



Department of **Planning,**
Lands and Heritage

State Planning Policy 7.3



Residential Design Codes

Volume 1 - Low and Medium Density

Draft for public comment November 2020



The Department of Planning, Lands and Heritage acknowledges the traditional owners and custodians of this land. We pay our respect to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.

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About this document

Planning reform

Western Australia is experiencing a shifting planning and development landscape, influenced by new disruptive technologies, changes to our economy, and a diverse population with different needs and expectations.

A streamlined, contemporary and fit-for-purpose planning system that meets the varying needs of our vast State is critical for the delivery of quality housing for connected, vibrant and affordable communities, both now and the future.

The Action Plan for Planning Reform (Government of Western Australia, 2019) elevates the requirement for well-designed residential development across the State and the review and update of the Residential Design Codes (R-Codes) supports this goal.

About good design

Good design is not a subjective idea; it can be defined and measured. Notions of design quality extend beyond taste, style and appearance to encompass functionality, sustainability, response to context, structural integrity, flexibility in use, and cost efficiency, both during construction and over the life of the building. Most importantly, good design results in an environment that performs well for all users and the broader community¹. Good design endeavours to reconcile multiple concurrent and often competing objectives and outcomes that vary according to the circumstances of each site and project. A rigorous, considered and contextual design process should prioritise these competing objectives to develop a cohesive, site-responsive design. Undertaking this process typically creates better performing buildings and better outcomes for community.

¹ *Better Places and Space: a policy for the built environment in Western Australia, Office of the Government Architect, 2013*

Outcomes-based planning

The R-Codes strongly advocate contextual and site-specific development solutions. To facilitate good design outcomes, the R-Codes Volume 1 provides two pathways for development assessment and determination.

Applications for development approval need to demonstrate that the proposal achieves the requirements of each design element of the R-Codes through either of the following pathways:

1. Deemed to comply – Deemed-to-comply provisions provide a straightforward means for the development proposal to demonstrate compliance with the objectives and design principles of the R-Codes. They outline the expected minimum development standards that should be met.

2. Design principle – The design principles pathway offers an alternative performance-based approach. This allows for innovative design responses that may be more context and site-responsive. The onus is on the proponent to demonstrate how they have met or exceeded the requirements of the relevant design principle when this pathway is pursued.

To foster good design outcomes, proponents are encouraged to access available opportunities for independent design review consistent with State Planning Policy 7.0 – *Design of the Built Environment* and the *Design Review Guide* (Western Australian Planning Commission, 2019). This can be particularly helpful for more complex applications and applications pursuing a performance-based, design principle approvals pathway, where the requirements of the code can be met in a variety of ways.

Who is this design code for?

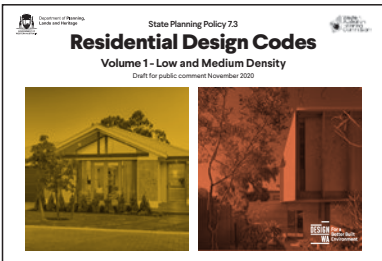
The R-Codes provide planning and design provisions for residential development across Western Australia. These provisions have been provided to assist in the following ways:

- Guide developers, urban planners, urban designers, architects, landscape architects, builders and other professionals when designing housing developments and preparing an application for development approval.
- Assist decision-makers and planning professionals in local and State government with assessment of development proposals and in implementing strategic planning in the form of local policy and design guidance.
- Support communities by raising awareness of the principles of good design and by promoting quality housing designs that will make a positive contribution to local neighbourhoods.

About this document (cont.)

R-Codes structure

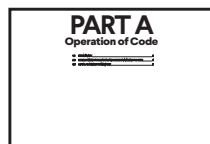
The R-Codes consist of two volumes.

R-Code Volume	Single Houses	Grouped Dwellings	Apartments/ Multiple Dwellings
<p>VOLUME 1</p>  <p>State Planning Policy 73 Residential Design Codes Volume 1 - Low and Medium Density Draft for public comment November 2020</p> <p>Part B Low Density Code</p> <p>Part C Medium Density Code</p>	<p>R2 to R25</p> <p>R30 and above</p>	<p>R2 to R25</p> <p>R30 and above</p>	<p>R10 to R25</p> <p>R30 to R60</p>
<p>VOLUME 2</p>  <p>State Planning Policy 73 Residential Design Codes Volume 2 - Apartments Draft for public comment November 2020</p> <p><i>Apartments (separate document)</i></p>	<p>N/A</p>	<p>N/A</p>	<p><i>R80 and above and mixed use development (dwelling component only)</i></p>

About this document (cont.)

Document structure

There are three parts to the R-Codes Volume 1 (this document).



PART A – OPERATION OF CODE

Part A establishes the purpose, application and operation of the R-Codes Volume 1 and consists of the following sections:

Section 1.0 Preliminary

Contains the administrative provisions and statutory framework, including the citation, general objectives of the code, and its application in relation to residential development.

Section 2.0 Development application and decision-making process

Outlines the requirements for applications and the process for assessment and determination of development proposals. This section also explains when consultation with neighbours may be required and the applicable process.

Section 3.0 Local planning framework

Explains how the provisions of the code interact with local government planning frameworks. This includes which local planning instruments can modify R-Code provisions to achieve context and site-responsive development outcomes.



PART B – LOW DENSITY CODE

Part B applies to all single houses, grouped dwellings, and multiple dwellings in areas coded less than R30.

Note: It is intended that following finalisation and gazettal of Part C – Medium Density Code, the existing R-Codes Volume 1, Part 5 provisions and accompanying figures will be consolidated into Part B: Low Density Code; integrating the design standards for low and medium density housing into this single document.



PART C – MEDIUM DENSITY CODE

Part C applies to all single houses and grouped dwellings in areas coded R30 and above, and multiple dwellings in areas coded R30 to R60.

The provisions of the Medium Density Code and related figures, tables and diagrams, are captured in four sections:

1.0 Land

2.0 The Garden

3.0 The Building

4.0 Neighbourliness

Objectives are included at the beginning of each of these sections to give guidance for development proposals and assessment. These four sections are further divided into design elements that include the design principle and deemed-to-comply pathways.



APPENDICES

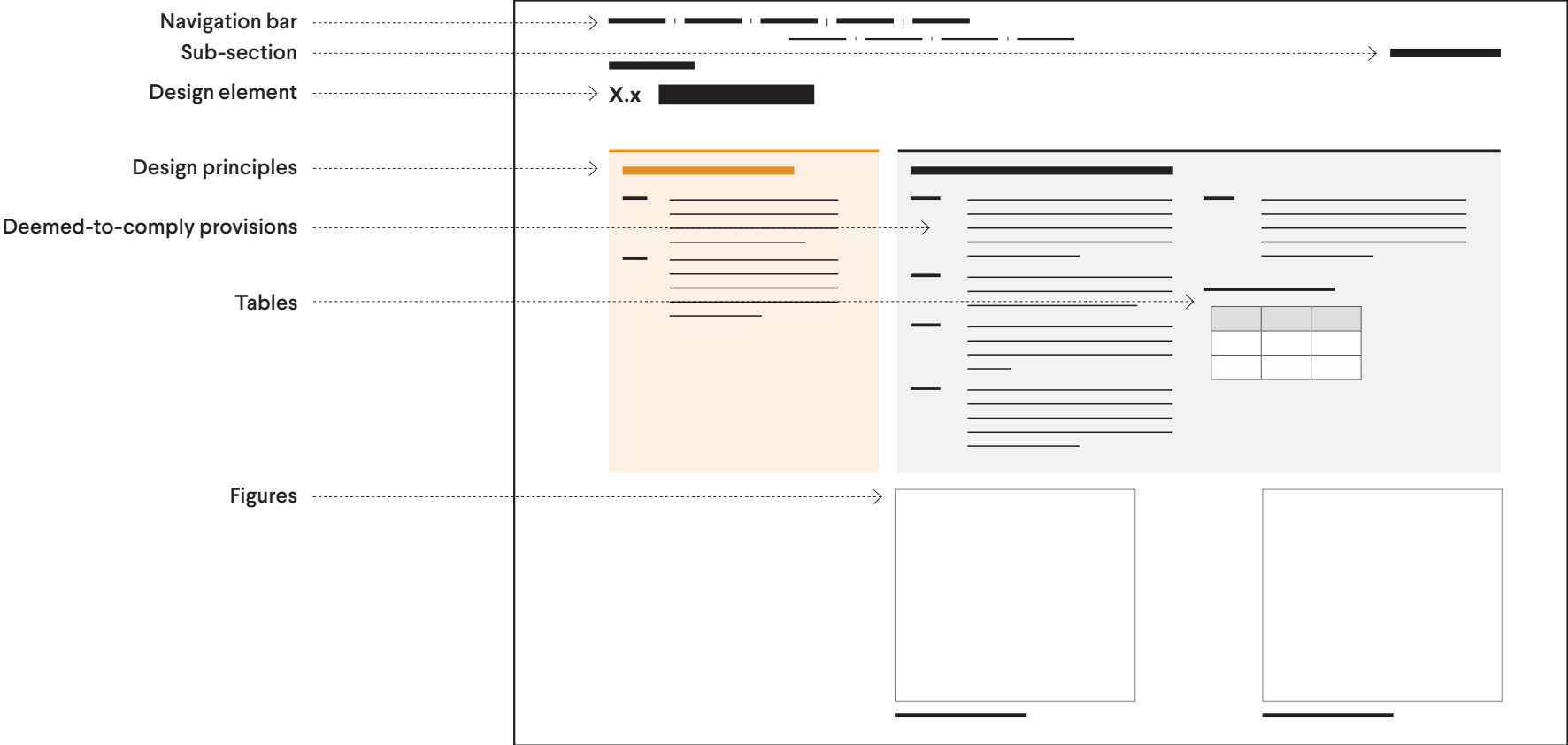
The appendices, which form part of the statutory provisions of the R-Codes Volume 1, consists of definitions; context and site analysis; and application requirements.

About this document (cont.)

Graphic layout

Throughout this document, words written in bold print have a corresponding definition listed in *A1 Definitions*.

The R-Codes Volume 1 applies a two-column format. The left-hand column provides the element **design principles**. The right-hand column provides the **deemed-to-comply** provisions.



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PART B: LOW DENSITY CODE

For all single houses, grouped dwellings and multiple dwellings in areas coded less than R30, please refer to gazetted R-Codes Volume 1.

It is intended that following finalisation and gazettal of Part C – Medium Density Code, the existing R-Codes Volume 1, Part 5 provisions and accompanying figures will be consolidated into Part B: Low Density Code; integrating the design standards for low and medium density housing into this single document.

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PART A

Operation of Code

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1.0 Preliminary

1.1 Citation

This planning policy is made under Part 3A of the *Planning and Development Act 2005* and is cited as the Residential Design Codes Volume 1 (R-Codes).

1.2 Purpose of the R-Codes

The purpose of the R-Codes is to provide a comprehensive basis for the guidance and control of **residential development** throughout Western Australia.

1.3 General objectives of R-Codes

The general objectives of the R-Codes are:

Residential development objectives

- to facilitate quality **residential development** that provides occupants with high **amenity** and liveable housing for an enhanced quality of life;
- to promote a range of housing types that provide residents with choice, including affordable options;
- to encourage housing that responds to local context and contributes to the desired **streetscape**, precinct and neighbourhood character;
- to facilitate residential development that is environmentally, economically and socially **sustainable**; and
- to encourage house designs that are respectful and responsive to local heritage and cultural values.

Planning, governance and development process objectives

- to facilitate **residential development** that is appropriately designed for the intended residential purpose, land tenure, density, place context and **scheme** objectives;
- to encourage residential design that is responsive to the **development site**, inclusive of its location, size and geometry;
- to allow variety and diversity as appropriate where it can be demonstrated this better reflects the context or scheme objectives;
- to allow for appropriate modifications to, and augmentation of R-Codes provisions through **local planning frameworks**;
- to provide certainty in timely assessment and determination of proposals; and
- to provide an assessment framework that supports consistent application of standards and decision-making between jurisdictions.

In assessing and determining proposals for **residential development**, the **decision-maker** shall have regard to the above general objectives, and any relevant objectives of the relevant **scheme**.

1.4 Application of the R-Codes

The R-Codes applies to all **residential development** throughout Western Australia and is divided into two volumes. R-Codes Volume 1 applies to low and medium density residential development, whereas R-Codes Volume 2 applies to high density **multiple dwelling (apartment) developments** in areas coded R80 and above and the **dwelling** component of **mixed use development**.

R-Codes Volume 1 is comprised of three parts.

Part A of Volume 1 outlines the application and decision-making processes for **residential development**, and the variations that can be made to the provisions of the R-Codes through **local planning frameworks**.

Part B of Volume 1 includes provisions for **single houses, grouped dwellings** and **multiple dwellings** in areas coded less than R30.

Part C of Volume 1 applies to medium density **development**, specifically **single houses** and **grouped dwellings** in areas coded R30 and above; and **multiple dwellings (apartments)**, in areas coded R30 to R60 inclusive.

1.5 Explanatory guidelines

The Western Australian Planning Commission (**WAPC**) may prepare more detailed explanatory guidelines on the matters addressed in the R-Codes Volume 1, in consultation with local government and relevant stakeholders, to meet the objectives of the R-Codes Volume 1 and, if prepared, these should be considered in the determination of proposals.

The explanatory guidelines, which may be amended from time to time, provide design and assessment guidance to assist interpretation and assessment of proposals against the **design principles** and **deemed-to-comply** provisions of the R-Codes Volume 1.

2.0 Development application and decision-making process

2.1 R-Codes development application process

The R-Codes and any subsequent amendments are read into **schemes** under the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) (refer cl.25, part 1 of Schedule 1).

Schedule 2 of the Regulations exempts certain works from requiring a **development** application and development approval (refer cl. 61, part 7 of Schedule 2).

The following information provides a summary of when a **development** application is required. It is recommended proponents of developments consult with the relevant **decision-maker** to establish the application and procedural requirements that apply to the specific development proposal in the applicable jurisdiction.

2.1.1 When a development application is required

A **development** application² is required where required under a **scheme**.

Where a **development** application is required, the application shall be lodged with the relevant **decision-maker** for assessment and determination.

² Refer cl. 60 and 61 of part 6 in Schedule 2 of the Regulations.

2.1.2 Design development

Prior to lodging the **development** application with the **decision-maker**, proponents should undertake a thorough design development process to progress the best and most appropriate design response for the **site**.

A thorough design development process will entail the following:

1. Context and site analysis

Context and site analysis early in the design process to understand the existing and intended character of the locality and the opportunities and constraints presented by the **site** (refer *A2 Context and site analysis* for considerations that may be relevant at this stage).

2. Concept design

Concept design consisting of preliminary designs and sketches that address **development** opportunities and constraints, and explore different development options for the **site** that would be compliant with the R-Codes and **local planning framework**.

3. Pre-lodgement engagement

Pre-lodgement engagement with the **decision-maker** (where this service is available) to resolve design issues and use feedback to improve and advance the **development** proposal.

4. Design review

Where available, design review in addition to pre-lodgement engagement to obtain independent, expert advice on the design quality of the proposed **development**. Design review is particularly relevant to larger scale, complex and innovative design proposals proposing a **design principle** pathway. Refer to Design Review Guide (**WAPC**, 2019) for further details.

2.1.3 Development application requirements

All applications for **development** approval must provide the information required by the relevant **scheme** and as deemed to be necessary by the **decision-maker** to assess and determine the application including details where the proposal complies and does not comply with the R-Code requirements (refer *A3 Application documentation* for a list of items that may be required by decision-makers).

Deemed-to-comply provisions prescribe the minimum design standards that an application must satisfy in order to meet the requirements of each design element. Alternatively, proponents may lodge for a **design principle** assessment against one or multiple elements.

The application must detail in writing where the proposed **development** departs from a **deemed-to-comply** provision and give justification of how the proposal satisfies the corresponding **design principle** and any relevant objectives and requirements of the **local planning framework**. Local neighbourhood character or **site** conditions may be relevant in justifying why it may not be possible or desirable to satisfy a deemed-to-comply provision and how a proposal satisfies the corresponding design principle.

2.2 Assessment and determination process under the R-Codes

2.2.1 Assessment

In considering an application, a **decision-maker** shall have regard to matters specified under cl. 67, part 9 in Schedule 2 of the Regulations.

The **decision-maker** shall not vary the minimum or average **site area** per **dwelling** requirements set out in **Table A** except as provided for in the R-Codes Volume 1 or the **scheme**.

2.2.2 Judging merit of proposal

Where an application does not meet a **deemed-to-comply** provision(s) of the R-Codes Volume 1 and addresses a **design principle**(s), the **decision-maker** is required to exercise judgement and undertake a merit-based assessment to determine the proposal.

Judgement of merit is exercised by the **decision-maker** only for the specific element of a proposal that does not satisfy the relevant **deemed-to-comply** provision. Where the decision-maker is satisfied the **design principle** is met for that specific element, the corresponding deemed-to-comply provision(s) should not be applied.

Where a report from a design review panel is available¹, the recommendations and advice may inform the judgement of merit and exercise of discretion.

In making a determination on the suitability of an application, the **decision-maker** shall exercise judgement having regard to:

- i. any relevant purpose, objectives and provisions of the **scheme**;
- ii. any relevant objectives and provisions of the R-Codes;
- iii. a provision of a **local planning policy** adopted by the decision-maker consistent with the R-Codes; and
- iv. orderly and proper planning.

The **decision-maker** shall not refuse to grant approval to an application where the application satisfies the **deemed-to-comply** provisions and **design principles** of the R-Codes Volume 1 and any relevant provision of the **scheme** and **local planning framework**.

Where an application does not satisfy a **deemed-to-comply** provision and is not consistent with the objectives, intent, and corresponding **design principle**, the application should be refused by the **decision-maker**.

¹Refer to *Design Review Guide* (WAPC, 2019)

2.3 Consultation

2.3.1 Consultation not required

Where a **development** proposal is **deemed-to-comply** in accordance with the R Codes Volume 1, it will not require advertising to adjoining owners and occupiers.

2.3.2 Consultation required due to potential impact

Where an application is made for **development** approval which presents:

- i. a proposal against one or more **design principles** of the R-Codes Volume 1; and
- ii. there is the potential for the **amenity** of an **adjoining property** or the **street** to be impacted;

then there may be grounds for the **decision-maker** to notify affected owners and occupiers of the proposal.

2.3.3 Consultation required by local planning framework

Where the **decision-maker** is to judge the merits of a **development** application as part of a **design principle** pathway assessment and:

- i. the merits of the proposal are a matter of technical opinion; and
- ii. the decision-maker is satisfied that in its opinion the proposed development will not result in a significant impact on the **amenity** of the adjoining residential property or the **street**;

it is only necessary to seek comment from adjoining owners and occupiers where specifically required by the **scheme** or a relevant **local planning policy**.

2.3.4 Consultation approach

If in the opinion of the **decision-maker**, adjoining owners and occupiers are likely to be significantly adversely impacted by the proposed **development**, the opportunity to view and comment on the proposal should be provided.

The owners and occupiers of properties likely to be adversely impacted, as identified by the **decision-maker**, shall be notified in accordance with the requirements of cl. 64, part 8 in Schedule 2 the Regulations and invited to comment on that part of the proposed **development** that does not meet the **deemed-to-comply** provisions of the R-Codes Volume 1.

As a minimum, notified owners and occupiers should be provided with information on:

- i. how to view details of the proposal;
- ii. the **site** and general nature of the proposal; and
- iii. **design principles** that the proposal is addressing and the supporting justification provided by the proponent.

The **decision-maker**, upon receipt of comments from owners and occupiers of affected properties, should undertake a considered analysis of comments, balanced with technical expertise when exercising its judgement to determine the proposal.

Where no response is received within the time specified from the date of notification, the **decision-maker** will determine that the person(s) notified does not wish to provide any comment and may proceed to determine the proposal on its merits and issue its decision.

A summary of all comments received during the consultation period shall be provided to the proponent on request and, if so requested, a period of not more than 10 days should be allowed within which the proponent may submit a response to the comments prior to the **decision-maker** considering the proposal. Submitters may elect to have their name and other personal details redacted from any submission provided to the proponent or published in any other form.

In making a determination, the **decision-maker** shall consider any comments made during the consultation period and the proponent's response to the comments made on the proposal (if any).

The **decision-maker** should advise affected owners and occupiers of its decision and make available the approved plans for viewing if requested.

2.3.5 Amended plans

Where a proposed **development** has previously been advertised and amended plans are received post-advertising, the amended plans may be the subject of a further consultation period where, in the opinion of the **decision-maker**, the proposed development requires additional exercise of judgement which may in the opinion of the decision-maker have an adverse impact on the **amenity** of an **adjoining property** or the **streetscape**.

Where, in the opinion of the **decision-maker**, amended plans reduce the impact of a proposed **development** and/or where they address comments received from submitters, the amended plans need not be the subject of readvertising.

Where amended plans are required to be the subject of readvertising, the consultation process should be in accordance with section **2.3.4**.

*Notes: The same consultation procedures outlined in section **2.3.4** should be applied where amended plans are submitted prior to a **decision-maker** determining a proposed **development** that propose a material change to a development which would warrant consultation under section **2.3.2**.*

***Decision-makers** may have consultation requirements under their **local planning framework** that are additional or different to those described above. It is recommended that discussions undertaken at pre-lodgement stage confirm the consultation requirements.*

3.0 Local planning framework

3.1 Function of local planning frameworks

Local planning frameworks may amend or replace certain provisions of the R-Codes Volume 1. **Decision-makers** are encouraged to:

- i. maximise consistency of local planning frameworks with the R-Codes; and
- ii. consider the need for settings that respond to a specific need related to a locality or region, where this is consistent with the element objectives and **design principles** of the R-Codes.

Local planning framework instruments that may amend or replace provisions of the R-Codes include **schemes, local planning policies, precinct structure plans and local development plans**. The provisions of the R-Codes that may be amended or replaced by each type of local planning instrument (with or without **WAPC** approval) are identified below.

3.2 Ability of local planning frameworks to modify R-Codes

The **decision-maker** shall not adopt a **local planning framework** instrument that modifies the R-Codes Volume 1 except as provided for below and as outlined in **Table 3.2a** for Part B – Low Density Code and **Table 3.2b** for Part C – Medium Density Code.

3.2.1 Local planning policy to modify R-Codes

The R-Codes recognises that there are variations across the State in terms of **local character**, community requirements, climate and the environment. **Local planning policies** may be used to facilitate contextually appropriate design within a local government area.

A local government may adopt a **local planning policy** that amends or replaces a **deemed-to-comply** provisions of the R-Codes Volume 1 subject to satisfying sections **3.2.1a – 3.2.1d** and **Tables 3.2a** and **3.2b**.

3.2.1a Local planning policy preparation

Where **WAPC** approval is not required under **Table 3.2a** or **Table 3.2b**, a **local planning policy** that proposes to amend or replace a **deemed-to-comply** provision should be prepared, advertised and adopted in accordance with Division 2 of Part 2 in Schedule 2 of the Regulations.

Where **WAPC** approval is required under **Table 3.2a** or **Table 3.2b**, a **local planning policy** that proposes to amend or replace a **deemed-to-comply** provision should be prepared in accordance with Division 2 of Part 2 in Schedule 2 of the Regulations and follow the procedures set out in sections **3.2.1b – 3.2.1d**.

3.2.1b WAPC consideration

Prior to commencing advertising of the **local planning policy**, the local government shall provide the **WAPC** with a copy of the proposed local planning policy and a written statement detailing:

- i. the rationale for the proposed modification to the R-Codes Volume 1;
- ii. the extent to which the proposed modification meets criteria **(i) – (iv)** set out under section 3.4 *WAPC approval*; and
- iii. any other matter the local government considers relevant.

Within 21 days of receiving notification of the proposed **local planning policy**, the **WAPC** shall consider the proposal and accompanying statement, and advise the local government of any modification required to the local planning policy before it is advertised.

The **WAPC** must be satisfied that the proposed modification to the **deemed-to-comply** provision(s) is consistent with criteria **(i) to (iv)** set out under section 3.4 *WAPC approval*.

3.2.1c Advertising of draft local planning policy

A local government that has not received advice from the **WAPC** within 21 days of notifying the **WAPC** under section **3.2.1b** may advertise the **local planning policy** as if **WAPC** had provided advice that no modification is required.

Following completion of the advertising period, the local government is to provide the **WAPC** with a copy of the proposed policy, including any modifications made following the expiry of the submission period, before making a resolution under cl.4(3), part 2 of Schedule 2 of the Regulations.

3.2.1d WAPC determination

The local government must not resolve to commence operation of the policy until approval of the **WAPC** has been granted under cl.4(3A), part 2 in Schedule 2 of the Regulations.

Within 42 days of receiving the proposed **local planning policy**, including any modifications made following the expiry of the submission period, the **WAPC** will determine whether to:

- i. advise the local government that it approves the local planning policy with no further modification; or
- ii. advise the local government that it approves the local planning policy subject to minor specified modifications; or
- iii. advise the local government that it does not approve the local planning policy without further modification being made.

Where the **WAPC** provides advice under (i) or (ii) above, the local government may resolve to proceed with the **local planning policy** and complete the requirements of cl.4, part 2 in Schedule 2 of the Regulations.

Where the **WAPC** provides advice under (iii) above, the local government may determine that the changes are major and re-advertise the **local planning policy** as though the **WAPC** had provided advice under provision **3.2.1b**.

3.2.2 Precinct structure plans may modify R-Codes

A **precinct structure plan** may amend or replace a **deemed-to-comply** provision of the R-Codes in the circumstances provided for in **Tables 3.2a** and **3.2b**.

Where a **precinct structure plan** proposes to amend or replace a **deemed-to-comply** provision of the R-Codes, the proponent shall include the following information, in addition to the requirements of cl. 16, part 4 of Schedule 2 of the Regulations:

- i. the rationale for the proposed modification to the R-Codes; and
- ii. extent to which the proposed modification meets criteria (i) – (iv) set out under section 3.4 *WAPC Approval*.

3.2.3 Local development plans may modify R-Codes

Local development plans guide and coordinate **development** outcomes that are appropriate to **site** context and identified development opportunities and constraints. As an instrument to principally coordinate development, local development plans should not be used for the sole purpose of amending or replacing a **deemed-to-comply** provision(s) of the R-Codes.

Local development plans may amend or replace a **deemed-to-comply** provision of the R-Codes subject to satisfying sections **3.2.3a – 3.2.3d** and **Tables 3.2a** and **3.2b**.

3.2.3a Local development plan preparation

A **local development plan** that proposes to amend or replace a **deemed-to-comply** provision of the R-Codes should be prepared in accordance with part 6, Schedule 2 of the Regulations.

Where **WAPC** approval is required in **Table 3.2a** or **Table 3.2b**, prior to commencing advertising, the **decision-maker** shall provide the **WAPC** with a copy of the proposed **local development plan** and a written statement detailing:

- i. the rationale for the proposed modification to the R-Codes Volume 1;
- ii. the extent to which the proposed modification meets criteria (i) – (iv) set out under section 3.4 *WAPC approval*; and
- iii. any other matter the local government considers relevant.

3.2.3b WAPC consideration

Within 21-days of receiving notification of the proposed **local development plan**, the **WAPC** shall consider the proposal and accompanying statement, and advise the local government of any modification required to the local development plan before it is advertised.

The **WAPC** must be satisfied that the proposed modification to the **deemed-to-comply** provision(s) is consistent with criteria (i) to (iv) set out under section 3.4 *WAPC approval*.

3.2.3c Advertising of draft local development plan

A local government that has not received advice from the **WAPC** within 21-days of notifying the **WAPC** of the proposed **local development plan**, may advertise the local development plan as if the **WAPC** had provided advice that no modification is required.

3.2.3d WAPC determination

Within 42 days of receiving the proposed **local development plan**, including any modifications made to the local development plan following the expiry of the submission period, the **WAPC** will determine whether to:

- i. advise the local government that it approves the local development plan with no further modification; or
- ii. advise the local government that it approves the local development plan subject to minor specified modifications; or
- iii. advise the local government that it does not approve the local development plan without further modification being made.

Where the **WAPC** provides advice under (i) or (ii) above, the local government may resolve to proceed with the **local development plan** as provided for in cl.52, part 6 of Schedule 2 of the Regulations.

Where the **WAPC** provides advice under (iii) above, the local government may determine that the changes are major and re-advertise the **local development plan** as though the **WAPC** had provided advice under section **3.2.3b**.


A **local development plan** shall not come into effect until the approval of the **WAPC** has been granted in accordance with this provision.

Table 3.2a Scope of modifications by Local Planning Frameworks relating to Part B – Low Density Code

Part B - Low Density Code		Local planning framework instrument		
Element	Clause reference	Precinct Structure Plan	Local Planning Policy	Local Development Plan
5.1.1	Site area	All clauses		
5.1.2	Street setback	All clauses		
5.1.3	Lot boundary setback	C3.1		
		C3.2 to C3.3		
5.1.4	Open space	All clauses		
5.1.5	Communal open space	All clauses		
5.1.6	Building height	All clauses		
5.2.1	Setback of garages and carports	All clauses		
5.2.2	Garage width	All clauses		
5.2.3	Street surveillance	All clauses		
5.2.4	Street walls and fences	All clauses		
5.2.5	Sight lines	All clauses		
5.2.6	Appearance of retained dwelling	All clauses		
5.3.1	Outdoor living areas	All clauses		
5.3.2	Landscaping	All clauses		
5.3.3	Parking	All clauses		
5.3.4	Design of car parking spaces	All clauses		
5.3.5	Vehicular access	All clauses		
5.3.6	Pedestrian access	All clauses		
5.3.7	Site works	All clauses		
5.3.8	Retaining walls	All clauses		
5.3.9	Stormwater management	All clauses		

		Local planning framework instrument		
Element	Clause reference	Precinct Structure Plan	Local Planning Policy	Local Development Plan
5.4.1	Visual privacy	All clauses		
5.4.2	Solar access for adjoining sites	All clauses		
5.4.3	Outbuildings	All clauses		
5.4.4	External fixtures	All clauses		
5.5.1	Ancillary dwellings	All clauses		
5.5.2	Aged or dependent persons' dwellings	C2.1 (i), (iii) – (vi), C2.2, C2.3		
		C2.1 (ii)		
5.5.3	Single Bedroom dwellings	All clauses		

Legend

 Provision (or sub-clause) may be modified without WAPC approval


 Provision only to be modified with WAPC approval

Table 3.2b Scope of modifications by Local Planning Frameworks relating to Part C – Medium Density Code

Part C - Medium Density Code		Local planning framework instrument		
Element	Clause reference	Precinct Structure Plan	Local Planning Policy	Local Development Plan
1.1	Site area	All clauses		
2.1	Primary garden area	All clauses		
2.2	Private open space	All clauses		
2.3	Trees, deep soil area and landscaping	All clauses	Regional LG only	
2.4	Communal open space	All clauses		
2.5	Water management and conservation	All clauses		
3.1	Primary living space	All clauses		
3.2	Solar access and natural ventilation	C3.2.1, C3.2.3 and C3.2.4 only	Regional LG only	
		All other clauses		
3.3	Size and layout of dwellings	All clauses		
3.4	Parking	C3.4.3 only	Regional LG only	
		All other clauses		
3.5	Storage	All clauses		
3.6	Waste management	All clauses		
3.7	External fixtures	All clauses		
3.8	Outbuildings	All clauses		
3.9	Universal design	All clauses		
3.10	Ancillary dwellings	All clauses		
3.11	Small dwellings	All clauses		
3.12	Aged and dependent persons' dwellings	C3.12.1(ii) only		
		All other clauses		
3.13	Housing on lots less than 100m ²	All clauses		

		Local planning framework instrument		
Element	Clause reference	Precinct Structure Plan	Local Planning Policy	Local Development Plan
4.1	Site cover	23.5 mm		
4.2	Building height	All clauses		
4.3	Lot boundary setbacks	All clauses		
4.4	Site works and retaining walls	All clauses	Regional LG only	
4.5	Streetscape	All clauses		
4.6	Street setbacks	All clauses		
4.7	Vehicle and pedestrian access	C4.7.1 only		
		C4.7.3 to C4.7.5 only	Regional LG only	
		All other clauses		
4.8	Communal streets	C4.8.4 only		
		All other clauses		
4.9	Street fences	All clauses		
4.10	Retaining existing dwellings	All clauses		
4.11	Solar access for adjoining sites	All clauses		
4.12	Visual privacy	All clauses		

Legend



Provision (or sub-clause) may be modified without WAPC approval



Provision (or sub-clause) may be modified without WAPC approval by local governments located outside of Perth and Peel Region.



Provision only to be modified with WAPC approval

3.3 Planning schemes

Local planning schemes may introduce clauses that amend, replace or exclude any provision of the R-Codes as provided for in the Regulations.

A proposed planning **scheme** provision to amend, replace or otherwise modify any R-Code provision should be consistent with the objectives of the R-Codes in section 1.3 *General Objectives of the R-Codes* and have regard to the objectives of the relevant design elements.

3.4 WAPC approval

Where **WAPC** approval is required for a modification to a **deemed-to-comply** provision by means of a **local planning policy**, **precinct structure plan** or **local development plan**, it must be demonstrated to the satisfaction of the WAPC that the modification:

- i. is warranted due to a specific need identified by the **decision-maker** related to that particular locality or region;
- ii. is consistent with the design element objectives and **design principles** of the R-Codes Volume 1;
- iii. is capable of being implemented through the **local planning framework** instrument; and
- iv. is consistent with orderly and proper planning.

