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PLANNING AND DEVELOPMENT ACT 2005

AMENDMENT TO
STATE PLANNING POLICY 3.1

RESIDENTIAL DESIGN CODES
(VARIATION 1)

VARIES STATE PLANNING POLICY 3.1 AS PUBLISHED IN THE
GOVERNMENT GAZETTE ON 29 APRIL 2008.

PLANNING AND DEVELOPMENT ACT 2005**Amendment to State Planning Policy 3.1****Residential Design Codes (Variation 1)**

State Planning Policy 3.1: Residential Design Codes (Variation 1) is amended as follows:

- (i) by modifying the title of the document to state:
“State Planning Policy 3.1 Residential Design Codes”
- (ii) by modifying the secondary introductory paragraph to state:
“Varies State Planning Policy 3.1 (Variation 1) as published in the Government Gazette 29 April 2008.”
- (iii) by modifying the cover date to state:
“22 November 2010”
- (iv) by modifying the title *“Part 6 – Design elements”* and replacing with the following:
“Part 6 – Design elements for all single house(s), all grouped dwellings and multiple dwellings in areas with a coding of less than R30;
- (v) by inserting a new subheading into the contents of Part 6 as follows:
6.11 Special purpose dwelling requirements
- (vi) by deleting *“Part 7 – Special provisions”* and its associated subheadings under *“Contents”* and replacing it with the following:
Part 7 – Design elements for multiple dwellings in areas with a coding of R30 or greater and within mixed use development and activity centres;
 - 7.1 Context*
 - 7.2 Streetscape*
 - 7.3 Site planning and design*
 - 7.4 Building design*
- (vii) by deleting under *“Contents”* the associated subheadings under *“Tables”* and replacing it with the following:
Part 6 – For all single house(s), all grouped dwellings, and multiple dwellings in areas with a coding of less than R30.
 - Table 1 – General site requirements for all single house(s), all grouped dwellings, and multiple dwellings in areas with a coding of less than R30.*
 - Table 2a and 2b – Boundary setbacks*
 - Table 3 – Maximum building heights*
Part 7 – For multiple dwellings in areas with a coding of R30 or greater and within mixed use development and activity centres
 - Table 4 – General site requirements for multiple dwellings in areas with a coding of R30 or greater and within mixed use development and activity centres*
 - Table 5 – Boundary setbacks*

- (viii) by modifying Clause 1.1 to state:
- “This state planning policy is made under section 26 of the Planning and Development Act 2005. This policy may be cited as State Planning Policy 3.1 Residential Design Codes or R-Codes.”*
- (ix) by adding Clause 1.3.1 (h), stating:
- “To ensure that appropriate provisions are provided for different dwelling types.”*
- (x) by modifying Clause 1.3.2 (b) to state:
- “To provide for uniformity of residential development standards for each dwelling type, consistent with local needs.”*
- (xi) by modifying Clause 1.3.2 (c) to state:
- “To provide clear and understandable siting and design standards for each dwelling type.”*
- (xii) by modifying Clause 1.4 to state:
- “The R-Codes apply throughout Western Australia.*
- Parts 1-5 of the R-Codes apply to all residential development (including residential components of mixed use).*
- Part 6 and associated tables and figures apply to:*
- *all single houses;*
 - *all grouped dwellings; and*
 - *multiple dwellings in areas with a coding of less than R30.*
- Part 7 and associated tables and figures apply to:*
- *multiple dwellings in areas with a coding of R30 or greater; and*
 - *mixed use development and activity centres.”*
- (xiii) by modifying Clause 2.1.3 (a) to state:
- “does not conform with the acceptable development provisions of parts 6 and/or part 7 as appropriate; or”*
- (xiv) by modifying Clause 2.2 (a) to state:
- “An application shall be made in accordance with the form set out in appendix 2 or a suitable form pursuant to the scheme for the exercise of discretion under the codes prior to the issue of a building licence.”*
- (xv) by modifying Clause 2.5.2 (b) to state:
- “the provisions of parts:*
- (i) *1-5 of the codes, as appropriate; and*
 - (ii) *the provisions of part 6 where the application involves a single house(s), grouped dwellings, or multiple dwellings in areas with a coding of less than R30;*
 - (iii) *the provisions of part 7 where the application involves a multiple dwelling in areas with a coding of R30 or greater and within mixed use development and activity centres;”*

(xvi) by inserting Clause 3.4.3 to state:

“In addition to 3.4.1 above, as appropriate, the site analysis plan shall include the following additional detail for all applications made against part 7 of the Codes:

- (a) the cadastral base identifying all allotments located within the street block on which the allotment is located as well as the allotment on the opposite side of the street;*
- (b) location, height and land use of all buildings located on the allotments as required by (a) above;*
- (c) landmarks and features within the immediate locality;*
- (d) location of shops, public transport services and public open spaces within walking distance (1 km);*
- (e) any recognised heritage places within close proximity to the development;*
- (f) any sources of noise, light, odour that may impact on residential amenity;*
- (g) the direction of cooling breezes;*
- (h) streetscape elevations of adjoining development;*
- (i) impact of taller buildings on views of significance from public places;*
- (j) solar access to the site and surrounding properties.”*

