



# AMENDMENTS TO THE DEEMED-TO-COMPLY PROVISIONS OF THE RESIDENTIAL DESIGN CODES

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## 1. OBJECTIVE

The objectives of this Policy are to:

1. **Introduce** provisions that amend or replace particular deemed-to-comply provisions set out in the Residential Design Codes of Western Australia (R-Codes).
2. **Establish** fair, consistent and reasonable development controls to guide the preparation of applications for residential development.
3. **Protect** the residential amenity of streetscapes and individual properties.
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. PRINCIPLES

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

- 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.
- 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 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. 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.*

### **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
- Development Services Fees and Charges Information Sheet BS-0005
- Shire of Roebourne Town Planning Scheme No.8
- State Planning Policy 3.1 - Residential Design Codes 2015
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- DP11 Transportable Buildings in Residential Areas

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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.*