



# **DRAFT DUAL DENSITY CODE POLICY**

# DUAL DENSITY CODE POLICY

**STATUS:** **Council Policy** - *A strategic policy that sets governing principles and guides the direction of the organisation to align with community values and aspirations. The policy has a strategic focus and aligns with the Mission, Vision and Strategic Directions.*

**RESPONSIBLE DIRECTORATE:** **Planning and Development**

**OBJECTIVE:** Encourage residential development which protects amenity and ensures that growth in the City occurs in a sustainable way.

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## 1. BACKGROUND

The Draft Local Housing Strategy identifies ten 'Housing Opportunity Areas', each with a proposed dual density code. A Dual density code is the provision of two density codes over a lot, for example R20/R30. Unless a development can meet the criteria set out in this draft Policy, development at the higher density code will not be permitted. This draft Policy provides all the detail necessary for compliance, and ultimately, successful and innovative development.

The draft Policy has been set out in two parts. Part 1 establishes criteria for the purpose of subdivision. Part 2 establishes criteria for the purpose of development.

In respect to applications for subdivision at the higher density code, the subdivision will be required to comply with all criteria set out in Part 1 of this Policy. Should a subdivision proposal not satisfy all criteria set out in Part 1 of this policy, the City will not support the subdivision application.

In respect to an application for development at the higher density code, the development will be required to comply with all criteria set out in both Parts 1 and 2 of this Policy. Should a development application not satisfy all of the essential criteria set out in Parts 1 & 2 of this policy, the City will not approve the development application.

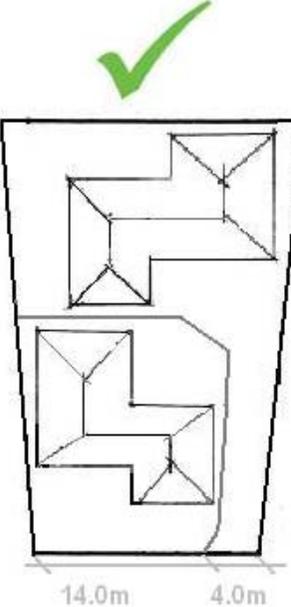
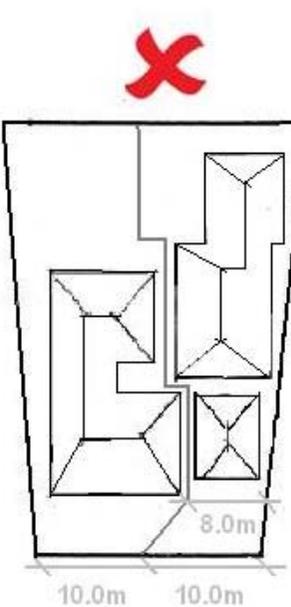
With regard to the criteria set out in Parts 1 & 2 that follow, the intent is to achieve a number of desirable outcomes including:

- Environmentally sustainable/energy efficient building design;
- Water sensitive design;
- Maintaining compatibility with surrounding lower density development; and
- General principles of good urban design.

**2. STATEMENT**

**Part 1: Subdivision and Development of Land**

Council will only support an application for subdivision of land at the higher applicable density code where all of the following essential criteria are achieved.

CRITERIA	ESSENTIAL OR DESIRABLE	OBJECTIVE/ ADDITIONAL COMMENT
<p>1. With the exception of battleaxe lots, all new lots must achieve a minimum frontage of 10 metres at both the street alignment and primary street setback alignment.</p> <p>Note: For the purpose of Residential Design Codes minimum lot frontage provisions contained in Clause 6.1.1 'Site Area Requirements do not apply.</p> <p>The statement 'all new lots' refers to the creation of both Survey-Strata Lots (with or without common property) and Green Title Lots.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  <p>14.0m 4.0m</p> </div> <div style="text-align: center;">  <p>10.0m 10.0m 8.0m</p> </div> </div>	<p>Essential</p>	<p>To prevent dominance of driveways/paved surfaces and parking structures often associated with narrow lot frontages.</p> <p>To ensure future development can adequately address the street and contribute to a desirable streetscape.</p>

CRITERIA		ESSENTIAL OR DESIRABLE	OBJECTIVE/ ADDITIONAL COMMENT
2.	<p>Any new lot must take vehicular access from a laneway where available.</p> <p>Note: A pedestrian access (1.2m width) may be required to gain access to the main street for the purpose of rubbish collection.</p>	Essential	To ensure that in locations where rear access is available, additional lots take access from the laneway in order to preserve existing streetscapes.
3.	<p>A battleaxe access leg must have a minimum width of 4.0m which accommodates a 3.0m wide formed driveway and 0.5m wide landscape strip on either side.</p>	Essential	To ensure adequate vehicle access and building spacing.