(xvii) by modifying Clause 3.6 (b) to state:

“Where a proposed major opening to an active habitable space is less distant from the nearest point of common boundary than the setbacks set out in design element 6.8 or 7.4.1, the following information shall be provided:”

(xviii) by modifying Clause 3.6 (c) to state:

“Where a proposed building does not meet the acceptable development provisions relating to overshadowing set out in design element 6.9 and 7.4.2, provision of plans and sections of sufficient information to explain how the adjoining property as a whole would be affected by overshadowing.”

(xix) by modifying Clause 3.6 (e) to state:

“In the case of proposed multiple dwelling developments and for all proposed developments which include communal open space, the provision of a landscape development plan covering the matters set out in 6.4.5 or 7.3.2, as relevant. Such a plan may, if the proponent chooses, be in outline form in the initial application, subject to submission and approval of the detailed plan, including a written maintenance manual, prior to the issue of a building licence.”

(xx) by modifying Clause 3.6 (f) to state:

“In the case of proposed aged or dependent persons’ dwelling developments under 6.11, the provision of sufficient plans and accompanying information to demonstrate compliance with the relevant provisions of AS4299:1995.”

(xxi) by modifying Clause 5.3.1 to state:

“Local planning policies may contain provisions that:

(a) vary or replace the following acceptable development provisions set out in part 6 and part 7 of the codes:

<i>streetscape</i>	<i>(design element 6.2 A1-A6, 7.1 A3, 7.2 A1-A2, 7.3 A6);</i>
<i>building design/ appearance</i>	<i>(design element 6.2 A7-A9, 7.2 A3);</i>
<i>boundary walls</i>	<i>(design element 6.3 A2, 7.1.4 A4.4);</i>
<i>site works</i>	<i>(design element 6.6 A1.4, 7.3 A7.4);</i>
<i>building height</i>	<i>(design element 6.7 A1, 7.1 A2);</i>
<i>external fixtures</i>	<i>(design element 6.10 A2.3 – A2.4, 7.4 A5.3);</i>
<i>special purpose dwelling requirements or aged or dependent person’s dwellings</i>	<i>(design element 6.11 A2 ii);”</i>

(xxii) by modifying the title of the contents page *“Part 6 – Design elements”* to state:

“Part 6 – Design elements for all single house(s), all grouped dwellings, or multiple dwellings in areas with a coding of less than R30”

(xxiii) by inserting a new subheading into the contents of Part 6 as follows:

6.11 Special purpose dwelling requirements

(xxiv) by modifying the title *“Part 6 – Design elements”* to state:

“Part 6 – Design elements for all single house(s), all grouped dwellings, or multiple dwellings in areas with a coding of less than R30

(xxv) by modifying Clause 6.1.1 A1.2 iii to state:

“in the case of multiple dwellings in areas with a coding of less than R30, the total area of the lot divided by the number of dwellings.”

(xxvi) By modifying Clause 6.1.3 A3 (i) to state:

“for the purposes of an aged or dependent persons’ dwelling or a single bedroom dwelling, the minimum site area may be reduced by up to one third, in accordance with part 6.11.2 and 6.11.3; or”

(xxvii) by deleting Clause 6.3.2 A2 vi

(xxviii) by modifying Clause 6.4.2 A2 to state:

“An outdoor living area to be provided:

- in accordance with table 1;*
- behind the street set-back area;*
- directly accessible from a habitable room of the dwelling;*
- with a minimum length and width dimension of 4 m; and*
- to have at least two-thirds of the required area without permanent roof cover.”*

(xxix) by deleting Clause 6.4.4 P4.1 and Clause 6.4.4 A4.1

(xxx) by modifying Clause 6.4.4 P4.2 to state:

“P4 Where desired by the proponent, communal open space is provided for a group of grouped dwellings.”

(xxxi) by modifying Clause 6.4.4 A4.2 to state:

“A4 Where communal open space is provided as common property, the open space required for any dwelling having legal and direct physical access to that open space may be reduced by up to 20 per cent of the required open space area provided that:

- the aggregate of deducted area does not exceed the area of communal open space; and*
- the outdoor living area for any dwelling is not reduced in area.”*

(xxxii) by modifying the title of Clause 6.5.1 A1 ii to state:

“Grouped and multiple dwellings.”

(xxxiii) by deleting the last dot point of Clause 6.5.1 A1 ii which states:

- in the case of a site coded R-IC – one space, or as provided in a local planning policy.*

(xxxiv) by deleting clause 6.5.1 A1 iii and its subsequent dot points.

