



~~AMENDMENTS TO THE DEEMED-TO-COMPLY PROVISIONS OF THE NTIAL DESIGN CODES RESIDENTIAL~~

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1. CITATION

This is a Local Planning Policy prepared under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015. This Policy may be cited as Local Planning Policy DP-07: Residential Development Requirements.

1. OBJECTIVES

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THE OBJECTIVES OF THIS POLICY ARE TO:

1. ~~Introduce To implement~~ provisions that amend or replace particular deemed-to-comply provisions set out in the Residential Design Codes of Western Australia (R-Codes).
2. ~~To eEstablish~~ fair, consistent and reasonable development controls to guide the preparation of applications for residential development.
3. ~~To pProtect~~ the residential amenity of streetscapes and individual properties.
- ~~3.4. To ensure~~ that a transportable building does not detract from the amenity, character and established streetscape of a residential area.
4. ~~Ensure~~ that residential development meets community expectations in regard to appearance, use and density.
5. ~~Ensure~~ that designs respond to the key natural and built features of the area and respond to the local context in terms of bulk and scale, or in the case of precincts undergoing a transition, will respond to the desired future character as stated in the local planning framework.

2.3. PRINCIPLES APPLICATIONS OF THIS POLICY

This Local Planning Policy (the Policy) is made pursuant to Schedule 2: Division 2—Local Planning Policies: Clause 3 of the Planning and Development (Local Planning Schemes) Regulations 2015.

2.1—Application of Policy

This Policy specifies amendments to the deemed-to-comply provisions of State Planning Policy 7.3: Residential Design Codes (Volume 1) to ensure that the City's Local Planning Framework addresses recurring development requirements in residential areas unique to the City and establishes a high standard for residential development.

The main purpose of this policy is to provide a clear outline of those 'deemed to comply' provisions of the R-Codes, which are amended or replaced by provisions of this policy, whilst also introducing some provisions additional to the R-Codes.

Where a proponent seeks approval for a design element that does not meet the 'deemed to comply' provisions of the R-Codes, nor the amended 'deemed to comply' provisions under this policy, a development application for an R-Codes variation must be submitted outlining how the proposal meets both the relevant design principles in the R-Codes and also the performance criteria outlined in this policy.

These amendments to the deemed-to-comply requirements are allowed for under Section 7.3 of the R-Codes, and therefore replace the relevant deemed-to-comply provision of the R-Codes. Any variation to the amended or replaced deemed-to-comply provisions outlined under Section 6 of this policy are

~~considered a variation to the R-Codes and require the proponent to still apply for a variation to the R-Codes.~~

~~This Policy applies across the City's municipal area and should be read in conjunction with the City of Karratha Local Planning Scheme No.8, State Planning Policy 7.3: Residential Design Codes (Volume 1) and any other relevant local planning policy.~~

~~To the extent of any inconsistency between the policy and the Scheme, the Scheme prevails. This Policy applies to all residential development within the City of Karratha.~~

~~This Policy is to be read in conjunction with the City of Karratha's Town Planning Scheme No.8, R-Codes and any other relevant Local Planning Policy.~~

~~A Local Planning Policy is not part of the Scheme and does not bind the Local Government in respect of any application for Planning Approval but the Local Government shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.~~

3. CONSEQUENCES

This Policy represents the formal policy and expected standards of the Council. Appropriate approvals need to be obtained prior to residential development within the City of Karratha. City staff have obligations under the Council's Code of Conduct to give full effect to the lawful policies, decisions and practices of the Council.

4. ROLES AND RESPONSIBILITIES

It is the proponent's obligation to adhere to any conditions of Planning Approval that may be granted for residential development. Failure to do so may result in legal action against the proponent.

5.4. POLICY PROVISIONS

5.1 — Setback of Garages and Carports

Carports may be setback 1.5m from the primary street boundary where vehicles are either parked at right angles or parallel to the street alignment. Where parallel to the street alignment a wall or fencing in compliance with the R-Codes must be located on the adjacent boundary or landscaping is to be provided between the carport and the boundary.

