

Residential Development Local Planning Policy

Responsible Directorate: Planning and Community Development

1. Purpose:

The purpose of this Policy is to provide the assessment criteria to be used for residential development outside of Housing Opportunity Areas and those within Housing Opportunity Areas operating at the lower density code within the City of Joondalup.

2. Objective:

The overall objectives of this Policy are to encourage:

- An improved streetscape outcome, which is attractive and enhances and complements the visual character, bulk and scale of the surrounding built form.
- High quality built development outcomes in relation to building design and site layout.
- Residential subdivision and development with safe, functional and attractive access arrangements in and out of sites, which contribute to the overall aesthetics of developments.
- New development that is designed having regard to the issue of crime prevention and surveillance of the street and housing entrances.

3. Authority:

This Policy has been prepared under and in accordance with Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) and Part 7 of State Planning Policy 7.3: *Residential Design Codes Volume 1 and Volume 2* (R-Codes).

4. Application:

This Policy applies to residential development outside of a Housing Opportunity Area (HOA) and properties within a HOA operating at the lower (R20) code. This Policy establishes agreed standards for the assessment and determination of applications for Development Approval and applications requiring the exercise of discretion under the *City of Joondalup Local Planning Scheme No. 3* (the Scheme) or R-Codes.

This Policy will also be applied when preparing and determining local structure plans, activity centre plans and local development plans, and when making recommendations to the Western

Australian Planning Commission on subdivision of land for residential development, structure plans and activity centre plans, to ensure the lots created can be developed in accordance with this Policy.

Where the Scheme, structure plan, activity centre plan or local development plan provision is in conflict or inconsistent with this Policy, the Scheme, structure plan, activity centre plan or local development plan provision shall prevail.

5. Definitions:

Other than those terms defined below for the purposes of this Policy, all terms shall have the same meaning as that given to them within the Scheme and R-Codes.

“Average front setback” means the reduction of the primary street setback by up to 50 per cent provided that the area of any building, including a carport or garage but excluding a porch, balcony, verandah, chimney or equivalent, intruding into the street setback area is compensated for by at least an equal area of open space between the setback line and line drawn parallel to it at twice the setback distance (refer Figure 2a, 2b and 2c of the R-Codes).

“Battleaxe leg” means the portion of the lot which is incapable of development and includes the driveway and associated truncations.

“Battleaxe site” means a lot to which access is provided by a distinct access leg, of sufficient width to accommodate a driveway and the necessary public utility services, which is attached to or forms part of the lot.

“Coastal Area” means land within 300 metres of the horizontal shoreline datum of a coast, as defined within *State Planning Policy 2.6 State Coastal Planning Policy*.

“Dwelling alignment” means the vertical external face of any building comprising solid building material, however, does not include minor incursions.

“Housing Opportunity Area” means an area identified as such in the City's Local Housing Strategy.

“Minor incursion” means an eave, porch, balcony, verandah, chimney or equivalent.

“Residential development” means the following types of development, as well as any ancillary structures, including outbuildings:

- Single house;
- Grouped dwelling;
- Ancillary dwellings;
- Multiple dwellings;
- Aged and dependant persons dwellings;
- Single bedroom dwellings;
- Display home;
- Residential building; and
- Care takers dwelling.

“Storey” means the vertical space extending from one habitable floor of a building to the floor above (or if there is no floor above, between the floor level and the ceiling) and shall be deemed to be no more than 3.5 metres. Any vertical space extending from one habitable floor to another habitable floor that exceeds 3.5 metres in height shall be treated as more than one storey. An

undercroft below natural ground level and a loft space within a roof shall not be defined as a storey, whether habitable or otherwise.

“**Verge**” means the portion of land between the road and boundary of an adjacent lot.

“**Visual interest**” may include rendering, cladding, textured effects, colour, windows and other architectural features.

6. Statement:

This Policy provides guidance on the assessment criteria for residential development outside of a HOA and those properties within a HOA operating at the lower (R20) code. This Policy has been prepared in accordance with Schedule 2 of Division 2 of the Regulations and Clause 7.3 of the R-Codes.

This Policy is to be read in conjunction with the Scheme, R-Codes and relevant structure plans, activity centre plans and/or local development plans.

7. Details:

7.1 Residential Development Table 1 and Table 2

The Residential Development Table 1 of this Policy applies to residential development outside of a HOA, with the exception of multiple dwelling development with a density code of R40 or greater in which the Residential Development Table 2 of this Policy applies. For any residential development within a HOA and operating at the higher (R25, R30, R40 or R60) density code, refer to the City's *Development in Housing Opportunity Areas Local Planning Policy*.

The 'Replacement Deemed-to-Comply Provision' column sets out the development provisions that replace or augment the 'deemed-to-comply' provisions of the R-Codes.

Unless specified, all tables and figures referred to in the Residential Development tables are provided within the R-Codes.

Where the deemed-to-comply provisions of this Policy or the R-Codes are not met development will be assessed having regard to the corresponding 'Local Housing Objectives' set out in the tables. Where there are no 'Local Housing Objectives' or the application does not comply with the 'Local Housing Objectives', the application will be assessed against the 'Design Principles' and 'Objectives' of the R-Codes.