(xxxv) by deleting Clause 6.5.3 A3.3 and replacing it with the renumbered Clause A4.3 to state:

“A3.3 Car parking areas with six or more spaces to be provided with landscape planting in accordance with A5 of design element 6.4.”

(xxxvi) by modifying Clause 6.9.1 A1 to state:

“A1 Notwithstanding the boundary setbacks in design element 6.3, development in climatic zones 4, 5 and 6 of the state shall be so designed that its shadow only cast at midday 21 June onto any other adjoining property does not exceed the following limits:

- on adjoining properties coded R25 and lower – 25 per cent of the site area;*
- on adjoining properties coded R30 to R40 inclusive – 35 per cent of the site area; or*
- on adjoining properties coded higher than R40 – 50 per cent of the site area.”*

(xxxvii) by inserting a new Clause and subsequent clauses to state:

“6.11 – Special purpose dwellings requirements

Objective

To ensure that dwellings for the aged and for people with special needs can be provided within normal residential areas.

Performance criteria

New development should meet these criteria.

Acceptable development

The acceptable development provisions illustrate one way of meeting the associated performance criteria.

6.11.1

Ancillary accommodation

- P1 Ancillary dwellings that accommodate the needs of large or extended families without compromising the amenity of adjoining properties.*
- A1 An additional dwelling or independent accommodation associated with a single house and on the same lot where:*
- i the sole occupant or occupants are members of the family of the occupiers of the main dwelling;*
 - ii the lot is not less than 450 sq m in area;*
 - iii the open space requirements of table 1 are met;*
 - iv there is a maximum floor area of 60 sq m; and*
 - v one additional car space is provided.*

6.11.2

Aged or dependent persons' dwellings

- P2 Dwellings that accommodate the special needs of aged or dependent persons and which:*
- are designed to meet the needs of aged or dependent persons;*
 - are located in proximity to public transport and convenience shopping;*
 - have due regard to the topography of the locality in which the site is located; and*
 - satisfy a demand for aged or dependent persons' accommodation.*
- A2 Dwellings for the housing of aged or dependent persons that comply with the following:*
- i A maximum plot ratio area of:*
 - in the case of single houses or grouped dwellings – 100 sq m; or*
 - in the case of multiple dwellings – 80 sq m.*
 - ii A minimum number of five dwellings within any single development.*
 - iii All ground floor units, with a preference for all dwellings, to incorporate, as a minimum, the following:*
 - an accessible path of travel from the street frontage, car parking area or drop-off point in accordance with the requirements of AS4299:1995 clause 3.3.2;*
 - level entry to the front entry door with preferably all external doors having level entries (diagrams, figure C1 of AS4299:1995).*

- iv *All dwellings to incorporate, as a minimum, the following:*
- *all external and internal doors to provide a minimum 820 mm clear opening. (AS4299:1995 clause 4.3.3);*
 - *internal corridors to be a minimum 1000 mm wide, width to be increased to a minimum of 1200 mm in corridors with openings on side walls;*
 - *a visitable toilet (AS4299:1995, clause 1.4.12), preferably located within a bathroom;*
 - *toilet and toilet approach doors shall have a minimum 250 mm nib wall on the door handle side of the door and provision for the installation of grab rails in accordance with AS4299:1995, clause 4.4.4 (h).*
- v *Visitors car spaces at the rate of one per four dwellings, with a minimum of one space.*
- vi *The first visitors car space shall provide a wheelchair accessible parking space and be a minimum width of 3.8 m in accordance with AS4299:1995, clause 3.7.1.*
- vii *At least one occupant is a disabled or physically dependent person or aged over 55, or is the surviving spouse of such a person, and the owner of the land agrees to enter into a legal agreement, binding the owner, their heirs and successors in title requiring that this provision be maintained.*
- viii *Provide an outdoor living area in accordance with the requirements of clause 6.4.2 but having due regard to a one third reduction in the area specified in table 1.*

6.11.3

Single bedroom dwellings

- | | | |
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| P3 | <i>Dwellings that provide limited accommodation, suitable for one or two persons.</i> | <i>A3 Single bedroom dwellings with a maximum plot ratio area of 60 sq m.”</i> |
|----|---|--|

(xxxviii) by deleting “Part 7 – Special provisions” and all of its subsequent Clauses.

(xxxix) by inserting a new contents page for part 7 applications to state:

Part 7 – Design elements for multiple dwellings in areas with a coding of R30 or greater and within mixed use development and activity centres;

- 7.1 Context
- 7.2 Streetscape
- 7.3 Site planning and design
- 7.4 Building design

(xl) by inserting a new “Part 7” and subsequent clauses to state:

“Part 7 – Design elements for multiple dwellings in areas with a coding of R30 or greater and within mixed use development and activity centres.

7.1 Context

Objective

To ensure that development of multiple dwellings occurs with due regard to the existing development context and/or the desired future built form for the locality as defined by the local government planning framework.

Performance criteria

New development should meet these criteria.

