

6.1 Proposed modifications for Variations to the Residential Design Codes Volume 1 – Part B Deemed-to-Comply Criteria

Current Deemed-to-Comply Provision (R Codes)	Current Deemed-to-Comply Provision (DP07)	Proposed Deemed-to-Comply Provision (Draft DP07)	Description
5.1.4 Open Space C4 Open space provided in accordance with Table B (refer Figure Series 6). The site of the grouped dwelling, for the purpose of calculating the open space requirement, shall include the area allocated for the exclusive use of that dwelling and the proportionate share of any associated common property.	5.1.4 Open Space C4 Open Space requirements may be reduced by up to 10% of the value of Table 1 provided any proposed roofed area is unenclosed on at least two sides.	5.1.4 Open Space Clause 5.1.4 is modified to include the additional Deemed-to-Comply Provision:	No change to existing DP07 provision, amended for consistency of format with R Codes.
		C4ii The amount of open space to be provided may be reduced by an additional 10% on top of the value shown in Table 1 of the R Codes provided any proposed roofed area is unenclosed on at least two sides (excludes carports and/or roofed vehicle storage areas).	
5.1.6 Building Height C6 Buildings which comply with Table 3 for category B area buildings, except where stated otherwise in the scheme, the relevant local planning policy, structure plan or local development plan (refer Figure Series 7). <i>*which allows for garage walls to be up to 7m</i>	5.1.6 Building Height C6ii A carport must not exceed a wall height of 3m and a total overall height of 4.5m	5.1.6 Building Height Clause 5.1.6, C6 is modified to include the additional Deemed-to-Comply Provisions:	
		C6ii A carport does not exceed a total wall height of 3.5m.	Additional 0.5m of wall height for carports. Amended for consistency of format with R Codes.
	5.1.6 Building Height C6iii A garage must not exceed a wall height of 3m.	C6iii A carport does not exceed a total overall height of 4.5m.	No change to existing DP07 provision, amended for consistency of format with R Codes.
		C6iv A garage does not exceed a wall height of 3.0m.	No change to existing DP07 provision, amended for consistency of format with R Codes.
5.2.1 Setback of Garages and Carports C1.1 Garages set back 4.5m from the primary street except that the setback may be reduced: <ul style="list-style-type: none"> i. in accordance with Figure 8b where the garage adjoins a dwelling provided the garage is at least 0.5m behind the dwelling alignment (excluding any porch, verandah or balcony); or ii. to 3m where the garage allows vehicles to be parked parallel to the street. The wall parallel to the street must include openings. 	Performance Criteria A garage shall be constructed with materials which match or complement the existing dwelling.	5.2.1 Setback of Garages and Carports Clause 5.2.1, C1.1 is modified to include the additional deemed-to-comply provision:	
		C1.1iii A garage shall be constructed with materials which match or complement the existing dwelling.	To be introduced as a Deemed-to-Comply standard. Amended for consistency of format with R Codes.
5.2.1 Setback of Garages and Carports C1.2 Carports set back in accordance with the primary street setback requirements of clause 5.1.2 C2.1(i), except that the setback may be reduced by up to 50 per cent of the minimum setback stated in Table B where: <ul style="list-style-type: none"> i. the width of the carport does not exceed 60 per cent of the frontage; ii. the construction allows an unobstructed view between the dwelling and the street, right-of-way or equivalent; and iii. the carport roof pitch, colours and materials are compatible with the welling. (Refer to Figure 8a) 	5.2.1 Setback of Garages and Carports Carports setback 1.5m from the primary street 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.	5.2.1 Setback of Garages and Carports Clause 5.2.1, 1.2 is replaced with the following deemed-to-comply provision:	
		C1.2 Carports with a street setback of 1.5 metres or greater.	Removed requirement for landscaping. Amended for consistency of format with R Codes.
5.2.4 Street Walls and Fences C4.1 Front fences within the primary street setback area that are visually permeable above 1.2m of natural ground level, measured from the primary street side of the front fence (refer Figure 12).	N/A	C5.2.4 Street Walls and Fences Clause 5.2.4 is modified to include the additional deemed-to-comply provisions:	