Where an application does not meet the 'Deemed-to-Comply' provisions, the relevant 'Local Housing Objectives', 'Design Principles' or 'Objectives' of the R-Codes, the application will be refused.

7.2 Residential Subdivision

For residential subdivision applications in areas applicable to this policy, conditions will be recommended that ensure the delivery of both the overall objectives and the specific 'Local Housing Objectives' set out in this Policy.

Refusal will be recommended for subdivision applications that, in the City's opinion, are likely to result in the creation of lots that are incapable of being developed in accordance with either the 'Deemed-to-Comply' provisions, 'Local Housing Objectives' set out in this Policy or the 'Design Principles' and 'Objectives' of the R-Codes.

Creation Date: December 2015

Amendments: August 2019 (March 2020)

Related Documentation:

- *Local Planning Scheme No. 3*
- *State Planning Policy 7.3: — Residential Design Codes, Volume 1 and Volume 2*

Residential Development Table 1

<p>Replacement Deemed-to-Comply Provisions</p> <p>Deemed-to-comply requirements that replace or augment the ‘deemed-to-comply’ provisions of the R-Codes for residential development:</p> <ul style="list-style-type: none"> not located within a Housing Opportunity Area, or operating at the lower code (R20) within a Housing Opportunity Area. 	<p>Local Housing Objectives</p> <p>An element of a proposal that does not meet the deemed-to-comply provisions will be assessed against the relevant Local Housing Objective (where applicable). Where there are no Local Housing Objectives or the application does not comply with the Local Housing Objectives, the application will be assessed against the Design Principles and Objectives of the R-Codes.</p>
<p>5.1 Context</p>	
<p>Clause 5.1.2 — Street Setbacks</p>	
<p>Clause 5.1.2 C2.1, 2.2, 2.3, 2.4 of the R-Codes is replaced with the following:</p> <p>C2.1 Buildings set back from the primary street boundary:</p> <ol style="list-style-type: none"> in accordance with Table 1 of the R-Codes; corresponding to the average of the setback of existing dwellings on each adjacent property fronting the same street; reduced by up to 50 per cent provided that the area of any building, including a carport or garage but excluding a minor incursions intruding into the setback area is compensated for by at least an equal area of open space between the setback line and line drawn parallel to it at twice the setback distance (refer Figure 2a, 2b and 2c); in the case of areas coded R15 or higher, where: <ul style="list-style-type: none"> a grouped dwelling has its main frontage to a secondary street; a single house results from subdivision of an original corner lot and has its frontage to the original secondary street; or 	<p>O2.1 Buildings set back from street boundaries such that:</p> <ol style="list-style-type: none"> The elevation facing the primary street is articulated through the use of major openings; The elevation of the dwelling facing any street greater than single storey in height has: <ol style="list-style-type: none"> Upper floors setback a minimum of 500mm behind the floor below; A balcony with a minimum depth of 2.5 metres and occupying at least 50 per cent of the frontage; and/or Other design features which create visual interest to the satisfaction of the City. Eaves or external shading devices are provided to a minimum depth of 500mm to the front and side elevations for each floor; and The development complies with the deemed-to-comply provisions of: <ol style="list-style-type: none"> Clause 5.2.3 — Street Surveillance;

Replacement Deemed-to-Comply Provisions	Local Housing Objectives
<p>Deemed-to-comply requirements that replace or augment the 'deemed-to-comply' provisions of the R-Codes for residential development:</p> <ul style="list-style-type: none"> not located within a Housing Opportunity Area, or operating at the lower code (R20) within a Housing Opportunity Area. 	<p>An element of a proposal that does not meet the deemed-to-comply provisions will be assessed against the relevant Local Housing Objective (where applicable). Where there are no Local Housing Objectives or the application does not comply with the Local Housing Objectives, the application will be assessed against the Design Principles and Objectives of the R-Codes.</p>
<ul style="list-style-type: none"> a single house or grouped dwelling (where that grouped dwelling is not adjacent to the primary street), has its main frontage to a communal street, right-of-way or shared pedestrian or vehicle access way; <p>the street setback may be reduced to 2.5m, or 1.5m to a minor incursion (refer Figure 2b and 2d of the R-Codes); and</p> <p>v. to provide for registered easements for essential services.</p> <p>C2.2 Buildings set back from the secondary street boundary in accordance with Table 1.</p> <p>C2.3 Buildings set back from the corner truncation boundary in accordance with the secondary street setback in Table 1.</p> <p>C2.4 A minor incursion may reduce the primary street setback by 50 per cent; provided that the total of such projections does not exceed 50 per cent of the frontage at any level (refer Figure 2b).</p> <p>C2.5 Buildings set back from a right of way a minimum of 2.5 metres at ground floor level, or 1.5 metres to a minor Incursion, and a minimum of 3 metres at upper storey level.</p> <p>C2.6 C2.4 of clause 5.1.2 and C3.1 of clause 5.1.3 do not apply.</p> <p>C2.7 Buildings set back from 132kV Western Power transmission lines a minimum of 10 metres.</p> <p>Buildings set back from 33kV Western Power distribution lines a minimum of 3 metres.</p>	<ul style="list-style-type: none"> Clause 5.3.2 — Landscaping; Clause 5.3.3 — Parking; and Clause 5.4.5 — Utilities and Facilities <p>O2.2 Approval from Western Power is provided prior to the issuing of Development.</p> <p>Approval for development that does not comply with C2.6 and/or C2.7.</p> <p>O2.3 Additional dual density code objective</p> <p>Buildings set back from street boundaries and comply with O2.1 and O2.2 in addition to the deemed-to-comply provisions of:</p> <ul style="list-style-type: none"> Clause 5.2.1 — Setbacks of Garages and Carports; and Clause 5.2.2 — Garage Width.