Acceptable development

These acceptable development provisions illustrate one way of meeting the associated performance criteria.

7.1.1

Building size

P1 Development of the building is at a bulk and scale indicated in the local planning scheme and is consistent with the existing or future desired built form of the locality.

A1 Development complies with the maximum plot ratio requirements set out in table 4.

7.1.2

Building height

P2 Building height consistent with the desired height of buildings in the locality, and to recognise the need to protect the amenities of adjoining properties, including, where appropriate:

A2 Development complies with the maximum height set out in table 4.

- *adequate direct sun to buildings and outdoor living areas;*
- *adequate daylight to major openings to habitable rooms;*
- *access to views of significance from public places.*
- *buildings present a human scale for pedestrians;*
- *building façades are designed to reduce the perception of height through design measures; and*
- *podium style development is provided where appropriate.*

7.1.3

Street setback

- P3 Buildings are set back from street boundaries (primary and secondary) an appropriate distance to ensure they:*
- *contribute to the desired streetscape;*
 - *provide articulation of the building on the primary and secondary streets;*
 - *allow for minor incursions that add interest and reflect the character of the street without impacting on the appearance of bulk over the site;*
 - *are appropriate to its location, respecting the adjoining development and existing streetscape; and*
 - *facilitate the provision of weather protection where appropriate.*

Note:

Unless the context indicates otherwise, references to 'street' in this element include any communal street, private street, right-of-way or other shared access way that provides the principal frontage to a dwelling but does not include an access leg to a single battleaxe lot.

A3.1 Development complies with the minimum setback from the primary and secondary street(s) in accordance with table 4;

and

A3.2 Balconies are to be located entirely within the property boundary.

7.1.4

Side and rear boundary setback

- P4.1 Buildings set back from boundaries or adjacent buildings so as to:*
- *ensure adequate daylight, direct sun and ventilation for buildings and the open space associated with them;*
 - *moderate the visual impact of building bulk on a neighbouring property;*
 - *ensure access to daylight and direct sun for adjoining properties; and*
 - *assist with the protection of privacy between adjoining properties.*

P4.2 In mixed use development, in addition to the above:

- *side boundary setbacks to a retail/commercial component of a development is in accordance with the existing street context, subject to relevant local planning scheme provisions.*
- *retail/commercial development adjoining residential is designed to minimise the potential impacts between the two uses.*

A4.1 In areas coded R30 – R60, the development complies with minimum side and/or rear boundary setback requirements as set out in table 2a and 2b, and Figure 3 subject to any additional measures in other elements of the code.

A4.2 In areas coded R80 – R160 and R-AC, the development complies with minimum side and/or rear boundary setback requirements as set out in table 5 subject to any additional measures in other elements of the code.

and, if applicable

A4.3 The wall has a zero setback where it abuts an existing or simultaneously constructed wall of equal or greater proportions.

or

A4.4 A wall built to one side boundary has a maximum height and average height as set out in table 4 and a maximum length of two-thirds the length of the boundary.

A4.5 Separate multiple dwellings facing multiple dwellings on the same site, are to be set back from each other as though there were a boundary between them.

7.1.5

Open space

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| <p><i>P5 Open space respects existing or preferred neighbourhood character and responds to the features of the site.</i></p> | <p><i>A5 Development complies with minimum open space set out in table 4.</i></p> |
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7.2 Streetscape

Objective

To respond and reinforce the existing character of the street and locality. Development should contribute towards attractive streetscapes.

Performance criteria

New development should meet these criteria.

Acceptable development

These acceptable development provisions illustrate one way of meeting the associated performance criteria.

7.2.1

Surveillance of the street

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| <p><i>P1.1 Buildings designed to provide for surveillance (actual or perceived) between individual dwellings and the street and between common areas and the street, which minimise opportunities for concealment and entrapment.</i></p> | <p><i>A1.1 The street elevation(s) of the building to address the street, with facades generally parallel to the street and with clearly definable entry points visible and accessed from the street.</i></p> |
| <p><i>P1.2 In mixed use development, in addition to the above:</i></p> <ul style="list-style-type: none"> <i>• blank walls minimised at street level, and where practical active frontages incorporated into the development to ensure a suitable level of casual surveillance of the public domain.</i> <i>• lengths of street frontage at ground level dedicated to each tenancy limited to discourage large scale uses that reduce the level of activity along the building frontage.</i> | <p><i>A1.2 The building has habitable room windows or balconies that face the street.</i></p> <p><i>A1.3 Basement parking structures between a street frontage and the main front elevation are no more than 1 m above natural ground level at any point.</i></p> |

7.2.2

Street walls and fences

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| <p><i>P2 Front walls and fences to enable surveillance and enhance streetscape.</i></p> | <p><i>A2 Front walls and fences within the primary street setback area that are visually permeable to 1.2 m above natural ground level.</i></p> |
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7.2.3

