Provision summary table

The below provides a summary of key provision changes between the current Development in Housing Opportunity Areas Local Planning Policy (HOALPP), Residential Development Local Planning Policy (RDLPP) and the draft new Residential Development Local Planning Policy being advertised.

Full provision comparisons can be viewed as part of the Council report presented to the November 2024 Council meeting.

Policy Application:

Policy:	Application:
Development in Housing Opportunity Areas Local Planning Policy (HOALPP):	Applies to all lots within a Housing Opportunity Area which are being developed at the higher applicable dual density code (e.g. developing at the R40 code on a lot which is coded R20/40).
Residential Development Local Planning Policy (RDLPP):	Applies to all lots outside of Housing Opportunity Areas and lots within Housing Opportunity Areas which are being developed at the lower (R20) code.
Draft new Residential Development Local Planning Policy:	Proposed to replace current HOALPP and RDLPP and apply to all lots within a Housing Opportunity Area at both the higher and lower dual density code and all lots outside of a Housing Opportunity Area.

Approval pathway under the R-Codes:

The R-Codes and policies which amend the R-Codes are divided up into different 'design elements' (for example; site area, street setbacks, street walls and fences, open space, building height, parking, landscaping).

For all 'design elements', there are objectives that need to be met. There are two different ways that can be used to assess if the objectives are being met – known as 'deemed-to-comply standards' and 'design principles'.

If the proposal meets the deemed-to-comply standards, it is automatically considered to meet the objective and should be approved in accordance with the requirements of the R-Codes.

Where the deemed-to-comply standards are not met, this does not necessarily mean that the proposal does not meet the objective. Instead, the City needs to exercise some judgement (referred to as 'discretion') in considering whether the proposal meets the design principles, which may result in a better built form outcome than a proposal which has met the deemed-to-comply requirements.

The proposed changes to policy provisions outlined below relate only to 'deemed-to-comply standards' and not 'design principles'.

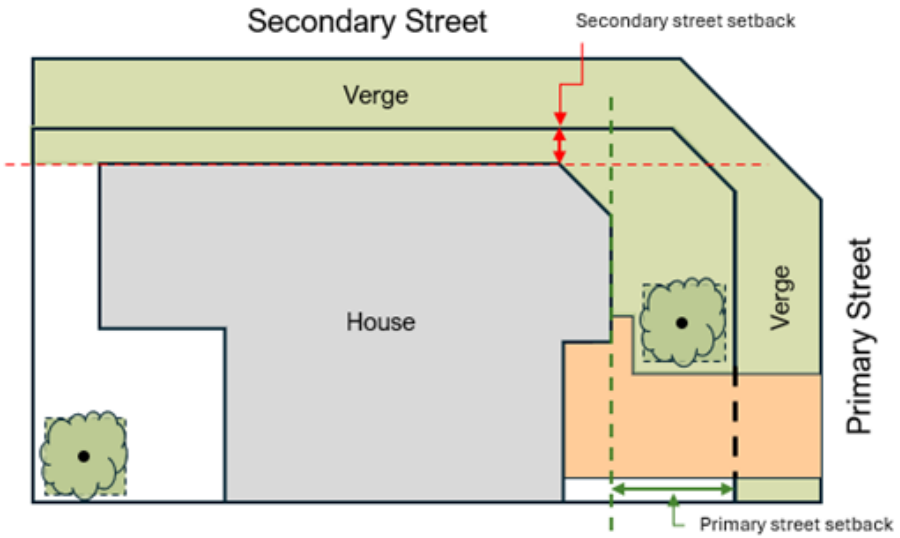
Development in Housing Opportunity Areas Local Planning Policy

This section compares the existing provisions in the HOALPP with the new provisions that are proposed through the draft new Residential Development Local Planning Policy.

Street setbacks

Consistent street setbacks to buildings help to establish a consistent legible streetscape with space for trees and other landscaping. As residential densities increase, street setbacks are typically reduced to respond to the smaller lot sizes and ensure a sufficient development envelope is provided for the dwelling.

Western Australian Planning Commission approval is not required to modify these provisions.