Replacement Deemed-to-Comply Provisions	Local Housing Objectives
<p>Deemed-to-comply requirements that replace or augment the 'deemed-to-comply' provisions of the R-Codes for residential development:</p> <ul style="list-style-type: none"> not located within a Housing Opportunity Area, or operating at the lower code (R20) within a Housing Opportunity Area. 	<p>An element of a proposal that does not meet the deemed-to-comply provisions will be assessed against the relevant Local Housing Objective (where applicable). Where there are no Local Housing Objectives or the application does not comply with the Local Housing Objectives, the application will be assessed against the Design Principles and Objectives of the R-Codes.</p>
Clause 5.1.3 — Lot Boundary Setbacks	
<p>Clause 5.1.3 C3.2 of the R-Codes is replaced with the following:</p> <p>C3.2 Walls may be built up to a lot boundary, or survey strata boundary or indicative lot boundary behind the street setback (specified in Table 1 and in accordance with clauses 5.1.2, 5.2.1 and 5.2.2), within the following limits and subject to the overshadowing provisions of clause 5.4.2 and Figure Series 11:</p> <ol style="list-style-type: none"> where the wall abuts an existing or simultaneously constructed wall of similar or greater dimension; in areas coded R20 and R25, walls not higher than 3.5m with an average of 3m or less, up to a maximum length of the greater of 9m or one-third the length of the balance of the lot boundary behind the front setback, to one side boundary only; in areas coded R30 and higher, walls not higher than 3.5m with an average of 3m for two-thirds the length of the balance of the lot boundary behind the front setback, to one side boundary only; or where both the subject site and the affected adjoining site are created in a plan of subdivision. 	<p>O3.1 Buildings built up to lot boundaries, or indicative boundary or survey strata boundaries (other than the street boundary) that meet the relevant design principles.</p> <p>O3.2 Buildings set back from a lot boundary, survey strata boundary or indicative lot boundary such that:</p> <ol style="list-style-type: none"> Eaves or external shading devices are provided to a minimum depth of 500mm to the front and side elevations for each floor; Upper floors are setback a minimum of 500mm behind the floor below; Walls are articulated through varied setbacks, and the inclusion of major and non-major openings; The part of the building that does not meet the deemed-to-comply standards is not adjacent to any existing major openings or outdoor living areas of the adjoining lot; and The development complies with the deemed-to-comply provisions of: <ol style="list-style-type: none"> Clause 5.1.6 — Building Height; and Clause 5.4.2 — Solar Access for Adjoining Sites.

Replacement Deemed-to-Comply Provisions	Local Housing Objectives
<p>Deemed-to-comply requirements that replace or augment the 'deemed-to-comply' provisions of the R-Codes for residential development:</p> <ul style="list-style-type: none"> • not located within a Housing Opportunity Area, or • operating at the lower code (R20) within a Housing Opportunity Area. 	<p>An element of a proposal that does not meet the deemed-to-comply provisions will be assessed against the relevant Local Housing Objective (where applicable). Where there are no Local Housing Objectives or the application does not comply with the Local Housing Objectives, the application will be assessed against the Design Principles and Objectives of the R-Codes.</p>
Clause 5.1.4 — Open Space	
	<p>O4 Development incorporates suitable open space such that:</p> <ol style="list-style-type: none"> i. A minimum of one active habitable space with a minimum dimension of 4 metres is provided that is open to, or includes a major opening facing, a northerly direction; ii. An outdoor living area, verandah or balcony with a minimum depth dimension of 2.4m and area of 10m² is provided; and iii. The development complies with the deemed-to-comply provisions of: <ol style="list-style-type: none"> a. Clauses 5.1.2 — Street setback; b. Clause 5.1.3 — Lot boundary setbacks; c. Clause 5.3.2 — Landscaping; and d. Clause 5.4.5 — Utilities and facilities
Clause 5.1.6 — Building Height	
<p>Clause 5.1.6 C6 of the R-Codes is replaced with the following:</p> <p>C6 Buildings which comply with Category B in Table 3 of the R-Codes as measured from natural ground level except:</p> <ol style="list-style-type: none"> i. Aged and dependent persons' multiple dwellings (where permitted) on a site of 5,000m² or more shall comply with Table 3 — Category C. 	