~~This provision is in variation to the Deemed-to-comply requirement C.1.2 of Design Principle 5.2.1.~~

5.2 — Height of Carports

Carports shall have a maximum wall height of 2.7m and a total overall height of 4.5m.

~~This provision is in variation to the Deemed-to-comply requirement C6 of Design Principle 5.1.6.~~

5.3 — Open Space

Open Space provided in accordance with Table 1 of the R-Codes may be reduced by up to 10% of the value presented in Table 1 provided any additional roofed area is unenclosed on at least two sides.

~~This provision is in variation to the Deemed-to-comply requirement C4 of Design Principle 5.1.4.~~ Refer to Appendix A: Table 1 – Variations to the Deemed-to-Comply Requirements of the Residential Design Codes: Volume 1 and Table 2 – Performance Criteria.

6. GENERAL PROVISIONS

6.1 — Vehicular Access

Vehicle Crossovers must be adequately sealed (concrete/asphalt) and drained in accordance with the City of Karratha Vehicle Crossover Specifications.

6.2 — Outbuildings

An outbuilding will not be approved on a vacant residential lot containing no dwelling, is to be non-habitable and is not to be used for commercial or industrial purposes unless allowed for construction purposes under the Building Code of Australia.

6.3 — Shade Sails

Setback for pergolas/shade sails from the front boundary only allowed as pool cover, outdoor living area cover or additional outdoor living area. Shade sail posts and material shall be setback a minimum of 1.5m from the front boundary and a minimum 1m from the secondary boundary.

7. APPLICATION REQUIREMENTS

~~a) Any proposal to vary these policy provisions shall be submitted in writing with your Application for Residential Design Codes Variation in accordance with the justification requirements set out in the R-Codes. Application forms for an R-Codes variation can be downloaded from the City's website at <http://www.karratha.wa.gov.au/planning-forms> or obtained by contacting Development Services.~~

~~b) When applying for a Residential Design Codes Variation, the application should include:~~

- ~~• A completed Application for Single House/Outbuilding Residential Design Codes of WA (Design Codes) Variation form and payment of an applicable planning fee (refer to Development Services Fees and Charges Information Sheet BS-0005).~~

~~Three [3] copies (to scale) of a site plan showing the following:~~

- ~~• The legal description, lot dimensions, north point and street details;~~
- ~~• The location and use of any existing or proposed buildings on-site and existing access/egress point(s);~~
- ~~• Location and use of proposed building(s) and setbacks to boundaries and existing buildings;~~
- ~~• Buildings, structures and/or vegetation to be removed (if any);~~
- ~~• Existing site levels and/or contours at regular levels;~~
- ~~• Finished floor and design levels;~~
- ~~• Stormwater drainage details including design levels and erosion control at outlets;~~
- ~~• Vehicular access/egress to site;~~
- ~~• Car parking and manoeuvring areas;~~
- ~~• Should landscaping as screening be proposed the location of and type of landscaping is to be included; and~~
- ~~• Fencing details (type, location, colour and height).~~

~~Three [3] copies (to scale) of plans/drawings showing the following:~~

- ~~• Floor plan of proposed building(s);~~
- ~~• Elevations of proposed building(s); and~~
- ~~• External colours, finishes and materials.~~

6 REFERENCES TO RELATED DOCUMENTS

- ~~• Application for Single House/Outbuilding Residential Design Codes of WA (Design Codes) Variation Form~~[Application for Development Approval Form](#)
- ~~• Development Services Fees and Charges Information Sheet BS-0005~~[Planning Services Fee Schedule](#)
- ~~• Shire of Roebourne Town~~[City of Karratha Local](#) Planning Scheme No.8
- ~~• State Planning Policy 3.1 - Residential Design Codes 2015~~
- ~~• Planning and Development (Local Planning Schemes) Regulations 2015~~
- ~~• State Planning Policy 7.3: Residential Design Codes~~
- ~~• DP11 Transportable Buildings in Residential Areas~~

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Last Review:	September 2016
Next Review:	September 2018
Responsible Officer:	Principal Statutory Planner

This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.