HOALPP

Medium density development types:

- 4m minimum primary street setback R30-R40
- 2m minimum primary street setback R60
- 2m minimum secondary street setback (all densities)

Proposed

Medium density development types:

- Remove HOALPP provisions - defer to R-Codes:
  - 4m primary street setback R30
  - 3m-4m primary street setback R40
  - 2m primary street setback R60
  - 1.5m secondary street setback R30
  - 1m secondary street setback R40-R60

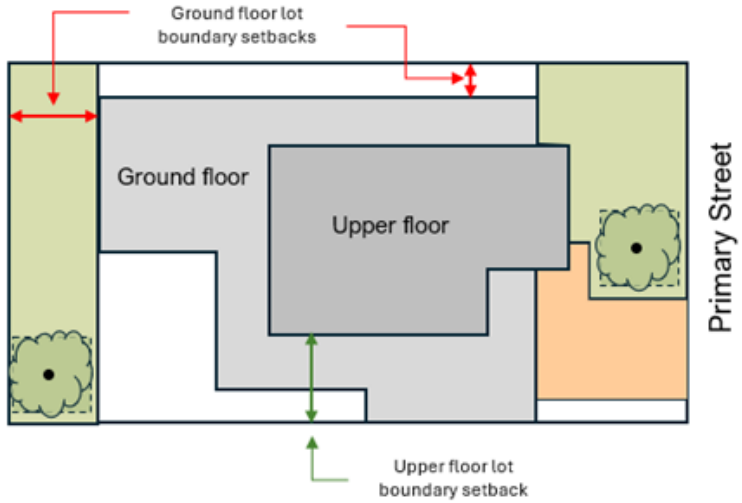
Justification

- Increased primary and secondary street setbacks on smaller lots created at higher densities can result in reduced useable space on the lot for outdoor living areas and landscaping whilst having minimal impact on neighbourhood amenity as viewed from the street.
- The street setback requirements set out in the R-Codes are considered appropriate to achieve appropriate landscaping and neighbourhood amenity as viewed from the street whilst balancing the need to allow for adequate space on the lot for larger outdoor living areas and room sizes.

Lot boundary setbacks

Lot boundary setbacks help control the size of the building footprint and are scaled according to building height to address perceptions of bulk and scale. Lot boundary setbacks are important for maintaining separation between buildings for solar access and natural ventilation and for managing amenity impacts, including overshadowing and visual privacy between neighbouring properties. Smaller lot boundary setbacks are typical for medium and higher density residential character, compared to larger setbacks in low density contexts.

Western Australian Planning Commission approval is required to modify these provisions.



HOALPP

Medium density development types:

- Multiple dwellings (apartments)
  - 2m minimum ground floor setback
  - 3m minimum upper floor setback
- Single house/Grouped
  - 1m minimum ground floor setback
  - 2m minimum upper floor setback

Proposed

Medium density development types:

- Remove HOALPP provisions - defer to R-Codes.
- All development types:
  - Typically 1m-1.5m ground floor
  - Typically 1.5m-3.0m upper floor setback

Wall setback requirements vary dependent on wall height, length and the presence of windows to habitable rooms (e.g. bedroom or living room).

Lot boundary setbacks are also subject to visual privacy and overshadowing provisions which may mean greater setbacks are required in some instances.

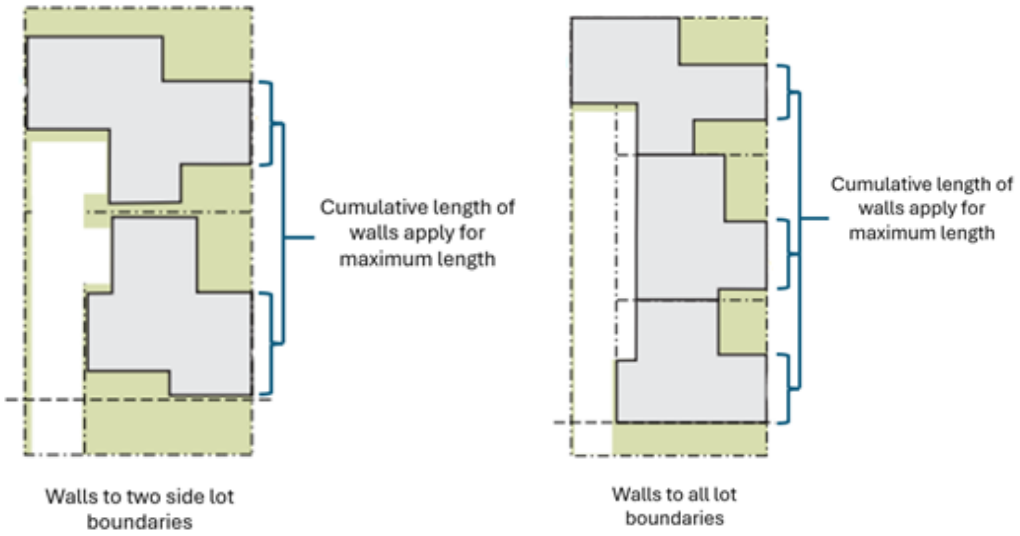
Justification

- R-Code provisions are considered to be more appropriate given they allow for more nuanced design response based on wall dimensions.
- The R-Code provisions were developed as part of a process by the State Government which included extensive consultation and industry design testing and are therefore considered to be more appropriate than the blanket HOALPP provisions.
- Less restrictive lot boundary setback requirements allow for improved design innovation whilst overshadowing and visual privacy requirements work to ensure neighbouring amenity is protected.