5.2.4 Street Walls and Fences C4.2 Solid pillars that form part of front fences not more than 1.8m above natural ground level provided the horizontal dimension of the pillars is not greater than 400mm by 400mm and pillars are separated by visually permeable fencing in line with C4.1 (refer Figure 12).		C4.3 Front fences are to be no greater than 1.8 metres in height	Introduced 1.8m high front fence requirement.
N/A	Performance Criteria Where a swimming pool is proposed to be located within the primary street setback area, the City's preference is for visually permeable fencing, as per the deemed-to-comply requirements of the R Codes that is designed in accordance with the current building regulations. If solid fencing is proposed in these situations, the City expects that the proportion of solid fencing is minimal and that there is a positive impact on the streetscape. Standard colorbond fencing should be avoided.	C4.4 Where a swimming pool has been approved and is located within the primary street setback area, fencing over 1.2 metres in height is to comprise of 'permeable' slats with vertical gaps of at least 10mm in height for the length of the proposed front fence.	Introduced as a deemed-to-comply standard to allow exemptions from development approval.
N/A	Gates are not permitted to swing outwards over the road reserve. Gates must swing in internally towards the property	C4.5 Gates are not permitted to swing outwards over the road reserve.	Introduced as a deemed-to-comply standard to allow exemptions from development approval.
5.2.5 Sight Lines C5 Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences, or other structures adjoin: <ol style="list-style-type: none"> a driveway that intersects a street, right-of-way or communal street; a right-of-way or communal street that intersects a public street; and two streets that intersect. (refer Figure 9a). 	5.2.5 Sight Lines C5 Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences, or other structures adjoin: <ol style="list-style-type: none"> a driveway that intersects a street, right of way or communal street; a right of way or communal street that intersects a public street; and two streets that intersect; with the exception of permeable fencing and/or gates which provide a clear line of sight with: <ul style="list-style-type: none"> a minimum of a 90mm open gap between vertical members/pickets, vertical members/pickets being a maximum 30mm in width; and a maximum of one post within the truncated area that has a maximum dimension of 100mm. 	5.2.5 Sight Lines C5 Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences, or other structures adjoin: <ol style="list-style-type: none"> a driveway that intersects a street, right-of-way or communal street; a right-of-way or communal street that intersects a public street; and two streets that intersect. (refer Figure 9a). 	Removed deemed-to-comply standard for increased pedestrian safety.
5.3.9 Stormwater Management C9 All water draining from roofs, driveways, communal streets and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development site where climatic and soil conditions allow for the effective retention of stormwater on site.	5.3.9 Stormwater Management C9 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.	5.3.9 Stormwater Management Clause 5.3.9, C9 is replaced with the following deemed-to-comply provisions: C9i Stormwater draining from roofs, driveways, communal streets and other impermeable surfaces should be directed to a constructed public road or dedicated road reserve or drain reserve.	No change from existing DP07. Amended for consistency of format with R Codes.
5.3.9 Stormwater Management N/A	Performance Criteria c) The City will require a Stormwater Management Plan for all grouped and multiple dwelling development, including detail outlining the	C9ii For grouped dwellings, a stormwater management plan shall be required to be submitted.	Introduced as a deemed-to-comply for larger scaled developments. Amended for consistency of format with R Codes.

		<p>method of draining water from all open space areas to a constructed public road to which the development site has frontage.</p> <p>d) 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.</p> <p>e) The City may require rock protection to be installed at stormwater discharge points to prevent scouring and erosion of a road or drainage reserve.</p>		
5.4.3 Outbuildings C3 Outbuildings associated with a dwelling site address either: <ul style="list-style-type: none"> i. the standards for small outbuildings (A. Small outbuilding); or ii. the standards for large and multiple outbuildings (B. Large and multiple outbuildings). 		5.4.3 Outbuildings	5.4.3 Outbuildings Clause 5.4.3, C3 is replaced with the following deemed-to-comply provisions:	
		C3vii Are not in the form of transportable buildings (e.g. shipping containers/sea containers and dongas).	C3i When in the form of a shipping container, no more than one outbuilding per dwelling site is permitted and is required to meet the deemed-to-comply standards in part 6.2 of the Policy.	No change from existing DP07. Amended for consistency of format with R Codes.
		Performance Criteria a) Outbuildings will not be approved on a vacant residential lot containing no dwelling.	C3ii Is not permitted on a vacant lot.	No change from existing DP07. Amended for consistency of format with R Codes.
		Performance Criteria Any proposal for a wall height above that of the deemed to comply provision C3 iii 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 comply' setback distances, landscaping/screening, high quality external cladding/materials or a combination of these and/or other methods)	C3iii Individually or collectively does not exceed 10 percent in aggregate of the site area, whichever is the greater (to a maximum of 90m ²)	Increased ability for 90m ² floor area (from 60m ²) based on total lot area. Amended for consistency of format with R Codes.
			C3iv Outbuildings utilising the 10 percent aggregate must meet permitted height and setback.	No change from DP07. Amended for consistency of format with R Codes.
		C3 iii Do not exceed a wall height of 3.6m	C3v Do not exceed a wall height of 3.6 metres	No change from DP07. Amended for consistency of format with R Codes.
		C3iv Do not exceed a ridge height of 4.5m	C3vi Do not exceed a ridge height of 4.5 metres	No change from DP07. Amended for consistency of format with R Codes.
		N/A	C3vii Not located within the primary or secondary street setback area.	No change from R-Codes. Amended for consistency of format with R Codes.
OR				
B. Large and multiple outbuildings	<ul style="list-style-type: none"> i. individually or collectively does not exceed 60m² in area or 10 percent in aggregate of the site area, whichever is the lesser; ii. set back in accordance with Table 2a; iii. does not exceed a wall height of 2.4m; iv. does not exceed a ridge height of 4.2m; 			