TABLE 1 - Variations to the Deemed-to-Comply Requirements of the Residential Design Codes: Volume 1

Residential Design Codes Volume 1 – Design Principles		Variation(s) to Deemed-to-Comply Requirements		
5.1.2	<u>Primary Street Setbacks</u>	<u>C2.1</u>	<u>vi.</u>	<u>Pergolas and shade sails setback 1.5m from the primary street boundary when used to cover a swimming pool (or similar).</u>
			<u>vii.</u>	<u>Pergolas and shade sails used to shade a secondary vehicle parking space setback 3m from the primary street boundary.</u>
5.1.4	<u>Open Space</u>	<u>C4</u>		<u>Open Space requirements may be reduced by up to 10% of the value of Table 1 provided any additional roofed area is unenclosed on at least two sides.</u>
5.1.6	<u>Building Height</u>	<u>C6</u>	<u>i.</u>	<u>A carport must not exceed a wall height of 2.7m and a total overall height of 4.5m.</u>
			<u>ii.</u>	<u>A garage must not exceed a wall height of 3m.</u>
5.2.1	<u>Setback of Garages and Carports</u>	<u>C1.2</u>		<u>Carports setback 1.5m from the primary street boundary where vehicles are either parked at right angles or parallel to the street alignment. Where parallel to the street alignment, a wall or fencing in compliance with the R-Codes must be located on the adjacent boundary or landscaping is to be provided between the carport and the boundary.</u>
5.3.9	<u>Stormwater Management</u>	<u>C9</u>		<u>Stormwater draining from roofs, driveways, communal streets and other impermeable surfaces should be directed to a constructed public road or a dedicated road reserve or drainage reserve.</u>
5.4.3	<u>Outbuildings</u>	<u>C3</u>	<u>iv.</u>	<u>Do not exceed a wall height of 3.6m.</u>
			<u>ix.</u>	<u>Are not in the form of transportable buildings (e.g. shipping containers/seacontainers and dongas).</u>

TABLE 2 - Performance Criteria

<u>Planning Matter</u>	<u>Scheme Provision</u>	<u>Potential Impacts</u>	<u>Performance Criteria</u>
<u>Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 ('the Regulations').</u>			
<u>Access (s) (ii)</u>		<ul style="list-style-type: none"> • <u>Unauthorised vehicular access to an outbuilding or similar structure which may impact City infrastructure and Reserves.</u> 	<p>a) <u>Properties in Dampier proposing access to an outbuilding, carport/boatport (or similar) from a drainage reserve to the rear of the property must comply with the City's Rear Access Policy. At the property boundary the access width shall provide for no more than one vehicle width accessing the site.</u></p>
<u>Crossovers and Driveways (s)(ii)</u>	<p><u>5.2 – R-Codes</u></p> <p><u>5.3 – Residential Zone</u></p>	<ul style="list-style-type: none"> • <u>Damage to the City's infrastructure such as kerbing and footpaths resulting from unauthorised or non-compliant vehicular access.</u> • <u>Potential excessive costs associated with construction of a crossover which does not serve as the primary vehicular access to the dwelling.</u> 	<p>a) <u>The location and dimensions of driveways are determined in accordance with the R-Codes. Decisions on development applications can determine acceptability of crossovers based on safety concerns and any traffic impacts but the standard of construction needs to be determined in accordance with the Local Government Act 1995 and City of Karratha specifications.</u></p> <p>b) <u>Crossovers servicing the primary vehicle driveway and parking bays for a dwelling are to be sealed to the specifications of the City.</u></p> <p>c) <u>Any proposed secondary parking area for vehicles and/or a boat, camper, caravan or similar, in the form of a carport/boatport or a vehicle-accessible outbuilding to the primary or secondary street should be provided with a ramp constructed within the road kerb to the specifications of the City at the proponents cost.</u></p>