Boundary walls

Boundary walls, similar to lot boundary setbacks, help control the size of the building footprint and can be scaled in terms of height and length to manage perceptions of bulk and scale to adjoining properties. Boundary walls are important for maximising space on smaller lots to ensure consolidated indoor and outdoor living areas and landscaping areas can be provided. An increased number of boundary walls are typical for medium and higher density residential character compared to low density contexts.

Western Australian Planning Commission approval is not required to modify these provisions.



HOALPP

Medium density development types:

- Maximum boundary wall height 3.5m
  - Average boundary wall height 3.0m
  - Walls built up to one side lot boundary
  - Maximum boundary wall length 9m

Proposed

Medium density development types:

- Retain maximum boundary wall height 3.5m provision for all density codes.
- Remaining provisions defer to R-Codes:
  - No average wall height applies.
  - Up to two lot boundaries R30-35.
  - Up to all lot boundaries R40 and above.
  - Maximum boundary wall length between 9m and 2/3 lot boundary.

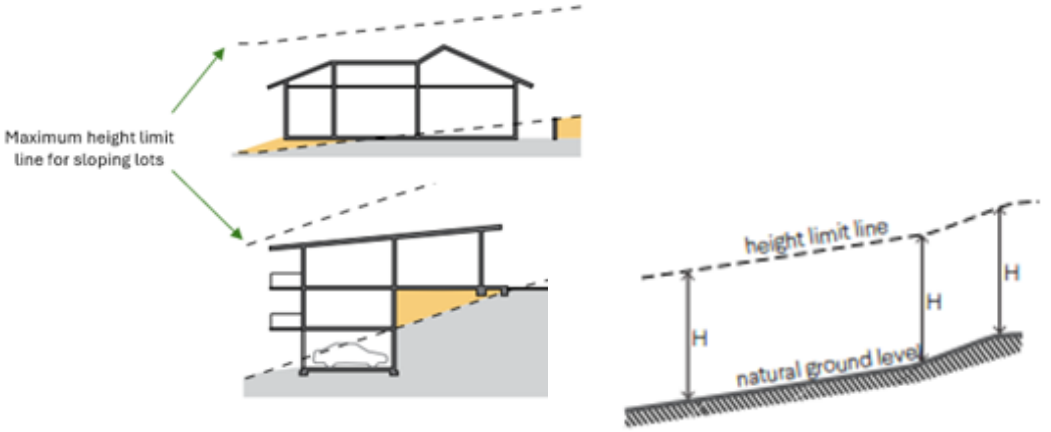
Justification

- R-Code provisions allow for up to 7m maximum boundary wall height for R50 and above, which is not considered appropriate for the City of Joondalup context and so maximum boundary wall height of 3.5m is proposed to be retained.
- Boundary walls to an increased number of boundaries can provide for improved consolidated outdoor and indoor living space for smaller lots created in higher density areas. Where walls are built to multiple boundaries, each boundary wall will generally affect a different neighbouring lot and therefore the bulk and scale impacts are not cumulative and can be managed by the maximum height and length provisions.
- Where a property being developed at the high-density code is adjoining a lot developed at a lower (R20) code, the maximum length and height of the boundary wall is determined by the lower density code to reduce amenity impacts.

Building height

The height of development should be appropriate to the intended streetscape and neighbourhood character and be responsive to topography. Building height should also have regard to the visual and physical amenity of the public and private realms, with consideration to the potential for amenity impacts such as overlooking and overshadowing.

Western Australian Planning Commission approval is required to modify these provisions.



HOALPP	***Proposed***
Medium density development types: ▪ Maximum building height two storeys	Medium density development types: ▪ Retain maximum building height of two storeys for all densities in HOAs.