<p>Replacement Deemed-to-Comply Provisions</p> <p>Deemed-to-comply requirements that replace or augment the ‘deemed-to-comply’ provisions of the R-Codes for residential development:</p> <ul style="list-style-type: none"> not located within a Housing Opportunity Area, or operating at the lower code (R20) within a Housing Opportunity Area. 	<p>Local Housing Objectives</p> <p>An element of a proposal that does not meet the deemed-to-comply provisions will be assessed against the relevant Local Housing Objective (where applicable). Where there are no Local Housing Objectives or the application does not comply with the Local Housing Objectives, the application will be assessed against the Design Principles and Objectives of the R-Codes.</p>
<p>5.2 Streetscape</p>	
<p>Clause 5.2.1 — Setbacks of Garages and Carports</p>	
<p>Clause 5.2.1 C1.1 of the R-Codes is replaced with the following:</p> <p>C1.1 Garages set back 4.5m from the primary street and 0.5 metres behind the dwelling alignment (excluding any minor incursion), except that the setback may be reduced to 3m where the garage allows vehicles to be parked parallel to the street. The wall parallel to the street must include openings that match the design and scale of those used in the facade of the dwelling.</p> <p>Clause 5.2.1 is modified to include in the deemed-to-comply requirement:</p> <p>C1.6 Garages and carports that match the dwelling with respect to materials, roof design, roof pitch and colour.</p>	<p>O1.1 The setting back of garages and carports from the primary street such that:</p> <ol style="list-style-type: none"> The garage is behind the dwelling alignment (excluding a minor incursion); The garage and/or carport is constructed out of material and is of a design that complements the dwelling; and The development complies with the deemed-to-comply provisions of: <ol style="list-style-type: none"> Clause 5.1.2 C2.1 — Street Setbacks Clause 5.2.2 — Garage Width; and Clause 5.2.3 — Street Surveillance <p>O1.2 Additional dual density code objective</p> <p>In addition to 5.1.2 O1.1, the setting back of garages and carports from the primary street such that:</p> <ol style="list-style-type: none"> Space for a parking bay is provided for in either an on-street parking bay or in the driveway and crossover, provided the space does not overhang a footpath;

Replacement Deemed-to-Comply Provisions Deemed-to-comply requirements that replace or augment the 'deemed-to-comply' provisions of the R-Codes for residential development: <ul style="list-style-type: none"> • not located within a Housing Opportunity Area, or • operating at the lower code (R20) within a Housing Opportunity Area. 	Local Housing Objectives An element of a proposal that does not meet the deemed-to-comply provisions will be assessed against the relevant Local Housing Objective (where applicable). Where there are no Local Housing Objectives or the application does not comply with the Local Housing Objectives, the application will be assessed against the Design Principles and Objectives of the R-Codes.
	O1.3 The setting back of garages and carports from a secondary street or right-of-way such that: <ul style="list-style-type: none"> i. Any garage is behind the dwelling alignment (excluding a minor incursion); ii. The garage and/or carport is constructed out of material and is of a design that complements the dwelling; iii. Space for a parking bay is provided for either in an on-street parking bay or in the driveway and crossover, provided it does not overhang a footpath; and iv. The development complies with the deemed-to-comply provisions of: <ul style="list-style-type: none"> a. Clause 5.1.2 — Street setbacks (C2.2 and C2.3 only); b. Clause 5.2.2 — Garage width; and c. Clause 5.2.3 — Street surveillance.

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Clause 5.2.2 — Garage Width	
<p>Clause 5.2.2 C2 of the R-Codes is replaced with the following:</p> <p>C2 A garage door and its supporting structures (or a garage wall where a garage is aligned parallel to the street) facing the primary street is not to occupy more than 50 per cent of the width of the lot, as measured 4.5 metres from the primary street. This may be increased to 60 per cent where the main entry (front door) and a major opening are included in the primary street elevation of a dwelling. This may be increased to 75 per cent of the width where the main entry and a major opening is included on the primary street elevation of the ground floor and an upper floor or balcony extends for the full width of the garage.</p>	<p>O2 The development complies with the deemed-to-comply provisions of:</p> <ol style="list-style-type: none"> Clause 5.2.1 — Setbacks of garages and carports; Clause 5.2.3 — Street surveillance; Clause 5.3.2 — Landscaping;
Clause 5.2.3 — Street Surveillance	
<p>Clause 5.2.3 C3.1 and C3.2 is replaced with the following:</p> <p>C3.1 The primary street elevation of the dwelling to address the street and shall include the main entry (front door) to the dwelling.</p> <p>Sites which abut a right-of-way and do not designate another primary street shall address the right-of-way as though it were its primary street for the purposes of this clause.</p> <p>C3.2 At least one balcony, verandah or major opening from a habitable room of the dwelling faces and has uninterrupted views of all abutting street(s) and the pedestrian or vehicular approach to the dwelling.</p>	<p>O3 Buildings designed such that:</p> <ol style="list-style-type: none"> Where the main entry (front door) is not included in the primary street elevation or the dwelling is not adjacent to the primary street at least one major opening with a clear view of the outside of the main entry shall be provided to enhance surveillance. A major opening, balcony, verandah and/or outdoor living area faces each street, right-of-way, pedestrian approach and/or vehicular approach to give the impression of surveillance of that space, except where an existing development is being modified.

