

<b>POL</b>	<b>RESIDENTIAL DESIGN CODES ALTERNATIVE DEEMED TO COMPLY PROVISIONS</b>	<b>LPP 1.1</b>
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<b>POLICY CODE:</b>	LPP 1.1
<b>DIRECTORATE:</b>	Planning and Development
<b>BUSINESS UNIT:</b>	Planning and Development
<b>SERVICE UNIT:</b>	Statutory Planning Services
<b>RESPONSIBLE OFFICER:</b>	Manager, Statutory Planning
<b>FILE NO.:</b>	182/001
<b>DATE FIRST ADOPTED:</b>	14 July 2005
<b>DATE LAST REVIEWED:</b>	8 June 2017
<b>ATTACHMENTS:</b>	N/A
<b>DELEGATED AUTHORITY REF.:</b>	OLPD33
<b>VERSION NO.</b>	11

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	27 September 2012	27 August 2015
	31 January 2013	26 November 2015
	27 February 2014	26 May 2016
	26 February 2015	23 February 2017
	2 June 2015	18 May 2017
OCM:	13 October 2011	11 June 2015
	11 October 2012	10 September 2015
	11 February 2013	10 December 2015
	13 March 2014	9 June 2016
	12 March 2015	9 June 2016

## **BACKGROUND**

The Residential Design Codes (R-Codes) is a Western Australian Planning Commission State Planning Policy, which was previously gazetted on 4 October 2002 and has recently been updated on 23 October 2015. The R-Codes provide a comprehensive basis for the control of residential development throughout Western Australia.

### Application

This policy applies to all development to which the R-Codes apply and does not exempt compliance with other requirements of the R-Codes, the City of Cockburn Local Planning Scheme No. 3 (LPS 3), and other Council policies, Local Development Plans (LDP's) and / or the Building Codes of Australia.

## **PURPOSE**

The purpose of this policy is to supplement the existing 'deemed to comply' and 'design principles' of the R-Codes with alternative standards that the City believes either meet the general objectives of the R-Codes or are warranted to address specific local objectives.

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It is not the intention of this policy to replace or provide more onerous requirements than the existing R-Codes provisions. Therefore a development may be deemed compliant if it conforms to either the ‘deemed to comply’ provisions of the R-Codes, the ‘design principles’ of the R-Codes or the provisions of this Policy.

Implementation

1. Where a proposal meets the provisions of this policy, advertising to adjoining owners in relation to these provisions is not required.
2. Where a proposal for a single house or two grouped dwellings (including any outbuildings) meets the provisions of this policy, the proposal will be exempt from requiring planning approval.
3. Notwithstanding (2) above, where a proposal for a single house or two grouped dwellings is subject to an LDP, compliance with this policy will not result in the application being exempt from planning approval.
4. Where a proposal does not meet the provisions of this policy, the City will consider the proposal on its merits in accordance with the relevant ‘design principles’ of the R-Codes and having due regard to Clause 2.5 (Part 2) of the R-Codes.

**POLICY**

Provisions

5.1 Context		
Clause	Deemed to Comply	Alternative Provision
5.1.2 – Street Setback	C2.1 i – Buildings setback from the primary street boundary in accordance with Table 1.	<p>The minimum primary street setbacks for residential zoned properties may be:</p> <p>(a) R20 coded lots – 5m  (b) R25 coded lots – 4m  (c) R30-R40 coded lots – 3m</p> <p>Primary street setbacks may still be averaged as per Figures 2a and 2c of the R-Codes.</p> <p>The reduced minimum primary street setbacks above do not apply to garages and carports which shall be as per the R-Codes.</p> <p>The variation to the minimum setback allowed by Part 5.1.2 C2.1 ii of the R-Codes must be calculated based on the minimum specified by Table 1 of the R-Codes, not the reduced minimums identified above.</p>