Building appearance

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| <p><i>P3.1 Buildings designed to enhance an existing desired streetscape, where the Council has identified the need for design controls.</i></p> | <p><i>A3 Buildings that comply with the provisions of a special control area, with the provisions of a local planning policy made under the scheme or</i></p> |
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P3.2 In mixed use development, in addition to the above:

- *where mixed use development is proposed in commercial areas, the proportion of the frontage dedicated to the residential entrance is minimised so as to maximise the potential for active commercial frontage.*
- *the mixed use development is integrated such that the function of the residential and non-residential components do not conflict.*
- *provide weather protection in commercial areas where appropriate.*

with the provisions of the scheme, in respect of the design of carports and garages, the colour, scale, materials and roof pitch of buildings including outbuildings, the form and materials of retaining walls and the extent to which the upper levels of buildings as viewed from the street should be limited.

7.3 Site planning and design

Objective

To ensure design considerations are taken into account when the built form is designed for the site. Buildings respond to the site conditions and account for the natural attributes of the site.

Performance Criteria

New development should meet these criteria.

Acceptable Development

These acceptable development provisions illustrate one way of meeting the associated performance criteria.

7.3.1

Outdoor living areas

P1 Balconies or equivalent outdoor living areas capable of use in conjunction with a habitable room of each dwelling, and if possible, open to winter sun.

A1 Each unit is to be provided with at least one balcony or equivalent, accessed directly from a habitable room with a minimum area of 10 sq m and a minimum dimension of 2.4 m.

7.3.2

Landscaping

P2 The space around the building is designed to allow for planting. Landscaping of the site is to be undertaken with appropriate planting, paving and other landscaping that:

- *meets the projected needs of the residents;*
- *enhances security and safety for residents; and*
- *contributes to the streetscape.*

A2 Landscaping of open spaces in accordance with the following:

- *the street setback areas developed without car parking, except for visitors' bays, and with a maximum of 50 per cent hard surface;*
- *Separate pedestrian paths providing wheelchair accessibility connecting all entries to buildings with the public footpath and car parking areas;*
- *landscaping between each six consecutive external parking spaces and to include shade trees;*

- lighting provided to pathways, and communal open space and car parking areas; and
- Clear sight lines at pedestrian and vehicle crossings.

7.3.3

On-site parking provision

P3.1 Adequate car and bicycle parking provided on-site in accordance with projected need related to:

- the type, number and size of dwellings;
- the availability of on-street and other offsite parking; and
- the location of the proposed development in relation to public transport and other facilities.

P3.2 In mixed use development, in addition to the above:

- Parking areas associated with the retail/commercial uses are clearly separated and delineated from residential parking.

A3.1 As a minimum requirement on-site parking spaces are to be provided in accordance with the following, rounded up to the nearest whole number:

Location	A	B
Small (<75 sq m or 1 bedroom)	0.75 per dwelling	1 per dwelling
Medium (75-110 sq m)	1 per dwelling	1.25 per dwelling
Large (>110 sq m)	1.25 per dwelling	1.5 per dwelling
Visitors	0.25 per dwelling	0.25 per dwelling

A = within 800 metres of a train station or within 250 m of a high frequency bus route.

B = not within 800 metres of a train station or not within 250 m of a high frequency bus route.

A3.2 In addition to the above, 1 bicycle space to each 3 dwellings for residents; and 1 bicycle space to each 10 dwellings for visitors, and designed in accordance with AS2890.3.

7.3.4

Design of parking spaces

P4.1 Car parking facilities designed and located to be convenient, secure and consistent with streetscape objectives.

P4.2 The setting of vehicle accommodation does not detract from the streetscape or appearance of the development.

A4.1 All off-street parking spaces are to be designed in accordance with AS 2890.1

A4.2 Visitors' spaces, including bicycle spaces, must be:

- clearly marked
- located close to and clearly signposted from the point of entry to the development and outside any security barrier; and
- providing a barrier-free path of travel for people with disabilities.

A4.3 All spaces except visitors' spaces fully concealed from the street or public place.

7.3.5

Vehicular access

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| <p><i>P5 Vehicular access provided so as to minimise the number of crossovers, to be safe in use and not detract from the streetscape.</i></p> | <p><i>A5.1 Vehicle access is limited to one opening per 20 m street frontage that is visible from the street.</i></p> <p><i>A5.2 Access to on-site parking to be adequately paved and drained from the property boundary to a constructed street, and provided:</i></p> <ul style="list-style-type: none"> <i>• from a right-of-way available for the lawful use to access the relevant lot, or</i> <i>• from a secondary street where a right-of-way does not exist, or</i> <i>• from the primary street frontage where no secondary street or right-of-way exists.</i> <p><i>A5.3 Formed driveways designed for two way access and for vehicles to enter the street in forward gear where:</i></p> <ul style="list-style-type: none"> <i>• the driveway serves five or more dwellings; or</i> <i>• the distance from a car space to street alignment is 15 m or more; or</i> <i>• the public street to which it connects is designated as a primary distributor, district distributor or integrated arterial road.</i> |
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7.3.6