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Clause 5.2.4 — Street Walls and Fences	
<p>Clause 5.2.4 C4 is replaced with the following:</p> <p>C4.1 Front fences within the primary street setback area or in front of the building line, whichever is greater, that are visually permeable above 1.2m as measured from the midpoint of the verge directly adjacent to the lot.</p> <p>C4.2 Fencing along a secondary street, right-of-way or battleaxe leg shall be visually permeable above 1.2m from natural ground level for 50 per cent of the length of the boundary and allow surveillance from an outdoor living area and/or major opening.</p>	<p>O4 Where development does not comply with the deemed-to-comply requirements of C4.2 the proposed development shall comply with the deemed-to-comply requirements of clause 5.2.3 C3.2.</p>
Clause 5.2.5 — Sightlines	
<p>Clause 5.2.5 is modified to include in the deemed-to-comply requirements:</p> <p>C5.2 A pillar to a height of 1.8m with a maximum dimension of 350mm x 350mm may be permitted within 1.5m of where the vehicle access point meets the front property boundary provided the remainder of the wall within this area is visually permeable above 750mm.</p>	

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Clause 5.2.6 — Appearance of Retained Dwellings	
<p>Clause 5.2.6 C6 is replaced with the following:</p> <p>C6.1 Where an existing dwelling is retained as part of a grouped dwelling development or subdivision and is of a lesser maintenance standard, the appearance of the retained dwelling is upgraded externally to an equivalent maintenance standard of the new (or the rest of the) development created as part of the subdivision or grouped dwelling development. Refer to Schedule 2.</p> <p>C6.2 Residential development that is visible from the street that:</p> <ul style="list-style-type: none"> Is consistent in style with any existing development on site; and/or Maintains and enhances the character of the local area; and Is compatible with the existing and/or desired streetscape character. <p>This can be by way of:</p> <ul style="list-style-type: none"> Scale Material and colours Roof design Detailing Window size 	<p>O6.1 Appearance of retained dwellings that meet the relevant design principles.</p> <p>O6.2 Residential development that is visible from the street that:</p> <ul style="list-style-type: none"> Does not detract from the streetscape or the visual amenity of residents or neighbouring properties; and Provides a high-quality built development outcome in relation to building design and site layout.

<p>Replacement Deemed-to-Comply Provisions</p> <p>Deemed-to-comply requirements that replace or augment the ‘deemed-to-comply’ provisions of the R-Codes for residential development:</p> <ul style="list-style-type: none"> • not located within a Housing Opportunity Area, or • operating at the lower code (R20) within a Housing Opportunity Area. 	<p>Local Housing Objectives</p> <p>An element of a proposal that does not meet the deemed-to-comply provisions will be assessed against the relevant Local Housing Objective (where applicable). Where there are no Local Housing Objectives or the application does not comply with the Local Housing Objectives, the application will be assessed against the Design Principles and Objectives of the R-Codes.</p>
<p>5.3 Site Planning and Design</p>	
<p>Clause 5.3.1 — Outdoor Living Areas</p>	
	<p>O1 Development incorporates an outdoor living area such that:</p> <ol style="list-style-type: none"> i. Where it does not comply with Table 1, is not directly accessible from a habitable room or is not a minimum dimension of 4m, the following must be met: <ol style="list-style-type: none"> a. a verandah or balcony with a minimum dimension of 2.4m and minimum area of 10m² is provided facing a street right-of-way, pedestrian access way or battleaxe leg; and b. A minimum of one active habitable space with a minimum dimension of 4 metres is provided that is open to, or includes a major opening facing a northerly direction. ii. An outdoor living area located within the front setback area that: <ol style="list-style-type: none"> a. is directly accessible from a habitable room; and b. Any fencing is to comply with the deemed-to-comply provisions of clause 5.2.4 — Street walls and fences. iii. An outdoor living area which has more than one third permanent roof cover meets the following objectives: <ol style="list-style-type: none"> a. The outdoor living area is open on two or more sides; and

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	<ul style="list-style-type: none"> b. A minimum of one active habitable space with a minimum dimension of 4 metres is provided that is open to, or includes a major opening facing a northerly direction. iv. All multiple dwellings meet the following objectives: <ul style="list-style-type: none"> a. incorporate at least one active habitable space with a minimum dimension of 4 metres that is open to, or includes a major opening facing, a northerly direction; and b. complies with the deemed-to-comply provisions of Clause 5.2.3 — Street surveillance.
Clause 5.3.2 — Landscaping	
	<p>O2 Landscaping that meets the relevant design principles, except the City may support the removal of a tree greater than three metres in height subject to a suitable replacement being planted in common property or communal open space.</p>

<p>Replacement Deemed-to-Comply Provisions</p> <p>Deemed-to-comply requirements that replace or augment the ‘deemed-to-comply’ provisions of the R-Codes for residential development:</p> <ul style="list-style-type: none"> not located within a Housing Opportunity Area, or operating at the lower code (R20) within a Housing Opportunity Area. 	<p>Local Housing Objectives</p> <p>An element of a proposal that does not meet the deemed-to-comply provisions will be assessed against the relevant Local Housing Objective (where applicable). Where there are no Local Housing Objectives or the application does not comply with the Local Housing Objectives, the application will be assessed against the Design Principles and Objectives of the R-Codes.</p>
<p>Clause 5.3.5 — Vehicle Access</p>	
	<p>O5 Vehicular access is provided such that:</p> <ol style="list-style-type: none"> i. Only one driveway is provided per street or right-of-way frontage servicing a single house, or all of the dwellings in a grouped dwelling or multiple dwelling development; ii. Vehicle access shall be located to one side lot boundary, with a minimum setback of one metre where the driveway meets the street boundary. iii. No driveway that services a single house is wider than 3m at the street boundary; iv. No driveway that services two or more dwellings is wider than 6m at the street boundary; v. Vehicular access complies with the Australian Standard 2890.1 (Off-street Car Parking) vi. The development complies with the deemed-to-comply provisions of: <ol style="list-style-type: none"> a. Clause 5.2.2 — Landscaping; and b. Clause 5.3.3 — Parking.