3.5 Local planning framework transitional arrangements

3.5.1 Transitional arrangement for local planning policies

3.5.1a Local planning policy not requiring WAPC consent

A properly adopted **local planning policy** that became operational prior to gazettal of the R-Codes Volume 1 (*XX-2021*), and that amends or replaces a provision identified under **Table 3.2a** or **Table 3.2b** as not requiring **WAPC** consent to be modified, shall continue to have effect.

3.5.1b Local planning policy requiring WAPC consent

A **local planning policy** that amends or replaces a **deemed-to-comply** provision that is identified as requiring **WAPC** consent under **Table 3.2a** or **Table 3.2b**, shall require the approval of the WAPC to remain operational after the gazettal date of the R-Codes Volume 1 (*XX-2021*). This approval shall be obtained by following the requirements of **3.5.1c**.

3.5.1c Transitional local planning policy approval

Within three months of the gazettal date of the R-Codes Volume 1, the local government shall conduct an audit of its operational **local planning policies** that amend or replace a **deemed-to-comply** provision of the R-Codes Volume 1 and that require **WAPC** consent to amend or vary under section **3.5.1b** and shall identify any local planning policy for which the approval of the WAPC has previously been obtained.

For each **local planning policy** audited, the local government shall recommend whether it proposes to:

- i. repeal the local planning policy and proceed to do so as provided for in cl.6, part 2 in Schedule 2 of the Regulations;
- ii. amend the local planning policy as provided for in cl. 5, part 2 in Schedule 2 of the Regulations and identify whether or not the proposed amendment removes the requirement for **WAPC** consent; or
- iii. retain the local planning policy without amendment.

Within 21 days of forming the above recommendation, the local government shall report to the **WAPC** advising of its intentions for the **local planning policies** that are recommended to be amended (and require **WAPC** consent) or retained, and provide appropriate justification.

Within 60 days of receiving the local government report, the **WAPC** shall determine whether to support the local government recommendations, with or without amendment, and advise the local government accordingly. Where the WAPC is satisfied with the justification provided, an existing **local planning policy** that has previously received its approval may continue to operate for the period determined by the WAPC.

Within three months of receiving the **WAPC** advice, or a longer time agreed in writing by the WAPC, the local government shall carry out the WAPC advice in relation to its **local planning policies**.

A **local planning policy** that amends or replaces a **deemed-to-comply** provision of the R-Codes and that requires **WAPC** consent under **cl.3.5.1b**, will cease to have effect if that local planning policy has not been granted **WAPC** consent within a period of 12 months from the gazettal date of the R-Codes, unless a longer time has been agreed in writing by the WAPC.

3.5.2 Transitional arrangements for structure plans and activity centre plans

3.5.2a Transitional arrangements for structure plans

A **structure plan** (now referred to as a **standard structure plan**) approved by the **WAPC** before the commencement day of the Regulations that varies a **deemed-to-comply** provision of the R-Codes Volume 1, shall continue to have effect until the expiration of the approval period for that structure plan.

3.5.2b Transitional arrangements for activity centre plans

A properly adopted **activity centre plan** (now referred to as a **precinct structure plan**) approved by the **WAPC** prior to the gazettal date the R-Codes Volume 1 (*XX-2021*) and that varies a **deemed-to-comply** provision of the R-Codes Volume 1, shall continue to have effect until the expiration of the approval period for that **structure plan**.

3.5.3 Transitional arrangements for local development plans

An adopted **local development plan** that came into effect prior to the gazettal date the R-Codes Volume 1 (*XX-2021*) and that varies a **deemed-to-comply** provision of the R-Codes Volume 1, shall continue to have effect until the expiration of the approval period for that local development plan.

PART B

Low Density Code

For all single houses, grouped dwellings and multiple dwellings in areas coded less than R30, please refer to gazetted R-Codes Volume 1.

It is intended that following finalisation and gazettal of Part C – Medium Density Code, the existing R-Codes Volume 1, Part 5 provisions and accompanying figures will be consolidated into Part B: Low Density Code; integrating the design standards for low and medium density housing into this single document.



PART C

Medium Density Code

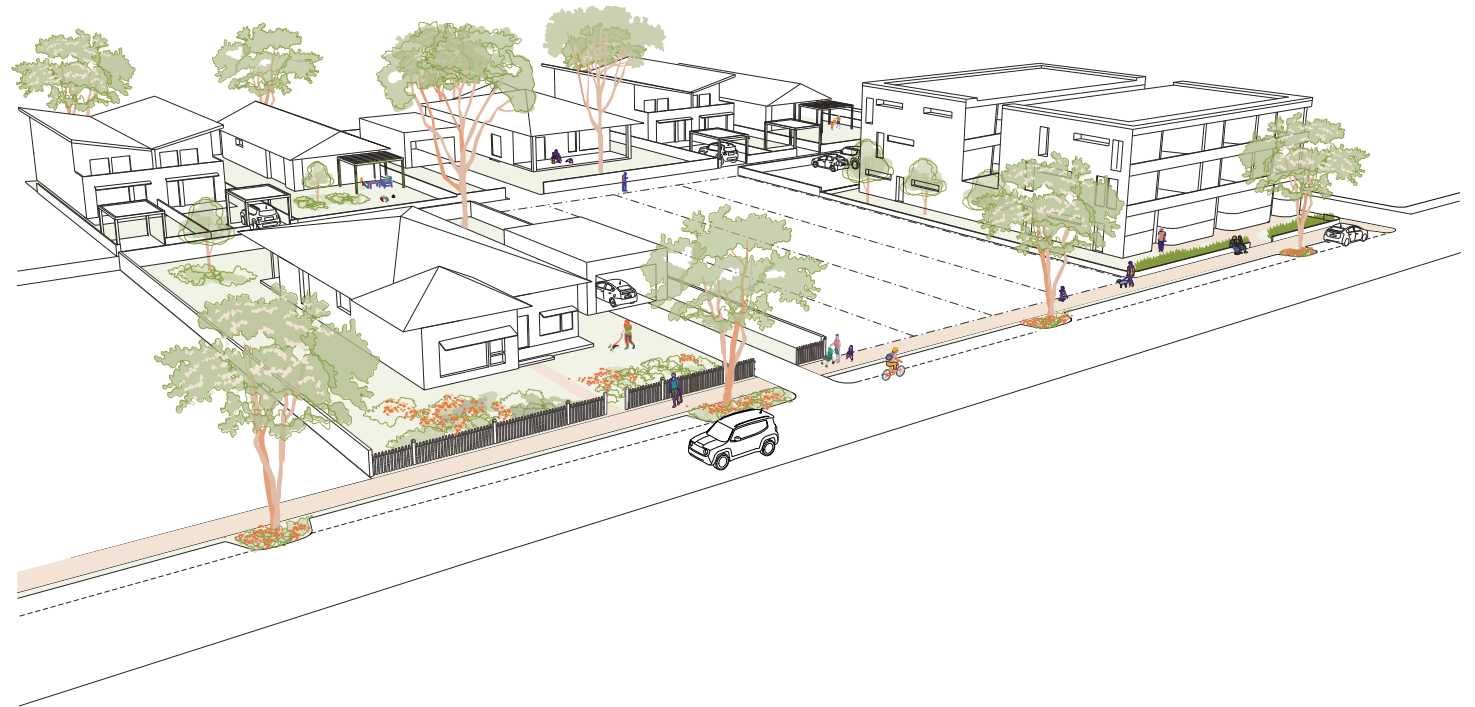
1.0	LAND	13
2.0	THE GARDEN	18
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1.0 LAND

OBJECTIVES

- 1A** To provide for a consistent and coordinated approach to residential built form and **development**.
- 1B** To ensure that **residential development** meets community expectations in regard to appearance, use and density.
- 1C** To promote a range of **lot** sizes to support housing diversity and a variety of built form typologies.



1.1 Site area

1.1 Site area

Table A Site area requirements

R-Code	Dwelling type	Site area per dwelling (m ²)		
		Site Category 1 (refer C1.1.2)	Site Category 2 (refer C1.1.3)	Site Category 3 (refer C1.1.4)
<i>For residential development in areas coded R25 and below, refer to R-Codes Vol.1, Part B</i>				
R30	Single house and Grouped dwelling	Min 260 Ave 300	Min 220 Ave 260	Min 180 Ave 220
	Multiple dwelling	Ave 300	Ave 260	Ave 220
R35	Single house and Grouped dwelling	Min 220 Ave 260	Min 180 Ave 220	Min 160 Ave 180
	Multiple dwelling	Ave 260	Ave 220	Ave 180
R40	Single house and Grouped dwelling	Min 180 Ave 220	Min 160 Ave 180	Min 120 Ave 150
	Multiple dwelling	Ave 115	Ave 100	Ave 85
R50	Single house and Grouped dwelling	Min 160 Ave 180	Min 120 Ave 150	Min 100 Ave 120
	Multiple dwelling	Ave 100	Ave 85	Ave 85
R60	Single house and Grouped dwelling	Min 120 Ave 150	Min 100 Ave 120	NA
	Multiple dwelling	Ave 85	NA	NA
R80	Single house and Grouped dwelling	Min 100 Ave 120	NA	NA
	Multiple dwelling	<i>Refer R-Codes Vol. 2</i>	NA	NA
R100 (refer C1.1.9)	Single house and Grouped dwelling	Min 80 <i>No ave applies</i>	NA	NA
	Multiple dwelling	<i>Refer R-Codes Vol. 2</i>	NA	NA
Notes: R80 site area requirements apply to all single house or grouped dwellings located on lots coded R100, R160 and R-AC, with the exception of lots that meet the criteria of C.1.1.9, which may apply R100 site area requirements.				

1.1 Site area (cont.)

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P1.1.1** Development of the type and density indicated by the density code designated in the **scheme**.
- P1.1.2** The **WAPC**, in consultation with the local government, may approve the creation of a **lot**, **survey-strata lot** or **strata lot** of a lesser minimum and/or average **site area** than that specified in **Table A** provided that the proposed variation would be no more than five per cent less in area than that specified in **Table A** and will:
 - i. facilitate the protection of an environmental or heritage feature;
 - ii. facilitate the retention of a significant element that contributes toward an existing **streetscape** worthy of retention;
 - iii. facilitate the **development** of lots with separate and sufficient **frontage** to more than one public **street**;
 - iv. overcome a special or unusual limitation on the development of the land imposed by its size, shape or other feature;
 - v. allow land to be developed with housing of the same type and form as land in the vicinity and which would not otherwise be able to be developed; or
 - vi. achieve specific objectives of the **local planning framework**.
- P1.1.3** The **WAPC**, in consultation with the local government, may approve the creation of a **green title lot**, **survey-strata lot** or **strata lot** for an existing authorised **grouped dwelling** or **multiple dwelling development** of a lesser minimum and average **site area** than that specified in **Table A**, where, in the opinion of the **WAPC** or the local government, the development on the resulting **survey-strata** or strata lots is consistent with the objectives of the relevant design elements of the R-Codes, and the orderly and proper planning of the locality.

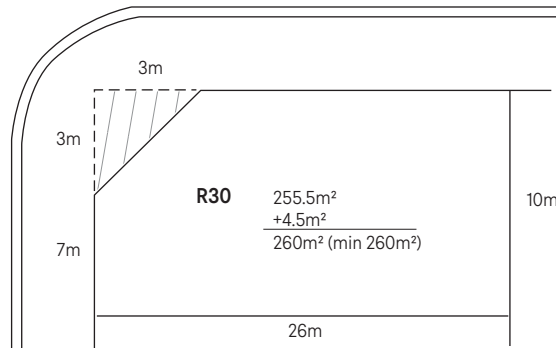
DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

Minimum and average site area

- C1.1.1** Development which complies with the **dwelling** type and **site area** requirements set out in *Site Category 1, 2 or 3 of Table A* and the following provisions.
- C1.1.2** All **residential development** is to comply with the minimum and average **site area** requirements for *Site Category 1 of Table A* unless the proposed **development** is eligible for *Site Category 2 or 3* or as otherwise provided for in the **scheme**.
- C1.1.3** *Site Category 2* minimum and average **site area** requirements of **Table A** can be applied where:
 - i. the **development** is within *Location A*;
 - ii. development is proposed on a:
 - a. **corner lot** or a **through-lot**;
 - b. **mid-block lot** with rear access to a public **right-of-way** with a constructed **laneway**; or
 - c. lot with a minimum area of 1,200m² (which may be achieved through the amalgamation of two or more lots); and
 - iii. for **single houses** and **grouped dwellings**, all **dwellings** are to have a primary individual **frontage** to a public **street**.
- C1.1.4** *Site Category 3* minimum and average **site area** requirements of **Table A** can be applied where:
 - i. the **development** is within *Location A*;
 - ii. development is proposed on a:
 - a. **corner lot** with a minimum of two **street frontages**; and
 - b. **lot** with a minimum area of 1,500m² (which may be achieved through the amalgamation of two or more lots);
 - iii. for **single houses** and **grouped dwellings**, all **dwellings** are to have a primary individual frontage to a public street; and
- iv. a **local development plan** has been approved by the local government that coordinates development and addresses the following:
 - a. **building** envelopes, including ground floor and upper floor **setbacks**, maximum **building height**, and **boundary wall** locations, length and height;
 - b. **streetscape**, pedestrian access, fencing, façade and front elevation treatments;
 - c. vehicle access and parking, including vehicle access points, and parking location and form;
 - d. **landscaping** including the location of **primary garden areas**, **deep soil areas**, provision of trees, and trees identified for retention; and
 - e. minimum development standards which shall include:
 - all dwellings to be a minimum two **storeys**;
 - all dwellings to exceed the minimum NATHERS requirement by 0.5 stars;
 - a minimum of 50% of dwellings to achieve the silver level **universal design** or above (refer **C3.9.1**); and
 - minimum ceiling height of 2.7m for all **habitable rooms**.

1.1 Site area (cont.)



Truncation area may be included refer C1.1.8i

Figure 1.1a Site area truncations

R40 site area requirements (min 180m² avg 220m²)

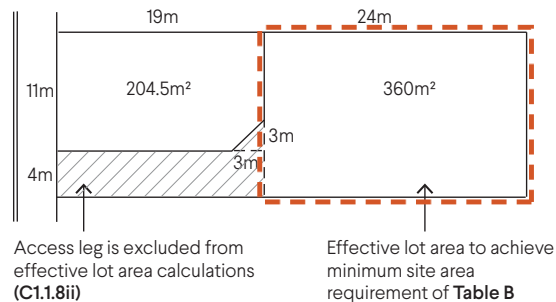


Figure 1.1b Effective lot area

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

Minimum and average site area (cont.)

Notes: Site Category 2 and 3 relates to minimum and average site area requirements only. All other development provisions of the allocated R-Code apply.

For Site Category 3, amendments to deemed-to-comply through a local development plan are limited to elements identified in Table 3.2b of Part A, R-Codes Volume 1.

¹LOCATION A includes all land located within:

- 800m of a train station on a high-frequency rail route, measured in a straight line from the pedestrian entry to the train station platform to any part of a lot;
- 250m of a high-frequency bus route, or multiple bus routes that if combined have timed stops every 15 minutes during weekday peak periods (7 – 9am and 5 – 7pm), measured in a straight line from along any part of the bus route to any part of the lot; and/or
- the defined boundaries of an activity centre.

C1.1.5 For dual coded development sites that are eligible for Site Category 2 or 3, the minimum and average site area requirements of Table A shall apply to the lower density code applicable to that site.

Calculation of minimum and average site areas

C1.1.6 The minimum site area set out in Table A is calculated as follows:

- i. in the case of a single house, the area of a green title lot or survey-strata lot;
- ii. in the case of a grouped dwelling, the area of land occupied by the dwelling itself, together with all other areas whether contiguous or not, designated for the exclusive use of the occupants of that dwelling; or
- iii. in the case of multiple dwellings in areas with a coding of R60 or less, the total area of the lot divided by the number of dwellings.

Site area variations

C1.1.7 Subject to C1.1.2 only, the following variations to the minimum and average site area set out in Table A may be made:

- i. for an aged or dependent persons' dwelling or a small dwelling that is the subject of a development proposal in areas coded R50 or less, the Site Category 1 minimum and average site area may be reduced by up to 35%, in accordance with elements 3.11 and 3.12;
- ii. in the case of a single house, grouped dwelling or multiple dwelling; the area of a lot, survey-strata lot or strata lot approved by the WAPC; or
- iii. the area of any existing lot, survey-strata lot or strata lot with permanent legal access to a public road, notwithstanding that it is less than that required in Table A.

C1.1.8 Notwithstanding, C1.1.1 to C1.1.5, the following adjustments to the minimum and average site areas set out in Table A apply:

- i. in the case of a lot with a corner truncation to a public street, up to a maximum of 20m² of that truncation shall be added to the area of the adjoining lot, survey-strata lot or strata lot as the case may be (refer Figure 1.1a); or
- ii. in the case of a battleaxe lot, the vehicle and/or pedestrian access leg and associated truncations shall be excluded from the calculation of minimum site area to achieve an effective lot area consistent with the minimum site area required in Table A (refer Figure 1.1b).

1.1 Site area (cont.)

DEEMED-TO-COMPLY

Development satisfies the following **deemed-to-comply** requirements (C)

Lots less than 100m²

- C1.1.9** Lots may be created less than 100m² and to a minimum 80m² **site area** subject to the following criteria:
- i. the lots are located in areas coded R100;
 - ii. an approved **local development plan** is in place for the **development** that is consistent with **C3.13.1** and addresses the following:
 - a. **building** envelopes including ground floor and upper floor **setbacks**, maximum **building height**, **boundary wall** locations, length and height, and **site cover**;
 - b. floor and elevation plans;
 - c. **streetscape**, pedestrian access, fencing, façade and front elevation treatments;
 - d. **landscaping** including location of **primary garden areas**, **deep soil areas**, provision of trees, and trees identified for retention;
 - e. vehicle access and parking, including vehicle access points, parking location and form;
 - f. water management and water sensitive urban design mechanisms;
 - g. waste collection and location of services, utilities and fixtures;

- iii. the lots do not form the majority lot and development type in the same **street** block;
- iv. the lots are located in areas that have an approved **structure plan** in place prior to subdivision or development occurring; and
- v. the lots are in locations deemed appropriate for this form of development through the structure plan process.

*Note: Amendments to **deemed-to-comply** through a **local development plan** are limited to elements identified in **Table 3.2b** of Part A, R-Codes Volume 1.*

2.0 THE GARDEN

OBJECTIVES

- 2A** To ensure **dwelling**s are provided with outdoor **amenity** and an attractive outlook.
- 2B** To support tree retention and re-establishment of the urban tree canopy.
- 2C** To enable **sustainable** house designs that reduce demand for powered heating and cooling systems by incorporating climate appropriate **solar access** and **natural ventilation**.
- 2D** To ensure that **landscape** design responds to the key natural features and landscape character of the location.
- 2E** To effectively manage **stormwater**, reducing potential for flooding and to reduce the impact of urban **development** on natural water flows and ecosystem health.



- 2.1 Primary garden area
- 2.2 Private open space
- 2.3 Trees, deep soil area and landscaping
- 2.4 Communal open space
- 2.5 Water management and conservation

2.1 Primary garden area

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P2.1.1** Single house and grouped dwellings incorporate a **primary garden area** of sufficient size and dimensions to support:
 - i. the planting of trees and **landscaping**; and
 - ii. provision of a useable and functional outdoor space.
- P2.1.2** A **primary garden area** is sited to respond to climatic conditions and allow for **solar access** and **natural ventilation** into the **dwelling**.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

Primary garden area – single houses and grouped dwellings only.

- C2.1.1** A single consolidated **primary garden area** provided for each **dwelling** in accordance with **Table 2.1a**.
- C2.1.2** In **climate zones 4, 5 and 6**, the **primary garden area** is located in the **northern half of the site** (refer **Figure 2.1a**). The primary garden area is to be located in the **street setback area** only where it is necessary to achieve this northern location.

Note: No orientation requirements apply to primary garden areas located in climate zones 1 and 3.

Table 2.1a Primary garden area requirements

Site area	Minimum primary garden area (per dwelling)	Minimum dimension
Less than 120m ²	20m ²	3m
120-150m ²	30m ²	4m
Greater than 150m ²	40m ²	4m

Notes: **Deep soil area** may form part of the minimum primary garden area (refer **Figure 2.1b**)

Minimum dimension refers to the minimum length and width of all areas that contribute to the primary garden area.

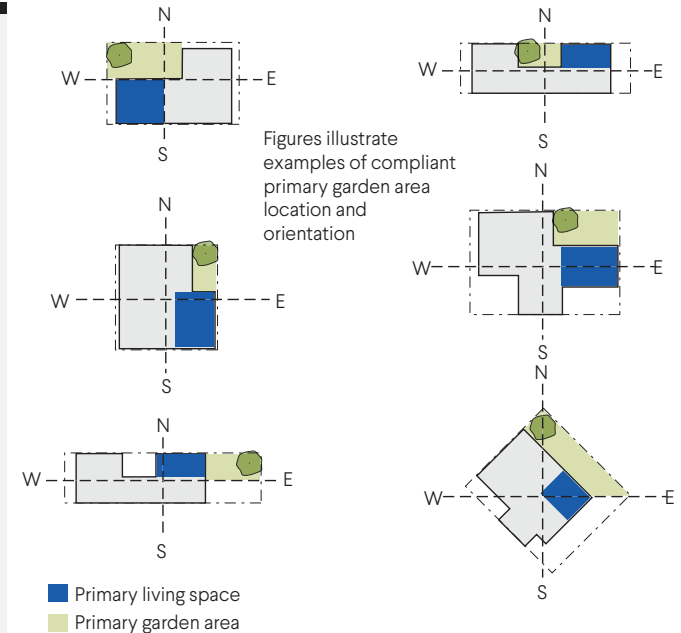


Figure 2.1a Location and orientation of primary garden area

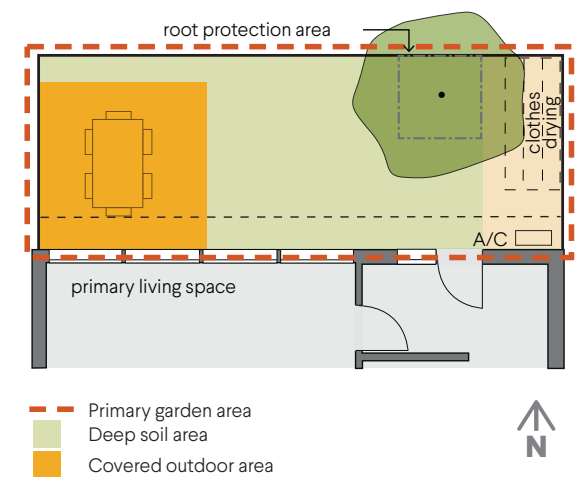


Figure 2.1b Primary garden area

2.2 Private open space

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P2.2.1** Each multiple dwelling is designed to have direct access to private open space that is of sufficient size to be used by the intended number of dwelling occupants.
- P2.2.2** Private open space is sited, oriented and designed to enhance liveability for occupants, including climate appropriate consideration of solar access and natural ventilation.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

Private open space – multiple dwellings only.

- C2.2.1** A minimum of one private open space area provided for the exclusive use of each multiple dwelling in accordance with Table 2.2a.
- C2.2.2** Balconies are to be unscreened for at least 25% of the total perimeter of the balcony (refer Figure 4.2a).

Note: Provisions of element 4.12 Visual privacy apply.

Table 2.2a Private open space requirements

Dwelling type	Minimum private open space area (per dwelling)	Minimum private open space dimension
Studio/ 1 bedroom	8m ²	2.0m
2 bedrooms	10m ²	2.4m
3 or more bedrooms	12m ²	2.4m
Ground floor apartment	15m ²	3.0m

Notes: When calculating the extent of private open space, exclude servicing areas such as bin storage, clothes drying, air conditioning units and the like.

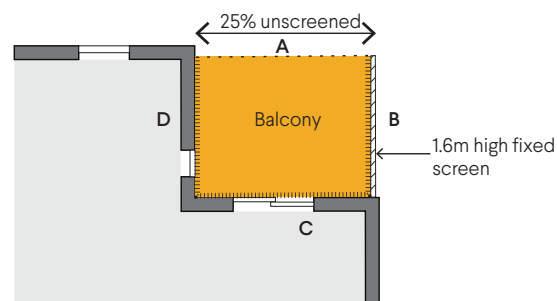
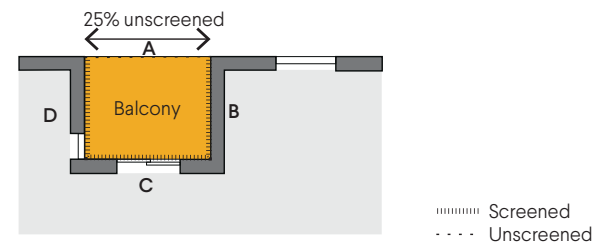


Figure 2.2a Extent of screening to private open space



Note:
Boundary perimeter length = A + B + C + D
Minimum 25% of balcony perimeter to be unscreened
Total balcony perimeter to include sides that abut building walls

2.3 Trees, deep soil area and landscaping

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P2.3.1** Site planning allows for:
 - i. retention of existing trees on the subject site and **adjoining properties**; and
 - ii. **site-responsive** and **sustainable landscape** design.
- P2.3.2** Provision of trees and high quality **landscaping** enhances:
 - i. the **streetscape** and pedestrian **amenity**;
 - ii. the built form;
 - iii. **communal streets**, parking and communal open spaces;
 - iv. the visual appeal and comfort of the **development**; and
 - v. the outlook from **habitable rooms**.
- P2.3.3** Development provides sufficient **deep soil area** to sustain healthy tree and plant growth, providing for an increase in tree canopy over time.
- P2.3.4** Where **deep soil area** cannot be achieved due to significant **site** constraints, **development** provides for adequate planting and **landscaping** on structures.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

Deep Soil Areas

C2.3.1 Development to provide a minimum 20% of each **site area** and **common property area** (where applicable) as **deep soil area**, with the deep soil area to have a minimum dimension of 1.5m (refer **Figure 2.3a**).

*Note: Minimum dimension refers to the minimum length and width of all areas that contribute to the **deep soil area**.*

C2.3.2 Notwithstanding **C2.3.1**, where a **development** application is submitted for all **grouped dwellings** on the **parent lot**, the minimum **deep soil area** per **site** may be varied, provided that it can be demonstrated the total deep soil area allocated across the **lot** achieves 20% of the lot area.

C2.3.3 All **deep soil areas** are to be **landscaped**, consisting of a range of groundcovers, shrubs and trees in accordance with a landscaping plan.

C2.3.4 **Impervious surfaces**, including ground surface and roof cover, does not exceed 30% of each **deep soil area** and does not extend into the **root protection areas** required in **Table 2.3b** (refer **Figure 2.3a** and **b**).

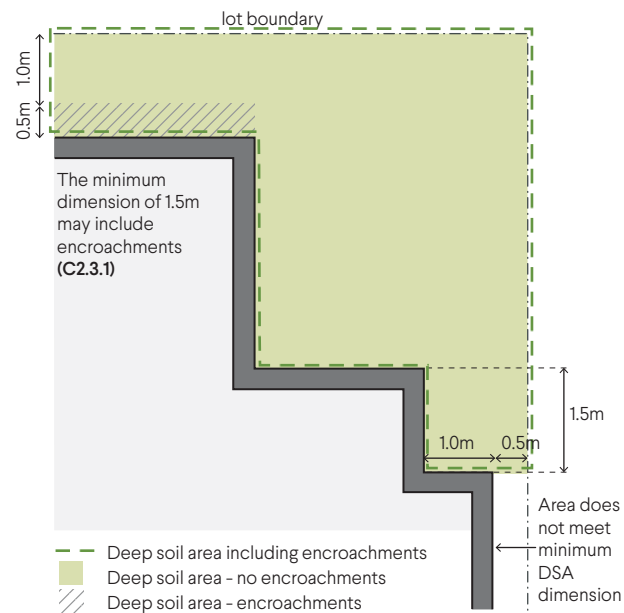


Figure 2.3a Deep soil area minimum dimensions

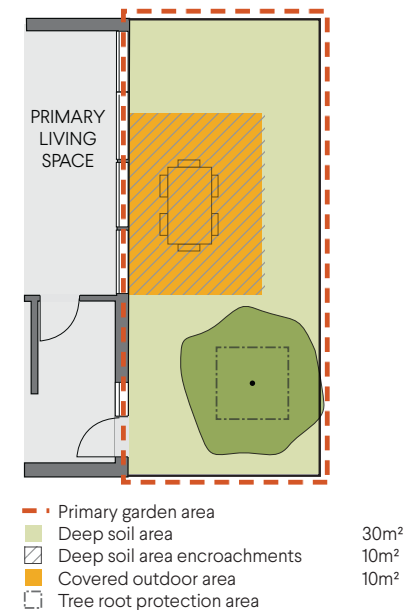


Figure 2.3b Encroachments into deep soil area

2.3 Trees, deep soil area and landscaping (cont.)

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

Tree Canopy

C2.3.5 A minimum number of trees and associated **root protection areas** to be provided in accordance with **Tables 2.3a** and **b** and to be planted in the **deep soil area** as follows:

- i. for **single houses** or **grouped dwellings**, within the **primary garden area**; and
- ii. for **multiple dwellings**, within a communal deep soil area.

C2.3.6 In addition to the tree requirement of **C2.3.5**, the **street setback area** is to be **landscaped**, consisting of:

- i. a maximum 50% **impervious surfaces**; and
- ii. the minimum tree requirements in **Table 2.3c**.

C2.3.7 For **grouped** and **multiple dwellings**, uncovered **at-grade** car parking to include shade trees planted at a minimum ratio of one tree for every four car spaces, with the total required number of trees to be rounded up to the nearest whole number.

C2.3.8 Where a **significant existing tree** is retained on **site** the following concessions apply:

- i. a minimum 15% of each **site area** and **common property**; or 15% of the **lot** is to be provided as **deep soil area**; and
- ii. the **building alignment** of the **dwelling** may project into the **street setback line** a maximum of one metre, where the tree is located behind the **street setback**.

Table 2.3a Minimum tree requirements for single houses, grouped and multiple dwellings

Dwelling type		Minimum tree requirements
Single houses and grouped dwellings (trees per dwelling)		1 small tree
Multiple dwellings (trees per site)	Less than 700m ²	1 medium and 2 small trees
	700-1000m ²	2 medium trees OR 1 large tree and 2 small trees
	Greater than 1000m ²	1 large tree and 2 medium trees OR 1 large tree and 4 small trees

Table 2.3b Tree size and minimum root protection area

Tree size	Canopy diameter at maturity	Tree height at maturity	Minimum root protection area
Small	2-6m	3-8m	1.5 x 1.5m
Medium	6-9m	8-12m	3 x 3m

Table 2.3c Street setback area tree requirements

Location	Street Frontage	Minimum tree requirement in street setback area
Street setbacks less than 3m		No additional tree requirement
Street setback 3m or more	6-10m	1 small tree
	11-20m	2 small trees
	21m+	3 small trees plus 1 tree for every additional 10m of frontage ¹

Notes: **Street setback area** tree requirements is in addition to the tree requirements of **C2.3.5**.

¹ Number of required trees to be rounded up to the nearest whole number.

2.4 Communal open space

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P2.4.1** For grouped and multiple dwellings, communal open space provides:
- i. quality landscaping, trees and deep soil areas;
 - ii. safe, accessible and high amenity spaces for social interaction;
 - iii. adequate space for the intended use and functionality of the space, proportionate to the number of occupants; and
 - iv. adequate measures to mitigate against adverse amenity impacts including visual, noise and odour.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

Communal open space - grouped and multiple dwellings only.

- C2.4.1** Communal open space provided in common property in accordance with Table 2.4a and to be accessible to all occupants of the development.
- C2.4.2** 50% of the area of at least one communal open space receives direct sunlight for a minimum of two hours between 9am and 3pm on 21 June.
- C2.4.3** Communal open space is separated or screened from potential sources of noise and odour, such as bins, vents, air conditioning units, and vehicle circulation areas.

Table 2.4a Provision of communal open space for grouped and multiple dwellings

Development size	Minimum communal open space requirement	Minimum communal open space dimension
Up to 10 dwellings	No requirement	
11 – 50 dwellings	6m ² per dwelling	4m
More than 50 dwellings	300m ²	4m

Notes: *Communal open space can be co-located with deep soil areas.*

2.5 Water management and conservation

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P2.5.1** Flooding risk is reduced to limit the impact of major rainfall events.
- P2.5.2** Stormwater is managed on-site wherever possible either by containment or infiltration, as permitted by the soil and other site conditions, or otherwise appropriately managed prior to off-site discharge.
- P2.5.3** Development incorporates water sensitive urban design mechanisms, including site appropriate stormwater collection, retention, treatment and reuse.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

- C2.5.1** All water draining from roofs, driveways, communal streets and other impervious surfaces to be retained on site, with run-off directed to garden areas, rainwater tanks and soakwells, appropriate to climatic, local soil and groundwater conditions.
- C2.5.2** Notwithstanding C2.5.1, stormwater may be directed to a district or local stormwater drainage system where required by the decision-maker due to climatic, local soil or groundwater conditions.