Sight lines at vehicle access points and street corners

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| <p><i>P6 Walls or fences to primary or secondary streets, rights-of-way or communal streets designed so that adequate sight lines are provided at vehicle access points.</i></p> | <p><i>A6 Structures (walls, fencing, metre boxes) and vegetation are not to exceed 0.75 m in height within 1.5 m of where walls and fences adjoin vehicle access points.</i></p> |
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7.3.7

Site works

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| <p><i>P7 Development that retains the visual impression of the natural level of a site, as seen from the street or other public place, or from an adjoining property. Retaining walls designed or set back to minimise the impact on adjoining properties.</i></p> | <p><i>A7.1 Excavation or filling between the street alignment and building, or within three metres of the street alignment, whichever is the lesser, not exceeding 0.5 m, except where necessary to provide access and parking for vehicles, access for pedestrians, or natural light for a dwelling.</i></p> <p><i>A7.2 Excavation or filling within the perimeter of the external walls of a building – limited only by</i></p> |
|--|---|

- compliance with building height limits.
- A7.3 Excavation within a site and behind a street setback line – no limit.
- A7.4 Filling behind a street setback line and within one metre of a common boundary:
- not more than 0.5 m above the natural level at the boundary; or
 - retained in accordance with A7.2.
- A7.5 Where retaining walls are located separate to building walls, the retaining walls are setback from common boundaries in accordance with the setback provisions of tables 2a and 2b and Figure 3.

7.4 Building design

Objective

To design and locate buildings to provide an appropriate built form that meets the needs of residents and minimises any potential impact of development on adjoining properties.

Performance criteria

New development should meet these criteria.

Acceptable development

These acceptable development provisions illustrate one way of meeting the associated performance criteria.

7.4.1

Visual privacy

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|---|--|
| <p>P1 Direct overlooking of active habitable spaces and outdoor living areas of other dwellings is minimised by building layout, location and design of major openings and outdoor active habitable spaces, screening devices and landscape, or remoteness.</p> | <p>A1 Major openings to active habitable spaces or their equivalent which have a floor level more than 0.5 m above natural ground level and positioned so as to overlook any part of any other residential property behind its street setback line, to comply with at least one of the following:</p> <p style="margin-left: 20px;">i. are set back, in direct line of sight within the cone of vision, from the boundary of an adjoining property coded up to R60, a minimum of:</p> <ul style="list-style-type: none"> • 4.5 m in the case of bedrooms; • 6.0 m in the case of habitable rooms other than bedrooms; and • 7.5 m in the case of unenclosed outdoor active habitable spaces (balconies, decks, verandahs and the like). <p style="margin-left: 20px;">or</p> <p style="margin-left: 20px;">ii. are provided with permanent vertical screening to a height of 1.6 m to restrict views from any major opening of an active habitable space.</p> |
|---|--|

7.4.2

Solar access for adjoining sites

- P2 Development designed with regard for solar access for neighbouring properties taking account the potential to overshadow:*
- *outdoor living areas;*
 - *major openings to habitable rooms;*
 - *solar collectors; or*
 - *balconies or verandahs.*
- A2 Notwithstanding the boundary setbacks in 7.1.4, development in climatic zones 4, 5 and 6 of the State shall be so designed that its shadow cast at midday, 21 June onto any other adjoining property does not exceed the following limits:*
- *on adjoining properties coded R25 and lower – 25 per cent of the site area;*
 - *on adjoining properties coded R30 to R40 inclusive – 35 per cent of the site area,*
 - *on adjoining properties coded R50 to R60 inclusive – 50 per cent of the site area.*
- and*
- does not overshadow more than 50 per cent of the outdoor living area on the adjoining properties.*

Note:

In this context site area refers to the surface of the adjoining lot and is measured without regard to any building on it but taking into account its natural ground levels.

7.4.3

Dwelling size

- P3 Each dwelling within the development is of a sufficient size to cater for the needs of the residents. The development must provide diversity in dwellings to ensure that a range of types and sizes is provided.*
- A3.1 Development that contains more than 12 dwellings are to provide diversity in unit types and sizes as follows:*
- *minimum 20 per cent 1 bedroom dwellings, up to a maximum of 50 per cent of the development; and*
 - *minimum of 40 per cent 2 bedroom dwellings;*
- and*
- A3.2 The development does not contain any dwellings smaller than 40 sq m plot ratio area, excluding outdoor living areas and external storage.*

7.4.4

Outbuildings

- P4 Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.*
- A4 Outbuildings:*
- i are not attached to a dwelling;*
 - ii. are non-habitable;*
 - iii. do not exceed 60 sq m in area or 10 per cent in aggregate of the site area, whichever is the lesser;*

- iv. do not exceed a wall height of 2.4 m;
- v. do not exceed ridge height of 4.2 m;
- vi. are not within the primary or secondary street setback area;
- vii. do not result in the non compliance with open space set out in table 4 and;
- viii. are set back in accordance with tables 2a and 2b and Figure 3.