Replacement Deemed-to-Comply Provisions	Local Housing Objectives
<p>Deemed-to-comply requirements that replace or augment the 'deemed-to-comply' provisions of the R-Codes for residential development:</p> <ul style="list-style-type: none"> not located within a Housing Opportunity Area, or operating at the lower code (R20) within a Housing Opportunity Area. 	<p>An element of a proposal that does not meet the deemed-to-comply provisions will be assessed against the relevant Local Housing Objective (where applicable). Where there are no Local Housing Objectives or the application does not comply with the Local Housing Objectives, the application will be assessed against the Design Principles and Objectives of the R-Codes.</p>
Clause 5.3.7 — Site Works	
<p>Clause 5.3.7 C7.1 is replaced with the following:</p> <p>C7.1 Excavation or filling between the street and building, or within the front setback area, whichever distance is lesser, shall not exceed 1m from natural ground level, except where necessary to provide for pedestrian or vehicle access, drainage works or natural light for a dwelling.</p>	<p>O7 Fill between the street and building, or within the front setback area, whichever is the lesser such that:</p> <ol style="list-style-type: none"> The fill is terraced such that at no point a terrace is greater than one metre in height; A landscaping strip with a minimum depth of 500mm is provided between the terraces and landscaping is of a sufficient height and density to soften the impact of the fill as viewed from the street; and Fill does not exceed 750mm where vehicle access point(s) meet the front property boundary.
5.4 Building Design	
5.4.3 — Outbuilding	
	<p>O3 Outbuildings are provided such that:</p> <ol style="list-style-type: none"> Where an outbuilding is visible from the street it is constructed out of materials and is of a design that matches the dwelling. The development complies with the deemed-to-comply provisions of: <ol style="list-style-type: none"> Clause 5.1.2 — Street setbacks; Clause 5.1.6 — Building height; and Clause 5.1.3 — Lot boundary setbacks.

<p>Replacement Deemed-to-Comply Provisions</p> <p>Deemed-to-comply requirements that replace or augment the ‘deemed-to-comply’ provisions of the R-Codes for residential development:</p> <ul style="list-style-type: none"> • not located within a Housing Opportunity Area, or • operating at the lower code (R20) within a Housing Opportunity Area. 	<p>Local Housing Objectives</p> <p>An element of a proposal that does not meet the deemed-to-comply provisions will be assessed against the relevant Local Housing Objective (where applicable). Where there are no Local Housing Objectives or the application does not comply with the Local Housing Objectives, the application will be assessed against the Design Principles and Objectives of the R-Codes.</p>
<p>5.5 Special Purpose Dwellings</p>	
<p>Clause 5.5.1 — Ancillary Dwellings</p>	
	<p>O1 Ancillary dwellings are provided such that:</p> <ol style="list-style-type: none"> i. Where an ancillary dwelling is visible from the street it is constructed out of materials and is of a design that matches the dwelling. ii. The development complies with the deemed-to-comply provisions of: <ol style="list-style-type: none"> a. Clause 5.1.2 — Street setbacks b. Clause 5.1.4 — Open space c. Clause 5.2.3 — Street surveillance d. Clause 5.1.6 — Building height. iii. The dwelling is of a size and scale that is considered ancillary to the main dwelling, and provides an affordable and diverse housing choice for the locality.

Residential Development Table 2

Replacement Deemed-to-Comply Provisions	Local Housing Objectives
<p>Deemed-to-comply requirements that replace or augment the 'deemed-to-comply' provisions of the R-Codes for residential development:</p> <ul style="list-style-type: none"> not located within a Housing Opportunity Area, or operating at the lower code (R20) within a Housing Opportunity Area. 	<p>An element of a proposal that does not meet the deemed-to-comply provisions will be assessed against the relevant Local Housing Objective (where applicable). Where there are no Local Housing Objectives or the application does not comply with the Local Housing Objectives, the application will be assessed against the Design Principles and Objectives of the R-Codes.</p>
5.1 Context	
Clause 6.1.2 — Building Height for Multiple Dwellings	
<p>Clause 6.1.2 C2 is replaced with the following:</p> <p>C2 Development complies with the maximum height set out in Table 4 of the R-Codes, except:</p> <ul style="list-style-type: none"> Aged and dependent persons' multiple dwellings on land 5,000m² or more and coded R40 shall comply with the maximum height requirements for R60. Aged and dependent persons' multiple dwellings on land 5,000m² or more and coded between R50 and R60 shall comply with the maximum height requirements for R80. Multiple dwellings on land 5,000m² or more and coded R60 shall comply with the maximum height requirements for R80. Residential development within the Coastal Area where the maximum total height shall comply with Category B in Table 3 of the R-Codes 	