<p><u>Garages & Carports (m) (n)</u></p>	<p><u>4.8 – Karratha Objectives (h), (i)</u></p>	<ul style="list-style-type: none"> • <u>Height of garages and carports may detract from the amenity of the adjoining property, streetscape and the broader residential area due to the building bulk and scale.</u> • <u>Garages encroaching into the primary street setback area and detracting from the streetscape as well as impacting visual surveillance and sightlines objectives.</u> 	<ul style="list-style-type: none"> a) <u>A garage shall be constructed with materials which match or complement the existing dwelling.</u> b) <u>For single level dwellings garage wall heights and roof heights should be commensurate with those of the main dwelling.</u> c) <u>Landscaping may be required to assist in screening a garage or carport where it is deemed to potentially impact on the streetscape and amenity of the surrounding area.</u> d) <u>Carports used to store larger vehicles, including boats and that are of a height and scale that would be prominent in the streetscape are not encouraged and should be located beyond the primary street setback area and where possible behind the building line of the main dwelling.</u> e) <u>Stormwater from carports and garages must not discharge onto adjoining properties.</u>
<p><u>Outbuildings (m) (n) (s)(ii)</u></p>	<p><u>4.8 – Karratha Objectives (h),(i)</u></p> <p><u>5.2 – R-Codes</u></p> <p><u>5.3 – Residential Zone</u></p>	<ul style="list-style-type: none"> • <u>Outbuildings which detract from the streetscape, and visual amenity of the public domain.</u> • <u>Outbuildings which detract from the residential amenity of adjoining property owners.</u> • <u>Outbuildings being used for habitation, commercial or industrial purposes</u> • <u>Stormwater run-off from the ridge of outbuildings located near a lot boundary which may result in stormwater being discharged onto adjoining properties.</u> 	<ul style="list-style-type: none"> a) <u>Outbuildings will not be approved on a vacant residential lot containing no dwelling.</u> b) <u>No stormwater is to be discharged onto adjoining private property. Roof design and appropriate setbacks should be provided to prevent this. Where deemed appropriate, the City may request gutters to be installed to assist in the retention and disposal of stormwater. Gutters are to be wholly contained within the legal property boundaries and some additional width allowed for, to ensure that the overflow of gutters in heavy storm events is to be contained between the property boundary and the edge of the guttering. This is to be shown on any site plan for such a proposal.</u> c) <u>Any proposal for a wall height above that of the deemed to comply provision C3 iv shown in Table 1 above, should meet all other requirements of C3 and are to provide adequate measures to reduce the bulk and scale of the building as it appears to the public domain and/or adjoining properties (some measures could include larger than the 'deemed to</u>

			<u>comply' setback distances, landscaping/screening, high quality external cladding/materials or a combination of these and/or other methods).</u>
<u>Pergolas and Shade Sails (m) and (s)(ii)</u>	<u>4.8 – Karratha Objectives (h), (i)</u> <u>5.2 – R-Codes</u> <u>5.3 – Residential Zone</u>	<ul style="list-style-type: none"> • <u>The inappropriate use of shade sails in the primary street setback as the primary 'carport' for parking of vehicles.</u> • <u>Shade sails detracting from the amenity of the streetscape and adjoining properties.</u> 	<p>a) <u>Pergolas / shade sails will not be supported for use as a primary parking area unless it is demonstrated the design makes a beneficial contribution to the streetscape.</u></p> <p>b) <u>No pergola / shade sail should exceed 3.5m in height. The height of a pergola is measured from the natural ground level beneath the tallest pole.</u></p> <p>c) <u>No portion of any pergola/shade sail should extend beyond a lot boundary. Setbacks for pergolas are measured from the outermost pole to the lot boundary.</u></p>
<u>Stormwater (o) and (u)</u>	<u>5.2 – R-Codes</u> <u>5.3 – Residential Zone</u>	<ul style="list-style-type: none"> • <u>Inadequate provision for management of stormwater quantity and quality.</u> 	<p>a) <u>Water draining from roofs, driveways, communal streets and other impermeable surfaces should be directed to a constructed public road to which the development site has frontage. Partial retention through the use of rainwater tanks is encouraged.</u></p> <p>b) <u>Water draining from roofs, driveways, communal streets and other impermeable surfaces should not be directed to sumps and if directed to garden areas, this shall not allow pooling of water following a rainfall event.</u></p> <p>c) <u>The City will require a Stormwater Management Plan for all grouped and multiple dwelling development, including detail outlining the method of draining water from all open space areas to a constructed public road to which the development site has frontage.</u></p> <p>d) <u>Where possible, stormwater draining through open space areas dedicated for the sole use of a dwelling should be avoided. Where unavoidable, the Stormwater Management Plan shall specify how the impact of the stormwater drainage will be managed.</u></p>