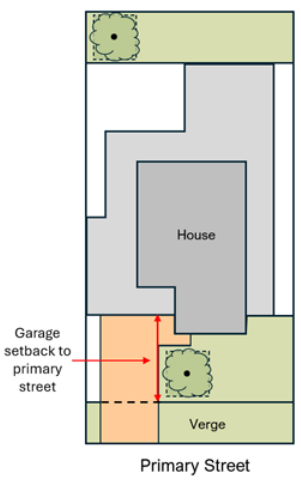
Justification

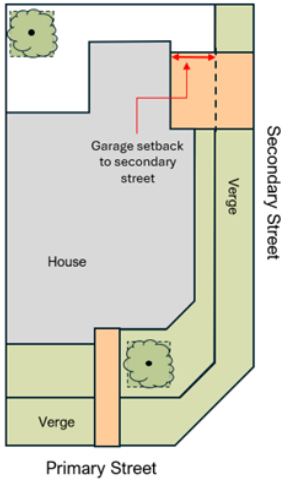
- R-Code provisions allow for up to three (3) storeys for R50-R60 coded lots, which is not considered appropriate in Housing Opportunity Areas.
- The current height restriction to two storeys with the HOALPP is considered appropriate to be retained to ensure that infill development outcomes in HOAs are consistent with the established neighbourhood character in those areas.
- Maximum applicable building heights are varied based on the roof types for various dwellings and are measured from the natural ground level immediately below the dwelling.

Setback of garage and carports

The setback of garages and carports contributes to the legibility of the streetscape and typically will reduce as densities increase to respond to a more urban character. Setbacks of garages and carports can also contribute to the provision of informal visitor parking in front of the garage.

Western Australian Planning Commission approval is not required to modify these provisions.





HOALPP

Medium density development types:

- 5.5m minimum setback requirements to any resident parking, carport, garage or handstand.

Proposed

Medium density development types:

- Modify the provisions of the HOALPP to include:
  - 4.5m minimum setback requirement for garages and carports to the primary street.
  - 4.5m minimum setback requirement for garages and carports to the secondary street where a footpath is present.
  - 5.0m minimum setback requirement for garages and carports to a right of way which acts as the primary street from the dwelling.

Justification

- The R-Codes allows for a reduced garage setback of 3m for R40 coded lots and 2m for R60 coded lots which is not considered appropriate for medium density areas and as such a 4.5m setback is proposed to be applied instead of deferring to the R-Code provisions.
- The reduced garage setback from the 5.5m HOALPP requirement to a 4.5m requirement acknowledges that smaller lots created under an R30 or higher density coding have less site area to allow for larger garage setbacks. A reduced garage setback will still allow for larger garage setbacks. A reduced garage setback will still allow space for informal parking behind the garage whilst not being so stringent that useable space behind the garage on the lot is compromised to the detriment of room sizes or outdoor living space/landscaping space.
- A 4.5m setback requirement is consistent with the existing with the existing setback requirement for low density developments and leaves adequate space for informal visitor parking without risk of significant overhang into the verge area.
- The proposed secondary street setback requirement will assist cars parking behind garages to the secondary street not to overhang any of the footpath infrastructure where present in the verge.
- The proposed setback requirements for a right of way acknowledges there is no verge area for informal vehicle parking to overhang into, therefore a 5m setback is required.

Access and parking - resident parking

Parking should cater for a range of transport modes and should be commensurate with occupant and visitor needs. Being efficient with how parking is designed, provided and used are important considerations for all developments as the space allocated to parking can be significant and compromise how much room is left for internal living, outdoor areas, trees and gardens.

Western Australian Planning Commission approval is required to modify these provisions.

HOALPP	***Proposed***
Medium density development types: ▪ Modified the 'Location A' definition wherein a reduced number of car parking bays is required for developments within an 800m walkable catchment of a train station or 200m walkable catchment of a high frequency bus stop. ◦ Location B definition as per R-Codes (all development not in Location A). ◦ Number of parking bays required as per the R-Codes.	Medium density development types: ▪ Remove HOALPP definition for Location A and defer to R-Codes: ◦ 'Location A' definition includes 800m walkable catchment of a train station or 250m walkable catchment of a high frequency bus stop. ▪ Include new provisions as follows: ▪ Minimum 1 car parking bay for 1- and 2- bedroom dwellings in Location A (R-Codes allows 0 bay minimum). ▪ Minimum 2 car parking bay requirement for a 3- bedroom dwelling in Location B (R-Codes allows 1 bay minimum).