7.4.5

External fixtures

- P5** Solar collector permitted as of right and other external fixtures that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.
- A5.1** The location of solar collectors attached to or emerging from buildings is permitted as of right as primacy must be given to maximising the efficiency of these units.
- A5.2** Visible external fixtures are limited to television aerials of the standard type, essential plumbing vent pipes above the roof line and external rainwater downpipes.
- A5.3** Other external fixtures can be included that:
- i are not visible from the primary or secondary street;
 - ii. are designed integrally with the building;
- or
- iii. are located so as not to be visually obtrusive.

7.4.6

Stormwater disposal

- P6** Stormwater contained within the site whenever possible.
- A6** All water draining from roofs and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development. All stormwater should be retained on-site, where climatic and soil conditions allow.

7.4.7

Essential facilities

- P7** Provision made for external storage, rubbish collection/storage areas and clothes-drying areas that are:
- adequate for the needs of residents; and
 - without detriment to the amenity of the locality.
- A7.1** An enclosed, lockable storage area, constructed in a design and material matching the dwelling, accessible from outside the dwelling, with a minimum dimension of 1.5 m with an internal area of at least 4 sq m, for each multiple dwelling.

A7.2 *Where rubbish bins are not collected from the street immediately adjoining a dwelling, there is provision of a communal pick-up area or areas which are:*

- i conveniently located for rubbish and recycling pick-up;*
- ii accessible to residents;*
- iii adequate in area; and*
- iv fully screened from view from the primary or secondary street.*

A7.3 *Developments are provided with:*

- an adequate communal area set aside for clothes-drying, screened from the primary or secondary street;*

or

- clothes drying facilities excluding electric clothes dryers screened from public view provided for each multiple dwelling.”*

- (xli) by including a new definition of Activity Centres within “Appendix 1 – Definitions” as follows:

“Activity centre

An activity centre is a community focal point for people, services, employment and leisure. Some will provide a diverse range of employment, housing, retail, community, education and medical services, while others will simply cater for the basic day-to-day needs of the local community.”

- (xlii) by modifying the definition of “Cone of vision” in Appendix 1 to state:

“The limits of outlook from any given viewpoint for the purposes of assessing the extent of overlooking from that point illustrated in design element 6.8 and 7.4.1.”

- (xliii) by including a new definition within “Appendix 1 – Definitions” as follows:

“Dwelling Size

The dwelling size referred to in Clause 7.4.3 specifies a minimum plot ratio area of 40 sq m. The area of a dwelling is measured from the inner surfaces of its walls.”

- (xliv) by deleting the definition of “Inner city housing” in Appendix 1.

- (xlv) by modifying the definition of “Outdoor living area” in Appendix 1 to state:

“Outdoor living area

The area external to a single house, grouped or multiple dwelling to be used in conjunction with that dwelling such that it is capable of active or passive use but excludes any area with a dimension of less than 1 m minimum dimension or which, by reason of its development or topography, is not readily accessible from the dwelling.”

- (xlvi) by modifying the definition of “Plot ratio” in Appendix 1 to state:

Plot ratio

The ratio of the gross total of all floors of buildings on a site to the area of land in the site boundaries. For this purpose, such areas shall include the area of any walls but not include the areas of any lift shafts, stairs or stair landings common to two or more dwellings, machinery, air conditioning and equipment rooms, space that is wholly below natural ground level, areas used exclusively for the parking of wheeled vehicles at or below natural ground level, lobbies, bin storage areas and passageways to bin storage

areas or amenities areas common to more than one dwelling, or balconies, verandahs, courtyards and roof terraces.

(xlvii) by modifying the definition of “Street setback area” in Appendix 1 to state:

“The area between the street alignment and the street setback line as set out in tables 1 and 4 or as established in a particular case in accordance with the provisions of design element 6.2 or 7.2.”

(xlviii) by deleting Table 1 and inserting the following table:

“Table 1: General site requirements for all single house(s), all grouped dwellings, or multiple dwellings in areas with a coding of less than R30