<p>Replacement Deemed-to-Comply Provisions</p> <p>Deemed-to-comply requirements that replace or augment the 'deemed-to-comply' provisions of the R-Codes for residential development:</p> <ul style="list-style-type: none"> • not located within a Housing Opportunity Area, or • operating at the lower code (R20) within a Housing Opportunity Area. 	<p>Local Housing Objectives</p> <p>An element of a proposal that does not meet the deemed-to-comply provisions will be assessed against the relevant Local Housing Objective (where applicable). Where there are no Local Housing Objectives or the application does not comply with the Local Housing Objectives, the application will be assessed against the Design Principles and Objectives of the R-Codes.</p>
<p>Clause 6.1.3 — Street Setback</p>	
	<p>O3.1 Buildings set back from street boundaries such that:</p> <ol style="list-style-type: none"> i. The elevation facing the primary street is articulated through the use of major openings; ii. The elevation of the dwelling facing any street greater than single storey in height has: <ol style="list-style-type: none"> a. Upper floors setback a minimum of 500mm behind the floor below; b. A balcony with a minimum depth of 2.5 metres and occupying at least 50 per cent of the frontage; and/or c. Other design features which create visual interest to the satisfaction of the City. iii. Eaves or external shading devices are provided of a minimum depth of 500mm to the front and side elevations for each floor; and iv. The development complies with the deemed-to-comply provisions of: <ol style="list-style-type: none"> a. Clause 6.2.1 — Street surveillance; b. Clause 6.3.2 — Landscaping; c. Clause 6.3.3 — Parking; and

Replacement Deemed-to-Comply Provisions	Local Housing Objectives
<p>Deemed-to-comply requirements that replace or augment the 'deemed-to-comply' provisions of the R-Codes for residential development:</p> <ul style="list-style-type: none"> not located within a Housing Opportunity Area, or operating at the lower code (R20) within a Housing Opportunity Area. 	<p>An element of a proposal that does not meet the deemed-to-comply provisions will be assessed against the relevant Local Housing Objective (where applicable). Where there are no Local Housing Objectives or the application does not comply with the Local Housing Objectives, the application will be assessed against the Design Principles and Objectives of the R-Codes.</p>
	<p>d. Clause 6.4.5 — Utilities and Facilities</p> <p>O3.2 Approval from Western Power is provided prior to the issuing of a Development Approval for development that does not satisfy C3.6 and/or C3.7.</p> <p>O3.3 Additional dual density code objective</p> <p>Buildings set back from street boundaries and comply with the above mentioned local housing objectives in addition to the deemed-to-comply provisions of:</p> <p>i. Clause 6.3.5 — Vehicular Access</p>
Clause 6.1.4 — Lot Boundary Setback	
<p>Clause 6.1.4 C2 is replaced with the following:</p> <p>C4.3 A wall may be built up to the lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater construction; or a wall may be built up to one side boundary if it is not higher than 3.5m with an average of 3m for two-thirds the length of the balance of the lot boundary behind the front setback.</p>	<p>O4.1 Buildings built up to lot boundaries (other than the street boundary but including indicative and survey strata boundaries) that meet the relevant design principles.</p> <p>O4.2 Buildings set back from a lot boundary, survey strata boundary or indicative lot boundary such that:</p> <ul style="list-style-type: none"> Eaves or external shading devices are provided of a minimum depth of 500mm to the front and side elevations for each floor; Upper floors are setback a minimum of 500mm behind the floor below; Walls are articulated through varied setbacks, and the inclusion of major and non-major openings;

Replacement Deemed-to-Comply Provisions	Local Housing Objectives
<p>Deemed-to-comply requirements that replace or augment the 'deemed-to-comply' provisions of the R-Codes for residential development:</p> <ul style="list-style-type: none"> • not located within a Housing Opportunity Area, or • operating at the lower code (R20) within a Housing Opportunity Area. 	<p>An element of a proposal that does not meet the deemed-to-comply provisions will be assessed against the relevant Local Housing Objective (where applicable). Where there are no Local Housing Objectives or the application does not comply with the Local Housing Objectives, the application will be assessed against the Design Principles and Objectives of the R-Codes.</p>
	<ul style="list-style-type: none"> iv. The part of the building that does not meet the deemed-to-comply standards is not adjacent to any existing major openings or outdoor living areas; and v. The development complies with the deemed-to-comply provisions of: <ul style="list-style-type: none"> a. Clause 6.1.1 — Building size; b. Clause 6.1.2 — Building height; and c. Clause 6.4.2 — Solar access for adjoining sites.
Clause 6.1.5 — Open Space	
	<p>O5 Development incorporates suitable open space such that:</p> <ul style="list-style-type: none"> i. The development complies with the deemed-to-comply provisions of: <ul style="list-style-type: none"> a. 6.1.1 — Building size b. Clauses 6.1.2 — Street setback; c. Clause 6.1.4 — Lot boundary setbacks; d. Clause 6.3.1 — Outdoor living area e. Clause 6.3.2 — Landscaping; f. Clause 6.3.3 — Parking; and g. Clause 6.4.5 — Utilities and facilities