Justification

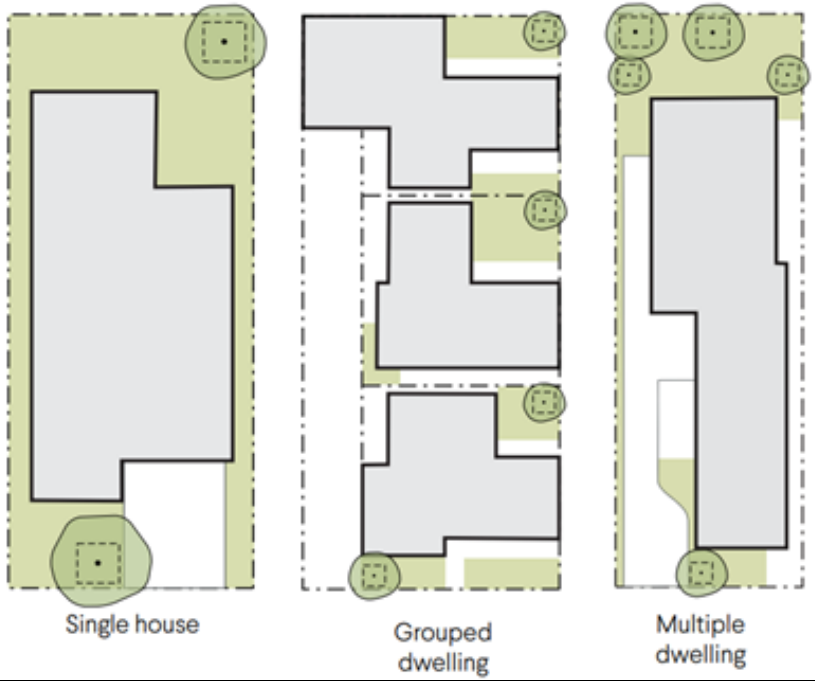
- Deferring to R-Code definition of Location A is considered appropriate given the higher minimum car parking standards proposed.
- The updated R-Codes reduce the minimum number of car parking bays required for lots to:
  - Zero bays for ancillary dwellings (granny flats) and 1- and 2- bedroom dwellings in Location A;
  - One bay for 3- bedroom dwellings in Location B.

  The proposed new provision will require a minimum of one bay for 1- and 2- bedroom dwellings in Location A and a minimum of two bays for 3-bedroom dwellings in Location B.
- The proposed new provision recognises that the updated minimum R-Codes standards are not considered appropriate for the City of Joondalup suburban context.

Landscaping

Landscape design that responds to climate, topography, soil conditions and existing significant landscape features allows developments to contribute positively to local character and neighbourhood streetscape appeal. It also contributes to the mitigation of carbon pollution, improving air quality, reducing urban heat island impacts and increasing groundwater reabsorption.

Western Australian Planning Commission approval is required to modify these provisions.



HOALPP

Medium density development types:

- Minimum 20% landscaping requirement per site.
- Landscaping area to be a minimum dimension of 1.5m.
- 30% of landscaped area can be provided as permeable paving.
- 50% of street setback area to be landscaped area.

Proposed

Medium density development types:

- Remove HOALPP provisions - defer to R-Codes:
  - 15% soft landscaping requirement per lot.
  - 100% of landscaped area must be soft landscaping (such as in ground planting and turf).
  - 30% of street setback area to be soft landscaped.
  - Communal open space landscaping requirements for grouped and multiple dwellings (apartments).

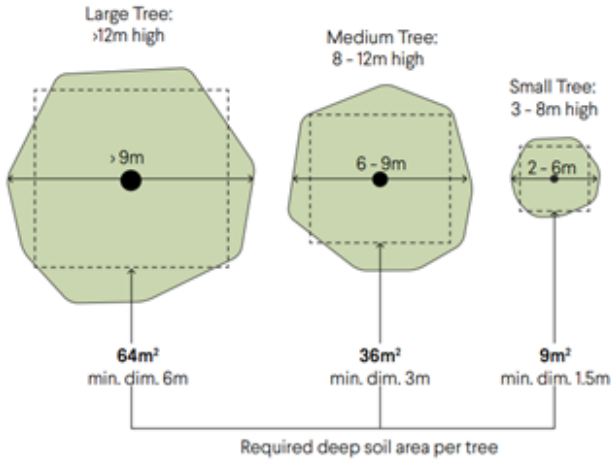
Justification

- Landscaping provision of 15% of the site area reflects an improved outcome given all landscaping is required to be provided as soft landscaping and does not permit a portion to be provided as permeable paving as per the HOALPP.
- The provision requiring 30% of soft landscaping within the front setback area recognises the need to balance the provision of informal visitor parking within the front setback area. The reduced landscaping requirement is still considered appropriate to provide space for landscaping and tree planting to contribute positively to neighbourhood character and the urban tree canopy.