3.0 THE BUILDING

OBJECTIVES

- 3A** To promote the **development** of a range of housing options to suit the needs of the community.
- 3B** To optimise comfortable living, **natural ventilation** and access to **sunlight** and solar energy to facilitate sustainable housing with particular regard for place and local climatic conditions.
- 3C** To ensure **dwellings** have adequately sized rooms and functional **storage** space.
- 3D** To support provision of well-considered and designed car parking that is appropriate to the location and that minimises the impact on the **development** and **streetscape**.
- 3E** To ensure ancillary structures and **service areas** are appropriately designed, located and integrated into the **development**.



INDOOR AMENITY

- 3.1 Primary living space
- 3.2 Solar access and natural ventilation
- 3.3 Size and layout of dwellings

FUNCTION

- 3.4 Parking
- 3.5 Storage
- 3.6 Waste management
- 3.7 External fixtures
- 3.8 Outbuildings

HOUSING DIVERSITY

- 3.9 Universal design
- 3.10 Ancillary dwellings
- 3.11 Small dwellings
- 3.12 Aged and dependent persons' dwellings
- 3.13 Housing on lots less than 100m²

3.1 Primary living space

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P3.1.1** Dwellings have a **primary living space** that is proportionate to the type and size of the dwelling and intended number of occupants.
- P3.1.2** The **primary living space** has a relationship with the **primary garden area, private open space** and/or public open space.
- P3.1.3** The **primary living space** addresses environmental design principles; incorporating passive solar heating, daylighting, passive cooling and shading appropriate for the climate.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

Size and location

C3.1.1 Each dwelling is to have one designated **primary living space** with a minimum internal dimension of 4m (refer also **C3.3.2** and **Table 3.3b**).

*Note: Minimum dimension refers to the minimum length and width of all areas that contribute to the **primary living space**.*

C3.1.2 For **single house** and **grouped dwellings**:

- i. where the **primary living space** is provided on the ground floor, it is to have direct physical and visual access to the **primary garden area**; or
- ii. where the **primary living space** is provided on an upper floor, it is to have direct physical and visual access to a **private open space** area (such as a **balcony** or rooftop terrace) of a minimum dimension of 2.4m.

C3.1.3 For **multiple dwellings**, the **primary living space** is to have direct access to **private open space** that satisfies the minimum area and dimension requirements of **Table 2.2a**.

C3.1.4 The maximum depth of a **single aspect primary living space** shall be three times (3x) the ceiling height (refer **Figure 3.1a**).

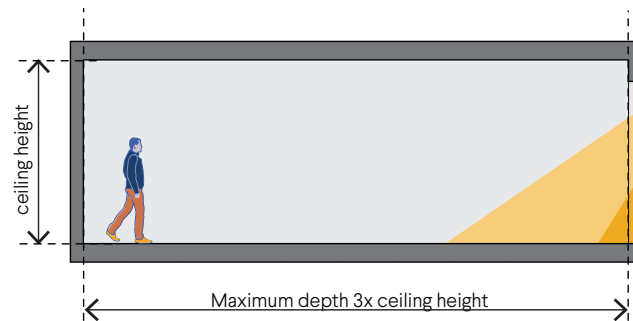


Figure 3.1a Single aspect primary living space depth and ceiling heights

3.2 Solar access and natural ventilation

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

P3.2.1 Dwellings optimise solar access and natural ventilation to habitable rooms, to facilitate sustainable design that is responsive to site and local climatic conditions.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

Solar access for dwellings

C3.2.1 Every habitable room has at least one external window, visible from all parts of the room, with an aggregate glazed area not less than 10% of the habitable room floor area and comprising a minimum of 50 per cent of transparent glazing (refer Figure 3.2a).

C3.2.2 Where a lightwell or courtyard is the primary source of daylight to a habitable room, the lightwell or courtyard shall have a height to width ratio of not more than 2:1.

C3.2.3 In climate zones 4, 5, and 6, the primary living space of all single houses and grouped dwellings, and at least 70% of dwellings within a multiple dwelling development, have a major opening orientated between north and east (refer Figure 3.2b) that can access at least 2 hours direct sunlight between 9am and 3pm on 21 June.

Note: No orientation requirements apply to primary living areas located in climate zones 1 and 3.

C3.2.4 Horizontal shading devices such as eaves, window hoods or fins are to be provided:

- i. in climate zones 4, 5 and 6, to north facing windows to a depth of 600mm; and
- ii. in climate zones 1 and 3, to all windows to a depth of 900mm (refer Figure 3.2c).

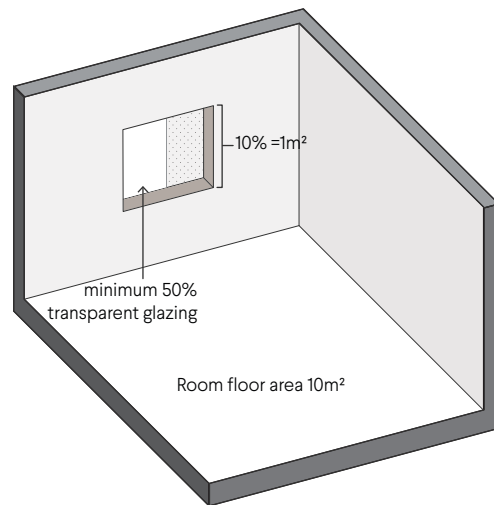


Figure 3.2a External windows to habitable rooms

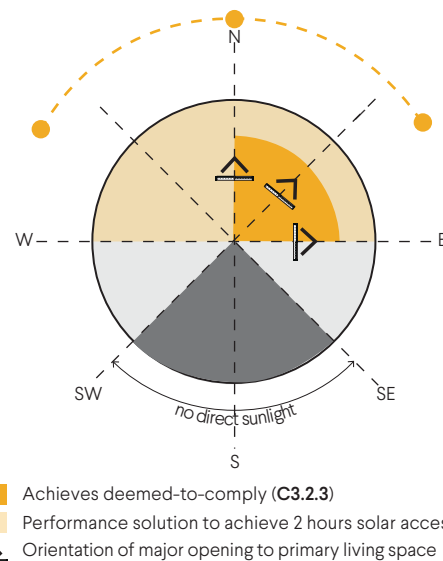


Figure 3.2b Orientation of the primary living space

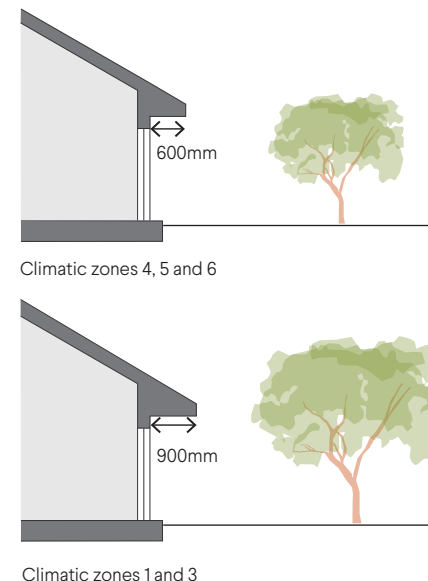


Figure 3.2c Shading to north facing primary living area windows

3.2 Solar access and natural ventilation (cont.)

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

Natural ventilation

C3.2.5 Habitable rooms have at least two openings to allow for **natural ventilation**, with at least one being on an external **wall**, and separated by a straight-line distance of at least 2m from a second opening, with the distance to be measured from the centre of each opening (refer **Figure 3.2d**).

C3.2.6 Bathrooms located on external **walls** (excluding **boundary walls**) must have a minimum of one openable window for **natural ventilation**.

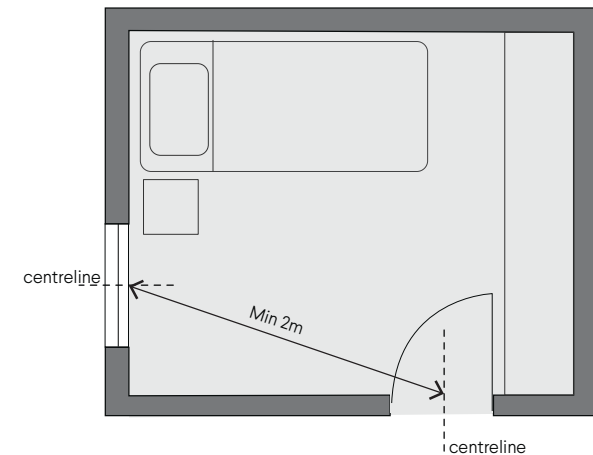


Figure 3.2d Measuring the distance between openings

3.3 Size and layout of dwellings

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P3.3.1** The size and layout of **dwellings** is functional and allows for flexible use, appropriate to the expected future household size.
- P3.3.2** The arrangement and layout of rooms minimises circulation space and long corridors and provides functional, efficient, high **amenity** spaces.

DEEMED-TO-COMPLY

Development satisfies the following **deemed-to-comply** requirements (C)

- C3.3.1** Minimum internal **dwelling floor areas** are provided in accordance with **Table 3.3a**.
- C3.3.2** Minimum **habitable room floor areas** are provided in accordance with **Table 3.3b**.
- C3.3.3** Spaces within a **dwelling** for the exclusive purpose of circulation, such as hallways, corridors, stairs and internal entries, shall not exceed 10% of the internal **dwelling floor area**.

Table 3.3a Minimum internal dwelling floor areas

Dwelling type	Minimum internal floor area
Studio	36m ²
1 bed	47m ²
2 bed x 1 bath ¹	67m ²
3 bed x 1 bath ¹	90m ²
Notes: ¹ An additional 3m ² shall be provided for designs that include a second or separate toilet, and 5m ² for designs that include a second bathroom.	

Table 3.3b Minimum floor areas and dimension for habitable rooms

Habitable room type	Minimum internal floor area	Minimum internal dimension
Bedrooms	9m ²	2.7m [*]
Primary living space	N/A	4m
Notes: Minimum dimension refers to the minimum length and width of all areas of the habitable room . [*] Minimum dimension excludes built-in robes		

3.4 Parking

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P3.4.1** Siting and the extent of parking does not dominate the **development** or **streetscape**.
- P3.4.2** The location of parking responds to the context and **local character** of the intended **streetscape** and contributes to a unified design response by:
- incorporating high-quality **landscaping** to reduce visual impact;
 - minimising the extent of paving for parking and vehicle access; and
 - supporting efficient use of the **site**.
- P3.4.3** Adequate parking is provided for various modes of transport, including bicycles, motorcycles, scooters and cars, that has regard to the following considerations:
- the proximity of the proposed **development** to public transport and other facilities;
 - the type, size and number of **dwellings**; and
 - the availability of on-**street** and other off-street parking.
- P3.4.4** Parking spaces are designed for flexibility and adaptability having regard for:
- the needs of occupants, including consideration to **universally accessible** parking spaces; and
 - spaces that can be used for multiple purposes including additional courtyard space.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

Occupant parking – car, bicycle and motorcycle/scooter

- C3.4.1** Occupant car and bicycle parking is provided on-**site** and in accordance with **Table 3.4a** and **Table 3.4b**.
- C3.4.2** **Multiple dwelling development** of 20 or more **dwellings** to provide one motorcycle/scooter space on-**site** for every 10 car parking spaces.
- C3.4.3** Car spaces and manoeuvring areas designed and provided in accordance with AS2890.1 (as amended).

Visitor parking – applicable to grouped and multiple dwellings only

- C3.4.4** Visitor car and visitor bicycle parking for **grouped** and **multiple dwellings** provided on-**site** and in accordance with **Table 3.4c**.
- C3.4.5** A maximum two visitor car parking spaces are permitted in the **primary street setback area**.
- C3.4.6** Visitor car parking spaces to be:
- marked and clearly signposted as dedicated for visitor use only;
 - located on **common property**;
 - located outside any security barrier to be accessible to visitors at all time; and
 - connected to **dwelling** entries via a **continuous path of travel**.

3.4 Parking (cont.)

Table 3.4a Minimum and maximum car parking standards

LOCATION A		Studio and 1 bedroom dwelling	2 bedroom dwelling	3 or more bedroom dwelling	Ancillary dwelling
Minimum required parking (space per dwelling)		0	0	0	0
Maximum parking permitted (space per dwelling)	Garage parking	1	1 ¹	2	1
	Carpport, uncovered or basement parking	No maximum parking spaces apply			
LOCATION B		Studio and 1 bedroom dwelling	2 bedroom dwelling	3 or more bedroom dwelling	Ancillary dwelling
Minimum required parking (space per dwelling)		1	1	2	1
Maximum parking permitted (space per dwelling)	Garage parking	1	2	2	1
	Carpport, uncovered or basement parking	No maximum parking spaces apply			
<p>Notes: Tree requirements apply for uncovered at-grade car parking areas (grouped and multiple dwellings), refer C2.3.7.</p> <p>¹A double garage is permitted where accessed from a right-of-way.</p> <p>LOCATION A – includes all land located within:</p> <ul style="list-style-type: none"> - 800m of a train station on a high-frequency rail route, measured in a straight line from the pedestrian entry to the train station platform to any part of a lot; - 250m of a high-frequency bus route, or multiple bus routes that if combined have timed stops every 15 minutes during weekday peak periods (7 – 9am and 5 – 7pm), measured in a straight line from along any part of the bus route to any part of the lot; and/or - the defined boundaries of an activity centre. <p>LOCATION B – includes all land that is not within Location A.</p>					

Table 3.4b Minimum bicycle parking standards

	Minimum number of bicycle spaces (per dwelling)
Single house and grouped dwelling	1 per dwelling
Multiple dwelling	0.5 x the total number of dwellings
<p>Notes: Where the bicycle parking calculation results in a fraction of a space, the requirement is to be rounded up to the nearest whole number.</p> <p>(i.e. bicycle parking for 13 multiple dwellings is 13 x 0.5 = 6.5 which equates to 7 bicycle spaces.)</p>	

Table 3.4c Minimum visitor parking standards

		Minimum number of visitor spaces (per dwelling)
Visitor car parking	0 – 4 dwellings	No visitor bays required
	5 or more dwellings	0.2 x the total number of dwellings
Visitor bicycle parking	0 – 9 dwellings	No visitor bays required
	10 or more dwellings	0.1 x the total number of dwellings
<p>Notes: Where the visitor parking calculation results in a fraction of a space, the requirement is to be rounded up to the nearest whole number.</p> <p>(i.e. visitor car parking for 6 dwellings is 6 x 0.2 = 1.2 which equates to 2 visitor parking spaces.)</p>		

3.5 Storage

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

P3.5.1 Each dwelling provides adequate, conveniently located **storage** for large items, proportionate to the size of the dwelling and intended number of occupants.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

C3.5.1 Each dwelling has exclusive use of a weatherproof **storage** area in accordance with **Table 3.5a**, that is accessible from outside the dwelling via an outward opening, lockable door (refer **Figure 3.5a**).

Table 3.5a Storage requirements

Dwelling type	Minimum storage area	Minimum storage area dimension	Minimum storage area height
Studio/ 1 bedroom dwelling	3m ²	1.5m	2.1m
2+ bedroom dwelling	4m ²		

Notes: The area required for storage can be met by co-locating a dedicated area with a garage or carport (refer Figure 3.5b).

Minimum dimension refers to the minimum length and width of the storage area.

Dimensions and areas are exclusive of services, plant, utilities, and fixtures and facilities.

Minimum storage area dimension can be reduced to 0.8m where it can be demonstrated that the adjacent circulation space achieves 0.9m clearance and the minimum required storage area is still achieved (refer Figures 3.5a and b).

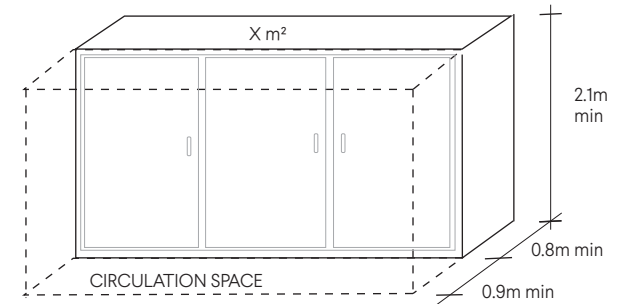


Figure 3.5a Minimum storage dimensions

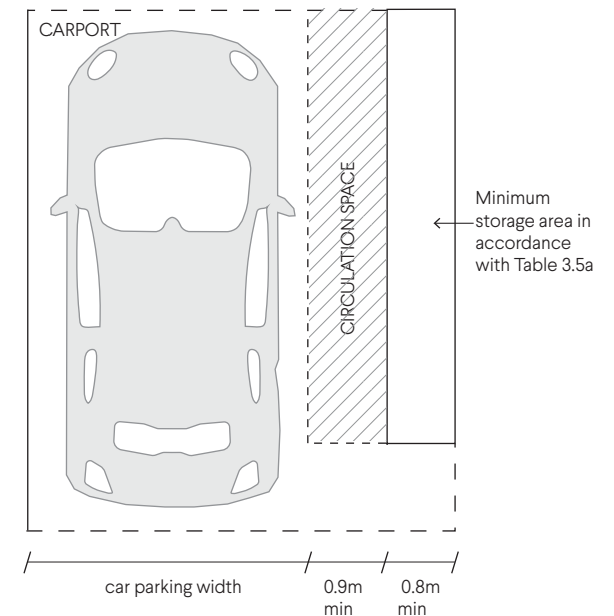


Figure 3.5b Minimum storage dimensions with adjacent circulation space

3.6 Waste Management

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P3.6.1** Sufficient space is provided to accommodate waste storage.
- P3.6.2** Waste management facilities are located and screened to minimise negative impacts on the **streetscape**, **building** entries and the local **amenity**.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

- C3.6.1** An accessible space is provided to accommodate the required number and type of waste storage bins for the **development**, in line with requirements of the local government.
- C3.6.2** Waste storage bins are screened from view from the **street**, public open space, and other areas accessible to the public.

3.7 External fixtures

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P3.7.1** **External fixtures** are located to support maximum functionality and to minimise noise, heat transfer and air quality impacts on **habitable rooms** and **private open space**.
- P3.7.2** The **site** is serviced with **essential service utilities** that address access, maintenance and safety considerations.
- P3.7.3** **Essential service utilities** within the **street setback area** balance operational requirements with the need to minimise the visual impact on the **streetscape**.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

- C3.7.1** **Essential service utilities** are located such that they:
 - i. are accessible and can be safely maintained;
 - ii. maintain clear **sightlines** for vehicle access; and
 - iii. minimise the visual impact on the **streetscape**.
- C3.7.2** **Functional utilities**:
 - i. are not visible from the **primary street**;
 - ii. are designed to integrate with the **development**;
 - iii. are located and/or screened so that they are not visually obtrusive and minimise the impact of noise sources to **habitable rooms** and **private open space** both on the **development site** and **adjoining properties**; and
 - iv. exclude television antennae of the standard type, essential plumbing vents above the roof line and external roof-water down pipes.
- C3.7.3** **Functional utilities** are not to be located in the **private open space**, unless integrated into the design of the **development** and/or **screened** from view.
- C3.7.4** **Sustainability infrastructure** and **functional utilities** do not need to be **screened** and are to be located to prioritise functional performance.
- C3.7.5** Where required by the **NCC**, **fire service infrastructure** is located to be visible and for unobstructed access for its required use during an emergency.

3.8 Outbuildings

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P3.8.1** Outbuildings do not negatively impact on the visual amenity of the streetscape or for residents of the development and neighbouring properties.
- P3.8.2** Siting of outbuildings do not compromise deep soil areas and site cover requirements.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

- C3.8.1** An outbuilding that:
- is limited to one outbuilding per dwelling site;
 - has no more than two boundary walls;
 - does not exceed 10m² in area;
 - does not exceed a wall and ridge height of 2.7m;
 - is not located within the primary or secondary street setback area;
 - does not exceed the maximum allowable site cover in accordance with C4.1.1; and
 - does not reduce the minimum deep soil area required in accordance with C2.3.1.

Notes: Outbuildings on lot boundaries are excluded from the maximum boundary wall calculations of C4.3.5 - C4.3.8, where they comply with C3.8.1.

Outbuildings will need to comply with the NCC requirements, including but not limited to fire separation and non-combustible materials.

3.9 Universal design

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

P3.9.1 Development provides **universal housing design** or **adaptable dwellings** that are proportionate in number to the size of the development and intended occupancy.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

Universal design – applies to grouped and multiple dwellings only

C3.9.1 For grouped and multiple dwellings, dwellings comply with the requirements of **Table 3.9a**.

Table 3.9a Universal design requirements

Number of dwellings per lot	Silver or gold level	Platinum level
1- 4 dwellings	No minimum requirement	
5 – 9 dwellings	Minimum 1 dwelling	No minimum requirement
10 or more dwellings	Minimum 20% of all dwellings ¹	Minimum 5% of all dwellings ¹
<p>Notes: Silver, Gold and Platinum Level requirements are as defined in the <i>Livable Housing Design Guidelines (Livable Housing Australia)</i>.</p> <p>¹ Where calculations result in a fraction of a dwelling, the requirement is to be rounded up to the nearest whole number.</p>		

3.10 Ancillary dwellings

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P3.10.1 Ancillary dwellings** allow for diversity of housing without having an adverse impact on the amenity of:
- i. **adjoining properties**; and
 - ii. **streetscape and local character**.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

Ancillary dwellings - applies to single and multiple dwellings only

- C3.10.1 An ancillary dwelling** in accordance with **Table 3.10a**, provided that it:
- i. does not exceed a maximum of one ancillary dwelling per lot;
 - ii. does not exceed a maximum internal **dwelling floor area** of 70m²;
 - iii. does not reduce the minimum **deep soil area** required in accordance with **C2.3.1**; and
 - iv. complies with all other provisions of the R-Codes, with the exception of:
 - 1.1 Site area
 - 2.1 Primary garden area
 - 2.3 Trees, deep soil area and landscaping
 - 2.4 Communal open space
 - 2.5 Water management and conservation
 - 3.1 Primary living space
 - 3.3 Size and layout of dwellings
 - 3.5 Storage
 - 3.6 Waste management
 - 3.8 Outbuildings
 - 3.9 Universal design
 - 3.11 Small dwellings
 - 3.12 Aged and dependent persons' dwellings
 - 4.7 Vehicle and pedestrian access
 - 4.8 Communal streets
 - 4.10 Retaining existing dwellings

Table 3.10a Ancillary dwelling types

	Ancillary dwelling
Single house	All types of ancillary dwellings
Grouped dwelling	No ancillary dwellings permitted
Multiple dwelling	Dual key dwelling only

3.11 Small dwellings

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P3.11.1** Alternative and affordable housing options are provided for small households where it can be demonstrated that the **development**:
- i. is located in an area that has good access to public transport, public open space, local retailing, and other community infrastructure;
 - ii. responds to a demand for **small dwellings** in the locality which may be recognised in the **local planning framework**; and
 - iii. is consistent with the existing and/or future intended **streetscape** and **local character**.

DEEMED-TO-COMPLY

Development satisfies the following **deemed-to-comply** requirements (C)

Small Dwellings - applies to single houses and grouped dwellings only

- C3.11.1** Small dwellings shall comply with the following:
- i. a maximum internal **dwelling floor area** of 70m²;
 - ii. parking provided in accordance with **Table 3.4a**; and
 - iii. all other provisions of the R-Codes, including **Table B**.

*Note: **Small dwelling** concessions only apply to Site Category 1 **site areas**, refer to **C1.1.7(i)**.*

3.12 Aged or dependent persons' dwellings

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P3.12.1 Aged or dependent persons' dwellings** for the housing of aged or dependent persons designed to meet the needs of aged or dependent persons and:
- reduces car dependence, i.e. is located close to public transport and services;
 - has due regard to the topography of the locality in which the **site** is located in respect to access and mobility;
 - has due regard to the availability of community facilities including parks and open space;
 - does not impinge upon neighbour **amenity**; and
 - responds to a demand for aged or dependent persons' accommodation in the locality which may be recognised in the **local planning framework**.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

- C3.12.1 Aged or dependent persons' dwellings** for the housing of aged or dependent persons shall comply with the following:
- a maximum internal dwelling **floor area** of:
 - in the case of **single houses** or **grouped dwellings** – 100m²; or
 - in the case of **multiple dwellings** – 80m²;
 - a minimum number of five dwellings within any single **development**;
 - parking (including visitor parking) to be provided in accordance with **Tables 3.4a** and **3.4c**;
 - the first visitors' car space being a **universally accessible** car parking space and a minimum width of 3.8m in accordance with AS4299, clause 3.7.1 (as amended); and
 - comply with all other provisions of the R-Codes, including **Table B**.
- C3.12.2** All ground floor units, with a preference for all **dwellings**, to incorporate, as a minimum, the following:
- a **universally accessible** path of travel from the **street frontage**, car parking area or drop-off point in accordance with the requirements of AS4299, clause 3.3.2 (as amended); and
 - level entry to the front entry door with preferably all external doors having level entries (diagrams, Figure C1 of AS4299 [as amended]).

- C3.12.3** All **dwellings** to incorporate, as a minimum, the following:

- all external and internal doors to provide a minimum 820mm clear opening (AS4299 clause 4.3.3 [as amended]);
- internal corridors to be a minimum 1000mm wide, with width to be increased to a minimum of 1200mm in corridors with openings on side **walls**;
- a visitable toilet (AS4299, clause 1.4.12 [as amended]), preferably located within a bathroom; and
- toilet and toilet approach doors to have a minimum 250mm nib wall on the door handle side of the door and provision for the installation of grab rails in accordance with AS4299, clause 4.4.4 (h) (as amended).

- C3.12.4** At least one occupant is a person with a disability or physically **dependent person** or **aged person**, or is the surviving spouse of such a person, and the owner of the land, as a condition of **development** approval, lodging a section 70A notification (*Transfer of Land Act 1893*) on the certificate of title binding the owner, their heirs and successors in title requiring that this occupancy restriction be maintained.

Note: Refer to C1.1.7(i) for site area concessions for aged and dependent persons' dwellings.

3.13 Housing on lots less than 100m²

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P3.13.1** Single houses on lots less than 100m² are integrated with the **streetscape** and surrounding **development** and do not form the predominant housing type in a **street**.
- P3.13.2** Single houses on lots less than 100m² are located in high **amenity** areas with good access to public transport, local retailing, public open space and other community infrastructure.
- P3.13.3** Single houses on lots less than 100m² respond to a demonstrable need for greater housing diversity and affordable housing options in the locality.
- P3.13.4** Single houses on lots less than 100m² are designed to a high standard to contribute to the desired **streetscape** character and do not adversely impact the **amenity** of **adjoining properties**.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

Housing on lots less than 100m² – applies to single houses only

- C13.3.1** Single houses on lots less than 100m² in accordance with **C11.9**, are to comply with the following:
- i. **dwellings** to front a **primary** or **secondary street** (excluding a **right-of-way**);
 - ii. a minimum of two dwellings to be constructed concurrently within any single **development**; and
 - iii. all provisions of the R-Codes and the R100 coding of **Table B** to apply, subject to the modifications in **Table 3.13a**.

Table 3.13a Modified provisions for single houses on lots less than 100m²

R-Code Element	Modified provision
2.2 Private open space	Dwellings to provide a minimum 16m ² private open space with a minimum dimension of 2.4m.
2.3 Trees, deep soil area and landscaping	A minimum of 15% of the site to be provided as deep soil area , with a minimum dimension of 1.5m.
4.2 Building height	Minimum two storey building height .
4.3 Lot boundary setbacks	Where a rear lot boundary of a proposed development abuts an adjoining property not within the plan of subdivision/ local development plan , rear boundary walls are not permitted, and development must apply the relevant lot boundary setback requirements of C4.3.1 and Table B .
4.6 Street setbacks	Nil street setback for upper floor private open space .
4.9 Street fences	Street fences to not exceed 900mm in height.

4.0 NEIGHBOURLINESS

OBJECTIVES

- 4A** To deliver **amenity** and liveability for occupants of new **development** and **adjoining properties**, with regard to **sunlight**, **solar access**, **natural ventilation** and visual privacy.
- 4B** To ensure that **development** is appropriately scaled, particularly in respect to **building** bulk and height, and is sympathetic to the scale of the **street** and surrounding buildings, or for precincts undergoing a transition, the desired future character of the area as identified in the **local planning framework**.
- 4C** To contribute to place responsive, attractive **streetscapes**.
- 4D** To ensure that safe, legible access is provided to **dwellings** for pedestrians, cyclists and vehicles.



BUILT FORM

- 4.1 Site cover
- 4.2 Building height
- 4.3 Lot boundary setbacks
- 4.4 Site works and retaining walls

CHARACTER

- 4.5 Streetscape
- 4.6 Street setbacks
- 4.7 Vehicle and pedestrian access
- 4.8 Communal streets
- 4.9 Street fences
- 4.10 Retaining existing dwellings

COMMUNITY

- 4.11 Solar access for adjoining sites
- 4.12 Visual privacy

4.1 Site cover

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P4.1.1** The **site cover** of the **development** is suitable for its context to:
- i. be compatible with the existing and/or desired **streetscape** and **local character**;
 - ii. ensure adequate **solar access** and **natural ventilation** into the **dwelling**;
 - iii. achieve appropriate **building** bulk on the **site**, consistent with the intent of the applicable density code and/or as outlined in the **local planning framework**;
 - iv. ensure sufficient outdoor space for **landscaping** including trees and **deep soil areas**; and
 - v. provide opportunities for residents to use space external to the dwelling for outdoor pursuits and access within and around the site.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

- C4.1.1** Development on each **site** does not exceed the maximum **site cover** percentages of **Table B**.
- C4.1.2** Notwithstanding **C4.1.1**, where a **development** application is submitted for all **grouped dwellings** on the **parent lot**, the maximum **site cover** per **site** may be varied, provided that it can be demonstrated the maximum site cover percentage of **Table B** is not exceeded across the combined sites (excluding any **common property**).

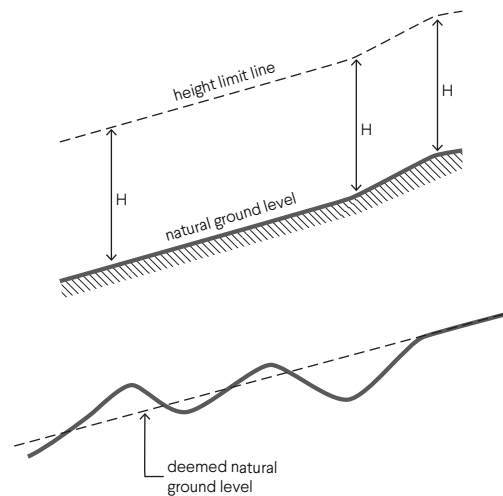
4.2 Building height

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

P4.2.1 Building height, bulk and scale is appropriate for the existing and/or desired future **streetscape** and **local character** of the area and nearby development.

P4.2.2 Building height is considerate of the impact on the **amenity of adjoining properties** and, where appropriate, maintain adequate **solar access** into indoor and outdoor **active habitable space** and **solar collectors**.



Notes
The height of a building is taken as the highest point at any part of the development immediately above natural ground level.
Where natural ground level varies across the site, deemed natural ground level is to be used.

Figure 4.2a Measuring building height and natural ground level

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

C4.2.1 Building height complies with **Table B** and **Table 4.2a**.

Table 4.2a Storey height in metres

Number of storeys	Maximum wall height	Maximum total building height	
		Concealed, gable or skillion roof	Pitched or hipped roof
1	3.5m	5m	7m
2	7m	8m	10m
3	9m	10m	12m
4	12m	13m	15m

Notes: Refer **Figure 4.2a** for **building height** and **natural ground level** measurement guidance.

Refer **Figure 4.2b** for **wall height** and **total building height** guidance.

Once maximum **wall** or **building height** for a nominated **storey** is exceeded, the additional height will be counted as an additional storey for the purpose of calculating **lot boundary setbacks**. Refer to **Element 4.3 Lot boundary setbacks**.