	<div>v. not located within the primary or secondary street setback area; and</div> <div>vi. vi. does not reduce the open space and outdoor living area requirements in Table B.</div>			No change from R-Codes. Amended for consistency of format with R Codes.
<div>Notes:</div> <div><div>i. An outbuilding wall that meets (ii) for small outbuildings does not contribute to the number or dimension of boundary walls under clause 5.1.3.</div><div>ii. An existing outbuilding that meets the development standards for small outbuildings does not need to be set back in accordance with Table 2a for additional outbuildings that are proposed under B. Large and multiple outbuildings.</div><div>iii. There are separate building code requirements that may also apply</div></div>			<div>C3viii Does not reduce the open space and outdoor living area requirements in Table B of the Residential Design Codes Volume 1.</div>	
<div>5.5.1 Ancillary Dwellings</div> <div>C1 Ancillary dwelling associated with a single house or grouped dwelling and on the same site where:</div> <div><div>i. C1i deleted by amendment dated 10 April 2024;</div><div>ii. there is a maximum internal floor area of 70m2;</div><div>iii. parking is provided in accordance with clause 5.3.3 C3.1;</div><div>iv. ancillary dwelling is located behind the street setback line;</div><div>v. C1v deleted by amendment dated 10 April 2024;</div><div>vi. ancillary dwelling does not preclude the single house or grouped dwelling from meeting the required minimum open space and outdoor living area; and</div><div>vii. ancillary dwelling complies with all other R-Code provisions, only as they apply to single houses and grouped dwellings, with the exception of clauses:<div><div>a. Part D, 1.1 Site area;</div><div>b. 5.2.3 Street surveillance (except where located on a lot with secondary street or right-of-way access); and</div><div>c. 5.3.1 Outdoor living areas.</div></div></div></div>	N/A	<div>5.5.1 Ancillary Dwellings</div> <div>Clause 5.5.1, C1 is modified to include the additional deemed-to-comply provision:</div> <div>C1viii Are not in the form of a repurposed or second-hand dwelling, unless it meets the Minimum Development Standards in part 6.2 of this Policy.</div>	<div>Introduced as deemed-to-comply standard for ability to exempt when consistent with policy. Amended for consistency of format with R Codes.</div>	
<div>5.5.2 Single Bedroom Dwellings</div> <div>C3 Single bedroom dwellings shall comply with the following:</div>	N/A	<div>5.5.3 Single Bedroom Dwellings</div> <div>Clause 5.5.3, C3 is modified to include the additional deemed-to-comply provision:</div>		

<p>i. a maximum internal floor area of 70m²;</p> <p>ii. open space and landscaping in accordance with the requirements of clause 5.1.4 and 5.3.2;</p> <p>iii. parking provided in accordance with clause 5.3.3 C3.1 and C3.2;</p> <p>iv. an outdoor living area in accordance with the requirements of clause 5.3.1 but reducing the area required by Table B by one-third; and</p> <p>v. comply with all other elements of Table B and Part B as relevant.</p>		<p>C3vi Are not in the form of repurposed or second-hand dwelling, unless it meets the Minimum Development Standards in part 6.2 of the Policy.</p>	<p>Introduced as deemed-to-comply standard for ability to exempt when consistent with policy. Amended for consistency of format with R Codes.</p>
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6.2 Proposed modifications to Shipping Containers and Repurposed Dwellings or Second-hand Dwellings