Trees and deep soil areas

The retention of existing trees and planting of new trees improves the urban tree canopy in the City, reduces urban heat island impacts, improves air quality and contributes to energy conservation and mitigation of carbon pollution. Deep soil areas for trees provide for sustainable urban stormwater management. Trees also provide shade and fauna habitat, enhancing dwelling outlook and can contribute to improved privacy.

Western Australian Planning Commission approval is required to modify these provisions.



HOALPP

Medium density development types:

- Minimum tree planting requirements based on landscaping area requirements for the lot.
- Large, medium or small trees can be provided in combination to meet this requirement.
- Deep soil areas requirements based on R-Codes Volume 2 (apartments).
- A reduction in landscaping area of 75m2 where a medium tree is retained and 125m2 where a large tree is retained.
- One verge tree planted per 10m of lot frontage.

Proposed

Medium density development types:

- Modify and retain verge tree planting requirement:
  - One verge tree planted per 9m lot frontage.
- Remaining provisions defer to R-Codes:
  - 1 small tree planting requirement per single or grouped dwelling.
  - Additional small tree planting requirements in the primary street setback area based on frontage width.
  - Additional tree planting requirements for multiple dwelling developments (apartments) based on site area.
  - Deep soil area requirements based on R-Codes Volume 2 (apartments).
  - Includes 10% reduction in landscaping requirement where a significant tree is retained.

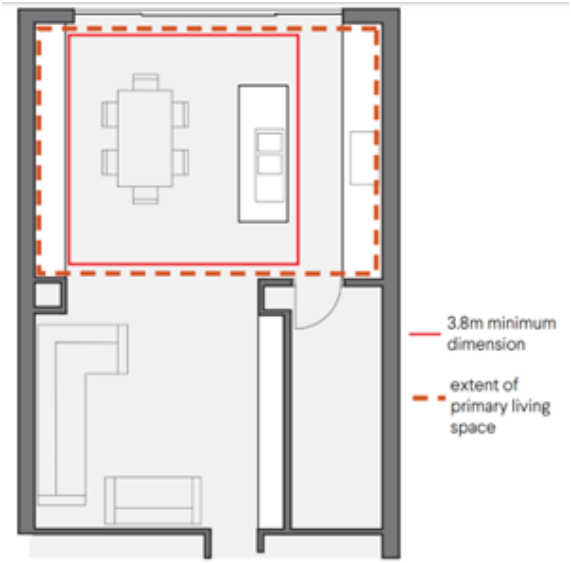
Justification

- The HOALPP typically requires larger or more trees to be planted than is required under the updated R-Codes, however in practice, the HOALPP provisions are difficult to achieve on smaller lots created at medium densities. As such the updated R-Code requirements are considered a more practical and achievable outcome in the context of updated development provisions for landscaping and outdoor living areas.
- R-Code provisions require increased soft landscaped area and a smaller allowable reduction in landscaping where a tree is retained. This coupled with the tree planting requirements and verge tree planting is considered to provide an appropriate level of landscaping and tree planting for smaller lots created under medium density codings.

Size and layout of dwellings

Size and dimensions of habitable rooms should be adequate for functional use of the space. Minimum room areas/dimensions and dwelling sizes can be used for smaller development types such as multiple dwellings (apartments) to ensure dwellings can accommodate required furnishings and provide for flexible use and occupant amenity. For larger housing types like single houses and grouped dwellings, room dimensions are typically larger and therefore minimum provisions are less important. However, the location of the primary living space adjacent to private open space is important to ensure sufficient solar access, natural ventilation and connection between internal and outdoor living.

Western Australian Planning Commission approval is not required to modify these provisions.



HOALPP

Medium density development types:

- Minimum internal floor area and dimension requirements for all dwellings based on R-Code Volume 2 (apartments).
- Minimum ceiling height requirement of 2.7 metres for habitable rooms (such as bedrooms and living rooms) and 2.4 metres in non-habitable rooms (such as bathrooms).

Proposed

Medium density development types:

- Remove HOALPP provisions - defer to R-Codes:
  - Minimum internal floor dimension for multiple dwellings (apartments).
  - All dwellings required to have a designated primary living space which has direct physical and visual access to the primary garden area or primary open space (balcony).
  - Maximum depth requirements for single aspect primary living spaces (e.g. a living space with windows facing primarily in one direction).