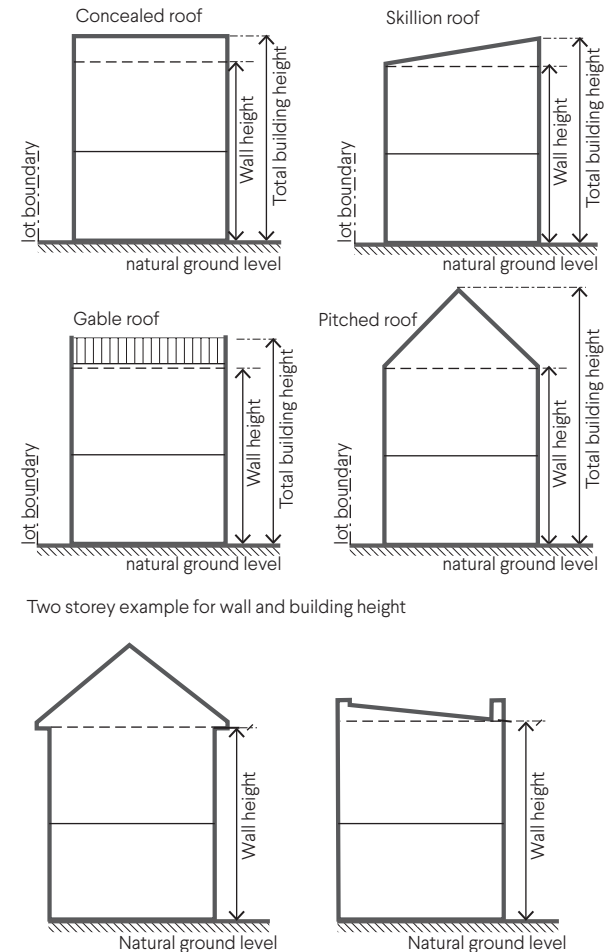


Figure 4.2b Measurement of wall height and total building height

4.3 Lot boundary setbacks

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P4.3.1 Lot boundary setbacks** reinforce the location's streetscape character and are consistent with the existing or desired built form local character.
- P4.3.2** The setback of development from lot boundaries provides a transition between sites with different land uses or intensity of development.
- P4.3.3 Buildings** are set back from lot boundaries or adjacent buildings on the same lot to:
 - i. provide adequate solar access and natural ventilation to the building and open spaces on the site and adjoining properties; and
 - ii. address the potential for overlooking and resultant loss of privacy on adjoining properties.
- P4.3.4 Buildings** are built up to lot boundaries to:
 - i. make more effective use of space for primary garden areas and/or private open space;
 - ii. maintain adequate solar access to adjoining properties; and
 - iii. positively contribute to the prevailing or future development context and streetscape as outlined in the local planning framework.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

Lot boundary setbacks

- C4.3.1 Buildings** are set back from lot boundaries, adjoining rights-of-way, pedestrian access ways, communal streets and battleaxe lot access legs in accordance with Table B (refer Figure 4.3a).
- C4.3.2** Notwithstanding C4.3.1:
 - i. for carports, patios, verandahs or equivalent structures the lot boundary setbacks prescribed in Table B may be reduced to nil to the posts where less than 10m in length and 2.7m in height, where the carport, patio, verandah or equivalent structure is located behind the primary street setback and where the eave, gutter and roof are set back at least 450mm from the lot boundary; and
 - ii. minor projections, such as chimneys, eaves, window hoods and other architectural features, are acceptable provided they do not project more than 0.75m into the lot boundary setback.

C4.3.3 The second storey of walls shall be set back in accordance with Table B for a maximum wall length of 14m.

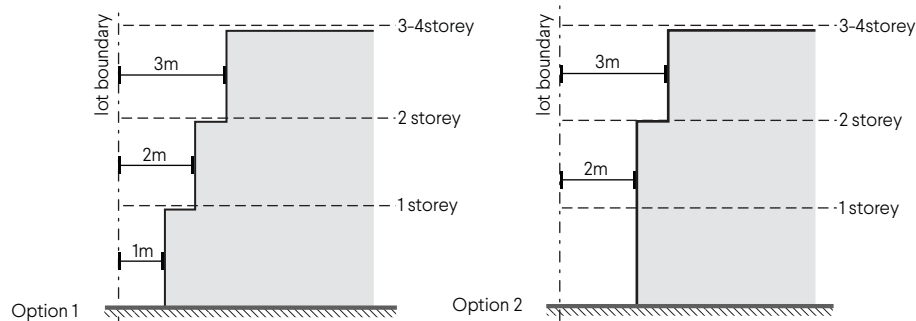
For a portion of wall exceeding 14m in length:

- i. the wall is to be set back 3m from the lot boundary for the remainder of its length; or
- ii. contain a minimum 3m x 3m separation measured from the lot boundary (Refer Figure 4.3b).

C4.3.4 Separate grouped or multiple dwelling buildings on the same lot, or facing portions of the same multiple dwelling building, are to be set back from each other as though there is a lot boundary between them.

Notes: Carport, patio, verandah or equivalent structures will need to comply with the NCC requirements, including but not limited to fire separation and non-combustible materials.

Pillars and posts that with a horizontal dimension of 450mm by 450mm, or less, do not constitute a wall built up to a lot boundary.



Both Option 1 and 2 of Figure 4.3a meet C4.3.1. Option 1 - meets the minimum setbacks for each level. Option 2 - first and second storeys meet the setback for the second storey, with the third storey meeting the setback for the third level.

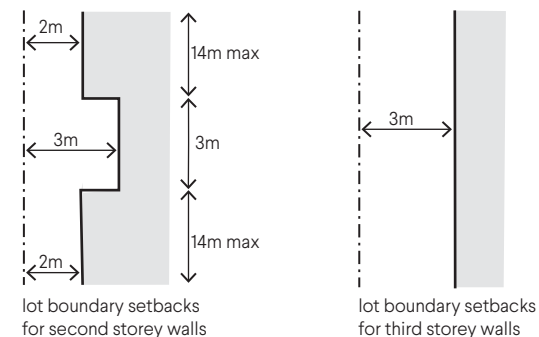


Figure 4.3b Two and three storey wall setbacks

Figure 4.3a Lot boundary setbacks

4.3 Lot boundary setbacks (cont.)

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

Boundary walls

C4.3.5 Boundary walls must satisfy the requirements of *Boundary Wall Types A, B or C*.

C4.3.6 *Boundary Wall Type A* may be built behind the **street setback** in accordance with **Table 4.3a**, provided overshadowing does not exceed the limits of **C4.11.1**, **C4.11.2** and **C4.11.3** (refer **Figure 4.3c**).

C4.3.7 *Boundary Wall Type B* may be built in accordance with **Table 4.3a** (refer **Figure 4.3d** and **e**) where:

- i. both the subject **site** and adjoining site/s are created on a plan of subdivision submitted concurrently with the application for the proposed **development**;
- ii. the **lot boundary** is shared with an **adjoining property** not within the plan of subdivision or proposed development;
- iii. overshadowing does not exceed the limits of **C4.11.1**, **C4.11.2** and **C4.11.3**;
- iv. **boundary walls** are located behind the **street setback**;
- v. all **dwellings** front a public **street**; and
- vi. the boundary walls that share the same side boundary are set back an equal distance from the street.

C4.3.8 *Boundary Wall Type C* may be built in accordance with **Table 4.3a** (refer **Figure 4.3d**) where:

- i. both the subject **site** and adjoining site/s are created on a plan of subdivision submitted concurrently with the application for the proposed **development**;
- ii. the **lot boundary** is shared with an **adjoining property** within the plan of subdivision or proposed development;
- iii. overshadowing does not exceed the limits of **C4.11.1**, **C4.11.2** and **C4.11.3**;
- iv. **boundary walls** are located behind the **street setback**;
- v. all **dwellings** front a public **street**; and
- vi. the boundary walls that share the same side boundary are set back an equal distance from the street.

C4.3.9 Where the **boundary wall** abuts an existing or simultaneously constructed **wall** of similar or greater dimension, the boundary wall may exceed the requirements of **C4.3.6**, **C4.3.7** and **C4.3.8** up to the extent of height and length of the existing boundary wall.

4.3 Lot boundary setbacks (cont.)

Table 4.3a Application of boundary wall type A, B and C

Boundary wall type	A	B ¹	C ¹
Application of boundary wall type	Refer C4.3.6 and Figure 4.3c	Refer C4.3.7 and Figure 4.3d	Refer C4.3.8 and Figure 4.3d
Maximum boundary wall height <i>(Refer also Table B)</i>	R30 to R50 – 3.5m R60 to R100 – 7m	R30 to R35 – 3.5m R40 to R100 – 7m	R30 to R35 – 7m R40 to R50 – 9m R60 to R100 – 12m
Maximum boundary wall length	Max. two-thirds the length of the lot boundary the wall abuts. AND Max. 50% of total lot boundary behind street setback.	Max. 9m length, at which point the wall is to be set back 3m measured from the lot boundary for a minimum length of 4m (refer Figure 4.3e).	No maximum length.
Notes:	Where the subject site is adjacent to a site with a lower density code, the maximum wall length and height of the boundary wall between them is determined by the lower density code. ¹ Where overshadowing does not exceed the limits of C4.11.1 , C4.11.2 and C4.11.3 .		

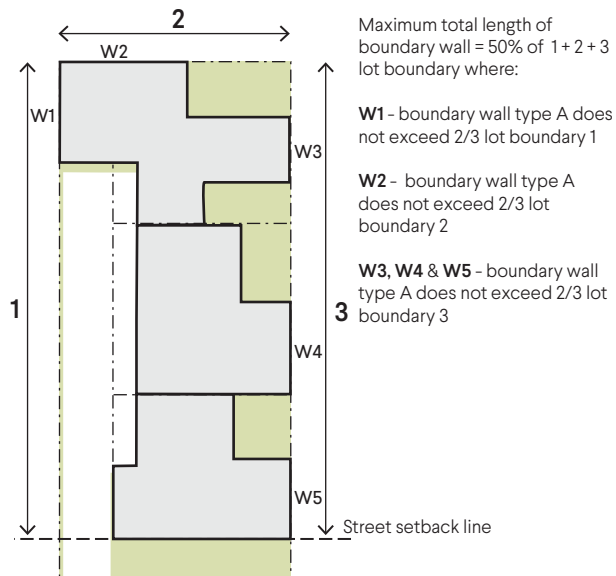


Figure 4.3c Type A boundary walls

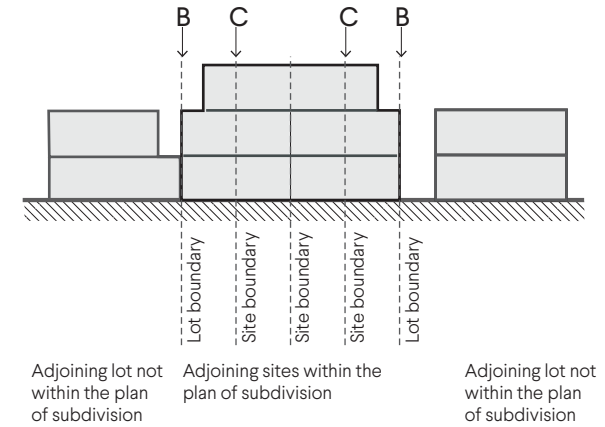


Figure 4.3d Type B and C boundary walls

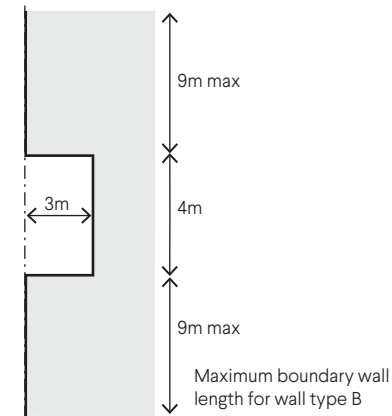


Figure 4.3e Maximum boundary wall length for type B boundary walls

4.4 Site works and retaining walls

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P4.4.1** Development that considers and responds to the natural features of the **site** and requires minimal excavation/fill.
- P4.4.2** Where excavation/fill is necessary, all finished levels respect the **natural ground level** at the **lot boundary** of the **site** and as viewed from the **street**.
- P4.4.2** Retaining walls that result in land which can be effectively used for the benefit of residents, do not detrimentally affect **adjoining properties** and are designed, engineered and **landscaped** having due regard to the provisions of element 4.12 *Visual privacy*.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

- C4.4.1** Retaining walls, fill and excavation in the **street setback area**, not more than 0.5m above or below the **natural ground level**, except where necessary to provide for pedestrian **universal access** and/or vehicle access, drainage works, or natural light to a **dwelling**.
- C4.4.2** Retaining walls and fill within the **site** and behind the **street setback** to comply with **Table 4.4a**.
- C4.4.3** For **single houses**, excavation within the **site** and behind the **street setback** is permitted up to a depth of 2.5m, where set back a minimum of 1m from a **lot boundary**.

Table 4.4a Setback of retaining walls and fill

Height of retaining walls and fill ¹ <i>As measured from natural ground level</i>	Setback required
0.5m or less	0m
1m	1m
1.5m	1.5m
2m	2m
2.5m	2.5m
3m +	3m

*Notes: Take the nearest higher value for all height calculations.
¹Visual privacy provisions under Element 4.12 still apply.*

4.5 Streetscape

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P4.5.1** The design and landscaping of the street setback area contributes positively to context, local character and the sense of place of the street.
- P4.5.2** The streetscape interface area supports safe pedestrian access for occupants and visitors.
- P4.5.3** The building design addresses street frontages and provides opportunity for passive surveillance and social interaction.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

- C4.5.1** Dwelling to address the street (including a communal street or right-of-way where this is the primary frontage) and provide at least one major opening on the dwelling frontage with an outlook to the street.
- C4.5.2** The primary entrance to each dwelling must be readily identifiable from the street (including a communal street).
- C4.5.3** For single houses and grouped dwellings, front doors to be protected from the weather by a porch, verandah or similar, consisting of a minimum area of 2m² and a minimum dimension of 1.2m (refer Figure 4.5a).

Note: Minimum dimension refers to the minimum length and width.

- C4.5.4** For multiple dwellings:
 - i. a legible, well-defined and continuous path of travel connects pedestrians from the communal arrival point to building access areas, such as lobbies and entry stairs; and
 - ii. ground floor dwellings fronting the street are provided with separate and individual pedestrian access from the street.

- C4.5.5** Where a garage faces the primary street, a garage door and its supporting structures (or a garage wall where the garage is aligned parallel to the street) shall not exceed the maximum garage width specified in Table 4.5a (refer Figure 4.5b).

Table 4.5a Maximum garage width

Single storey	Two or more storeys	
50% of the building width	Garage set back 2m or less from the building alignment	Garage set back more than 2m from the building alignment
	60% of the building width	80% of the building width
Notes: Refer to Table 3.4a for minimum and maximum parking standards.		

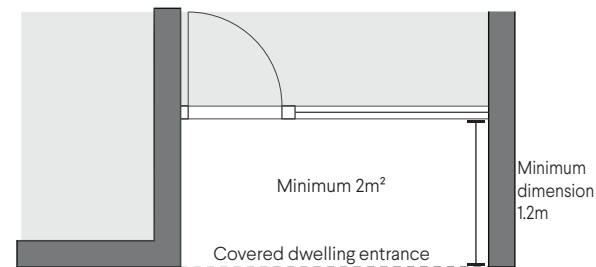
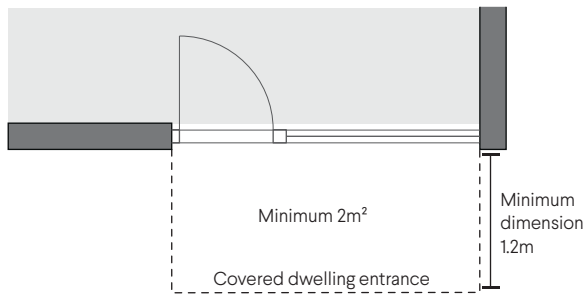


Figure 4.5a Covered primary dwelling entrance

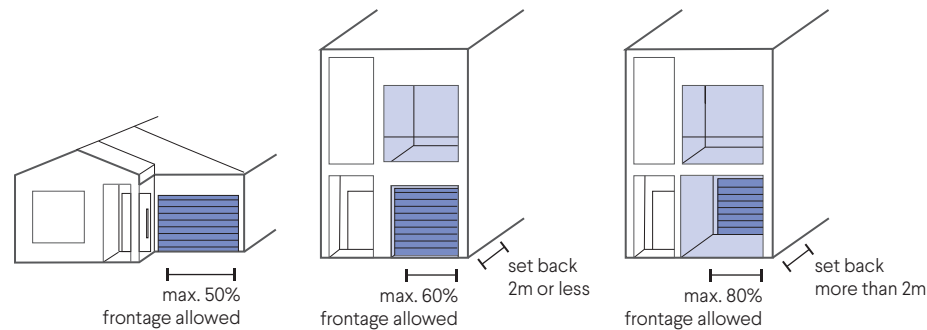


Figure 4.5b Maximum garage width calculation

4.6 Street setbacks

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P4.6.1** The **street setback** distance is appropriate for the existing and/or future **streetscape** and **local character**.
- P4.6.2** The **street setback area** provides sufficient space for tree planting and other **landscaping**, as well as community interaction.
- P4.6.3** **Garages** and/or **carports** set back to ensure any vehicle parking on a **driveway** does not impede on any existing or planned adjoining pedestrian, cycle, or dual-use path.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

- C4.6.1** **Dwellings** are set back from the **street boundary** in accordance with **Table B**.
- C4.6.2** **Garages** are set back from the **street boundary**:
 - i. 5.5m in areas coded R30 and R35; and
 - ii. in accordance with the **street setback** of **Table B** in areas coded R40 and above.
- C4.6.3** Notwithstanding **C4.6.1**, a **balcony, patio, porch, verandah**, or equivalent may be set back from the **primary street boundary** in accordance with **Table 4.6a**, up to the full **building width** (refer **Figure 4.6a**).
- C4.6.4** **Dwellings** set back from the corner truncation boundary in accordance with the **secondary street setback line** in **Table B**.
- C4.6.5** **Carports** permitted forward of the **street setback line** provided that:
 - i. the carport, inclusive of any associated structures, is set back a minimum of 0.5m from the **street boundary**;
 - ii. the carport is set back from the **lot boundary** in accordance with **C4.3.1**;
 - iii. the carport width does not exceed 60% of the **building width**;
 - iv. the carport is not **enclosed** for any portion within the **street setback area**; and
 - v. construction allows for a clear view between the **dwelling** and the **street**.

Table 4.6a Permitted primary street setback for balconies, patios, porches, verandahs or equivalent

R-Coding	Balcony, porch, patio and verandah setbacks
R30 to R35	2m
R40 to R60	1.5m
R80	1m
R100	1m

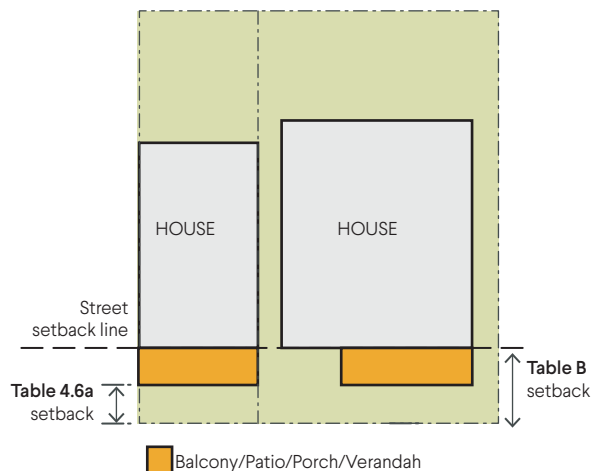


Figure 4.6a A porch, balcony, verandah or equivalent may project forward of the primary street setback line

4.7 Vehicle and pedestrian access

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P4.7.1** Vehicular access for each development site is to:
 - i. prioritise pedestrian and cyclist safety while providing safe vehicle access;
 - ii. minimise vehicle access points and the impact on the streetscape;
 - iii. minimise the extent of impervious surfaces;
 - iv. provide legible access; and
 - v. include high quality landscaping features.
- P4.7.2** Vehicle access is designed and located to avoid the removal of existing street trees where possible, or a suitable replacement tree is provided.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

Vehicle access

- C4.7.1** Vehicle access to on-site car parking spaces to be provided via the lowest available street in the hierarchy (refer Figure 4.7a), as follows:
 - i. where available, from a right-of-way or communal street available for lawful use to access the relevant site and which is trafficable and drained from the property boundary to a constructed street; or
 - ii. from the secondary street where no right-of-way or communal street exists; or
 - iii. from the primary street where no secondary street, right-of-way or communal street exists.

- C4.7.2** Walls, fences and other structures within the street setback area must be truncated or reduced in height to no higher than 0.75m within 1.5m of where walls, fences, or other structures adjoin:
 - i. a driveway that intersects a street, right-of-way or communal street;
 - ii. a right-of-way or communal street that intersects a public street; and
 - iii. two streets that intersect.
 (refer Figure 4.7b)

- C4.7.3** Where located on a designated primary distributor or integrator arterial road, driveways to grouped and multiple dwellings must be 6m wide at the street boundary to allow for two vehicles to enter and exit simultaneously in forward gear (refer Figure 4.7d).

- C4.7.4** Vehicle access points are limited to one per lot (refer Figure 4.7c) except where:
 - i. an existing dwelling is being retained that has an established access point that is not able to serve the other dwellings;
 - ii. all dwellings front the street, whereby a maximum of one vehicle access point is permitted per dwelling; or
 - iii. lot frontage exceeds 40m, where two vehicle access points are permitted.

- C4.7.5** Vehicle access points are to be located to protect existing street trees in accordance with AS4970/2009 Tree Protection Zone.

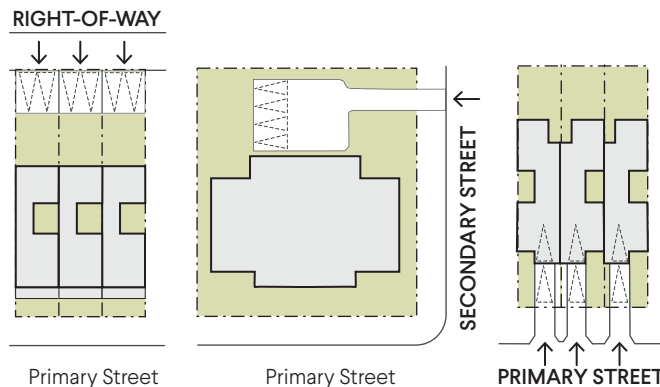


Figure 4.7a Access to parking prioritisation

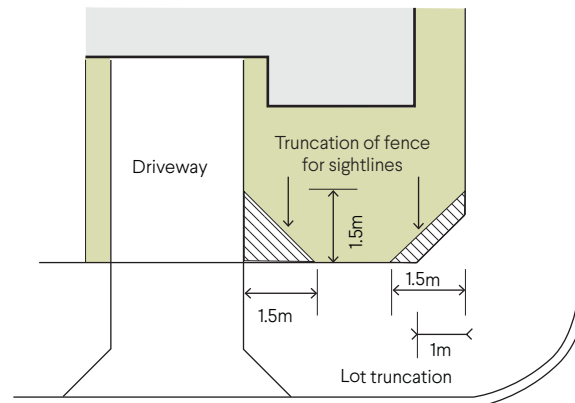


Figure 4.7b Location of truncations or reduced fence height

4.7 Vehicle and pedestrian access (cont.)

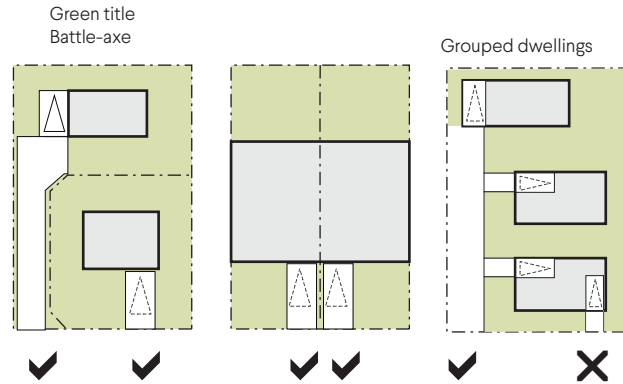


Figure 4.7c Vehicle access point locations

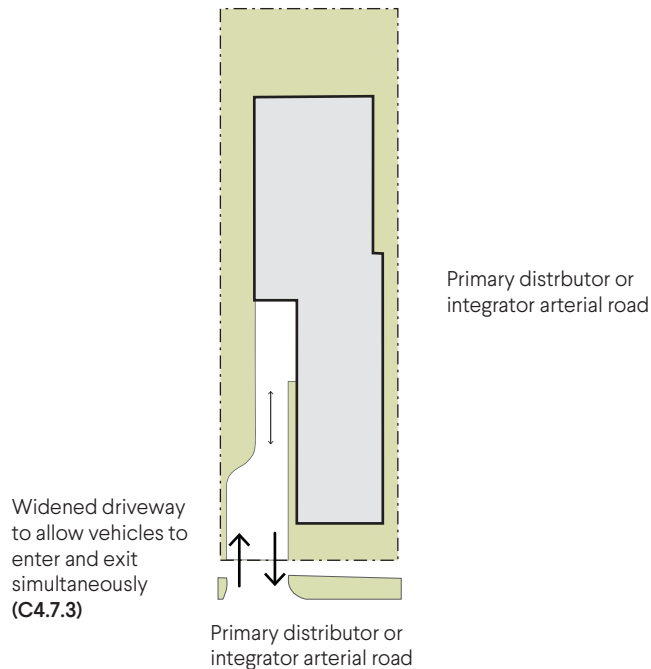


Figure 4.7d Driveways to designated primary distributor or arterial roads

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

Driveways

C4.7.6 Driveways must be:

- i. set back 0.5m from a side lot boundary or street pole;
- ii. 3m wide except for portions that accommodate vehicle manoeuvring, access to a double garage, and/or passing bays;
- iii. set back 6m to a street corner as required under AS2890.1 Parking Facilities: Off-street Parking (as amended);
- iv. aligned at right angles to the road carriageway; and
- v. adequately trafficable and drained.

C4.7.7 Driveways for grouped and multiple dwellings to be designed to allow cars to enter the street in forward gear where the driveway:

- i. serves five or more dwellings; or
- ii. the street to which it connects is a designated primary distributor or integrator arterial (refer Figure 4.7d).

C4.7.8 Driveways for grouped and multiple dwellings must provide vehicle passing points where:

- i. the driveway serves 10 or more dwellings; or
- ii. the distance between an on-site car parking space and the street boundary is 30m or more.

Pedestrian access

C4.7.9 Where a pedestrian access leg is required to provide access from a dwelling site to a public street, it is to be:

- i. a minimum width of 1.5m; and
- ii. designed to provide a clear sightline between the dwelling site and the street (refer Figure 4.7e).

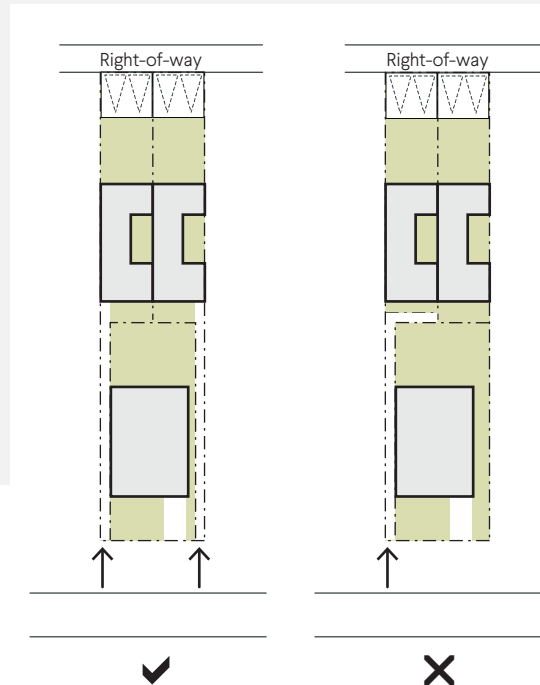


Figure 4.7e Pedestrian access leg

4.8 Communal streets

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P4.8.1 Communal streets** are designed as shared spaces for all users, with pedestrian and cyclist safety and access considerations given priority.
- P4.8.2 Communal streets** are designed to balance occupant **amenity** and use of the space with safe movement of vehicles.
- P4.8.3** Legible, safe, and direct access is provided for pedestrians to move between communal car parking areas or public **streets** and individual **dwellings**.
- P4.8.4 Development** with potential to be subdivided to create 20 or more **green title, strata or survey-strata lots** provides legible internal connections and access to **streets** and be designed to accommodate traffic movement and volume, visitor parking, pedestrian access, street shade trees, utility services and access for waste collection and emergency service vehicles.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

- C4.8.1 Communal street** to provide clear **sightlines**, lighting, a **continuous path of travel**, and surface treatments to slow traffic and prioritise pedestrian and cyclist safety.
- C4.8.2** The **communal street** is to be a minimum width of 4m, inclusive of a:
 - i. 3m wide **driveway** in accordance with **C4.7.6**; and
 - ii. 0.5m **setback** either side of the driveway (refer **Figure 4.8a**).

The width of the communal street may be reduced to 3m where it is necessary to retain an existing **dwelling**.
- C4.8.3** The **communal street**, including any adjoining **setbacks**, is to be **landscaped**.
- C4.8.4** Notwithstanding **C4.8.2**, where a proposed **development** has the potential to be subdivided to create 20 or more **green title, strata or survey-strata lots**, with each lot obtaining **driveway** access from a **communal street**, the communal street shall be a minimum 12 metres wide, which shall include:
 - i. a paved vehicular carriageway with a minimum width of 5.5m;
 - ii. a 1.2m wide **universally accessible** pedestrian path, designed in accordance with AS1428.1 (as amended); and
 - iii. adequate **landscaping** and lighting.

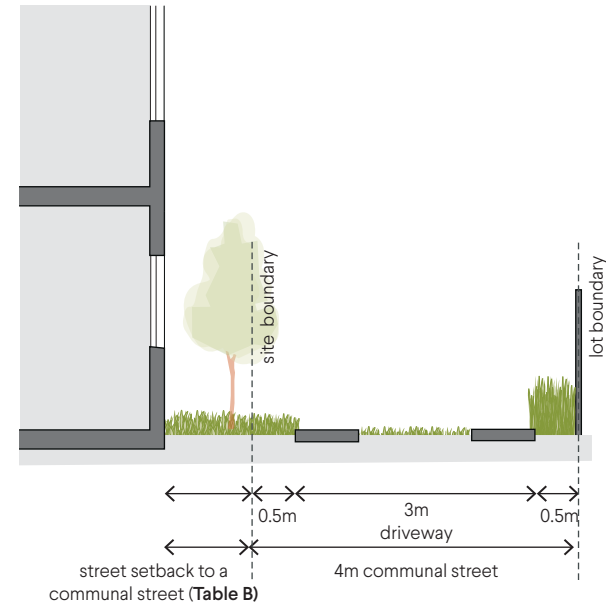


Figure 4.8a Communal street width

4.9 Street fences

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P4.9.1** Street fences allow for **passive surveillance** of the street from the **development**.
- P4.9.2** Street fences complement the existing and/or desired future **streetscape** and **local character**.

DEEMED-TO-COMPLY

Development satisfies the following **deemed-to-comply** requirements (C)

- C4.9.1** When provided, **street fences** within the **primary street setback area** are to be:
 - i. a maximum height of 1.5m above **natural ground level**, measured from the natural ground level on the primary street side of the front fence; and
 - ii. at least one third **visually permeable** (refer **Figure 4.9a**).
- C4.9.2** For **sites on street corners** or sites abutting a public pedestrian access way, street fences to the **secondary street** or public pedestrian access way to be designed in accordance with **C4.9.1** for a minimum of 25% of the **street boundary** directly behind the **primary street setback** (refer **Figure 4.9b**).

- C4.9.3** Where a **dwelling** fronts a **street** that is a designated primary distributor or integrator arterial road, the fence height within the **primary street setback area** may be increased to 1.8m, and may be solid where the fence is set back 0.5m with **landscaping** provided between the **street boundary** and the fence.

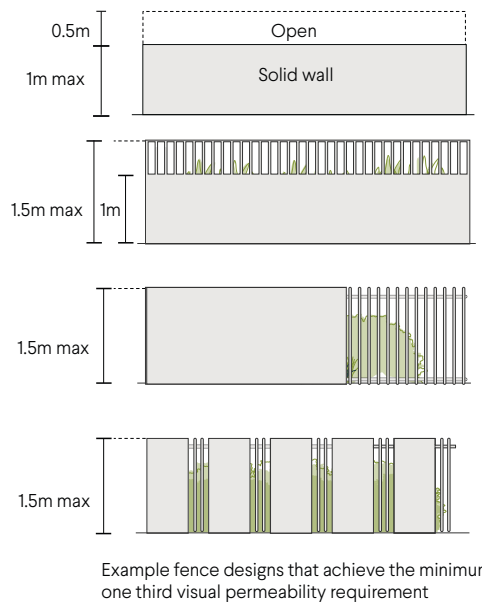


Figure 4.9a Visually permeable fencing

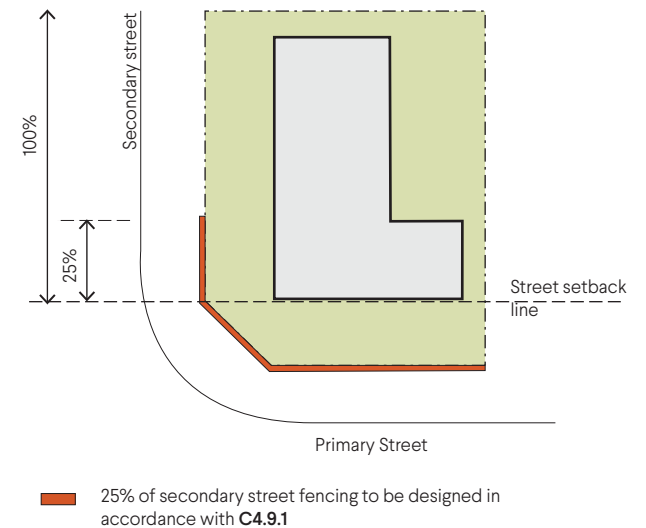


Figure 4.9b Corner lot fencing requirements

4.10 Retaining existing dwellings

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

P4.10.1 Retained dwellings contribute positively to the streetscape and/or established built form local character.

P4.10.2 Retained dwellings provide outdoor amenity, solar access and natural ventilation for occupants.