<u>Street Walls and Fences</u>			<p>a) <u>Where a swimming pool is proposed to be located within the primary street setback area, the City's preference is for visually permeable fencing that is designed in accordance with the current building regulations.</u></p>
<u>Ancillary Accommodation, Sea Containers and Transportable Structures (m) (n) (s)(ii)</u>	<u>4.8 – Karratha Objectives (h), (i)</u> <u>5.2 – R-Codes</u> <u>5.3 – Residential Zone</u> <u>5.10 – Transportable Structures</u>	<ul style="list-style-type: none"> • <u>Installation of sea containers and dongas in residential areas which detract from residential amenity.</u> • <u>Provision of ancillary accommodation where insufficient car parking is provided.</u> 	<p>a) <u>The visual appearance of a transportable building is to be compatible with the appearance of dwellings and outbuildings within the majority of residential areas. Dongas are not considered compatible in their standard form.</u></p> <p>b) <u>Should any part of a donga or shipping container be visible from the public domain, architectural features, fencing and landscaping must be used so that the structure is either screened from the public domain or no longer presents as a donga or shipping container but rather a building commensurate with residential design.</u></p> <p>c) <u>Colours on the surface of a transportable building are to be compatible with the predominant colours on buildings in the local area.</u></p> <p>d) <u>The City may impose conditions of development approval concerning aesthetic considerations such as:</u></p> <ul style="list-style-type: none"> - <u>colour of external surfaces</u> - <u>screening of any subfloor spaces exposed to external view</u> - <u>the construction of verandas and balustrades</u> - <u>perimeter and internal fencing and screening devices</u> - <u>the design, installation and maintenance of landscaping and reticulation; and</u> - <u>the design, installation and maintenance of crossovers and driveways.</u> <p>e) <u>Transportable buildings used for storage/outbuildings are not permitted on and will not be approved on a vacant site unless they are for construction purposes as provided for under the Building Act 2011.</u></p> <p>f) <u>Shipping containers and transportable buildings must be located behind the building line of a dwelling that faces the</u></p>

			<p><u>primary street and provided with screening from view of the public domain.</u></p> <p><u>g) If located on a secondary street frontage, shipping containers and transportable buildings must be screened by a boundary fence/wall of 1.8m height, be painted or clad in materials to give the building a clean and tidy appearance and be maintained in good condition at all times.</u></p> <p><u>h) Shipping containers and transportable buildings proposed to the rear or side of a dwelling/lot that abuts a drainage reserve, road reserve or reserve for recreation purposes must be screened by a boundary fence/wall of 1.8m height and landscaping, be painted or clad in materials to give the development a clean and tidy appearance and be maintained in good condition at all times.</u></p> <p><u>i) Shipping containers and transportable buildings are not permitted to be stacked one atop another and must remain single-storey at all times unless in the form of typical single, grouped or multiple dwelling development and the buildings have been provided with considerable articulation and external modifications.</u></p> <p><u>j) A transportable building in the form of ancillary accommodation must have a veranda attached to the building that runs for the length of the building and have a minimum width of 2.4m. Should this proposed building be located to the side or rear of a property that abuts a drainage reserve, road reserve or reserve for recreation purposes the veranda must be facing the reserve.</u></p> <p><u>k) If located on a secondary street frontage, transportable buildings in the form of ancillary accommodation should be screened by a boundary fence / wall of 1.8m height or alternatively be set back the same distance as would be required under the R-Codes for single dwellings as if it were a primary frontage in the residential zone and be architecturally designed to address the street frontage.</u></p>
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