Existing Performance Criteria (Ancillary Accommodation, Sea Containers and Transportable Structures)		Proposed Minimum Development Standards (Shipping Containers and Repurposed Dwellings or Second-hand Dwellings)	
e)	Shipping containers and transportable buildings must be located behind the building line of a dwelling that faces the primary street and provided with screening from view of the public domain.	a.	Shipping containers used for storage purposes shall be located behind the building line of a dwelling that faces the primary street and should be screened from the public realm.
f)	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, be painted or clad in materials to give the building a clean and tidy appearance 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.		
h)	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.	b.	Shipping containers and Repurposed or Second-hand Dwellings are not permitted to be stacked one atop another and shall be single-storey only.
i)	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.	c.	A Repurposed or Second-hand Dwelling in the form of ancillary accommodation shall have a veranda attached to the building that runs for the length of the building with a minimum width of 2.4m.
c)	<p>The City may impose conditions of development approval concerning aesthetic considerations such as:</p> <ul style="list-style-type: none"> • colour of external surfaces • screening of any subfloor spaces exposed to external view • the construction of verandas and balustrades • perimeter and internal fencing and screening devices • the design, installation and maintenance of landscaping and reticulation; and • the design, installation and maintenance of crossovers and driveways. 	d.	Any subfloor spaces of Repurposed or Second-hand Dwellings that may be viewed from the public realm shall be screened with a combination of landscaping and/or building materials to complement the building.
Existing Performance Criteria (Ancillary Accommodation, Sea Containers and Transportable Structures)		Proposed Design Objectives and Consideration (Shipping Containers and Repurposed Dwellings or Second-hand Dwellings)	
a)	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.	a.	The visual appearance of a shipping container, Repurposed or Second-hand Dwelling is to be compatible with the appearance of dwellings and outbuildings in the surrounding residential area.
b)	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.	b.	Should any part of a shipping container, Repurposed or Second-hand Dwelling be visible from the public domain, design features, fencing and landscaping should be used to adequately screen the structure from the public domain.

c) The City may impose conditions of development approval concerning aesthetic considerations such as: <ul style="list-style-type: none"> • colour of external surfaces • screening of any subfloor spaces exposed to external view • the construction of verandas and balustrades • perimeter and internal fencing and screening devices • the design, installation and maintenance of landscaping and reticulation; and • the design, installation and maintenance of crossovers and driveways. 	c. The City will consider and may impose conditions of development approval concerning aesthetic considerations such as: <ul style="list-style-type: none"> i. colour of external surfaces; ii. screening of any subfloor spaces exposed to external view; iii. the construction of verandas and balustrades; iv. perimeter and internal fencing and screening devices; v. the design, installation and maintenance of landscaping and reticulation; and vi. the design, installation and maintenance of crossovers and driveways.
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Performance Criteria to be removed

Policy No.	Policy Provision	Justification
Access (s)(ii)	a) Properties in Dampier proposing access to an outbuilding, carport/boat port (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.	It is recommended that this policy provision be removed because it relates to access across drainage reserves, which is not authorised under planning legislation. This matter is being considered separately.
Crossovers and Driveways (s)(ii)	a) The location and dimensions of driveways are determined in accordance with the R-Codes. Decisions on development applications can determine the acceptability of crossovers based on safety concerns or traffic impacts to be considered but the standard of construction must be determined in accordance with the Local Government Act 1995 and City of Karratha specifications.	Removed as these are appropriately dealt with under the <i>Local Government Act 1995</i> .
	b) All carports, boatports or similar structures located within the primary street setback and accessible by vehicles should be suitably paved and drained.	Removed as unnecessary, given 'driveway', as defined in the R Codes, are paved.
Garages and Carports (m) (n)	b) For single level dwellings garage wall heights and roof heights should be commensurate with those of the main dwelling.	Addressed through existing deemed-to-comply standards.
	c) 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.	Addressed through existing R-Codes Objectives under 5.2 Streetscape
	d) 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.	Addressed through existing R-Codes Design Principles (5.2.1 Setback of Carports and Garages)
	e) Stormwater from carports and garages must not discharge onto adjoining properties.	Appropriately considered under 5.3.9 Stormwater Management.
Sightlines	a) For the purposes of deemed-to-comply variation 5.2.5 C5 (<i>to be removed</i>), appropriate permeable fencing types include: <ul style="list-style-type: none"> • garrison fencing; • 'pool'/tubular fencing or similar. 	Removed, as deemed-to-comply standard removed.
Outbuildings (m) (n) (s)(ii)	b) 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.	Appropriately considered under 5.3.9 Stormwater Management.
Stormwater (o) (u)	a) 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.	Appropriately considered under 5.3.9 Stormwater Management.
	b) 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.	
Ancillary Accommodation, Sea Containers and Transportable Structures	b) 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. d) 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.	Appropriately considered under 6.2 Design Objectives (c).