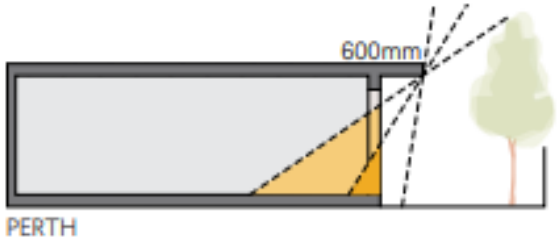
Justification

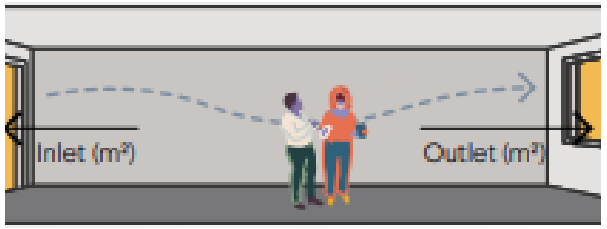
- For single houses and grouped dwellings, minimum floor areas and ceiling heights are typically of adequate dimensions given the larger development types. It is considered that provisions which set out minimum room size and layout requirements are best applied to multiple dwelling (apartment) developments given they are the smallest dwelling types and therefore the most constrained.
- Ceiling height provisions are considered to be adequately set out within the National Construction Code and have therefore not been included within the updated R-Codes.

Solar access and natural ventilation

Development provisions for solar access and natural ventilation create more comfortable and energy efficient living spaces. As building densities increase, building orientation, solar access and natural ventilation can offer the most affordable and effective way to manage indoor air quality, lighting and temperature, reducing or removing the need for mechanical ventilation and air conditioning.

Western Australian Planning Commission approval is not required to modify these provisions.





HOALPP

Medium density development types:

- Requirements for ventilation and solar orientation of living rooms and private open spaces for single houses and grouped dwellings taken from R-Codes Volume 2 – Apartments.

Proposed

Medium density development types:

- Remove HOALPP provisions - defer to R-Codes:
  - Every habitable room has one openable external window, visible from all parts of the room and glazed not less than 10% of the internal floor area of the room and comprising minimum 50% transparent glazing.
  - Minimum courtyard size requirements where it forms the only source of daylight to a habitable room.
  - Solar orientation requirements for the primary living space to achieve at least 4 hours of direct sunlight during winter.

Justification

- The updated R-Codes now includes provisions for all development types to ensure appropriate solar access and ventilation is provided.
- As the HOALPP provisions are taken from the R-Codes Volume 2 Apartment provisions, the updated R-Code provisions for medium density developments are considered more appropriate.

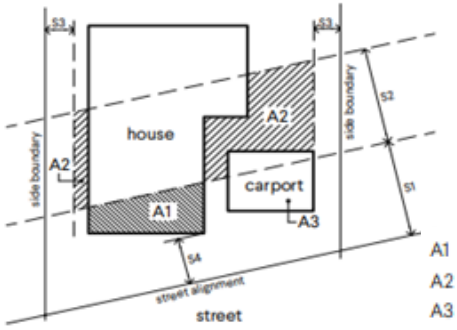
Residential Development Local Planning Policy (RDLPP)

This section compares the existing provisions in the RDLPP with the new provisions that are proposed through the draft new Residential Development Local Planning Policy.

Street setbacks

Street setbacks are important to the character of residential localities. In lower density areas street setbacks are typically larger due to the larger lot sizes. Street setbacks contribute to continuity in the streetscape and provide a visual setting for the dwelling as well as a transition zone between the public street and private dwelling.

Western Australian Planning Commission approval is not required to modify these provisions.



A1 Area of **building** forward of **primary street setback**
A2 Compensating **open space** behind **primary street setback**
A3 The **carport** in S1 does not need to be compensated for in S2
S1 **Primary street setback** distance (**Table B**)
S2 Distance behind the **primary street setback**, equal to S1
S3 Side boundary **setback** (**Table 2a** and **2b**)
S4 Maximum reduced **primary street setback** (half of S1)

RDLPP

Low density development types:

- As per R-Codes except:
  - Carports are included in averaging calculations.
  - 3.0m setback requirement of upper floors to right-of-ways (such as laneways).
  - Setback requirements from power transmission and distribution lines.

Proposed

Low density development types:

- Remove RDLPP provisions - refer to R-Codes:
  - Carports excluded from averaging calculations.
  - 2.5m setback of ground and upper floors to right-of-ways (such as laneways).