<p>Replacement Deemed-to-Comply Provisions</p> <p>Deemed-to-comply requirements that replace or augment the ‘deemed-to-comply’ provisions of the R-Codes for residential development:</p> <ul style="list-style-type: none"> • not located within a Housing Opportunity Area, or • operating at the lower code (R20) within a Housing Opportunity Area. 	<p>Local Housing Objectives</p> <p>An element of a proposal that does not meet the deemed-to-comply provisions will be assessed against the relevant Local Housing Objective (where applicable). Where there are no Local Housing Objectives or the application does not comply with the Local Housing Objectives, the application will be assessed against the Design Principles and Objectives of the R-Codes.</p>
<p>6.2 Streetscape</p>	
<p>Clause 6.2.1 — Street Surveillance</p>	
	<p>O1 Buildings designed such that:</p> <ul style="list-style-type: none"> i. Where the main entry (front door) is not included in the primary street elevation or the dwelling is not adjacent to the primary street at least one major opening with a clear view of the outside of the front entry shall be provided to enhance surveillance. ii. A major opening, balcony, verandah and/or outdoor living area faces each street, right-of-way, pedestrian approach and/or vehicular approach to give the impression of surveillance of that space, except where an existing development is being modified.
<p>Clause 6.2.2 — Street Walls and Fences</p>	
<p>Clause 6.2.2 C2 is modified to include in the deemed-to-comply requirements:</p> <p>C2.2 Fencing along a secondary street, right-of-way, pedestrian access way or battleaxe leg shall be visually permeable above 1.2m from natural ground level for 50 per cent of the length of the boundary and allow surveillance from an outdoor living area and/or major opening.</p>	<p>O2 Where development does not comply with the deemed-to-comply requirement of C3 the proposed development shall comply with the deemed-to-comply requirement of clause 6.2.1 C3.2.</p>

<p>Replacement Deemed-to-Comply Provisions</p> <p>Deemed-to-comply requirements that replace or augment the 'deemed-to-comply' provisions of the R-Codes for residential development:</p> <ul style="list-style-type: none"> • not located within a Housing Opportunity Area, or • operating at the lower code (R20) within a Housing Opportunity Area. 	<p>Local Housing Objectives</p> <p>An element of a proposal that does not meet the deemed-to-comply provisions will be assessed against the relevant Local Housing Objective (where applicable). Where there are no Local Housing Objectives or the application does not comply with the Local Housing Objectives, the application will be assessed against the Design Principles and Objectives of the R-Codes.</p>
<p>Clause 6.2.3 — Sight Lines</p>	
<p>Clause 6.2.3 is modified to include in the deemed-to-comply requirements:</p> <p>C3.2 A pillar to a height of 1.8m with a maximum dimension of 350mm x 350mm may be permitted within 1.5m of where the vehicle access point meets the street boundary provided the remainder of the wall within this area is visually permeable above 750mm.</p>	
<p>6.3 Site Planning and Design</p>	
<p>Clause 6.3.2 — Landscaping</p>	
	<p>O2 Landscaping that meets the relevant design principles, except the City may support the removal of a tree greater than three metres in height subject to a suitable replacement being planted in common property or communal open space.</p>

<p>Replacement Deemed-to-Comply Provisions</p> <p>Deemed-to-comply requirements that replace or augment the 'deemed-to-comply' provisions of the R-Codes for residential development:</p> <ul style="list-style-type: none"> • not located within a Housing Opportunity Area, or • operating at the lower code (R20) within a Housing Opportunity Area. 	<p>Local Housing Objectives</p> <p>An element of a proposal that does not meet the deemed-to-comply provisions will be assessed against the relevant Local Housing Objective (where applicable). Where there are no Local Housing Objectives or the application does not comply with the Local Housing Objectives, the application will be assessed against the Design Principles and Objectives of the R-Codes.</p>
<p>Clause 6.3.5 — Vehicular Access</p>	
	<p>O5 Vehicular access is provided such that:</p> <ol style="list-style-type: none"> i. Only one single driveway servicing multiple dwelling development is provided per street or right-of-way frontage; ii. Vehicle access shall be located to one side lot boundary, with a minimum setback of one metre where the driveway meets the street boundary. iii. No driveway is wider than 6m at the street boundary; iv. Vehicular access complies with the Australian Standard 2890.1 (Off-street Car Parking) v. The development complies with the deemed-to-comply provisions of: <ol style="list-style-type: none"> a. Clause 6.2.2 — Landscaping; b. Clause 6.3.3 — Parking; and c. Clause 6.3.4 — Design of car parking spaces.

<p>Replacement Deemed-to-Comply Provisions</p> <p>Deemed-to-comply requirements that replace or augment the ‘deemed-to-comply’ provisions of the R-Codes for residential development:</p> <ul style="list-style-type: none"> • not located within a Housing Opportunity Area, or • operating at the lower code (R20) within a Housing Opportunity Area. 	<p>Local Housing Objectives</p> <p>An element of a proposal that does not meet the deemed-to-comply provisions will be assessed against the relevant Local Housing Objective (where applicable). Where there are no Local Housing Objectives or the application does not comply with the Local Housing Objectives, the application will be assessed against the Design Principles and Objectives of the R-Codes.</p>
<p>6.4 Building Design</p>	
<p>Clause 6.4.4 — Outbuildings</p>	
	<p>O4 Outbuildings that are provided such that:</p> <ul style="list-style-type: none"> i. Where an outbuilding is visible from the street it is constructed out of materials and is of a design that matches the dwellings. ii. The development complies with: <ul style="list-style-type: none"> a. Clause 6.1.2 — Building height b. Clause 6.1.3 — Street setbacks c. Clause 6.1.4 — Lot boundary setback