DEEMED-TO COMPLY

Development satisfies the following deemed-to-comply requirements (C)

C4.10.1 Where a dwelling is retained as part of a grouped dwelling development:

- i. the appearance of the retained dwelling is upgraded externally to an equivalent maintenance standard of the new (or the rest of) the development; and
- ii. the retained dwelling it is to comply with the following:
 - 2.1 Primary garden area
 - 2.3 Trees, deep soil area and landscaping
 - 3.1 Primary living space (provisions C3.1.1 and C3.1.2)
 - 3.4 Parking
 - 3.5 Storage

4.11 Solar access for adjoining sites

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P4.11.1** Development is designed to protect solar access for adjoining sites taking account the potential to overshadow:
- i. north-facing openings to primary living spaces, within 15 degrees of north in either direction;
 - ii. outdoor active habitable spaces; and
 - iii. roof mounted solar collectors.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

C4.11.1 In climate zones 4, 5, and 6, development shall be so designed that its shadow cast at midday, 21 June (refer Figure 4.11a) onto any other:

- i. residential zoned adjoining property; or
- ii. residential zoned lot that is diagonally adjacent to the development site (refer Figure 4.11b);

does not exceed the limits set out in Table 4.11a.

C4.11.2 Where an adjoining property shares a northern lot boundary with more than one lot including the development site, the limit of shading at C4.11.1(i) shall be cumulative and proportional to the length of the shared boundary/ies of the development site (refer Figure 4.11c).

Note: with regard to C4.11.1 to C4.11.2, dividing fences do not contribute to calculations of overshadowing.

C4.11.3 Buildings are configured to maintain four hours per day solar access on 21 June for existing solar collectors for adjoining properties.

Table 4.11a Maximum overshadowing

Adjoining property R-Coding	Maximum overshadowing for adjoining property	Maximum overshadowing for diagonally adjacent lots
R25 and lower	25% of the site area	12.5% of the site area
R30 – R35	35% of the site area	17.5% of the site area
R40 – R50	45% of the site area	22.5% of the site area
R60	60% of the site area	30% of the site area
R80 or higher	80% of the site area	40% of the site area

Notes: For the purpose of calculating overshadowing, site area refers to the area of the ground surface of the adjoining property and is measured without regard to any building on it, but taking into account its natural ground levels.

4.11 Solar access for adjoining sites (cont.)

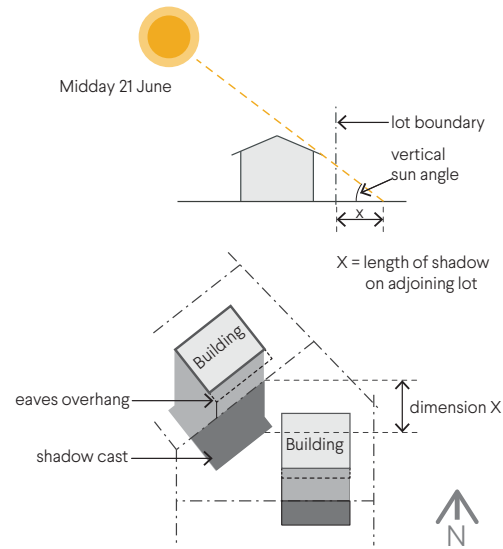


Figure 4.11a Measuring extent of solar access to neighbouring properties

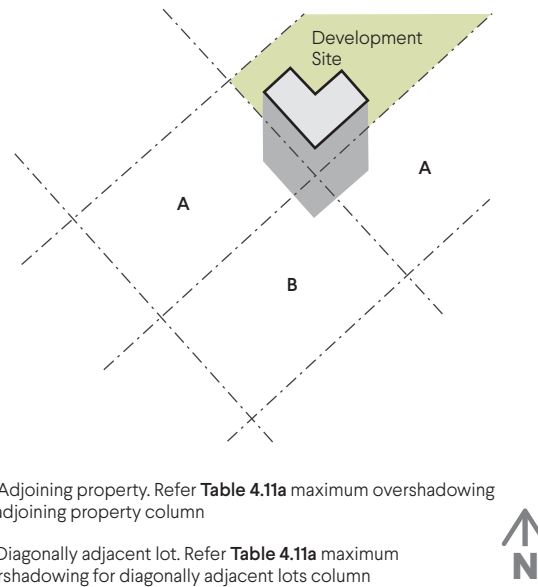


Figure 4.11b Overshadowing for adjoining property and diagonally adjacent lots

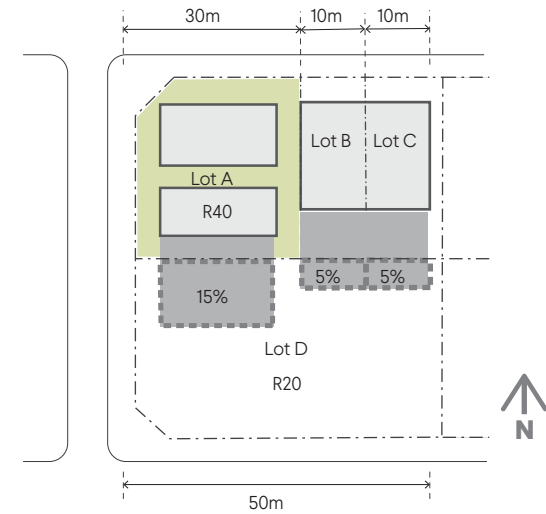


Figure 4.11c Proportionate limits from shared southern boundary

4.12 Visual privacy

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P4.12.1** Direct overlooking of **major openings** and **active habitable spaces** of adjacent **dwellings** and **adjoining properties** minimised through:
 - i. **building** siting, layout and design;
 - ii. design and location of major openings;
 - iii. **landscape** screening of outdoor active habitable spaces; and/or
 - iv. design and location of **screening** devices.
- P4.12.2** Maximum visual privacy achieved through appropriate interfaces between **dwellings** including measures such as:
 - i. offsetting the location of ground and first floor windows so that viewing is oblique rather than direct;
 - ii. **building boundary walls** where appropriate;
 - iii. setting back the upper storeys from the **lot boundary**;
 - iv. providing higher, or opaque and fixed windows; and/or
 - v. **screening** (including **landscaping**, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters).
- P4.12.3** Visual privacy strategies maintain **amenity** of **habitable rooms** and **active habitable space** with regard to **solar access**, **natural ventilation** and external outlook both within the **development** and for **adjoining properties**.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

For development adjoining an existing dwelling

- C4.12.1** A **cone of vision** (refer **Figure 4.12a**) is to be established for all **sources of overlooking**, measured:
 - i. from a height of 1.7m above floor level;
 - ii. for a radius specified in accordance with **Table 4.12a** and extending 90 degrees down to ground level; and
 - iii. within a 45 degree horizontal angle from the outside edges of the **major opening** or perimeter of the **active habitable space**.
- C4.12.2** Where the **cone of vision** captures a **major opening** or an **active habitable space** of an existing **dwelling** behind the **street setback** on an **adjoining property**, the **source of overlooking** is located, designed or set back to limit the **line of sight** into the major opening or active habitable space of the adjoining property through one or more of the following:
 - i. offset the major opening a minimum of 1.5m from the edge of one major opening to the edge of another on an adjoining property^{1,2} (refer **Figure 4.12b**);
 - ii. incorporate a permanent, fixed vertical or horizontal **building** element, planter box or fin (refer **Figure 4.12c**, **Figure 4.12d**);
 - iii. have a sill height of at least 1.6m above floor level (refer **Figure 4.12e**);
 - iv. have fixed, obscure glazing in any part of the window below 1.6m above floor level (refer **Figure 4.12f**);
 - v. have permanent **screening** to at least 1.6m above floor level that is a minimum 75 per cent obscure (refer **Figure 4.12g**); or
 - vi. set back the source of overlooking so that the cone of vision does not capture a major opening or active habitable space on an adjoining property.

Notes: **Cone of vision** radius include the width of any adjoining **right-of-way**, **communal street** or **battleaxe leg** or the like.

¹Offsetting a **major opening** limits the **line of sight** between facing major openings, however may not satisfy all visual privacy requirements including potential overlooking of active habitable spaces on different levels of the **adjoining property**.

²When offsetting to meet the **deemed-to-comply**, **major openings** must be orientated perpendicular to or orientated away from the major opening on the **adjoining property**.

C4.12.3 Sources of overlooking for **grouped** or **multiple dwelling buildings** on the same **lot**, or facing portions of the same multiple dwelling building, are to apply **C4.12.1** and **C4.12.2**.

Table 4.12a Cone of vision radius

Type of habitable room/ active habitable space <i>(with a floor level of more than 0.5m above natural ground level)</i>	Required cone of vision radius
Major opening from bedroom and study	5m
Major opening from habitable room other than bedroom and study	6.5m
Unscreened outdoor active habitable space	8m

4.12 Visual privacy (cont.)

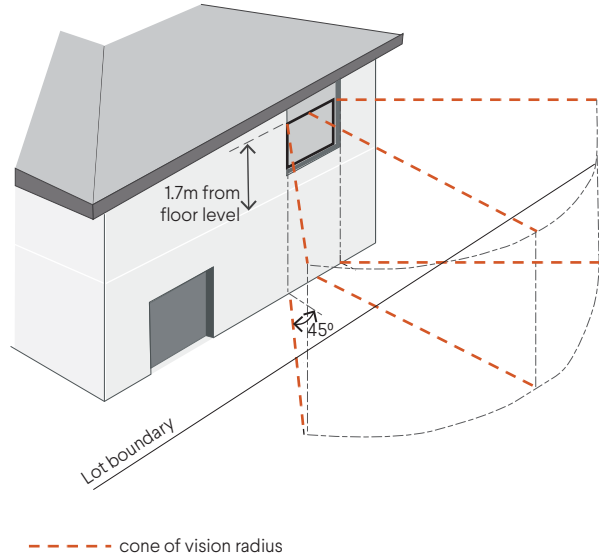


Figure 4.12a Establishing a cone of vision

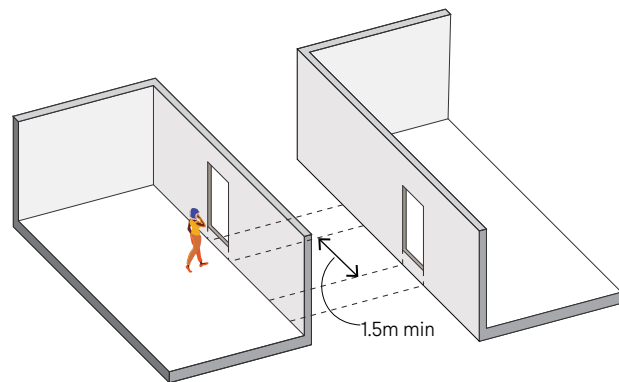


Figure 4.12b Offsetting major openings

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

For development adjoining a vacant site

C4.12.4 Where an adjoining property is vacant residential zoned land, C4.12.1 does not apply and major openings from active habitable spaces (excluding bedrooms) with a floor level of more than 0.5m above natural ground level are to be:

- set back from the lot boundary in accordance with Table 4.12b; or
- orientated a minimum of 90 degrees away from the adjoining lot boundary (refer Figure 4.12h)

Where (i) or (ii) cannot be achieved, potential overlooking from an active habitable space (excluding bedrooms) shall be addressed in accordance with C4.12.2 (iv), (v) or (vi).

Type of habitable room/ active habitable space <i>(with a floor level of more than 0.5m above natural ground level)</i>	Setback for land coded R25 or lower	Setback for land coded R30 or higher
Major opening to habitable room <i>(excluding bedrooms)</i>	6m	4.5m
Unscreened outdoor active habitable space	7.5m	6m

Notes: Where a development site adjoins a lower R-Coding, the lower coded visual privacy setback applies.

Table 4.12b Visual privacy lot boundary setbacks

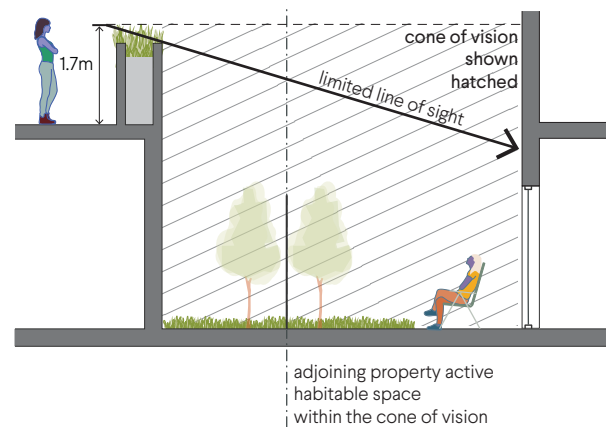


Figure 4.12c Horizontal and vertical visual privacy design solutions

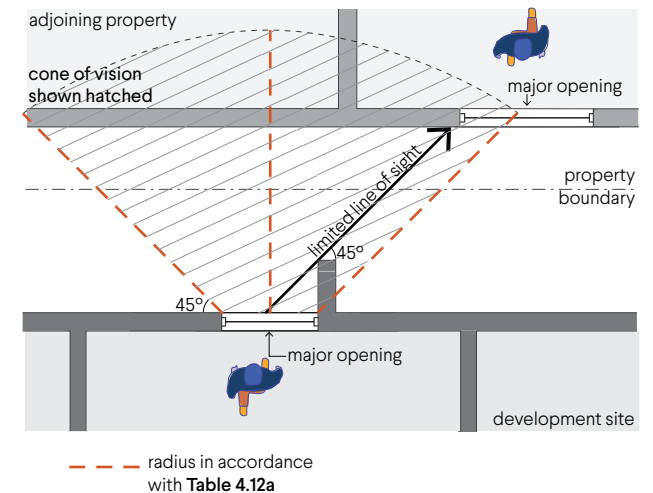


Figure 4.12d Horizontal and vertical visual privacy design solutions

4.12 Visual privacy (cont.)

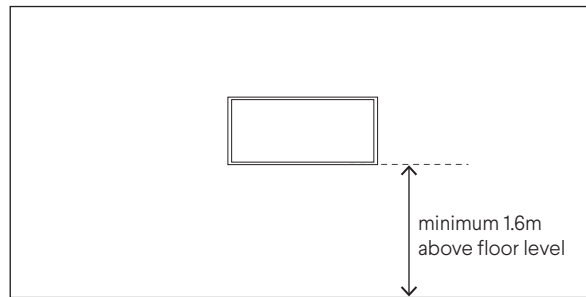


Figure 4.12e Sill height for visual privacy

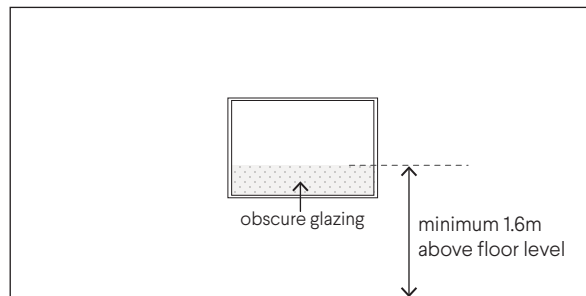


Figure 4.12f Obscure glazing for visual privacy

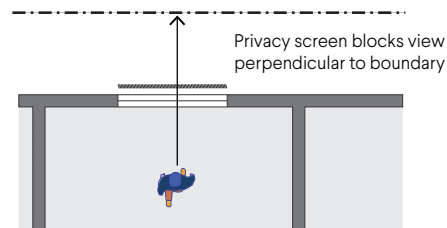
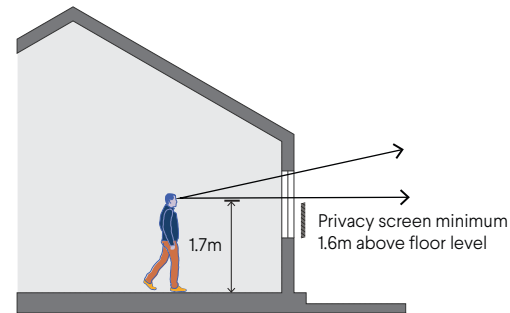


Figure 4.12g Permanently fixed screening for visual privacy

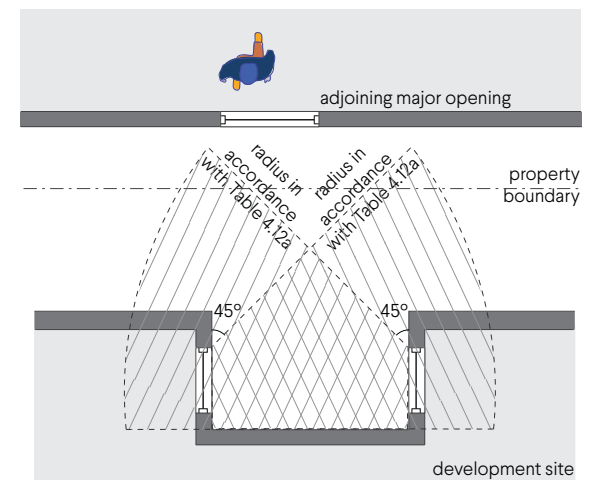


Figure 4.12h Orient openings a minimum 90 degrees from boundary

Table A Site area requirements

Copy of **Table A** from element 1.1 Site area

R-Code	Dwelling type	Site area per dwelling (m ²)		
		Site Category 1 (refer C1.1.2)	Site Category 2 (refer C1.1.3)	Site Category 3 (refer C1.1.4)
<i>For residential development in areas coded R25 and below, refer to R-Codes Vol.1, Part B</i>				
R30	Single house and Grouped dwelling	Min 260 Ave 300	Min 220 Ave 260	Min 180 Ave 220
	Multiple dwelling	Ave 300	Ave 260	Ave 220
R35	Single house and Grouped dwelling	Min 220 Ave 260	Min 180 Ave 220	Min 160 Ave 180
	Multiple dwelling	Ave 260	Ave 220	Ave 180
R40	Single house and Grouped dwelling	Min 180 Ave 220	Min 160 Ave 180	Min 120 Ave 150
	Multiple dwelling	Ave 115	Ave 100	Ave 85
R50	Single house and Grouped dwelling	Min 160 Ave 180	Min 120 Ave 150	Min 100 Ave 120
	Multiple dwelling	Ave 100	Ave 85	Ave 85
R60	Single house and Grouped dwelling	Min 120 Ave 150	Min 100 Ave 120	NA
	Multiple dwelling	Ave 85	NA	NA
R80	Single house and Grouped dwelling	Min 100 Ave 120	NA	NA
	Multiple dwelling	<i>Refer R-Codes Vol. 2</i>	NA	NA
R100 (refer C1.1.9)	Single house and Grouped dwelling	Min 80 <i>No ave applies</i>	NA	NA
	Multiple dwelling	<i>Refer R-Codes Vol. 2</i>	NA	NA
<i>Notes: R80 site area requirements apply to all single house or grouped dwellings located on lots coded R100, R160 and R-AC, with the exception of lots that meet the criteria of C.1.1.9, which may apply R100 site area requirements.</i>				

Table B Primary controls

The following primary controls provide the deemed-to-comply provisions for all medium density development: - single houses and grouped dwellings in areas coded R30 and above; and - multiple dwellings in areas coded R30 to R60.		R30	R35	R40	R50	R60	R80 <i>(for multiple dwellings refer R-Codes Vol. 2.)</i>	R100 ¹ <i>(for multiple dwellings refer R-Codes Vol. 2.)</i>	
Maximum site cover (% of site area) <i>Refer Element 4.1 Site cover</i>		55%	55%	55%	60%	60%	70%	85%	
Maximum building height (storeys) <i>Refer 4.2 Building height</i>		2	2	3	3	3	4	4	
Maximum boundary wall height <i>Refer Element 4.2 Building height and 4.3 Lot boundary setbacks</i>	Boundary wall Type A	3.5m	3.5m	3.5m	3.5m	7m	7m	7m	
	Boundary wall Type B	3.5m	3.5m	7m	7m	7m	7m	7m	
	Boundary wall Type C	7m	7m	9m	9m	12m	12m	12m	
Minimum lot boundary setbacks² <i>Refer Element 4.3 Lot boundary setbacks</i>	1 storey	1m						1m	
	2 storey	2m						1.5m	
	3 storey	3m						3m	
	4 storey	3m						3m	
Minimum street setback <i>Refer Element 4.6 Street setbacks</i>	Primary street	4m	4m	3m	3m	3m	2m	1m	
	Secondary street	1.5m						1m	
	Adjoining pedestrian access way, communal street or battleaxe lot access leg	1m						1m	
	Adjoining right-of-way ³	Setback of ground floor	0.5m						0.5m
		Setback of upper storeys							0m
Adjoining right-of-way (where ROW is the primary street to the dwelling) ⁴	2m						N/A		

Notes: R80 code standards apply to **single houses, grouped dwellings** in areas coded R100, R160 and R-AC (unless subject to C1.1.9).
 Primary controls of **Table B** apply, except where modified by the **local planning framework**, in which case **development** complies with the controls set out in the applicable local planning instrument.
¹Subject to C1.1.9.
² **Boundary walls** permitted in accordance with C4.3.5 - C4.3.8.
³ Where the **right-of-way** is less than 6m wide, a minimum of 1m **setback** applies. In all instances **ancillary dwellings** are to apply these requirements.
⁴ Does not apply to **ancillary dwellings**.

APPENDICES

A1	DEFINITIONS	61
A2	CONTEXT AND SITE ANALYSIS	68
A3	APPLICATION DOCUMENTATION	69

Definitions

ACTIVE HABITABLE SPACE – any:

- habitable room with a floor area greater than 10m²; and
- balcony, courtyard, patio, verandah or other forms of private open space.

ACTIVITY CENTRE – as defined under the *Planning and Development (Local Planning Schemes) Regulations 2015* and are community focal points that include activities such as commercial, retail, higher-density housing, entertainment, tourism, civic, community, higher education, and medical services. Activity centres vary in size and composition and are designed to be well-serviced by public transport.

ADAPTABLE HOUSING / DWELLINGS – dwellings designed and built to accommodate future changes to suit occupants with mobility impairment or life cycle needs.

ADJOINING PROPERTY – any lot:

- on which any dwelling for which provision is made in the R-Codes may be constructed under the scheme; and
- which shares a boundary or portion of a boundary with a lot on which there is a proposed residential development site or is separated from that lot by a right-of-way, vehicle access way, pedestrian access way, access leg of a battleaxe lot or the equivalent not more than 6m in width.

AGED PERSON – a person who is aged 55 years or over.

AMENITY – as defined under the *Planning and Development (Local Planning Schemes) Regulations 2015* and includes the 'liveability', comfort or quality of a place which makes it pleasant and agreeable to be in for individuals and the community. Amenity is important in the public, communal and private domains and includes the enjoyment of sunlight, outlook, privacy and quiet. It also includes protection from pollution and odours.

ANCILLARY DWELLING – self-contained dwelling on the same lot as a dwelling which may be attached to, integrated with or detached from the dwelling.

AT-GRADE – located at same height as ground level.

BALCONY – a balustraded platform on the outside of a dwelling with access from an upper internal room.

BASEMENT – a building floor level in which 50 per cent or more of its volume is below natural ground level.

BATTLEAXE LOT – a single house lot that has a frontage for purposes of servicing and access to a public road only through a strip of connecting land containing a pedestrian access leg and/ or vehicular access way that is part of the lot. The term excludes a site that has vehicle access from a private or communal street or right-of-way connected to a public road.

BOUNDARY WALL – a wall, on or less than 600mm from any lot boundary (green title or survey-strata lot), other than a street boundary.

BUILDING – any structure whether fixed or moveable, temporary or permanent, placed or erected on land, and the term includes dwellings and structures appurtenant to dwellings such as carports, garages, verandahs, patios, outbuildings and retaining walls, but excludes boundary fences, pergolas and swimming pools.

BUILDING ALIGNMENT – means the vertical external face of any building comprising solid building material, but excludes any projections such as balconies, eaves, porches and verandahs.

BUILDING WIDTH – the width of the building as viewed from the primary street.

CARPOR – A roofed structure designed to accommodate one or more motor vehicles that is unenclosed and without a door unless that door is visually permeable.

CLIMATE ZONE – as defined by ABCB (see end of definitions, page 67). Western Australia is divided into five climate zones based on humidity and temperature, ranging from temperate in the southwest to hot/arid in the interior to hot/humid in the north.

COMMON PROPERTY – has the meaning given by section 10 of the *Strata Titles Act 1985*, as amended, and means:

- that part of the parcel of land subdivided by the strata titles scheme that does not form part of a lot in the strata titles scheme; and
- temporary common property.

COMMUNAL OPEN SPACE –

For Volume 1 it means open space set aside for the recreational use of the occupants of the dwellings in a common and does not include development driveways or car parking areas.

For Volume 2 it means outdoor areas within the lot and either at ground level or on structure that is accessible to and shared by residents for common recreational use and in some instances accessible to the public. It must promote gathering and social interaction. It does not include primary external circulation areas for vehicles or pedestrians however a seating niche or small gathering space within a circulation area is included. A minimum dimension is applicable for the main (largest) component. Covered communal facilities connected to open space, publicly accessible open space and public open space within the development site (if provided) can contribute to communal open space requirements.

COMMUNAL STREET – common property or private street providing joint access to two or more dwellings in a residential development and may include vehicle and pedestrian access, and landscaping.

CONE OF VISION – the limits of outlook from any given viewpoint, applying a viewing cut off angle not less than 45 degrees, for the purposes of assessing the extent of overlooking from that point.

CONTINUOUS PATH OF TRAVEL – an uninterrupted route to or within premises or buildings and providing access to all services and facilities (AS1428.1). It should not incorporate any step, stairway, turnstile, revolving door, escalator, hazard or other impediment which would prevent it from being safely negotiated by people with disability.

CORNER LOT – a lot located at the intersection of two or more constructed public streets.

COURTYARD – open space at ground level or on a structure that is open to the sky and enclosed by the building on three or more sides.

CROSSOVER – the vehicle access point (or driveway) running from the property boundary to the edge of the road.

DAYLIGHT - consists of both skylight (diffuse light from the sky) and **sunlight** (direct beam radiation from the sun). Daylight changes with the time of day, season and weather conditions.

DECISION-MAKER - that body, organisation or authorised person legally vested with the power to make decisions, pursuant to relevant legislation, in respect of **residential development** in accordance with the R-Codes.

DEEMED-TO-COMPLY - a proposal, or a component of a proposal, that complies with the deemed-to-comply provisions of the R-Codes, or an adopted **local planning policy**.

DEEP SOIL AREA - soft **landscape** area on **lot** with no impeding **building** structure or feature above or below, which supports growth of small to large canopy trees and meets a stated minimum dimension. Used primarily for landscaping and open to the sky, deep soil areas exclude **basement** car parks, services, swimming pools, tennis courts and **impervious surfaces** including car parks, **driveways** and roof areas.

DEPENDANT PERSON - a person with a recognised form of disability requiring special accommodation for independent living or special care.

DESIGN PRINCIPLES - in R-Codes Volume 1, specific design objectives for each element of R-Codes Volume 1 are to be met by all **residential development** subject to Volume 1 and are to be used in the preparation, submission and assessment for proposals for the purpose of determining their compliance with R-Codes Volume 1. A proposal is required to demonstrate compliance with design principles where it does not satisfy corresponding **deemed-to-comply** provisions.

DEVELOPMENT - as defined under the *Planning and Development Act 2005*.

DEVELOPMENT SITE - as defined under the *Planning and Development (Local Planning Schemes) Regulations 2015*.

DRIVEWAY - the portion of the paved vehicle access way between a car parking area and the property boundary, excluding any associated **landscaping** or pedestrian path on either side.

DUAL KEY DWELLING - a form of **ancillary dwelling** with a common internal corridor and lockable doors to sections within the **dwelling** so that it is able to be separated into two independent units.

DWELLING - **building** or portion of a building being used, adapted, or designed or intended 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 persons who do not comprise a single family.

EFFECTIVE LOT AREA - that part of the **lot** that is capable of **development** and excludes any vehicle or **pedestrian access legs** and associated truncations.

ENCLOSED - an area bound on three or more sides by a permanent **wall** and covered in a water impermeable material.

ESSENTIAL SERVICE UTILITIES - supply and reticulation of essential services including, but not limited to power, water, gas, wastewater, internet and telecommunications.

EXTERNAL FIXTURES - fixtures located external to the **dwelling** and includes:

- **essential service utilities;**
- **functional utilities;**
- **sustainability infrastructure;** and
- **fire service infrastructure.**

FIRE SERVICE INFRASTRUCTURE - all infrastructure required by relevant emergency services, such as fire safety systems, boosters and hydrants.

FLOOR AREA - in relation to a room or **dwelling**, the internal area measured within the finished surfaces of the **walls**, and includes the area occupied by any cupboard or other built-in furniture, fixture or fitting.

FREEHOLD SCHEME - has the meaning given by section 8(2) of the *Strata Titles Act 1985*, as amended.

FRONTAGE - the width of a **lot** at the **primary street setback line**, provided that in the case of **battleaxe** or other irregularly shaped lots, it shall be as determined by the **decision-maker**.

FUNCTIONAL UTILITIES - functional utilities associated with the **dwelling** including, but not limited to air-conditioning, plant, clothes drying and hot water systems.

GARAGE - any roofed structure, other than a **carport**, designed to accommodate one or more motor vehicles and attached to the **dwelling**.

GREEN TITLE - a **lot** owned in fee simple issued with a certificate of title under the *Transfer of Land Act 1893*, as amended, other than a **strata lot** or a **survey-strata lot**.

GROUPED DWELLING - a **dwelling** that 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 or below another, except where special conditions of **landscape** or topography dictate otherwise, and includes a dwelling dwelling in a **strata titles scheme** with **common property**.

HABITABLE ROOM/SPACE - as defined by the **NCC** for a room/space used for normal domestic activities that includes:

- a bedroom, living room, lounge room, music room, sitting room, television room, kitchen, dining room, sewing room, study, playroom, family room, sunroom, gymnasium, fully **enclosed** swimming pool or **patio**;
- but excludes:
- a bathroom, laundry, water closet, food storage pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes drying room, **verandah** and **unenclosed** swimming pool or patio and other spaces of a specialised nature occupied neither frequently nor for extended periods.

HEIGHT, BUILDING - this is the distance between the point where the base of the **wall** meets the **natural ground level** and measured to the highest point of a wall or roof of a **building** vertically above that point excluding **minor projections**.

HEIGHT, WALL - the vertical distance from the **natural ground level** at the base of the **wall** to the roof or the top of the **parapet**.

HERITAGE PROTECTED PLACE - as defined under the *Planning and Development (Local Planning Schemes) Regulations 2015*.

HIGH-FREQUENCY ROUTE - a public transport route with timed stops that runs a service at least every 15 minutes during weekday peak periods (7am to 9am and 5pm to 7pm).

IMPERVIOUS AREA/SURFACE – surfaces that do not permit the penetration of rainwater into the ground and instead generate **stormwater** run-off, typically to drainage systems.

INCIDENTAL DEVELOPMENT – **development** which is associated with or attached to a **dwelling** and incidental to its main residential functions.

INTERNAL WALLS – those walls which are wholly included within the **dwelling** including **walls** that abut covered **outdoor living areas** but does not include walls which are common to two dwellings in **grouped** or **multiple dwelling developments**.

LANDSCAPE / LANDSCAPING / LANDSCAPED – land developed with garden beds, shrubs and trees, or by the planting of lawns, and includes such features as rockeries, ornamental ponds, swimming pools, barbecue areas or playgrounds and any other such area approved of by the **decision-maker** as landscaped area.

LANEWAY – a narrow local **street** type without a verge located along the rear and/or side property boundary, typically used in more dense residential areas when smaller **lot** layouts justify rear garaging, and where alternative vehicle access is needed for lots fronting busy streets or parks.

LEASEHOLD SCHEME – has the meaning given by section 8(3) of the *Strata Titles Act 1985*, as amended.

LIGHTWELL – an opening to the sky, **enclosed** on four sides by **building** volume, with a height to width ratio of more than 2:1.

LINE OF SIGHT – a straight line measured from a height of 1.7m above the floor level from the **source of overlooking** to a **major opening** or **active habitable space** of an **adjoining property**, within the established **cone of vision**.

LOCAL CHARACTER / LOCAL IDENTITY – the natural, cultural and historic characteristics of an area that are intrinsic to the locality, and which the local community relate to. See also **sense of place**.

LOCAL DEVELOPMENT PLAN – as defined under the *Planning and Development (Local Planning Schemes) Regulations 2015*.

LOCAL PLANNING FRAMEWORK – comprises all strategic, statutory and policy planning documents which collectively outline the planning for an area and **development** requirements for **sites**, of the **decision-maker** and generally include a **scheme**, **local planning strategy** (including any housing component), **structure plans**, activity centre plans, **local development plans** and **local planning policies**.

LOCAL PLANNING POLICY – any policy prepared by a local government in accordance with the procedures set out in the **local planning scheme**.

LOCAL PLANNING SCHEME – as defined under the *Planning and Development (Local Planning Schemes) Regulations 2015*.

LOCAL PLANNING STRATEGY – as defined under the *Planning and Development (Local Planning Schemes) Regulations 2015*; a document which supports the preparation and review of a **local planning scheme** in accordance with Part 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

LOFT – a room or space within the roof space of a **building**.