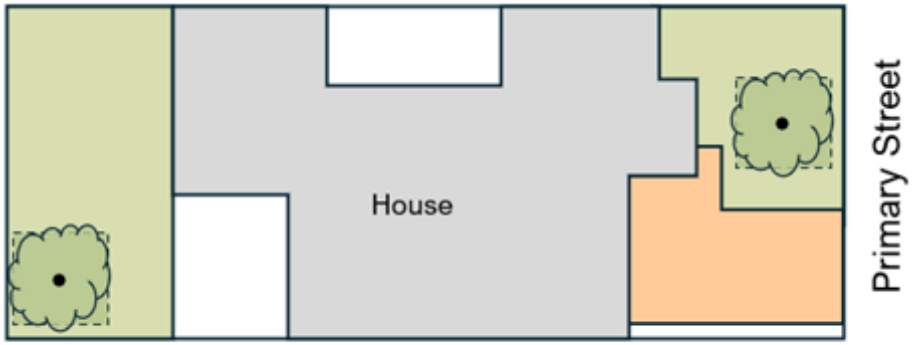
Justification

- The R-Code provisions are considered to be more appropriate for lower density development contexts given larger street setback requirements and provide more flexibility to allow for open style car ports forward of a dwelling.
- The R-Code street setback requirements for lots with frontages to laneways are considered to be appropriate considering the increased garage setback requirements to laneways in the draft new policy and the ability for articulation within the frontage through porch, balcony or verandah elements.

Boundary walls

Boundary walls help control the size of the building footprint and can be scaled in terms of height and length to manage perceptions of bulk and scale to adjoining properties. In lower density contexts fewer boundary walls are typically required given lot sizes are larger. Boundary walls can allow for larger consolidated indoor and outdoor living spaces and can also improve privacy between neighbouring lots.

Western Australian Planning Commission approval is not required to modify these provisions.



Walls to two side lot boundaries

RDLPP

Low density development types:

- As per the R-Codes except:
  - Walls built up to one side lot boundary.
  - Applies an average height restriction of 3.0m for boundary walls (maximum of 3.5m has applied under R-Codes).

Proposed

Low density development types:

- Remove the RDLPP provisions - defer to R-Codes:
  - Maximum 3.5m wall height restriction applies, no average.
  - Maximum wall length restriction applies (cumulative length).
  - Up to two lot boundaries R30-35.
  - Up to all lot boundaries R40 and above.

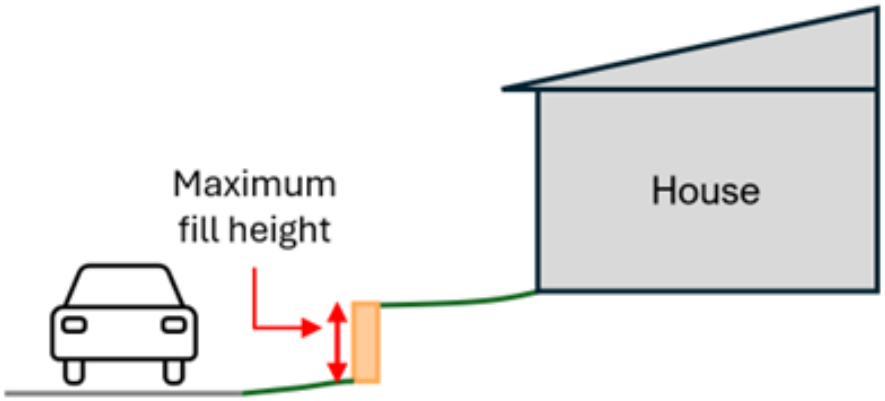
Justification

- The R-Code provisions are considered to be more contemporary and appropriate to respond to lower density development outcomes achieved under the updated R-Codes.
- Boundary walls to an increased number of boundaries can provide design flexibility for improved consolidation of outdoor and indoor living space for narrow lots. Open space and outdoor living area requirements still apply to ensure the level of site coverage is appropriate.
- Amenity impacts of an increased number of boundary walls are controlled by maximum height and cumulative length provisions. Increasing the allowable number of boundaries to which walls can be built to typically does not have a cumulative impact given individual adjoining landowners will be generally impacted separately.

Site works

Variations in topography make an important contribution to local character and a sense of place. The extensive earth working of residential sits removes remnant vegetation, disturbs soil profiles and adds to the cost of housing. In areas with undulating topographies such as particular areas in the City of Joondalup, development of land should avoid major interference with the natural pre-existing site levels.

Western Australian Planning Commission approval is not required to modify these provisions.



RDLPP

All development types:

- As per the R-Codes except:
  - Excavation and fill between the street and building shall not exceed 1m from natural ground level.

Proposed

All development types:

- Retain RDLPP provision for maximum excavation and fill of 1m between the street and building.

Justification

- This provision is proposed to be retained as it responds to the undulating topography of the City of Joondalup, allowing for improved development outcomes, the retention of character in areas where redevelopment occurs and less disturbance of the land when development occurs.
- R-Code provisions allow for a maximum of 0.5m of fill between the street and building.