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		<p><b>Figure 2a – Measuring primary street setbacks (clause 5.1.2 C2.1iii)</b></p> <p>For example for R20 coded lots:</p> <ul style="list-style-type: none"> <li>S1 Primary street setback distance (5m)</li> <li>S2 Distance behind the primary street setback, equal to S1 (10m)</li> <li>S3 Side boundary setback (Table 2a and 2b)</li> <li>S4 Maximum reduced primary street setback (half of primary street setback distance designated in Table 1 (3m).</li> <li>A1 Area of building forward of primary street setback (forward of 5m).</li> <li>A2 Compensating open area behind primary street setback ( between 5m and 10m)</li> </ul>
	C2.2 – Buildings setback from the secondary street setback in accordance with Table 1 of the R-Codes	Flat roof patios and/or carports may be setback 0.5m from the secondary street boundary and pitched roof patios or carports may be setback 1m from the secondary street boundary in all density codes.
5.1.3 – Lot Boundary Setbacks	C3.1 – Buildings setback from lot boundaries in accordance with Table 1, Tables 2a and 2b (refer to figure Series 3 and 4).	Patios and carports setback 1m or less from the boundary (excluding street boundaries) are considered acceptable where the patio/carport is up to 3m in wall height and up to 15m in length on one boundary (exclusive of other boundary walls).
	C3.2 – Walls may be built up to a lot boundary behind the street setback specified in Table 1.	
	C3.2 ii – In areas coded R20 and R25, walls not higher than 3.5m with an average of 3m or less up to a maximum length of the greater of 9m or one third the length of the balance of the lot boundary behind the front setback, to one side boundary only.	The length of boundary wall can be split between more than one boundary.

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	C3.2 iii – In areas coded R30 and higher, walls not higher than 3.5m with an average of 3m for two-thirds the length of the balance of the lot boundary behind the front setback, to one side boundary only.	Walls not higher than 3.5m (no average required). The length of boundary wall can be split between more than one boundary.
5.1.4 – Open Space	C4 – Open space provided in accordance with Table 1 (refer Figure Series 6).	The Open Space Minimum Total % of site requirement in Table 1 of the R-Codes may be reduced by up to 5% provided the minimum outdoor living area requirements relevant to that Density Code are met.
<b>5.3 Site Planning and Design</b>		
<b>Clause</b>	<b>Deemed to Comply</b>	<b>Alternative Provision</b>
5.3.1 – Outdoor Living Areas	C1.1 – An outdoor living area to be provided: <ul style="list-style-type: none"> <li>• In accordance with Table 1; Behind the street setback area;</li> <li>• Directly accessible from a habitable room of the dwelling;</li> <li>• With a minimum length and width dimension of 4m; and</li> <li>• To have at least two-thirds of the required area without permanent roof cover.</li> </ul>	<ul style="list-style-type: none"> <li>• Outdoor living areas are acceptable partially or entirely within the front setback area.</li> <li>• Outdoor living areas with permanent opaque roof cover up to one half of the required area are acceptable.</li> <li>• Outdoor living areas where the entire roof is translucent with cover up to two-thirds of the required area are acceptable.</li> </ul>
<b>5.4 Building Design</b>		
<b>Clause</b>	<b>Deemed to Comply</b>	<b>Alternative Provision</b>
5.4.3 - Outbuildings	C3 iii – Outbuildings that: <ul style="list-style-type: none"> <li>• Collectively do not exceed 60m<sup>2</sup> in area or 10 per cent in aggregate of the site area, whichever is the lesser.</li> </ul>	Outbuildings that: <ul style="list-style-type: none"> <li>• Collectively do not exceed 100m<sup>2</sup> in area or 10 per cent in aggregate of the site area, whichever is the lesser;</li> </ul>
	C3 iv – Outbuildings that: <ul style="list-style-type: none"> <li>• Do not exceed a wall height of 2.4m.</li> </ul>	Outbuildings that: <ul style="list-style-type: none"> <li>• Do not exceed a wall height of 3.0m.</li> </ul>
	C3 viii – Outbuildings that: <ul style="list-style-type: none"> <li>• comply with the setback requirements of Table 1, but in areas coded R15 or less, the rear setback requirement is determined by Tables 2a and 2b.</li> </ul>	Outbuildings that: In addition to the length of boundary wall permitted under Clause 5.1.3 an additional 4m of boundary wall is permitted exclusively to outbuilding walls with a setback of 0.5m from the lot boundary where the outbuilding is up to 3m in height.
5.4.5 – Utilities and Facilities	C5.1 – An enclosed, lockable storage area, constructed in a design and material matching the dwelling where visible from the street, accessible from outside the dwelling, with a minimum dimension of 1.5m with an internal area of at least 4m <sup>2</sup> , for each grouped or multiple dwellings(s).	Stores for grouped and multiple dwellings, where located within a garage may have a minimum dimension of 1m, subject to achieving a minimum total internal area of at least 4m <sup>2</sup> .