LOT – for **single houses**, a **lot** as defined under the *Planning and Development Act 2005*, as amended. For **multiple** or **grouped dwellings**, the **parent lot**.

LOT BOUNDARY – the boundary between a **lot** and any other parcel of land, excluding a **street boundary**.

LOT IN A STRATA SCHEME – has the meaning given by section 3 of the *Strata Titles Act 1985*, as amended, and means one or more cubic spaces forming part of the parcel subdivided by the **strata scheme**, the base of one **lot** on the floor plan forming part of the **strata plan** or an amendment of the strata plan but does not include any structural cubic space except if that structural cubic space is a single tier **building**, as defined in regulation 6 of the *Strata Titles (General) Regulations 2019*.

LOT IN A SURVEY-STRATA SCHEME – has the meaning given by section 3 of the *Strata Titles Act 1985*, as amended, and means land that is shown as a **lot** consisting of one or more parts on the plan for that scheme.

MAJOR OPENING – a window, door or other opening in the exterior **wall** of a **habitable room** that provides external means of light or view for that room or space, but does not include an opening or openings that:

- in aggregate do not exceed 1m² in any such wall, (provided that adjoining or contiguous windows at the junction of two walls forming an internal angle of 90 degrees or less shall be aggregated); or
- are glazed in an obscure material and are not able to be opened; or have a sill height not less than 1.6m above floor level.

MAJOR RAINFALL EVENT – events greater than a **minor rainfall event** and up to and including the 1 per cent annual exceedance probability (AEP) event (refer Department of Water).

MINOR PROJECTION –

- in relation to the height of a **building**: a chimney, vent pipe, aerial or other appurtenance of like scale;
- in relation to a wall: a rainwater pipe, vent pipe, eaves overhang, cornice or other moulding or decorative feature, provided that the projection does not exceed 0.75m measured horizontally.

MINOR RAINFALL EVENT – rainfall events greater than **small rainfall events** and less than **major rainfall events**.

MIXED USE DEVELOPMENT – **buildings** that contain commercial and other non-residential uses in conjunction with residential **dwellings** in a **multiple dwelling** configuration.

MULTIPLE DWELLING – a **dwelling** in a group of more than one dwelling on a **lot** where any part of the **plot ratio area** of a dwelling is vertically above any part of the plot ratio area of any other but:

- does not include a **grouped dwelling**; and
- includes any dwellings above the ground floor in a **mixed use development**.

NATURAL GROUND LEVEL – the levels on a **site** which precede the proposed **development**, excluding any site works unless approved by the **decision-maker** or established as part of subdivision of the land preceding development.

NATURAL VENTILATION – the movement of a sufficient volume of fresh air through a **dwelling** to refresh indoor air.

NCC – National Construction Code, comprising the Building Code of Australia (BCA) and Plumbing Code of Australia (PCA).

NON-HABITABLE ROOM/SPACE – any room or space that is not defined as a **habitable room** or space in the **NCC**.

OPEN SPACE – Generally that area of a **lot** not occupied by any **building** and includes:

- open areas of accessible and useable flat roofs and **outdoor living areas** above **natural ground level**;
- areas beneath eaves;
- **verandahs**, **patios** or other such roofed structures not more than 0.5m above natural ground level, **unenclosed** on at least two sides, and covering no more than 10 per cent of the **site area** or 50m² whichever is the lesser;
- unroofed open structures such as **pergolas**;
- uncovered **driveways** (including access aisles in car parking areas) and uncovered car parking spaces;

but excludes:

- non-accessible roofs, **verandahs**, **balconies** and outdoor living areas over 0.5m above natural ground level; and/or
- covered car parking spaces and covered walkways, areas for rubbish disposal, stores, **outbuildings** or plant rooms.

OUTBUILDING – an **enclosed non-habitable structure** that is detached from any **dwelling**.

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 and is readily accessible from the dwelling.

PARAPET – the portion of a **wall** protruding above a roof or **terrace**. Often taken to refer to the decorative element which establishes the **street wall height** of heritage **buildings** (see cornice).

PARENT LOT – relating to **multiple** or **grouped dwellings**, the **lot** inclusive of common areas to which the **strata titles scheme**, as defined under the *Strata Titles Act 1985*, as amended, relates.

PASSIVE SURVEILLANCE – actual and perceived monitoring of public spaces by people as they go about their daily activities. Commonly referred to as ‘eyes on the street’.

PATIO – an **unenclosed** structure covered in a water impermeable material which may or may not be attached to a **dwelling**.

PEDESTRIAN ACCESS LEG – provides access from a public **street** to a **dwelling** where sole vehicular access is via a rear **right-of-way**. It can be in the form of a portion of the rear **lot** or as **common property** in the case of a **strata title scheme**.

PERGOLA – an open-framed structure covered in a water permeable material or unroofed, which may or may not be attached to a **dwelling**.

PERMEABLE SURFACE/ PERMEABLE PAVEMENT – soil or ground surface treatments that allow rainwater and **stormwater** to infiltrate to the underlying subsoil.

PLOT RATIO – the ratio of the gross **plot ratio area** of **buildings** on a **development site** to the area of land in the **site** boundaries.

PLOT RATIO AREA – the gross total area of all floors of **buildings** on a **development site**, including the area of any internal and external **walls** but not including:

- 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**;
- area used exclusively for the parking of wheeled vehicles at or below natural ground level;
- storerooms;
- lobbies, bin storage areas, passageways to bin storage areas or amenities areas common to more than one dwelling; and
- **balconies**, eaves, **verandahs**, **courtyards** and roof **terraces**.

PRECINCT STRUCTURE PLAN – as defined under the *Planning and Development (Local Planning Schemes) Regulations 2015* and means a plan for the coordination of subdivision, zoning and **development** of an area of land.

PRIMARY GARDEN AREA – an external ground floor area for **single house** and **grouped dwellings** set aside on a **site** for the exclusive use of the occupants of the **dwelling** to which it abuts.

PRIMARY LIVING SPACE – the area within a **dwelling** that is the focus of life and activity and usually the largest room. This area is connected with the **primary garden area** or **private open space**, and includes the following room types: living room, lounge room, games room, family room, or an integrated living area that has one of these room types together with a kitchen or dining area.

PRIMARY STREET – unless otherwise designated by the local government, the sole or principal public road that provides access to the major entry (front door) to the **dwelling** or **building**.

PRIVATE OPEN SPACE – outdoor space located at ground level or on a structure that is within private ownership and provided for the exclusive use of the occupants of the **dwelling** to which it abuts and excludes car parking spaces and access ways.

PORCH – a roofed open platform attached to the front of a **dwelling**.

RESIDENTIAL BUILDING – a **building** or portion of a building, together with rooms and **outbuildings** separate from such building but incidental 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, a hotel, a motel or a residential school.

RESIDENTIAL DEVELOPMENT – **development** of permanent accommodation for people, and may include all **dwellings**, the residential component of **mixed use development**, and **residential buildings** proposing permanent accommodation.

RIGHT-OF-WAY – a strip of land such as a **laneway**, available either for use by the general public, or a restricted section of the community, and may be created by subdivision, specific transfer, or continued use over a period of years. They may be:

- private, where the land is created in a plan of subdivision and available to landowners that are legally entitled; or
- public, where the land has been vested in the Crown.

ROOT PROTECTION AREA – an area at the base of a tree to be retained and protected and in which contain critical roots required for the survival of that tree or group of trees.

SCHEME – the **local planning scheme** that specifies zoning and **development** standards gazetted pursuant to the *Planning and Development Act 2005*, as amended.

SCHEME PLAN – has the meaning given by section 3 of the *Strata Titles Act 1985*, as amended, and for a **strata titles scheme** means the **strata plan** or **survey-strata plan** registered, or proposed to be registered, for the strata titles scheme as a scheme document.

SCREENING – permanently fixed external perforated panels or trellises composed of solid or obscured translucent panels.

SECONDARY STREET – in the case of a **site** that has access from more than one public road, a road that is not the **primary street**.

SENSE OF PLACE – the essential memorable and recognisable characteristics of an area.

SERVICE AREA – areas designated for **building** services installed to make the building functional, comfortable, efficient and safe.

SETBACK – the horizontal distance between a **wall** at any point and an adjacent **lot boundary**, measured at right angles (90 degrees) to the boundary.

SIGHTLINES – lines of clear physically uninterrupted sight.

SIGNIFICANT EXISTING TREE – an existing tree that meets the following criteria:

- healthy specimens with ongoing viability; and
- species is not included on a State or local area weed register; and
- height of at least 4m; and/or
- trunk diameter of at least 160mm, measured 1m from the ground; and/or
- average canopy diameter of at least 4m.

SINGLE ASPECT – a **dwelling** or room with openings facing primarily in one direction from a single major external **wall**.

SINGLE BEDROOM DWELLING – a **dwelling** that contains a living room and no more than one other **habitable room** that is capable of use as a bedroom.

SINGLE HOUSE – a **dwelling** standing wholly on its own **green title** or **survey-strata lot**, together with any easement over adjoining land for support of a **wall** or for access or services and excludes dwellings on titles with areas held in **common property**.

SITE –

- In the case of a **single house**, the **green title** or **survey-strata lot** on which it stands.
- In the case of a **grouped dwelling**, the area occupied by the **dwelling** together with any area allocated (whether by way of **strata title scheme** or otherwise) for the exclusive use or benefit of that dwelling.
- In the case of a **multiple dwelling** or **apartment development**, the **lot** (or **parent lot** where the lot is subdivided under **strata scheme**) on which the dwellings stand.

SITE AREA – the area of land required for the construction of a **dwelling** to satisfy the requirements of the R-Codes.

SITE COVER – site cover includes the **building** (including upper **storeys** projecting forward of the ground floor building alignment), ancillary **development** or other structure with a water impermeable roofed material, but excludes:

- **carports** and uncovered **driveways** and parking spaces;
- eaves;
- a **basement** that is constructed wholly underground;
- **pergolas** and unenclosed patios, porches and **verandahs**; and
- **unenclosed balconies** projecting forward of the **building alignment**.

SITE-RESPONSIVE – deriving from analysis of the physical characteristics of an area (such as landform, views, prevailing breezes, environmental features) and to manage constraints and opportunities to create optimum design outcomes.

SMALL DWELLING – a **single house** or **grouped dwelling** with a **dwelling** internal **floor area** no greater than 70m².

SMALL RAINFALL EVENT – the first 15mm of a rainfall event.

SOLAR ACCESS – is the ability of a **building** to continue to receive direct **sunlight** without obstruction from other buildings or impediments, not including trees.

SOLAR COLLECTORS – solar collecting components of the following: thermal heating systems, photovoltaic systems and skylights.

SOURCE OF OVERLOOKING – **major openings** and **active habitable space** with a floor level of more than 0.5m above **natural ground level**.

SPECIAL PURPOSE DWELLING – includes **ancillary dwelling**, **aged or dependent persons' dwelling** or a **single bedroom dwelling**.

STANDARD STRUCTURE PLAN – as defined under the *Planning and Development (Local Planning Schemes) Regulations 2015* and means a plan for the coordination of future subdivision and zoning of an area of land.

STORAGE – dedicated, secured and conveniently located areas for the storage of large or bulky items. This is to be in addition to any internal storage in kitchens, bathrooms and bedrooms.

STOREY - the portion of a **building** which is situated between the top of any floor and the top of the floor next above it and if there is no floor above it, that portion between the top of the floor and the ceiling above it but does not include:

- a **basement**
- a space that contains only a lift shaft, stairway or meter room
- a mezzanine
- a **loft**.

Double height floors greater than 5m floor to ceiling are counted as two floors.

STORMWATER - urban surface water runoff from rainfall events, consisting of rainfall runoff and any material (soluble and insoluble) mobilised in its path of flow.

STRATA LOT - refer to definition for a **lot in a strata scheme**.

STRATA PLAN - has the meaning given by section 4 (1a) of the *Strata Titles Act 1985*, as amended.

STRATA SCHEME - has the meaning given by section 9 of the *Strata Titles Act 1985*, as amended, and may include freehold or leasehold schemes.

STRATA TITLES SCHEME - has the meaning given by section 3 of the *Strata Titles Act 1985*, as amended, and means:

- a **strata scheme**; or
- a **survey-strata scheme**.

STREET - any public road, **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**.

STREET BOUNDARY - the boundary between the land comprising a **street** and the lands that abuts thereon.

STREETSCAPE - the visible components in a **street** between the facing **buildings**, including the form of the buildings, **garages**, **setbacks**, fencing, **driveways**, utility services, street surfaces, street trees and street furniture such as lighting, signs, barriers and bus shelters.

STREET SETBACK - the horizontal distance between the **street boundary** and a **building**, measured at right angles (90 degrees) to the **street boundary**.

STREET SETBACK AREA - the area between the **street boundary** and a **building**.

STREET SETBACK LINE - the minimum distance between the **street boundary** and a **building** in accordance with *Table B*.

STRUCTURE PLAN - as defined under the *Planning and Development (Local Planning Schemes) Regulations 2015* and means a **standard structure plan** or a **precinct structure plan**.

STUDIO - a **dwelling** consisting of one **habitable room** that combines kitchen, living and sleeping space.

SUNLIGHT - direct beam radiation from the sun.

SURVEY-STRATA - a **lot** and associated **common property** as shown on a registered **survey-strata plan** prepared in accordance with section 4(1b) of the *Strata Titles Act 1985*, as amended.

SURVEY-STRATA LOT - refer to definition for **lot in a survey-strata scheme**.

SURVEY-STRATA PLAN - has the meaning given by section 3 of the *Strata Titles Act 1985*, as amended, and means a **scheme plan** for a **survey-strata scheme**.

SURVEY-STRATA SCHEME - has the meaning given by section 9 of the *Strata Titles Act 1985*, as amended, and may include **freehold** or **leasehold schemes**.

SUSTAINABILITY/SUSTAINABLE - meeting the needs of current and future generations through the integration of environmental protection, social advancement and economic prosperity.

SUSTAINABILITY INFRASTRUCTURE - sustainability infrastructure including, but not limited to **solar collectors**, invertors, batteries, electric vehicle charging, roof vents and rainwater tanks.

TERRACE - an outdoor area, usually paved and unroofed, that is connected to a **dwelling** and accessible from at least one room. May be **at-grade** or on a structure such as a podium or a roof.

THROUGH-LOT - a **lot** other than a **corner lot** with **frontage** to more than one constructed public **street** other than a **right-of-way**.

UNENCLOSED - An area that is not **enclosed**.

UNIVERSALLY ACCESSIBLE - having features to enable use by people with a disability as defined by the **NCC**.

UNIVERSAL DESIGN - the design of products and environments that are inherently **universally accessible**, including older people and people with disability.

VERANDAH - a roofed open platform attached to a **dwelling**.

VISUALLY PERMEABLE - *in* reference to a wall, gate, door, screen or fence that the vertical surface, when viewed directly from the **street** or other public space, has:

- continuous vertical or horizontal gaps of 50mm or greater width occupying not less than one third of the total surface area;
- continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the total surface area in aggregate; or
- a surface offering equal or lesser obstruction to view.

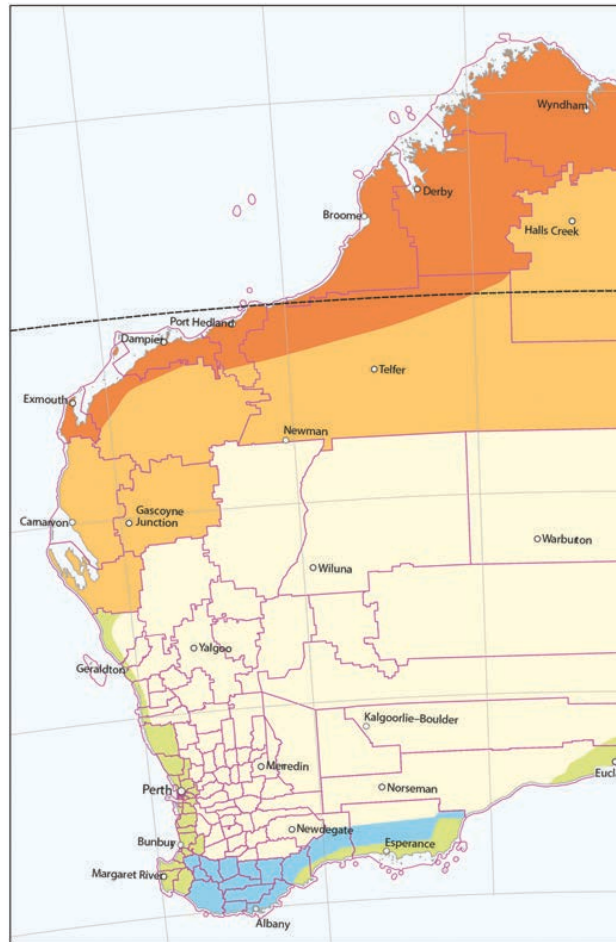
WALKABLE CATCHMENT - the actual area served within a walking distance along the **street** system from a public transport stop, town or neighbourhood centre.

WALL - the vertical external face of a constructed **building** comprising solid building material and including enclosures to **verandahs** and **balconies**.

WAPC - Western Australian Planning Commission.

WINTER SOLAR GAIN - the heating of the **building** interior due to **sunlight** penetration through windows or heating of the building mass.

Climate zones for Western Australia



Climatic Zones - Western Australia

- Zone 1** - High humidity summer, warm winter
- Zone 2** - Warm humid summer, mild winter (NA to WA)
- Zone 3** - Hot dry summer, warm winter
- Zone 4** - Hot dry summer, cool winter
- Zone 5** - Warm temperate
- Zone 6** - Mild temperate
- Zone 7** - Cool temperate (NA to WA)
- Zone 8** - Alpine (NA to WA)
- Local Government Area Boundary

Extracted from Climatic Zone map of Australia published by ABCB (last amendment August 2015)

A2 Context and site analysis

The list below outlines the recommended documentation to assist in the preparation of context and site analysis and design response.

Category	Materials
Neighbourhood context	<p>A plan or aerial photo showing the site in relation to neighbourhood context including the location of:</p> <ol style="list-style-type: none"> i. civic / community and activity centres including local shops, schools and libraries ii. public open space and bushland, such as parks and sporting ovals iii. transport within a 5-10 minute walk. Include walkable catchments from the site (show a 400m radius and 800m radius circle from the site)
Street context	<p>Plan(s), photographs or other documentation of features of the street context, including properties adjoining the development site and on the other side of the street, to show:</p> <ol style="list-style-type: none"> i. prevailing breezes, and shadows from natural or built features ii. surrounding built form patterns and typologies, including existing and proposed building envelopes and heights (storeys and metres), important parapet/datum lines of adjacent buildings, setbacks and subdivision pattern iii. patterns of building frontages, street setbacks and side setbacks iv. streetscape including land uses and planned development, staging or redevelopment outcomes v. movement and access for vehicles (including service vehicles), pedestrians and cyclists vi. topography, landscape, open spaces and vegetation vii. significant views to and from the site viii. any sources of nuisance emissions in the vicinity of the site such as noise, light, and odour, that may have a bearing on the residential proposal, particularly vehicular traffic, train, aircraft and industrial noise ix. location of relevant heritage places or features, areas of environmental significance, and elements of cultural significance
Site context	<p>A site plan showing at scale the following features:</p> <ol style="list-style-type: none"> i. lot boundaries, site dimensions, site area, north point, street frontage, street name, lot number and address ii. geotechnical conditions including rock outcrops, watercourses iii. topography showing relative levels and contours at 0.5 metre intervals for the site and across site boundaries where level changes exist iv. unique geological features, such as watercourses, bores and rock outcrops v. location, type and size of significant existing trees and/or significant landscaping features on site and on adjoining streets and properties, including relative levels where relevant; vi. location, use, dimensions, setback distances of existing buildings or built features (including outbuildings, retaining walls and other structures) on the site vii. locations and levels of existing buildings and structures on adjacent lots that might affect, or be affected by, the proposed development, including habitable room windows, solar collectors, and designated primary garden areas or private open space, walls and fences, parapets and ridge lines, and any other relevant features viii. pedestrian and vehicular access points, driveways and features such as crossovers, truncations, service poles, bus stops, fire hydrants and access restrictions (e.g. road islands adjacent to the site) ix. location of services utilities and infrastructure, including water, gas, power, solar collectors, telecommunications, sewerage and drainage, and accompanying inspection points and easements
Design response	<p>Sketches, drawings or diagrams as needed, to demonstrate response to context and site.</p>

A3 Application documentation

The list below outlines the documentation recommended to be submitted for an application for **residential development** under R-Codes Volume 1. Proponents should also refer to application requirements that may be specific to a **decision-maker**. The recommended material is in addition to that required under cl. 63, part 8 in Schedule 2 of the Regulations. Some of the material will not be relevant for all applications and material should be prepared and submitted that is appropriate for site specific reasons such as scale, complexity or design approach. Early consultation should be undertaken with the decision-maker to confirm application documentation requirements. Where the application is for an addition or alteration to an existing **dwelling**, the material submitted should relate to the alteration or addition.

Application requirements legend

- ✓ Information necessary to inform assessment
- Information may be needed dependent on circumstances
- ✗ Information unlikely to be required

Category	Materials	Proposal Type			
		Part B <i>All residential development</i>	Part B & C <i>Addition or alteration to existing dwelling</i>	Part C <i>Single house or grouped dwelling</i>	Part C <i>Multiple dwelling or larger scale grouped or mixed proposals</i>
Development proposal summary	Summary table or document of key details of the development proposal, including the following: <ol style="list-style-type: none"> i. compliance of proposal with objective and relevant provisions of local planning framework for development site ii. proposed average and minimum site areas iii. number, height, mix, size and accessibility of the development iv. number of parking spaces for occupants, visitors, bicycles and motorcycle/scooters (where required by decision-maker) 	✓	✗	✓	✓
Context and site analysis and design response	Documentation prepared during the project investigation phase. Refer <i>A2 Context and site analysis</i> .	✓	—	✓	✓
SPP7.0 Design Principles statement	A statement of key points to document how the proposal satisfies the 10 Design Principles of State Planning Policy 7.0 <i>Design of the Built Environment</i> (where required by decision-maker)	—	✗	—	✓
R-Codes Vol.1 Design Principles	Justification for where an element design principle pathway is to apply, rather than the deemed-to-comply provision. This justification may refer to the findings from the context and site analysis, intent, SPP 7.0 design principles , and local planning framework and R Codes Volume 1 objectives as justification in support of the design principle pathway.	✓	✓	✓	✓
Other supporting information	<ol style="list-style-type: none"> i. Waste Management Plan (where required by decision-maker) ii. Illustrative views (where required by decision-maker) 	✗	✗	—	✓

Category	Materials	Proposal Type			
		Part B <i>All residential development</i>	Part B & C <i>Addition or alteration to existing dwelling</i>	Part C <i>Single house or grouped dwelling</i>	Part C <i>Multiple dwelling or larger scale grouped or mixed proposals</i>
Site plan	<p>Scale drawing (typically 1:100) showing:</p> <ul style="list-style-type: none"> i. property details, north point and scale bar, and existing contours and/or spot levels ii. the position and dimension of major openings to any active habitable spaces in a wall of an adjoining building, private open spaces, and primary garden areas, within 6m of a boundary of a development site iii. the position, type, and size of any existing trees (indicate which are to be retained and which are to be removed) and/or significant landscaping features iv. the position and level of proposed and existing buildings, street fences, retaining walls and other structures v. location and size of primary garden area, private open space, including areas to be landscaped vi. proposed finished site levels (if any change from existing levels) vii. the position of access-ways for pedestrians and vehicle, and on-site and off-site car parking spaces viii. site area boundaries including any proposed strata lots (where required by decision-maker) ix. the horizontal position, floor levels and positions of all openings of existing and proposed building(s) x. details of measures proposed to reduce overlooking, indicating cone of vision as they relate to the adjoining properties 	✓	✓	✓	✓
Development drawings	<p>Scale drawing (typically 1:100) showing:</p> <ul style="list-style-type: none"> i. all floor plans, including lengths, articulation and their distances from the boundaries of the site ii. internal floor plans and layouts for proposed dwellings/extensions – this includes window position, indicative furniture layouts, room dimensions and room names, size of circulation space iii. location and dimension of primary garden areas, deep soil areas, private open spaces and service areas iv. dimension of storage areas, waste management and parking v. all elevations, including all privacy devices, service utilities and infrastructure, with the existing and natural ground levels, wall heights and total building heights related to Australian Height Datum (AHD), contours at maximum intervals of 0.5m vi. proposed materials, colours and finishes of the exterior of the development, including façade, roof and dwelling entries vii. cross-sections through any proposed areas of excavation or fill with the relevant existing, natural and proposed levels related to Australian Height Datum (AHD), contours at maximum intervals of 0.5m viii. ceiling heights for primary living space ix. sufficient details and accompanying information to demonstrate compliance with the relevant provisions of universally accessible dwellings AS4299 Adaptable housing and Livable Housing Design Guidelines (Livable Housing Australia, 2017) (where required by decision-maker) 	✓	✓	✓	✓

Category	Materials	Proposal Type			
		Part B <i>All residential development</i>	Part B & C <i>Addition or alteration to existing dwelling</i>	Part C <i>Single house or grouped dwelling</i>	Part C <i>Multiple dwelling or larger scale grouped or mixed proposals</i>
Landscape plan	<p>Scale drawing (typically 1:100) showing:</p> <ul style="list-style-type: none"> i. the development footprint and site boundary ii. street tree location iii. existing on-site trees to be removed and trees to be retained, including trunk, canopy size and root protection areas iv. position and size (canopy and height) of trees on adjoining properties, and root protection areas v. position, type, and size of proposed trees to be planted on site including root protection areas vi. position, type, and size of proposed soft landscaping, including groundcovers and shrubs and/or significant landscaping features vii. size and dimension of deep soil areas viii. communal open spaces where provided ix. the position of built landscape elements, including fences, pathways, swimming pools and spas, pergolas, walls, retaining walls, planters and water features x. type of permeable, semi-permeable and impermeable surfaces including roof cover and ground surfaces, indicating the size of deep soil area encroachments xi. stormwater management and irrigation concept design xii. site lighting 	✓	✗	✓	✓
Building performance diagrams	<p>Scale drawing showing:</p> <ul style="list-style-type: none"> i. plans and sections of sufficient information to explain how the adjoining properties could be affected by visual privacy and the appropriate measures applied ii. plans and sections of sufficient information (including primary living spaces and solar collectors of adjoining properties) to explain how the adjoining properties would be affected by overshadowing iii. a solar diagram showing solar access for the primary living space and communal open space where provided iv. location and size of openings to habitable rooms to demonstrate natural ventilation v. sections where necessary to demonstrate shading achieved through shading structures such as eaves, louvres or awnings 	✓	—	✓	✓

Draft Residential Design Codes: Volume 1, Part C - Medium Density Code**City of Joondalup submission****General comments**Subdivision process

The City has identified a disconnect between the subdivision and development application processes. The draft Medium Density Code (MDC) includes a number of standards that rely on lot orientation in order to meet the deemed-to-comply requirements. Often lot orientation is established through subdivision which is a separate process and guided by the WAPC's Development Control Policy 2.2 (DC2.2). DC2.2 does not include the same criteria that would drive lot orientation toward achieving the proposed deemed-to-comply standards of the draft MDC and therefore subdivision assessment is not bound by these same requirements. It is recommended that DC2.2 is reviewed to ensure the objectives and provisions align with the MDC.

Review of Residential Design Codes

It is recommended that consideration be given to the requirement for the Residential Design Codes (R-Codes) to be subject to a five yearly review, similar to that required for Local Planning Schemes under the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The intent behind the recommendation is not to require a wholesale review of the R-Codes every five years, but to establish a consistent review cycle where updates or corrections can be undertaken. Consistent review would also provide local governments more certainty in planning for the preparation or review of their own residential local planning policies and can also plan for the implementation of R-Code updates with a higher degree of certainty.

Greater support from DPLH required

Further assistance and guidance are required from the DPLH in respect to the application and interpretation of provisions under the R-Codes. Being a State Planning Policy prepared by DPLH, local governments have the difficult task of implementing such a complex and broad planning policy. Often local governments will interpret certain provisions of the R-Codes differently, and greater ownership from DPLH is needed to clarify the intent of provisions and adjudicate on application and interpretation of the R-Codes for local government and applicants. Parts of the draft MDC seek to limit the number of provisions that can be varied without the approval of the WAPC which will potentially lead to a higher degree of consistency of provisions across local planning frameworks. However, if there is not also a central point to interpret and apply the R-Codes then it is likely that inconsistency across local governments will remain without greater assistance from State Government.

Design Testing

Whilst it is acknowledged that the draft MDC was informed in part through design testing it is questioned whether the brief provided to those undertaking the design testing was appropriate. The testing was undertaken to explore the different built form housing typologies, the benefits to typologies currently supported by the existing R-Codes and to test the implications of the proposed standards for design outcomes and construction costs. It is not apparent if any of the testing involved a 'worst case' scenario to understand what sort of outcome this approach would deliver. It is important to understand what this base outcome is to ensure that even meeting the bare minimum requirements of the draft MDC will result in acceptable outcomes.

Aspects of R-Codes Volume 2 (Apartments)

The draft MDC will apply to multiple dwelling (apartment) dwelling that would currently be assessed under the R-Codes Volume 2 (Apartments). Whilst it is acknowledged that a number of the elements of the R-Codes Volume 2 have been carried over to the draft MDC there are some elements that have not been incorporated that would add to the liveability of apartment development in a medium density context. For example, circulation of common spaces and the need to provide separation between common walkways and habitable rooms improve privacy for residents and potential provides opportunity to planter beds to improve amenity. Minimum ceiling heights also contribute to perceived spaciousness of interiors which is more important in vertical living where occupants may not have direct access to garden areas (private or common). These and other relevant elements from the R-Codes Volume 2 currently missing from the draft MDC should be carried across to ensure apartments in a medium density context are equally liveable as those in a high density context.

Detailed comments

Clause	Level of support	Policy provision	City comment
2.1		R-Codes development application process	
2.1.3	Support	<i>The application must detail in writing where the proposed development departs from a deemed-to-comply provision and give justification of how the proposal satisfies the corresponding design principle and any relevant objectives and requirements of the local planning framework.</i>	<p>The need for an application that deviates from the deemed-to-comply requirements to be accompanied by appropriate technical justification is supported and this requirement should be emphasised.</p> <p>Elevating the importance of this requirement will place the onus on to the applicant to demonstrate the design principles have been met rather than on the decision-maker. In the absence of any justification the decision-maker is required to make this judgement and can be misinterpreted as the decision-maker going out of its way or overstepping its role in favour of the applicant.</p>

			<p>Stronger application of this requirement may also however have an unintended consequence of making the development application process more difficult, frustrating and onerous on people who do not interact frequently with the R-Codes (ie. a residents who may looking to undertake a fairly simple home improvement would also be subject to the same requirement to provide written, technical justification for any aspect of their proposal that does not meet deemed-to-comply requirements).</p>
2.3		Consultation	
2.3.4	Conditional Support	<p><i>As a minimum, notified owners and occupiers should be provided with information on...</i></p> <p><i>iii. design principles that the proposal is addressing, and the supporting justification provided by the proponent...</i></p>	<p>The City's current practice in relation to consultation involves notifying affected landowners/occupiers of the development provisions which require assessment against the 'Design Principles'. This letter (and website information) includes a link to an electronic version of the R-Codes which landowners/occupants can review. Including every 'design principle' in a letter with multiple discretions can result in a lengthy and potentially overly complicated letter which could be misread/interpreted or even disregarded. It is also considered unnecessary to rewrite the provisions of the R-Codes in a letter if the document is easily accessible online.</p> <p>In addition to the above, providing a copy of the supporting justification provided by the applicant can sometimes be misleading and/or incorrect. Often the City will require amended plans prior to advertising and identify additional discretions which have not been addressed (or missed by the applicant) once a detailed assessment has been completed. Therefore, providing notified owners and occupiers with a copy of the applicant's justification can create confusion and is sometimes either irrelevant or incorrect. Further it provides little benefit for notified owners and occupiers when addressing the design principles and may result in their submission focusing only on refuting the applicant's claims, rather than considering how the proposal</p>

			<p>impacts them and how the proposal performs against the relevant 'design principles'.</p> <p>Rather, it is recommended that this provision be modified to state: <i>“iii. The clause number and name which requires assessment against the relevant ‘design principles’”</i></p>
2.3.4	Conditional Support	<i>The decision-maker should advise affected owners and occupiers of its decision and make available the approved plans for viewing if requested.</i>	<p>The provision as drafted has potential legal implications in relation to copyright and privacy.</p> <p>If the DPLH is of a view that a provision is required that refers to the availability of approved plans, it is recommended that the provision be modified as follows: <i>“The decision-maker should advise affected owners and occupiers of its decision and the process by which to view approved plans.”</i></p>
3.0		Local planning framework	
3.2	Conditional Support	<i>The decision-maker shall not adopt a local planning framework instrument that modifies the R-Codes Volume 1 except as provided for below and as outlined in Table 3.2a for Part B – Low Density Code and Table 3.2b for Part C – Medium Density Code.</i>	<p>There are a number of provisions under the draft MDC which cannot be modified without WAPC approval. However, some of these are inconsistent with SPP7.3 Volume 2 and SPP7.3 Volume 1 (future Part B: Low Density Code).</p> <p>There is a need to ensure consistency in the level of approval required (i.e. WAPC or not WAPC) across the three documents.</p> <p>It is therefore recommended that the table 3.2b of the draft MDC be modified to ensure that the provisions which can be modified with/without WAPC approval are consistent between each volume of the R-Codes for ease of use, consistency and avoid convoluted referencing of provisions modified under an LDP/LPP.</p>
3.2	Conditional Support	Table 3.2b	Table 3.2b sets out what elements of the draft MDC that can be modified by a local government (via a precinct structure plan, local planning policy or local development plan) with and without WAPC approval.