1 R- code	2 Dwelling Type	3 Minimum site area per dwelling (m ²) ◆	4 Minimum lot area/rear Battlexe (m ²) ▼	5 Minimum frontage (m) ▼	6 Open Space		7 Minimum setbacks (m)		
					min total (% of site)	Min o/door living (m ²)	Primary street	Secondary street ●	Other/ rear
Low Density Codes									
R2	Single house or grouped dwelling	Min 5000	-	50	80	-	20	10	10
R2.5	Single house or grouped dwelling	Min 4000	-	40	80	-	15	7.5	7.5
R5	Single house or grouped dwelling	Min 2000	-	30	70	-	12	6	*6
R10	Single house or grouped dwelling	Min 875 Av 1000	925	20	60	-	7.5	3	*6
	Multiple Dwelling	1000	-	20	-	-	7.5	3	*6
R12.5	Single house or grouped dwelling	Min 700 Av 800	762.5	17	55	-	7.5	2	*6
	Multiple Dwelling	800	-	20	-	-	7.5	2	*6
R15	Single house or grouped dwelling	Min 580 Av 666	655	12	50	-	6	1.5	*6
	Multiple Dwelling	666	-	20	-	-	6	1.5	*
R17.5	Single house or grouped dwelling	Min 500 Av 571	587.5	12	50	36	6	1.5	*
	Multiple Dwelling	571	-	20	-	-	6	1.5	*
R20	Single house or grouped dwelling	Min 440 Av 500	540	10	50	30	6	1.5	*
	Multiple Dwelling	500	-	20	-	-	6	1.5	*
R25	Single house or grouped dwelling	Min 320 Av 350	445	8	50	30	6	1.5	*
	Multiple Dwelling	400	-	20	-	-	6	1.5	*
Medium Density Codes									
R30	Single house or grouped dwelling	Min 270 Av 300	420	-	45	24	4	1.5	*
R35	Single house or grouped dwelling	Min 235 Av 260	410	-	45	24	4	1.5	*
R40	Single house or grouped dwelling	Min 200 Av 220	400	-	45	20	4	1.0	*
R50	Single house or grouped dwelling	Min 160 Av 180	400	-	45	16	4	1.0	*
R60	Single house or grouped dwelling	Min 160 Av 180	400	-	45	16	4	1.0	*
All standards for grouped dwellings and single houses within the R80 – R160 and R-AC areas are as for the R60 Code.									

Legend

- ◆ Subject to variations permitted under clause 6.1.3 A3
 - ▼ Only applies to single houses
 - Secondary street: includes communal street, private street, right-of-way as street.
 - Indicated not applicable.
 - * See tables 2a and 2b and design element 6.3.
- Av. – average site area not to be less than”.

(xlix) By inserting a new Table 4 as follows:

“Table 4: General site requirements for multiple dwellings in areas with a coding of R30 or greater and within mixed use development and activity centres

1 R-Code	2 Maximum plot ratio	3 Minimum open space (% of site)	4 Minimum primary street boundary setback (m)	Secondary Street Setback (m)	5 Maximum height ^a (m)			6 Maximum height of built to boundary walls	
					Top of external wall	Top of external wall (concealed roof)	Top of pitched roof	Maximum height	Average
MULTIPLE DWELLINGS IN LOW DENSITY AREAS NOT SUBJECT TO THIS TABLE									
MULTIPLE DWELLINGS IN MEDIUM DENSITY AREAS									
R30	0.5	45	4	1.5	6	7	9	3.5	3
R35	0.6	45	4	1.5	6	7	9	3.5	3
R40	0.6	45	4	1.5	6	7	9	3.5	3
R50	0.6	45	2	2	9	10	12	3.5	3
R60	0.7	45	2	2	9	10	12	3.5	3
MULTIPLE DWELLINGS IN HIGH DENSITY AREAS									
R80	1.0	-	2	2	12	13	15	7	6
R100	1.25	-	2	2	12	13	15	7	6
R160	2.0	-	2	2	15	16	18	7	6
MULTIPLE DWELLINGS WITHIN MIXED USE DEVELOPMENT AND ACTIVITY CENTRES									
R-AC0 ^b	b	b	b	b	b	b	b	b	b
R-AC 1	3.0 ^c	- ^c	2	2 ^c	27 ^c	28 ^c	30 ^c	14 ^c	12 ^c
R-AC 2	2.5 ^c	- ^c	2	2 ^c	20 ^c	21 ^c	23 ^c	10.5 ^c	9 ^c
R-AC 3 ^d	2.0 ^c	- ^c	2	2 ^c	18 ^c	19 ^c	21 ^c	7 ^c	6 ^c

Notes:

- a Maximum height as defined in table 4 does not supersede any height controls which are defined in planning strategies or schemes.
- b Refer to adopted Structure Plans or Detailed Area Plans which sets out development requirements
- c Controls can be varied at time R-AC is introduced into planning strategies or schemes.
- d Residential elements of mixed use development within non R-coded land is to be assessed against R-AC3 provisions
- e Residential development in land zoned “R-IC” is to be assessed under the provisions of R-AC3.
- f Plot Ratio defined within R-AC codes are for the residential component within mixed use development and activity centres”

(l) By inserting a new table 5 as follows:

“Table 5: Boundary setbacks for sites R80 and greater and R-AC codes

Width of the lot in metres	≤14	15	≥16
Side setback in metres	3	3.5	4

Notes:

- a Setbacks do not apply to eaves and sun shading devices.
- b Setback requirements in table 5 do not supersede any controls which are defined in planning strategies or schemes.”