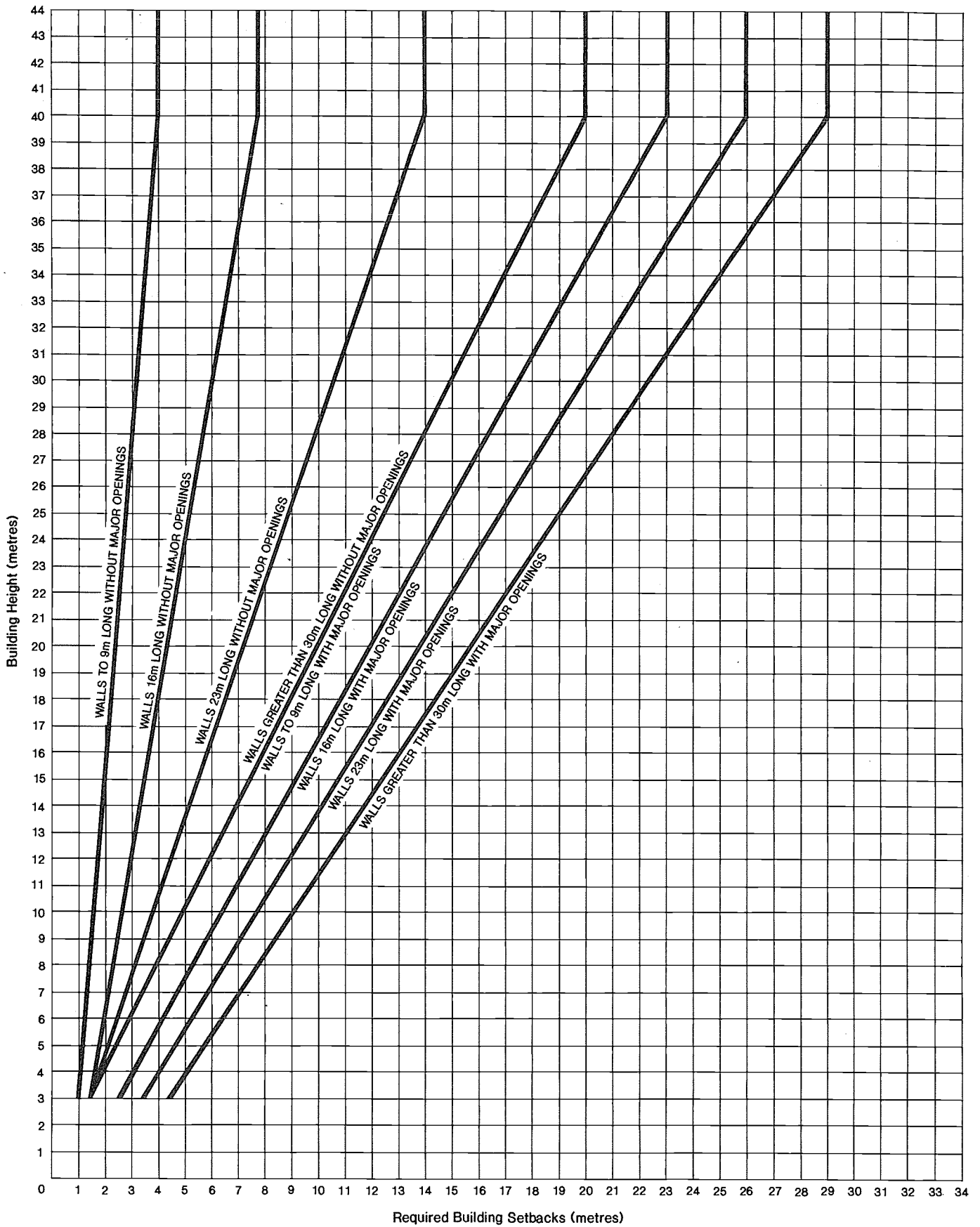
\* see Table 2 &amp; Fig. 3

FOR RELAXATIONS TO MINIMUM SETBACKS REFER TO CLAUSE 15

TABLE 2

SIDE BOUNDARY SETBACKS FOR WALLS NOT EXCEEDING 3 METRES IN HEIGHT

WALLS WITHOUT MAJOR OPENINGS TO HABITABLE ROOMS		WALLS WITH MAJOR OPENINGS TO HABITABLE ROOMS
Less than or equal to 9m in length	Greater than 9m in length	
1.0m	1.5m	1.5m



NOTE: Intermediate values are to be obtained by interpolation.

SETBACKS FROM BOUNDARIES OTHER THAN STREET

Figure 3