			<p>It is recommended that the draft MDC is modified to allow the following elements to be amended by a local government via a local planning policy without the need for WAPC approval:</p> <ul style="list-style-type: none"> 3.4 (parking) 4.2 (building height) 4.3 (lot boundary setbacks) 4.4 (site works and retaining walls) 4.6 (street setbacks) <p>These provisions are critical built form standards which can have significant impacts on the prevailing/desired streetscape character of an area, and it is therefore more appropriate that local government has the ability to modify these elements to suit local context.</p> <p>This is most apparent in an area such as the City of Joondalup's Housing Opportunity Areas where new medium density development is taking place in existing suburbs developed originally at lower densities. Additional building height may result in new development appearing out of context with its surrounds. Reduced parking requirements may result in a proliferation of parking on streets that are not appropriately designed or intended to accommodate the resultant volumes of parking. Reduced setbacks between buildings may reduce the amount of light and ventilation available for rooms thereby making the dwellings less liveable.</p>
1.1		Site area	
1.1.1	Not Support	<i>Development which complies with the dwelling type and site area requirements set out in Site Category 1, 2 or 3 of Table A and the following provisions. ..</i>	<p>The City has some concern with the principle of providing greater density through the approach set out in the draft MDC.</p> <p>Local governments spend a great deal of time and analysis strategically locating density throughout their municipality. The approach set out</p>
C1.1.3/ C1.1.4	Not Support	<i>Site Category 2(3) minimum and average site area requirements of Table A can be applied where:</i>	

		i. The development is within <i>Location A</i> ...	in the draft MDC has the potential to undermine this strategic planning undertaken by local governments.
C1.1.4	Not Support	<i>Site Category 3</i> minimum and average site area requirements of Table A can be applied where:...	It is recommended that further consideration be given to this approach.
		iv. A local development plan has been approved by the local government...	
C1.1.5	Support	<i>For dual coded development sites that are eligible for Site Category 2 or 3, the minimum and average site area requirements of Table A shall apply to the lower density applicable to that site.</i>	Notwithstanding the overall concern with this part of the draft MDC, some specific comments in relation to the draft provisions as provided below: Site Category 2 or 3 concessions may be inconsistently applied where public transport/bus routes change over time by the Public Transport Authority (PTA). This may result in properties within the same locality having a variety of differing permitted lot sizes.
Notes	Not Support	<i>Location A includes all land located within:</i> <ul style="list-style-type: none"> - 800m of a train station on a high frequency rail route measured in a straight line from the pedestrian entry to the train station platform to any part of the lot; - 250m of a high-frequency bus route, or multiple bus routes that if combined have timed stops every 15 minutes during weekday peak periods (7 – 9am and 5 – 7pm), measured in a straight line from along any part of the bus route to any part of the lots; and/or - the defined boundaries of an activity centre. 	The permitted minimum and average site area requirements under C1.1.3/C1.1.4 (i.e. applicable site category) have the potential to change on individual lots should high-frequency bus routes get modified/removed by the Public Transport Authority. This could create inconsistencies in permitted lot sizes and applicable of Table A/clause 1.1. It is not considered appropriate to require a local development plan (LDP) for a 1,500m ² lot which may have only 6 dwellings in an R30 area. It is recommended that the provision is modified to require an LDP for 10 or more proposed dwellings/lots and where less than 10 dwellings/lots are proposed an approved development application has been granted by the determining authority. This will ensure appropriate built form outcomes can be achieved for the reduced lot sizes without additional layers added to the planning framework. Measuring distance between a lot and a train station/bus route using a straight line (i.e. as-the-crow-flies) does not give an accurate

			<p>representation of walkability or accessibility to high-frequency public transport.</p> <p>It is recommended that Location A criteria is modified to ensure this is calculated using a “ped-shed” or walkability catchment method where the distance is calculated using public street/paths to accurately measure the walking distance to a high frequency public transport service. It is also recommended that the distance to high-frequency bus routes be measured to a bus stop, not any point along the route. This is consistent with the approach taken for measurement to high-frequency train services and more accurately reflects the actual distance someone would have to travel to access the service (i.e. one can only get on a bus at a defined stop, not just anywhere along the route). It is also noted that using a walkable catchment (not straight line) and proximity to a bus stop (not route) is consistent with the approach taken in <i>State Planning Policy 7.2 – Precinct Design</i> for establishing precinct boundaries. State Government policy should be consistent in its approach.</p> <p>C1.1.3 (relating to Site Category 2) and C1.1.4 (relating to Site Category 3) have a different approach to defining a corner lot for no apparent reason. Further, it would appear the description in C1.1.4 which includes reference to a minimum of two street frontages is redundant as the draft MDC defines ‘corner lot’ as:</p> <p><i>“a lot located at the intersection of two or more constructed public streets.”</i></p> <p>It is recommended that both clauses are made consistent or, if it is intended that the two are different, more detail be provided to clarify this.</p>
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			<p>It is essential that C1.1.5 relating to dual density coded lots remains. Dual density coded lots are typically accompanied by criteria that, if met, supports the application of the higher coding. Applying the Site Category 2 or 3 criteria on top of the dual density coding criteria would create an inappropriate layering that may result in too great a disparity between the base coding and the higher coding, subsequently reflected as disparate built form outcomes.</p> <p>At higher density codings Table A includes 'NA' against the minimum and average site area for a number of Site Category 2 and 3 scenarios. It is presumed this means that there is no ability to apply Site Category 2 or 3 concessions as the note at the bottom of Table A states that R80 site area requirements apply to single house and grouped dwellings on lots coded R100, R160... Whilst this may be the case the draft MDC is not clear if this is actually the intent. It is therefore recommended that consideration be given to including the applicable minimum and average site area in lieu of 'NA' against Site Category 2 and 3 even if it is the same as the Site Category 1 requirement. This will provide absolute clarity and avoid confusion and potential misapplication.</p>
C1.1.7	Conditional Support	<p><i>Subject to C1.1.2 only, the following variations to the minimum and average site area set out in Table A may be made:</i></p> <p><i>i. For an aged or dependent persons' dwelling or a small dwelling that is the subject of a development proposal in areas coded R50 or less, the Site Category 1 minimum and average site area may be reduced by up to 35%...</i></p>	<p>This provision is worded so that the reduction in site area may be reduced by "up to 35%", insinuating that the reduction could be less.</p> <p>If so, can the decision maker determine that the reduction could be less than 35%? This could create some uncertainty and provides no guidance on when a 30%, 25%, 20% (etc) reduction would be appropriate.</p> <p>It is recommended that the provision be modified by deleting "up to" to ensure a consistent metric is applied in all instances.</p>
2.1		Primary garden area	

C2.1.1	Support	<i>A single consolidated primary garden area provided for each dwelling in accordance with Table 2.1a.</i>	<p>The provision is considered to result in better outcomes for smaller grouped dwelling developments and will increase open space to individual units, providing more consolidated outdoor areas, and a more useable space for the residents.</p> <p>The new garden area provisions will significantly impact the assessment of grouped dwellings, but it is considered that this will result in a better built form.</p>
C2.1.2	Conditional Support	<i>In climate zones 4, 5 and 6, the primary garden area is located in the northern half of the site (refer Figure 2.1a). The primary garden area is to be located in the street setback area only where it is necessary to achieve this northern location.</i>	<p>It is considered that developments can achieve the requirement to have primary gardens within the northern half of the site when an application is lodged prior to subdivision, however if a subdivision is lodged first, and survey strata lots created prior to the lodgement of a development application, northern orientated garden areas may be difficult to achieve.</p>
2.2		Primary open space	
2.2	Support	General principle	<p>The primary open space requirements relate solely to multiple dwellings and the provisions are supported.</p>
2.3		Trees, deep soil area and landscaping	
2.3	Support	General principle	<p>The introduction of these requirements will result in an increase in the provision of trees and landscaping for developments.</p> <p>Additional costs will be borne by the applicant in order to demonstrate how these requirements are met, such as the preparation of landscaping plans.</p> <p>The need to provide for more landscaped areas may reduce the area on a site available for the building itself, which may encourage a larger proportion of two-storey development.</p> <p>Both impacts have the potential to increase the cost of development and consequently have an impact on housing affordability.</p>

<p>C2.3.1 C2.3.2 C2.3.3 C2.3.4 C2.3.5</p>	<p>Conditional Support</p>	<p><i>Development to provide a minimum 20% of each site area and communal property (where applicable) as deep soil area, with the deep soil area to have a minimum dimension of 1.5 metres.</i></p>	<p>The provision of trees per dwelling is considered appropriate in principle, however it is recommended that clarity be provided that each proposed dwelling provides a tree in their individual primary garden area to ensure residents for each dwelling are provided with this increased amenity opportunity.</p>
<p>C2.3.5</p>	<p>Conditional Support</p>	<p><i>A minimum number of trees and associated root protection areas to be provided in accordance with Table 2.3a and b and to be planted in the deep soil area.</i></p>	<p>The requirements for deep soil areas and trees for single and grouped dwellings is supported and will contribute to better landscaping outcomes and improved tree canopy as part of medium density development.</p> <p>Whilst the principle is supported, it is considered that the metrics included in the draft MDC are inappropriate.</p> <p>In relation to the amount of deep soil area required, it is recommended that a sliding scale, based on the size of the lot, with a minimum provision of 20%, is a more appropriate approach.</p> <p>Smaller lots are typically a function of higher densities which are meant to be located closer to larger centre and high frequency transport options and are intended to have a more urban character than development in lower density areas, which will generally be more suburban in nature.</p> <p>Therefore, the proportion of deep soil area should reflect the intended urban form of areas of different density (i.e. via a sliding scale).</p> <p>It is also noted that the deep soil area requirements are inconsistent with the tree requirements. For example, a 200m² grouped dwelling lot will have a deep soil area requirement of 40m² (draft clause C2.3.1), however only a single, small tree is required (draft clause C2.3.5, table 2.3a). A single, small tree requires a deep soil area of 9m² (draft table G2.3a of the Explanatory Guidelines).</p>

			<p>It is unclear what the intent is for the balance (approximately 31m²) of deep soil area is and appears as a missed opportunity for additional trees to be provided in an area that is already required to be set aside for landscaping purposes.</p> <p>It is also unclear whether the 'minimum root protection area' outlined in table 2.3b is the same as the 'minimum planting area' being introduced as part of the amendments to the R-Codes Volume 1 (to become operational from 2 July 2021) which will presumably apply to the draft Part A (Low Density Code). If so, it is noted that the minimum dimension is different in the two documents (1.5m x 1.5m and 2m x 2m). Consistent terminology and dimensions should be contained in both parts of the R-Codes.</p> <p>It is recommended that the minimum tree requirements outlined in Table 2.3a be reconsidered with a view to increase the minimum number and/or minimum size of trees to be required that is more reflective of what is able to be accommodated within the deep soil areas required under draft clause C2.3.1.</p>
C2.3.6	Conditional Support	<p><i>In addition to the tree requirement of C2.3.5, the street setback area is to be landscaped consistent of:</i></p> <p><i>i. A maximum 50% impervious surfaces; and</i></p> <p><i>The minimum tree requirements in Table 2.3c.</i></p>	<p>The principle of requiring a tree in a street setback area is supported, however the draft provision may lead to unintended consequences.</p> <p>For example, the requirement for a tree in the street setback area (where there is a 3m setback) may encourage applicants to seek a design principle assessment (which may meet the design principles of that particular element) for a slightly less setback (i.e. 2.9m) to the street to avoid the provision of a tree.</p> <p>It is also unclear if balcony, porches, patios and the like which are permitted forward of 3m setback line would negate the need for a tree within the street setback area, or if the setback relates to the dwelling itself.</p>

C2.3.8	Conditional Support	<p><i>Where a significant existing tree is retained on site the following concessions apply:</i></p> <p><i>i. A minimum 15% of each site area and common property; or 15% of the lot is to be provided as deep soil area; and</i></p> <p><i>The building alignment of the dwelling may project into the street setback line a maximum of one metre, where the tree is located behind the street setback.</i></p>	<p>Retention of significant vegetation as part of development will have positive amenity impacts; however, will add additional design and development constraints.</p> <p>The general intent of the provision is supported; however, the degree of incentive is not considered attractive enough to achieve the objective.</p>
3.2		Solar access and natural ventilation	
C3.2.1	Conditional Support	<p><i>Every habitable room has at least one external window, visible from all parts of the room, with an aggregate glazed area not less than 10% of the habitable room floor area and comprising a minimum of 50 per cent of transparent glazing (refer Figure. 3.2a).</i></p>	<p>The provision of external windows to each habitable room will result in light and ventilation to each room and is supported. Some unintended consequences may result such as room sizes may be decreased to the minimum requirements to meet the deemed-to-comply requirements, or alternatively windows may be increased in size having a consequential impact in relation to visual privacy.</p> <p>As solar access and ventilation are also considerations under the Building Codes of Australia (BCA) and the National Construction Code (NCC) it is recommended that the draft MDC requirements align with these requirements.</p> <p>Further, it is also noted that the provision will increase assessment time significantly for assessment.</p>
C3.2.3	Conditional Support	<p><i>In climate zones 4, 5, and 6, the primary living space of all single houses and grouped dwellings, and at least 70% of dwellings within a multiple dwelling development, have a major opening orientated between north and east (refer Figure. 3.2b) that can access at least 2 hours direct sunlight between 9am and 3pm on 21 June.</i></p>	<p>Whilst the provision for multiple dwellings is similar to the current requirements, the requirement for single houses and grouped dwellings will result in more solar responsive dwellings. The requirement may be difficult to achieve where subdivision occurs prior to the lodgement of a development application.</p>
C3.2.4	Conditional Support	<p><i>Horizontal shading devices such as eaves, window hoods or fins are to be provided: i. in climate zones</i></p>	<p>Generally, the City is in support the provision for shading devices, however the requirement of 600mm eaves to single or grouped</p>

		<p>4, 5 and 6, to north facing windows to a depth of 600mm; and ii. in climate zones 1 and 3, to all windows to a depth of 900mm (refer Figure 3.2c).</p>	<p>dwelling where a minimum 1.0 metre setback is required will result in a 0.4 metre setback of the eaves from the boundary, which create compliance issues with the BCA as part of the building permit process.</p> <p>It is recommended that 500mm eaves be considered as this depth is a building standard and will provide appropriate shading to windows, whilst still allowing the 1.0 metre setback to the boundary prescribed by the draft MDC to be achieved. Alternatively, a minimum lot boundary setback of 1.1 metres should be considered that would still allow a 600mm eave to be provided and still achieve appropriate fire separation under the BCA. There is also an added advantage by increasing lot boundary setback requirements in lieu of reducing eaves depths. Increasing lot boundary setbacks will provide more separation between buildings and from openings to boundary fences. This will provide greater opportunity for light to access rooms and for rooms to be better ventilated, increasing the overall liveability of these spaces.</p>
3.3		Size and layout of dwellings	
C3.3.1, C3.3.2	Support	<p><i>Minimum internal dwelling floor areas are provided in accordance with Table 3.3a.</i></p> <p><i>Minimum habitable room floor areas are provided in accordance with Table 3.3b.</i></p>	<p>The provision to introduce minimal internal floor areas and minimal habitable room floor areas for single and grouped dwellings is supported by the City and is considered to produce a better liveable outcome for future residents of the dwellings.</p> <p>It is however noted that the assessment of this provision will likely increase the assessment time of single house and grouped dwelling applications.</p>
C3.3.3	Not Support	<p><i>Spaces within a dwelling for the exclusive purpose of circulation, such as hallways, corridors, stairs and internal entries, shall not exceed 10% of the internal dwelling floor area.</i></p>	<p>It is considered that this provision is superfluous, as the liveability of the dwelling is assessed via the minimum required floor area, window and light requirements, and assessment against ventilation. This provision would not benefit the design of the dwelling where C3.3.1 and C3.3.2 are achieved.</p>
3.4		Parking	
Table 3.4a	Not Support	Provision of parking in location A areas	The inclusion of a minimum parking requirement of zero bays in location A is not considered appropriate for medium density

			<p>developments in a suburban context. It is recommended a minimum of one resident bay consistent with the current R-Codes should be maintained.</p>
<p>C3.4.1 – 3.4.6, Table 3.4a, b & C</p>	<p>Conditional Support</p>	<p>General Principles:</p> <ul style="list-style-type: none"> • Resident parking • Visitor parking • Bicycle parking for single house and grouped dwellings 	<p>It is recommended that the MDC reference walkable catchments rather than straight line distance.</p> <p>The provision of a maximum parking requirement for garage bays is supported as this will reduce the dominance of garages on the street. It is noted that the draft MDC does not cap the maximum number of bays which can be provided on site given there is the scope for additional parking areas which are uncovered, basement or carport structures.</p> <p>Further clarification is required for the consideration of parking of multiple dwellings. Many multiple dwellings provide at grade parking with upper floor apartments cantilevered over. It is unclear if these would be considered garage bays and therefore subject to the maximum parking requirement, or if they are considered some other type of bay (ie. carport or some other parking bay) resulting in no restrictions on the number of bays.</p> <p>The calculation method to determine the number of visitor bays provided in the draft MDC is supported noting that it will likely result in a greater number of visitor parking bays than currently required under the R-Codes, particularly as the draft MDC provides clarity that any fraction resulting from the calculation will be rounded up to the nearest whole number.</p> <p>It is however noted that visitor bays are not required until 5 or more dwellings are proposed. This is different to the threshold which will be included in the R-Codes Volume 1 from 2 July 2021 which requires visitor parking when 4 or more dwellings are proposed.</p>

			<p>It is recommended that the threshold for visitor parking be reduced to 4 dwellings consistent with the R-Codes Volume 1.</p> <p>It considered that formal bicycle parking areas for single houses and grouped dwellings are not required given the available space provided internally and external to the dwellings and the need for storage areas under separate provisions included in the draft MDC.</p>
3.12		Aged or dependent persons' dwellings	
	Conditional Support	Reference to Australian Standards	<p>Whilst the need to provide outcomes consistent with Australian Standards for universal access and design, the reference to the Australian Standard only provides little guidance or transparency for understanding how the deemed-to-comply requirement can be met. Australian Standards are licensed documents that can only be viewed at cost meaning a resident or community member is unlikely to be able to even investigate the requirement to ascertain what a deemed-to-comply requirements might look like.</p> <p>It is considered more guidance or clarity of the requirement is needed.</p>
4.1		Site cover	
4.1	Conditional Support	General principle	<p>The general increase of 5% to the permitted site coverage stipulated in Volume 1 of the R-Codes is supported as this is balanced with the additional provisions within the draft MDC to provide for trees, deep soil areas and landscaping.</p> <p>The inclusion of a site cover requirement for multiple dwellings rather than plot ratio is considered appropriate and allows for more certainty when determining the size and scale relative to the site area.</p> <p>Volume 1 of the R-Codes allows for the common property area of grouped dwellings to be proportionately shared amongst the number of dwellings when calculating site coverage. It is recommended that this be included in the MDC for consistency.</p>
4.2		Building height	

C4.2.1/ Table B	Conditional Support	R30 & R35: Two-storey height limit. R40, R50 & R60: Three-storey height limit. R80 & R100: Four-storey height limit.	<p>The maximum height limits under the draft MDC for R40, R50 and R60 coded properties is not supported and a two-storey height limit (under the 'deemed-to-comply' requirements) is considered appropriate.</p> <p>Medium density development is occurring in existing suburbs that were established at lower densities. In such instances, the context and character of the area may not support the development of a three-storey dwelling as a deemed-to-comply outcome.</p> <p>It is recommended that the maximum height limit under the draft MCD is modified to two storeys for R40, R50 and R60 density codes, whilst still allowing for the consideration of additional building height through assessment against the applicable 'design principles' on a case by case and merit-based basis.</p>
4.3		Lot boundary setbacks	
C4.3.1, C4.3.3, C4.3.4	Conditional Support	<i>Buildings are set back from lot boundaries, adjoining rights-of-way, pedestrian access ways, communal streets and battleaxe lot access legs in accordance with Table B (refer Figure 4.3a).</i>	<p>The proposed setback provisions for single and grouped dwellings are greatly simplified. It is considered that the setback of the upper floor being greater than the current minimum requirements will reduce bulk and scale impacts to adjoining neighbours.</p> <p>It is noted that under the definition of 'storey' double height floors greater than 5m floor to ceilings are counted as two floors. The inference for this is that double height floors less than 5m in height floor to ceiling and considered to be one floor and can therefore be setback 1 metre from the boundary of an adjoining property.</p> <p>It is considered that a 5-metre high wall set back 1 metre from the adjoining property boundary could have a negative impact on adjoining property owners and may need to be reduced.</p> <p>It is recommended that anything greater than 3.5m in height be considered two storeys for the purpose of determining lot boundary setbacks.</p>

C4.3.2	Support	<p><i>Notwithstanding C4.3.1:</i></p> <p><i>i. for carports, patios, verandahs or equivalent structures the lot boundary setbacks prescribed in Table B may be reduced to nil to the posts where less than 10m in length and 2.7m in height, where the carport, patio, verandah or equivalent structure is located behind the primary street setback and where the eave, gutter and roof are set back at least 450mm from the lot boundary; and</i></p> <p><i>ii. minor projections, such as chimneys, eaves, window hoods and other architectural features, are acceptable provided they do not project more than 0.75m into the lot boundary setback</i></p>	<p>The City supports this provision and it is considered to be consistent with the current design principles of the R-Codes. It is considered that open style structures with a height of no more than 2.7 metres will have minimal impact on the amenity of adjoining properties.</p>
C4.3.5, C4.3.6, C4.3.7, C4.3.8, C4.3.9	Not Support	<p>Boundary walls must satisfy the requirements of Boundary Wall Types A, B or C.</p>	<p>The provision of three different categories of lot boundary walls which vary the permitted length and height requirements are overly complicated.</p> <p>It is considered that one provision should apply to boundary walls with length and height requirements, and separate provisions applied where they are adjacent to existing or simultaneously constructed walls.</p> <p>Further maximum boundary wall heights of up to 9 metres in Residential R40 and 12 metres in Residential R60 are considered to be out of context with the suburban nature of some medium density areas.</p>
4.6		Street setbacks	
C4.6.1/ C4.6.4/ Table B	Support	<p><u>Primary street setback</u> R30 & R35: Four metre setback. R40, R50 & R60: Three metre setback. R80 & R100: Two metre setback.</p>	<p>The City supports a shift proposed in the draft MDC that removes the ability to average street setbacks. This approach will provide a more certain and consistent streetscape outcome noting that interesting streetscapes will still be possible through other provisions that allow</p>

		<p><u>Secondary street setback</u> R30 to R100: 1.5 metre setback.</p>	<p>setback reductions for lightweight building features (i.e. verandahs) and greater setbacks for parts of a building that contribute less to a positive streetscape (i.e. garages).</p> <p>The setback requirements proposed in the draft MDC are reduced in some densities (i.e. R40) and increased in others (i.e. R60). This is considered to be an appropriate policy setting as the averaging is being removed. It has been observed in the past that the ability to average a street setback by reducing the setback of the building by up to 50% has resulted in less desirable streetscapes – particularly in areas where a transition to higher density development in an existing suburb is taking place.</p>
C4.6.2 / C4.6.5	Conditional Support	<p><u>C4.6.2</u> <i>Garage setback from street boundary:</i> <i>i. 5.5m in areas coded R30 and R35; and</i> <i>ii. In accordance with the street setback of Table B in areas coded R40 and above.</i></p> <p><u>C4.6.5</u> <i>Carports permitted forward of the street setback line...</i></p>	<p>The permitted garage setback of 5.5 metres for R30 and R35 coded lots is supported as it provides an opportunity for informal visitor parking to be wholly contained on site. This setback requirement should be applied to all densities and should also apply to carports and other hardstand parking areas.</p> <p>Although the bulk and appearance of carports and uncovered hardstands areas will not have the same impact on the streetscape as an enclosed garage, reducing the permitted setback further will limit the ability to provide informal visitor parking onsite.</p> <p>It is recommended that provision C4.6.2 be modified to state: <i>“Garages, carports, uncovered parking areas shall be setback from street boundaries 5.5 metres.”</i></p> <p>In addition, it is recommended that provision C4.6.5 be deleted.</p>
C4.6.3	Conditional Support	<p>Balcony, patio, porch, verandah or equivalent setback from primary street boundary: R30 & R35: Two metre setback. R40, R50 & R60: 1.5 metre setback. R80 & R100: One metre setback.</p>	<p>The permitted setback of minor incursions under the City’s HOALPP is one metre less than the permitted street setback and up to a maximum width of 50% the building façade. It is considered that the proposed provision under draft MDC would allow for the entire façade of the dwelling to be setback half of the permitted setback with no</p>

			<p>control as to its length. As a consequence, this provision could add additional, unintended bulk to the streetscape and could also result in a development avoiding having to provide a tree in the street setback area as required under other provisions of the draft MDC.</p> <p>It is recommended that the provision be replaced with the following: <i>“A porch, balcony, verandah, chimney or equivalent may (subject to the Building Code of Australia) project not more than 1.0 metre into the street setback area. Projections up to 1.0 metre shall not exceed 50 per cent of the building façade as viewed from the street.”</i></p>
4.12		Visual privacy	
C4.12.1 / figure 4.12c	Conditional Support	<p><i>A cone of vision (refer figure 4.12a) is to be established from all sources of overlooking measured:</i></p> <p><i>i. From a height of 1.7m above floor level...</i></p>	<p>The provision for assessing overlooking from a cone of vision of 1.7m is contrary to the 1.6m height requirement to be considered ‘screened.’</p> <p>It is recommended the height be modified to 1.6m for consistency in the document and as reflected in existing volumes of the R-Codes.</p>
4.12.2, Table 4.12a	Conditional Support	Alternative means of meeting visual privacy requirements rather than just cone-of-vision assessment.	The inclusion of alternative ways to include major openings such as offsetting windows and incorporating horizontal or vertical screens to the building will assist in allowing more light into dwellings, however the provision of an opening with a 1.6m sill height remains, which may not provide good design outcomes.
C4.12.4, Table 4.12b	Conditional Support	Visual privacy assessment to vacant sites.	<p>The provision is specific to the coding of the adjoining site and the cone of vision requirement is a reduction from the current R-Codes for sites coded R30 or higher.</p> <p>Clarification is required as to what is considered to be a ‘vacant site’. For example, if a development application or building permit has been approved, but construction not commenced on site would an assessment against the requirements of Table 4.12a?</p> <p>For the ‘first’ dwelling constructed to have the same outcomes as new developments on the street, encouragement (through the explanatory</p>

			guidelines) should be for full height windows with obscure glazing which could be removed by occupants at a later date should they meet the provisions of C4.12.2. This would also encourage developments to include larger windows that would allow more sunlight into dwellings as required by other provisions included in the draft MDC.
A1		Definitions	
A1	Conditional Support	<i>Corner lot - a lot located at the intersection of two or more constructed public streets.</i>	<p>This definition infers that only a lot which is at an intersection of two different streets is considered a corner lot. In some instances, a lot can be located on a corner/intersection and both street carriageways are named the same.</p> <p>It is recommended that the definition be replaced with the following: <i>“Corner lot - a lot with two separate street boundaries and is located at the intersection of a public street(s)”</i></p>
A1	Conditional Support	<p><i>Storey – the portion of a building which is situated between the top of any floor and the top of the floor next above it and if there is no floor above it, that portion between the top of the floor and the ceiling above it but does not include:</i></p> <ul style="list-style-type: none"> - <i>A basement.</i> - <i>A space that contains only a lift shaft, stairway or meter room.</i> - <i>A mezzanine</i> - <i>A loft</i> <p><i>Double height floors greater than 5m floor to ceiling are counted as two floors.</i></p>	<p>The City generally supports this definition subject to modification of what is considered a double height floor.</p> <p>It is recommended that this height limit be modified from a maximum of five metres to 3.5 metres which is equivalent to the maximum height of a typical lot boundary (parapet) wall.</p>

Implication summary of the draft Medium Density Code on the *Development in Housing Opportunity Areas Local Planning Policy*

Urban Design — Public Domain Interface			
Form of Development	HOALPP Development Standard	Draft MDC equivalent	Comment / implications
All development	<ol style="list-style-type: none"> 1. Developments on corner lots shall address both the primary and secondary streets and/or public realm and include strong architectural expression. 2. Buildings adjacent to pedestrian access ways shall achieve appropriate surveillance of these spaces. 3. Blank walls, vehicle access and building services (eg. bin store, booster hydrant) shall not exceed 20% of the total lot frontage to the public realm, except for development with two street frontages, where no blank walls will be permitted to either street frontage. 4. For single and grouped dwelling development, public domain interface objectives shall be consistent with SPP7.3 — Volume 2, Element Objectives and the following acceptable outcomes: <ol style="list-style-type: none"> a. Ground floor dwellings have direct access to the street. b. Upper level balconies/windows overlook the street and public domain. c. Balustrading provides a mix of transparent and opaque materials. d. Fencing, landscaping and other frontage elements eliminate opportunities for concealment. 	<p><u>Clause 4.5 (Streetscape)</u></p> <ol style="list-style-type: none"> 1. Dwelling to address the street and provide at least one major opening on the dwelling frontage with an outlook to the street. 2. Primary entrance for a dwelling must be readily identifiable from the street. 	<p>The HOALPP provides a higher degree of control.</p> <p>Cl. 4.5 can be amended by local government without WAPC approval and therefore this part of the HOALPP will not be affected by transitional arrangements.</p>

	e. Bins are not located in the front setback area or visible from the primary street.		
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Urban Design — Lot Subdivision			
Form of Development	HOALPP Development Standard	Draft MDC equivalent	Comment / implications
Single House / Grouped Dwelling	<p>As per Clause 26 (5) of Local Planning Scheme No. 3 which reads:</p> <p>Clause 5.1.1 of the R-Codes Volume 1 is modified by inserting the additional 'deemed-to-comply' criteria:</p> <p>C1.5 In Residential areas where dual coding applies, site areas under the higher coding may be applied subject to the following:</p> <ol style="list-style-type: none"> i. Development of single and grouped dwellings which complies with a minimum frontage of 9 metres at the primary street setback; or ii. Development of grouped dwellings on corner lots with frontage to two streets, with rear common property access, which complies with a minimum frontage of 6 metres. 	<p><u>Nil</u></p> <ul style="list-style-type: none"> • No minimum lot frontage requirements. 	<p>The HOALPP provides a higher degree of control.</p> <p>No implications for the HOALPP as the Scheme provision (which is reflected in the HOALPP) will prevail over any standards contained in the draft MDC.</p>

Urban Design — Multiple Dwellings – Application of Average Site Area			
Form of Development	HOALPP Development Standard	Draft MDC equivalent	Comment / implications
Multiple dwelling	<p>As per Clause 26 (7) of Local Planning Scheme No. 3 which reads:</p> <p>In addition to the Primary Controls Table 2.1 of the R-Codes Volume 2, the following development standards apply:</p> <ol style="list-style-type: none"> i. Development of multiple dwellings which complies with a minimum site width street boundary of 20 metres; and ii. For residential areas coded R20/40 multiple dwellings shall comply with the average site area per dwelling requirement specified for a single or grouped dwelling for the applicable density coding under SPP7.3 – Volume 1 unless the site: <ol style="list-style-type: none"> a. has primary street frontage to a road with scheme reservation classification of Local Distributor Road or Other Regional Road; or b. is located within an 800m walkable catchment, as defined on the Scheme map, from any existing or proposed strategic metropolitan, secondary, or specialised activity centre or railway station on a high frequency rail route; or c. is located within a 400m walkable catchment, as defined on the Scheme map, from any existing or proposed district activity centre. 	<p><u>Clause 1.1 (Site area)</u></p> <ul style="list-style-type: none"> • No minimum lot frontage requirement for multiple dwellings. • Introduction of an average site area for multiple dwellings, however the average is less than the average site area for single houses / grouped dwellings. 	<p>The HOALPP provides a higher degree of control.</p> <p>No implications for the HOALPP as the Scheme provision (which is reflected in the HOALPP) will prevail over any standards contained in the draft MDC.</p> <p>For the areas located outside of the HOALPP criteria there will be a higher degree of certainty of how many multiple dwellings can be developed on the lot under the draft MDC when compared to the current framework.</p>

Building Height									
Form of Development	HOALPP Development Standard				Draft MDC equivalent				Comment / implications
All development					<u>Clause 4.2 (Building height)</u>				<p>The HOALPP provides a higher degree of control.</p> <p>Building height requirements of the HOALPP will be affected by the transitional arrangements of the draft MDC.</p> <p>Building height under the current R-Codes (vol. 1 and vol. 2) does not require WAPC approval to vary, whereas as cl. 4.1 of the draft MDC requires WAPC approval for local government to amend via a local planning policy.</p>
	R20/R25	R20/R30	R20/R40	R20/R60	R30	R40	R60	R80	
	Maximum 2 storeys	Maximum 2 storeys	Maximum 2 storeys	Maximum 2 storeys	2 storeys	3 storeys	3 storeys	4 storeys	

Street Setbacks											
Form of Development	HOALPP Development Standard				Draft MDC equivalent				Comment / implications		
All development	<i>Building setback</i>				<u>Clause 4.6 (Street setbacks)</u>				<p>The HOALPP provides a higher degree of control.</p> <p>Street setback requirements of the HOALPP will be affected by the transitional arrangements of the draft MDC.</p> <p>Street setbacks under the current R-Codes (vol. 1 and vol. 2) does not require WAPC approval to vary, whereas as cl. 4.6 of the draft MDC requires WAPC approval for local government to amend via a local planning policy.</p>		
		R20/R25	R20/R30	R20/R40	R20/R60	<i>Building setback</i>					
	Primary street	4.0 metres	4.0 metres	4.0 metres	2.0 metres	R30	R40	R60		R80	
	Secondary street	2.0 metres	2.0 metres	2.0 metres	2.0 metres	Primary street	4.0 metres	3.0 metres		3.0 metres	2.0 metres
		<i>Minor incursion setback (balcony, verandah etc.)</i>				Secondary street	1.5 metres	1.5 metres		1.5 metres	1.5 metres
		R20/R25	R20/R30	R20/R40	R20/R60	<i>Minor incursion setback (balcony, verandah etc.)</i>					
Minor incursion	3.0 metres	3.0 metres	3.0 metres	3.0 metres	R30	R40	R60	R80			
Extent	Up to 50% of the building facade				Minor incursion	2.0 metres	1.5 metres	1.5 metres	1.0 metres		
					Extent	100% of the building facade					

Side Setbacks																							
Form of Development	HOALPP Development Standard	Draft MDC equivalent	Comment / implications																				
All development	<p><i>Multiple dwelling</i></p> <p>A minimum side lot boundary setback of:</p> <ol style="list-style-type: none"> 2.0 metres to the ground floor; and 3.0 metres to the upper floor. 	<p><u>Clause 4.3 (Lot boundary setbacks)</u></p> <p><i>All development</i></p> <table border="1"> <thead> <tr> <th></th> <th>R30</th> <th>R40</th> <th>R60</th> <th>R80</th> </tr> </thead> <tbody> <tr> <td>1 storey</td> <td colspan="4">1.0 metres</td> </tr> <tr> <td>2 storey</td> <td colspan="4">2.0 metres</td> </tr> <tr> <td>3+ storey</td> <td colspan="4">3.0 metres</td> </tr> </tbody> </table>		R30	R40	R60	R80	1 storey	1.0 metres				2 storey	2.0 metres				3+ storey	3.0 metres				<p>The HOALPP provides a higher degree of control.</p> <p>Lot boundary setback requirements of the HOALPP will be affected by the transitional arrangements of the draft MDC for multiple dwellings only.</p> <p>Lot boundary setbacks under the current R-Codes (vol. 2) does not require WAPC approval to vary, whereas as cl. 4.3 of the draft MDC requires WAPC approval for local government to amend via a local planning policy.</p> <p>Lot boundary setback under the current R-Codes (vol. 1) requires WAPC approval to vary which was granted on 16 February 2021.</p>
			R30	R40	R60	R80																	
1 storey	1.0 metres																						
2 storey	2.0 metres																						
3+ storey	3.0 metres																						
<p><i>Single house / grouped dwelling</i></p> <p>A minimum side lot boundary setback of:</p> <ol style="list-style-type: none"> 1.0 metres to the ground floor; and 2.0 metres to the upper floor. <p><i>Boundary walls (all development)</i></p> <p>A wall may be built up to one side lot boundary behind the street setback within the following limits:</p> <ol style="list-style-type: none"> A maximum length of 9.0 metres; A maximum height of 3.5 metres from natural ground level; and, An average height of 3.0 metres from natural ground level; <u>or</u> Where the wall abuts an existing or simultaneously constructed wall of similar or greater dimensions. 	<p><i>Boundary walls (all development)</i></p> <p>Boundary wall <u>height</u> between:</p> <ol style="list-style-type: none"> 3.5 metres and 7.0 metres (external boundaries); and, Up to 12.0 metres (internal boundaries) <p>Boundary wall <u>length</u> between:</p> <ol style="list-style-type: none"> Two-thirds the length of the boundary and no maximum length if 4.0 metre breaks included every 9.0 metres (external boundaries); and, No maximum length (internal boundaries) 																						

Resident Parking - Location																				
Form of Development	HOALPP Development Standard	Draft MDC equivalent			Comment / implications															
All development	<p>1. Resident parking, including a carport, garage or other hardstand area, shall be setback a minimum of 5.5 metres from the public road boundary.</p> <p>2. Resident parking up to a boundary abutting a private street or right-of-way which is not the primary or secondary street for the dwelling, shall be provided with a manoeuvring space of at least six metres, located immediately in front of the parking and permanently available.</p> <p>3. Where a dwelling does not orient to a primary street, the garage shall be located behind the dwelling building line and not face the primary street.</p> <p>4. The width of an enclosed garage and its supporting structures facing the primary street shall not occupy more than 50% of the frontage at the setback line as viewed from the street. This may be increased to 60% where an upper floor habitable room with a major opening or balcony extends for the full width of the garage and the entrance to the dwelling is clearly visible from the primary street.</p>	<p><u>Clause 4.6 (Street setbacks)</u></p> <p><i>Parking setbacks</i></p> <table border="1"> <tr> <td></td> <td>R30</td> <td>R40</td> <td>R60</td> <td>R80</td> </tr> <tr> <td>Garage</td> <td>5.5m</td> <td>3.0m</td> <td>3.0m</td> <td>2.0m</td> </tr> <tr> <td>Carport</td> <td colspan="4">0.5m</td> </tr> </table>				R30	R40	R60	R80	Garage	5.5m	3.0m	3.0m	2.0m	Carport	0.5m				<p>The HOALPP provides a higher degree of control.</p> <p>Lot boundary setback requirements of the HOALPP will be affected by the transitional arrangements of the draft MDC for parking setbacks.</p> <p>Parking setbacks under the current R-Codes (vol. 1 and vol. 2) does not require WAPC approval to vary, whereas as cl. 4.6 of the draft MDC requires WAPC approval for local government to amend via a local planning policy.</p> <p>Garage width requirements under the current R-Codes (vol. 1 and vol. 2) does not require WAPC approval to vary. Cl. 4.5 of the draft MDC can also be varied by local government via a local planning policy without requiring WAPC approval.</p>
			R30	R40	R60	R80														
		Garage	5.5m	3.0m	3.0m	2.0m														
		Carport	0.5m																	
<p><u>Clause 4.5 (Streetscape)</u></p> <p><i>Maximum garage width</i></p> <table border="1"> <tr> <td>Single storey</td> <td colspan="2">Two (or more) storeys</td> </tr> <tr> <td>50% of building width</td> <td>60% of building width (if garage setback 2m or less from the building alignment)</td> <td>80% of building width (if garage setback more than 2m from the building alignment)</td> </tr> </table>			Single storey	Two (or more) storeys		50% of building width	60% of building width (if garage setback 2m or less from the building alignment)	80% of building width (if garage setback more than 2m from the building alignment)												
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50% of building width	60% of building width (if garage setback 2m or less from the building alignment)	80% of building width (if garage setback more than 2m from the building alignment)																		

Solar Access for Adjoining Sites (Overshadowing)			
Form of Development	HOALPP Development Standard	Draft MDC equivalent	Comment / implications
All development	<p>As per Clause 26 (6 / 8) of Local Planning Scheme No. 3 which reads:</p> <p>Clause 5.4.2 of the R-Codes Volume 1 / Section 3.2 of Volume 2 is modified by inserting the additional 'deemed-to-comply' / 'acceptable outcomes' criteria:</p> <p>C2.3 Where a development site shares its southern boundary with any other adjoining property capable of residential development, its shadow cast at midday 21 June shall not exceed the following limits:</p> <ul style="list-style-type: none"> i. On adjoining sites coded R60 or greater — 40% of the site area. ii. On adjoining sites coded R30 to R40 inclusive — 35% of the site area. iii. On adjoining sites coded R25 and lower — 25% of the site area. iv. Where an adjoining site is subject to a dual density code and the site is yet to be developed to the higher code, the base density code applies for the purposes of determining the maximum amount of shadow cast permitted. v. Buildings are oriented to maintain 4 hours per day solar access on 21 June for existing solar collectors on neighbouring sites. vi. Where a development site shares its 	<u>Clause 4.11 (Solar access to adjoining sites)</u>	
		Adjoining property R-Code	Maximum overshadowing for adjoining property
		R25 and lower	25% of the site area
		R30 – R35	35% of the site area
		R40 – R50	45% of the site area
		R60	60% of the site area
		R80 or higher	80% of the site area
		<p>The HOALPP provides a higher degree of control.</p> <p>No implications for the HOALPP as the Scheme provision (which is reflected in the HOALPP) will prevail over any standards contained in the draft MDC.</p>	

	<p>southern boundary with a lot, and that lot is bound to the north by another lot(s), the limit of shading for the development site set out in clause 26(6 / 8)i-iii shall be reduced proportionate to the percentage of the affected property's northern boundary that the development site abuts.</p>		
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Access and Parking – Resident Parking			
Form of Development	HOALPP Development Standard	Draft MDC equivalent	Comment / implications
All development	<p>The HOALPP does not modify ratios for resident parking and as such the ratios the draft MDC will have effect when gazetted.</p> <p>The HOALPP does however amend the criteria of what sites qualify for resident parking reductions under 'location A'.</p> <p><i>Location A definition</i></p> <ol style="list-style-type: none"> Development is within an 800 metre walkable catchment of a train station within or adjacent to a Housing Opportunity Area. Development is within a 200 metres walkable catchment of a high frequency bus stop. 	<p><u>Clause 3.4 (Parking)</u></p> <p><i>Location A definition</i></p> <p>All land located within:</p> <ol style="list-style-type: none"> 800 metres of a train station on a high-frequency rail route, measured in a straight line from the pedestrian entry to the train station platform to any part of the lot; 250 metres of a high-frequency bus route; or multiple bus routes that if combined have timed stops every 15 minutes during the weekday peak periods, measured in a straight line from along any part of the bus route to any part of the lot; and/or The defined boundaries of an activity centre. 	<p>The HOALPP provides a higher degree of control.</p> <p>The definition for Location A will not be affected by the transitional arrangements of the draft MDC.</p> <p>Resident parking requirements (including the definition of location A classified land) requires WAPC approval under the current R-Codes (vol 1. And vol. 2) for local government to amend via a local planning policy. WAPC approval to vary this requirement which was granted on 16 February 2021.</p>

Access and Parking – Crossovers			
Form of Development	HOALPP Development Standard	Draft MDC equivalent	Comment / implications
All development	<p>1. A crossover shall be limited to a maximum width as detailed below:</p> <p>a. Where the proposed development yield exceeds 10 dwellings, then a maximum crossover width of 6.0 metres is permitted.</p> <p>b. Where the proposed development yield does not exceed 10 dwellings, then a maximum crossover width of 4.5 metres is permitted, except where required to facilitate access to communal onsite visitor parking or onsite bin collection where a maximum crossover width of 6.0 metres is permitted.</p> <p>2. Crossovers shall not interfere with existing or proposed street trees, or the levels of pavement.</p> <p>3. The footpath infrastructure shall remain continuous in concrete through a crossover and shall not be removed. Where vehicle crossovers are agreed with the City and cross a key pedestrian route, appropriate measures to promote pedestrian safety shall be included to minimise conflict between pedestrians and vehicle traffic.</p>	<p><u>Clause 4.7 (Vehicle and pedestrian access)</u></p> <p>Driveways must be:</p> <p>a. 3.0 metres wide except for portions that accommodate vehicle manoeuvring; access to a double garage and/or passing bay (no defined maximum width);</p> <p>b. Setback 0.5 metres from a side lot boundary or street pole.</p> <p>Vehicle access points are limited to one per lot except where:</p> <p>a. An existing dwelling is being retained that has an established access point that is not able to serve other dwellings;</p> <p>b. All dwellings front the street, whereby a maximum one vehicle access point is permitted per dwelling;</p> <p>c. Lot frontage exceeds 40m, where two vehicle access points are permitted.</p>	<p>The HOALPP provides a higher degree of control by establishing a maximum crossover width for development and also includes reference to street trees and existing footpaths.</p> <p>The HOALPP augments the provisions of the R-Codes and therefore acts in addition to R-Code requirements which means other standards (such as the number of vehicle access points) will also apply under the HOALPP.</p> <p>Crossover requirements of the HOALPP will be affected by the transitional arrangements of the draft MDC for multiple dwellings only.</p> <p>Crossover requirements under the current R-Codes (vol. 2) does not require WAPC approval to vary, whereas as cl. 4.7 of the draft MDC requires WAPC approval for local government to amend via a local planning policy.</p> <p>Crossover requirements under the current R-Codes (vol. 1) requires WAPC approval to vary which was granted on 16 February 2021.</p>

Tree Canopy and Deep Soil Areas – Landscape Area			
Form of Development	HOALPP Development Standard	Draft MDC equivalent	Comment / implications
All development	<ol style="list-style-type: none"> 1. The minimum landscape area is to be calculated as 20% of the site area. 2. Where common property is applicable, then the common property land area shall also be included in the lot area as distributed proportionally to each lot. 3. The 20% minimum requirement for landscape area may be varied for grouped dwellings where an application for development approval is submitted for all grouped dwellings on the parent lot, provided it can be demonstrated that the minimum landscape area achieves 20% of the total parent lot area. 4. Permeable paving or decking within a landscape area is permitted provided it does not exceed 30% of the landscape area and will not inhibit the planting and growth of adjacent trees in the landscape area. 5. The minimum dimension of any landscape area shall be 1.5 metres. 6. A minimum of 50% of the area between the front of the dwelling and the street lot boundary (front setback area) shall be landscape area. 	<p><u>Clause 2.3 (Trees, deep soil area and landscaping)</u></p> <ol style="list-style-type: none"> 1. The minimum deep soil area is to be calculated as 20% of the site area. 2. The 20% minimum requirement for landscape area may be varied for grouped dwellings where an application for development approval is submitted for all grouped dwellings on the parent lot, provided it can be demonstrated that the minimum deep soil area achieves 20% of the total parent lot area. 3. Impervious surfaces, including ground surface and roof cover, does not exceed 30% of the deep soil area and does not extend into the root protection area. 4. The minimum dimension of any deep soil area shall be 1.5 metres. 	<p>The percentages of the HOALPP relate to landscape area (which includes deep soil areas as well as other landscaping) and as a result less deep soil area is required under the HOALPP (noting there are separate deep soil area requirements under the HOALPP).</p> <p>The landscape area requirements of the HOALPP will not be affected by the transitional arrangements of the draft MDC.</p> <p>Landscape area requirements require WAPC approval under the current R-Codes (vol 1. And vol. 2) for local government to amend via a local planning policy. WAPC approval to vary this requirement which was granted on 16 February 2021.</p>

Tree Canopy and Deep Soil Areas – Tree Sizes and Deep Soil Areas

Form of Development	HOALPP Development Standard	Draft MDC equivalent	Comment / implications																																														
All development	<p>Tree sizes and deep soil area definitions and requirements as per R-Codes (vol. 2).</p> <p><i>Deep soil area</i></p> <table border="1" data-bbox="387 464 943 751"> <thead> <tr> <th>Site Area</th> <th>Minimum deep soil area</th> </tr> </thead> <tbody> <tr> <td>Less than 700m²</td> <td rowspan="3">10% (or 7% if existing tree(s) retained on site)</td> </tr> <tr> <td>700 – 1,000m²</td> </tr> <tr> <td>More than 1,000m²</td> </tr> </tbody> </table> <p><i>Tree sizes</i></p> <table border="1" data-bbox="387 863 943 1182"> <thead> <tr> <th>Tree size</th> <th>Canopy at maturity</th> <th>Height at maturity</th> <th>DSA (area)</th> <th>DSA (width)</th> </tr> </thead> <tbody> <tr> <td>Sml.</td> <td>4-6m</td> <td>4-8m</td> <td>9m²</td> <td>2m</td> </tr> <tr> <td>Med.</td> <td>6-9m</td> <td>8-12m</td> <td>36m²</td> <td>3m</td> </tr> <tr> <td>Lge.</td> <td>>9m</td> <td>>12m</td> <td>64m²</td> <td>6m</td> </tr> </tbody> </table>	Site Area	Minimum deep soil area	Less than 700m ²	10% (or 7% if existing tree(s) retained on site)	700 – 1,000m ²	More than 1,000m ²	Tree size	Canopy at maturity	Height at maturity	DSA (area)	DSA (width)	Sml.	4-6m	4-8m	9m ²	2m	Med.	6-9m	8-12m	36m ²	3m	Lge.	>9m	>12m	64m ²	6m	<p><u>Clause 2.3 (Trees, deep soil area and landscaping)</u></p> <p><i>Deep soil area</i></p> <p>1. The minimum deep soil area is to be calculated as 20% of the site area.</p> <p><i>Tree sizes</i></p> <table border="1" data-bbox="972 632 1532 951"> <thead> <tr> <th>Tree size</th> <th>Canopy at maturity</th> <th>Height at maturity</th> <th>DSA (area)</th> <th>DSA (width)</th> </tr> </thead> <tbody> <tr> <td>Sml.</td> <td>4-6m</td> <td>4-8m</td> <td>9m²</td> <td>1.5m</td> </tr> <tr> <td>Med.</td> <td>6-9m</td> <td>8-12m</td> <td>36m²</td> <td>3m</td> </tr> <tr> <td>Lge.</td> <td>>9m</td> <td>>12m</td> <td>64m²</td> <td>4m</td> </tr> </tbody> </table>	Tree size	Canopy at maturity	Height at maturity	DSA (area)	DSA (width)	Sml.	4-6m	4-8m	9m ²	1.5m	Med.	6-9m	8-12m	36m ²	3m	Lge.	>9m	>12m	64m ²	4m	<p>The HOALPP requires less deep soil area than the draft MDC, however, the tree requirements of the HOALPP (below) will likely result in more than 10% deep soil area being provided.</p> <p>The HOALPP also requires greater width for deep soil areas than the draft MDC.</p> <p>The tree size and deep soil area requirements of the HOALPP will not be affected by the transitional arrangements of the draft MDC.</p> <p>Tree size and deep soil area requirements require WAPC approval under the current R-Codes (vol 1. And vol. 2) for local government to amend via a local planning policy. WAPC approval to vary this requirement which was granted on 16 February 2021.</p>
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Tree Canopy and Deep Soil Areas – Trees

Form of Development	HOALPP Development Standard	Draft MDC equivalent	Comment / implications																																				
All development	<p><i>On-site tree provision</i></p> <table border="1" data-bbox="387 384 943 1382"> <thead> <tr> <th data-bbox="387 384 557 461">Lot area</th> <th data-bbox="557 384 943 461">Minimum requirement for trees</th> </tr> </thead> <tbody> <tr> <td data-bbox="387 461 557 756">0–300 square metres</td> <td data-bbox="557 461 943 756"> 1 small tree for every 20.0 square metres of landscape area; or 1 medium tree for every 60.0 square metres of landscape area; or 1 large tree for every 100.0 square metres of landscape area; or A combination of the above. </td> </tr> <tr> <td data-bbox="387 756 557 1037">301–400 square metres</td> <td data-bbox="557 756 943 1037"> 1 large tree for every 100sqm of landscape area. 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OR 1 medium tree for every 60.0 square metres of landscape area and 1 small tree for every 20.0 square metres of landscape area thereafter.	401–1000 square metres	1 large tree for every 100sqm of landscape area and 1 small tree for every 20.0 square metres of landscape area thereafter; OR 1 medium tree for every 60.0 square metres of landscape area and 1 small tree for every 20.0 square metres of landscape area thereafter.	<p><u>Clause 2.3 (Trees, deep soil area and landscaping)</u></p> <p><i>On-site tree provision (general)</i></p> <table border="1" data-bbox="972 475 1538 1007"> <thead> <tr> <th data-bbox="972 475 1162 507">Dwelling</th> <th colspan="2" data-bbox="1162 475 1538 507">Minimum tree requirements</th> </tr> </thead> <tbody> <tr> <td data-bbox="972 507 1162 663">Single house / grouped dwelling (trees per dwelling)</td> <td colspan="2" data-bbox="1162 507 1538 663">1 small tree</td> </tr> <tr> <td data-bbox="972 663 1162 850" rowspan="2">Multiple dwellings (trees per site)</td> <td data-bbox="1162 663 1317 724"><700m²</td> <td data-bbox="1317 663 1538 724">1 medium + 2 small trees</td> </tr> <tr> <td data-bbox="1162 724 1317 850">700 – 1,000m²</td> <td data-bbox="1317 724 1538 850">2 medium trees OR 1 large + 2 small trees</td> </tr> <tr> <td data-bbox="972 850 1162 1007"></td> <td data-bbox="1162 850 1317 1007">>1,000m²</td> <td data-bbox="1317 850 1538 1007">1 large + 2 medium trees OR 1 large tree + 4 small trees</td> </tr> </tbody> </table> <p><i>On-site tree provision (street setback area)</i></p> <table border="1" data-bbox="972 1098 1538 1382"> <thead> <tr> <th data-bbox="972 1098 1162 1193">Location</th> <th data-bbox="1162 1098 1317 1193">Street frontage</th> <th data-bbox="1317 1098 1538 1193">Minimum tree requirement</th> </tr> </thead> <tbody> <tr> <td data-bbox="972 1193 1162 1225">Street setback</td> <td data-bbox="1162 1193 1317 1225">less than 3m</td> <td data-bbox="1317 1193 1538 1225">Nil</td> </tr> <tr> <td data-bbox="972 1225 1162 1289" rowspan="2">Street setback more than 3m</td> <td data-bbox="1162 1225 1317 1257">6-10m</td> <td data-bbox="1317 1225 1538 1257">1 small tree</td> </tr> <tr> <td data-bbox="1162 1257 1317 1289">11-20m</td> <td data-bbox="1317 1257 1538 1289">2 small trees</td> </tr> <tr> <td data-bbox="972 1289 1162 1382"></td> <td data-bbox="1162 1289 1317 1382">21m+</td> <td data-bbox="1317 1289 1538 1382">3 small trees + 1 tree for every</td> </tr> </tbody> </table>	Dwelling	Minimum tree requirements		Single house / grouped dwelling (trees per dwelling)	1 small tree		Multiple dwellings (trees per site)	<700m ²	1 medium + 2 small trees	700 – 1,000m ²	2 medium trees OR 1 large + 2 small trees		>1,000m ²	1 large + 2 medium trees OR 1 large tree + 4 small trees	Location	Street frontage	Minimum tree requirement	Street setback	less than 3m	Nil	Street setback more than 3m	6-10m	1 small tree	11-20m	2 small trees		21m+	3 small trees + 1 tree for every	<p>The HOALPP provides a greater requirement for the provision of trees.</p> <p>Although the draft MDC includes a requirement to specifically locate a tree in the street setback area (in certain circumstances), separate landscaping requirements of the HOALPP (such a requirement to landscape at least 50% of the street setback area will likely yield similar outcomes). In addition, the HOALPP requires the provision of a verge tree for every 10 metres of lot frontage (which is not required by the draft MDC).</p> <p>The tree requirements of the HOALPP will not be affected by the transitional arrangements of the draft MDC.</p> <p>Tree requirements require WAPC approval under the current R-Codes (vol 1. And vol. 2) for local government to amend via a local planning policy. WAPC approval to vary this requirement which was granted on 16 February 2021.</p>
Lot area	Minimum requirement for trees																																						
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	<p>>1000 square metres</p>	<p>1 large tree for every 100sqm of landscape area; and 1 medium tree for every 60sqm of landscape area thereafter; and 1 small tree for every 20.0 square metres of landscape area thereafter.</p>			<p>additional 10m of frontage</p>	
<p><i>Verge tree provision</i> One verge tree is required for every 10 metres of lot frontage width.</p>						

Tree Canopy and Deep Soil Areas – Tree Retention			
Form of Development	HOALPP Development Standard	Draft MDC equivalent	Comment / implications
All development	<p>The landscape area specified in Clause 14 can be reduced where existing medium and large trees (as per Table 3.3b of SPP7.3 — Volume 2) are retained onsite, equivalent to the following:</p> <ul style="list-style-type: none"> a. Retention of a mature medium tree is equivalent to 75 square metres landscape area. b. Retention of a mature large tree is equivalent to 125 square metres landscape area. 	<p><u>Clause 2.3 (Trees, deep soil area and landscaping)</u></p> <p>Where a significant existing tree is retained on site the following concessions apply:</p> <ul style="list-style-type: none"> a. A minimum 15% of each site area and common property; or 15% of the lot is to be provided as deep soil area. b. The building alignment of the dwelling may project into the street setback line a maximum of 1.0 metre where the tree is located behind the street setback. 	<p>The HOALPP provides a more generous incentive for the retention of existing trees.</p> <p>The tree retention requirements of the HOALPP will not be affected by the transitional arrangements of the draft MDC.</p> <p>Tree retention requirements require WAPC approval under the current R-Codes (vol 1. And vol. 2) for local government to amend via a local planning policy. WAPC approval to vary this requirement which was granted on 16 February 2021.</p>

Tree Canopy and Deep Soil Areas – Outdoor Living Areas			
Form of Development	HOALPP Development Standard	Draft MDC equivalent	Comment / implications
All development	Outdoor living areas may be located in the front setback area where their design enhances surveillance of the adjacent streetscape.	<p><u>Clause 2.1 (Primary garden area)</u></p> <p>The primary garden area is to be located in the street setback area only where it is necessary to achieve a northern orientation.</p>	<p>The HOALPP provides an additional option for the location of outdoor living areas in the front (street) setback area if the space is enhancing surveillance.</p> <p>As the HOALPP provision augments the R-Codes in this instance all other outdoor living / primary garden area requirements will apply in addition to the HOALPP requirement.</p> <p>The outdoor living area requirements of the HOALPP will not be affected by the transitional arrangements of the draft MDC.</p> <p>Outdoor living area requirements require WAPC approval under the current R-Codes (vol 1. And vol. 2) for local government to amend via a local planning policy. WAPC approval to vary this requirement which was granted on 16 February 2021.</p>

Size and Layout of Dwellings					
Form of Development	HOALPP Development Standard		Draft MDC equivalent	Comment / implications	
All development	<i>Minimum floor areas (total)</i>		<u>Clause 3.3 (Size and layout of dwellings)</u>	<p>The HOALPP provides a higher degree of control.</p> <p>Whilst similar minimum total floor areas are provided in the draft MDC, the HOALPP includes greater floor area internal dimension requirements for bedrooms. The HOALPP also includes a minimum ceiling height requirement which is not included in the draft MDC.</p> <p>Dwelling size and layout requirements of the HOALPP will be affected by the transitional arrangements of the draft MDC.</p> <p>Dwelling size and layout requirements under the current R-Codes (vol. 1) do not require WAPC approval to vary, however cl. 3.3 of the draft MDC requires WAPC approval for local government to amend via a local planning policy.</p> <p>The HOALPP does not modify the dwelling size and layout requirements of multiple dwellings (R-Codes vol. 2) so will revert to the draft MDC when gazetted. Cl. 3.3 of the draft MDC requires WAPC approval for local government to amend via a local planning policy.</p>	
	Dwelling type	Minimum internal floor area	<i>Minimum floor areas (total)</i>		
	Studio	37m ²	Dwelling type		Minimum internal floor area
	1 bed	47m ²	Studio		36m ²
	2 bed x 1 bath	67m ²	1 bed		47m ²
	3 bed x 1 bath	90m ²	2 bed x 1 bath		67m ²
	An additional 3m ² shall be provided for designs that include a second/separate toilet, and 5m ² for design that include a second bathroom.		3 bed x 1 bath		90m ²
	<i>Minimum floor areas (habitable rooms)</i>		An additional 3m ² shall be provided for designs that include a second/separate toilet, and 5m ² for design that include a second bathroom.		
	Room type	Min. internal floor area	Min. internal dimension.		<i>Minimum floor areas (habitable rooms)</i>
	Master bed	10m ²	3m		Room type
Other bed	9m ²	3m	Bedrooms	9m ²	2.7m
Living room (studio / 1 bed)	N/A	3.6m	Primary living space	N/A	4m
Living room (other)	N/A	4m			

	dwelling types)				
		<p><i>Minimum ceiling heights</i></p> <p>a. 2.7 metres (habitable rooms)</p> <p>b. 2.4 metres (non-habitable rooms)</p>			

Solar and Daylight Access			
Form of Development	HOALPP Development Standard	Draft MDC equivalent	Comment / implications
All development	<p><i>All dwelling types</i></p> <p>Dwellings with a northern aspect are maximised with:</p> <p>a. A minimum of 70% of dwellings having living rooms and private open space that obtain at least 2 hours direct sunlight between 9am and 3pm on 21 June; and</p> <p>b. A maximum of 15% of dwellings in a building receiving no direct sunlight between 9am and 3pm on 21 June.</p>	<p><u>Clause 3.2 (Solar access and natural ventilation)</u></p> <p><i>Single houses and grouped dwellings</i></p> <p>The primary living space shall have a major opening orientated between north and east that can access at least 2 hours direct sunlight between 9am and 3pm on 21 June.</p> <p><i>Multiple dwellings</i></p> <p>At least 70% of dwellings shall have a major opening orientated between north and east that can access at least 2 hours direct sunlight between 9am and 3pm on 21 June.</p>	<p>The HOALPP provides a higher level of control as only a maximum of 15% of dwellings in a multiple dwelling development can receive no direct sunlight between 9am and 3pm on 21 June, whereas the draft MDC would allow up to 30% of dwellings.</p> <p>The solar and daylight access requirements of the HOALPP will not be affected by the transitional arrangements of the draft MDC.</p> <p>Solar and daylight access requirements require WAPC approval under the current R-Codes (vol 1. and vol. 2) for local government to amend via a local planning policy. WAPC approval to vary this requirement which was granted on 16 February 2021.</p>

Natural Ventilation			
Form of Development	HOALPP Development Standard	Draft MDC equivalent	Comment / implications
All development	<ol style="list-style-type: none"> 1. All rooms, with the exclusion of store rooms, shall have operable windows. Window opening design shall maximise natural ventilation. 2. Habitable rooms shall have a window in an external wall which: <ol style="list-style-type: none"> a. Has a minimum glass area not less than 15% of the floor area of the room; b. Comprise a minimum of 50% clear glazing; and, c. Is openable for 50% the size of the window. 3. Habitable rooms to have openings on at least two walls within a straight line distance between the centre of the openings of at least 2.1m. 4. No habitable room relies on lightwells as the primary source of fresh air. 	<p><u>Clause 3.2 (Solar access and natural ventilation)</u></p> <ol style="list-style-type: none"> 1. Every habitable room has at least one external window, visible from all parts of the room, with an aggregate glazed area not less than 10% of the habitable room floor area and comprising a minimum of 50% of transparent glazing. 2. Habitable rooms have at least two openings to allow for natural ventilation, with at least one being on an external wall, and separated by a straight-line distance of at least 2m from a second opening, as measured from the centre of each opening. 3. Bathrooms located on external walls must have a minimum of one openable window for natural ventilation. 	<p>The HOALPP provides a higher level of control as:</p> <ul style="list-style-type: none"> • Minimum glazing requirements are greater. • There is a requirement for a minimum proportion of the glazing to be openable. • The separation between two openings is greater. <p>The natural ventilation requirements of the HOALPP will not be affected by the transitional arrangements of the draft MDC.</p> <p>Natural ventilation requirements require WAPC approval under the current R-Codes (vol 1. And vol. 2) for local government to amend via a local planning policy. WAPC approval to vary this requirement which was granted on 16 February 2021.</p>

Waste Management			
Form of Development	HOALPP Development Standard	Draft MDC equivalent	Comment / implications
All development	<p>1. For all multiple dwelling developments, and five or more grouped dwellings where two or more of the dwellings is serviced by a common access:</p> <p>a. A communal bin store shall be provided, with a shared bin service. The number of bins provided for each development will be determined by the City.</p> <p>b. A suitable area for bulk hard waste and green waste collection shall be provided.</p> <p>c. The development shall be designed to facilitate on-site bin collection by the City. The collection point and access for service vehicles shall be constructed to the City's specification.</p> <p>2. Onsite collection may be required for single house or grouped dwellings of less than five where it is determined by the City:</p> <p>a. There is insufficient space on the kerbside to temporarily place bins for waste collection;</p> <p>b. Collection of waste from the kerbside is unsafe;</p> <p>c. Collection of waste from the kerbside would cause significant traffic disruptions;</p> <p>d. Collection of waste from the kerbside</p>	<p><u>Clause 3.6 (Waste management)</u></p> <ul style="list-style-type: none"> No equivalent standards. 	<p>The HOALPP provides a higher level of control.</p> <p>Waste management requirements of the HOALPP will not be affected by the transitional arrangements of the draft MDC as cl 3.6 of the draft MDC can be varied by local government via a local planning policy without WAPC approval.</p>

	would occur in an excessively restrictive area; and/or e. The City otherwise considers that kerbside collection inappropriate.		
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