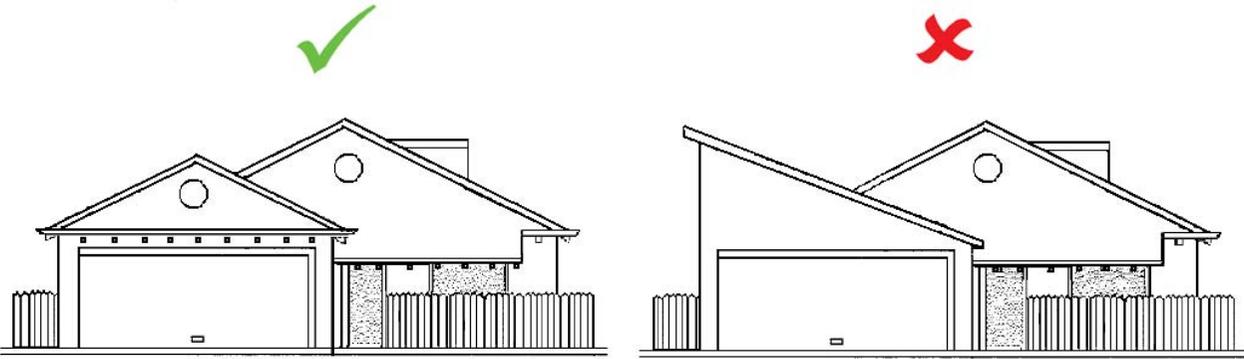
CRITERIA		ESSENTIAL OR DESIRABLE	OBJECTIVE/ ADDITIONAL COMMENT
4.	<p>For the purpose of Clause 6.2.9 'Appearance of retained dwelling' of the Residential Design Codes any existing dwelling retained as part of a Grouped Dwelling or <u>Single House</u> development is to be upgraded externally to a maintenance standard to the satisfaction of the City in accordance with Appendix 1 of this Policy.</p> <p>Note: The City will determine the extent of required upgrading in accordance with the schedule of works contained in Appendix 1 of this Policy.</p>	Essential	To ensure retained dwellings are of a compatible maintenance standard to new development.
5.	<p>The verge treatment to be upgraded to the satisfaction of the City in accordance with the preferred design layouts set out in Appendix 2 of this Policy.</p> <p>Note: This may require existing verge treatments to be modified to comply with this requirement.</p>	Essential	To strengthen the landscape theme of housing opportunity areas.
6.	<p>The development site must incorporate the retention of appropriate trees on private property where the City considers the tree(s) to have all the attributes set out in Appendix 3 (Part 1) of this Policy.</p> <p>Where the City does not consider any existing tree to meet to the attributes set out in Appendix 3 (Part 1), the planting of one tree displaying the qualities set out in Appendix 3 (Part 2) of this Policy will be required within the property boundary.</p> <p>Note: The attributes of an appropriate tree can be found in Appendix 3 of this Policy.</p>	Essential	To accommodate and protect trees which contribute significantly to biodiversity and the landscaped streetscapes due to their prominence when viewed from both neighbouring streets and dwellings.

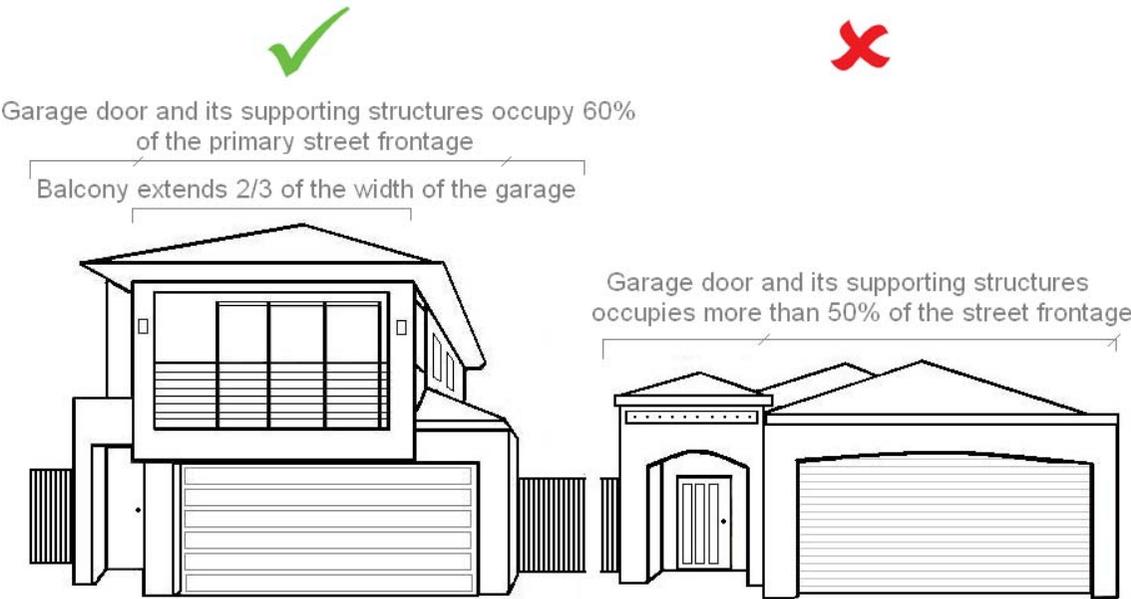
**Part 2: Development of Land**

In addition to the criteria set out in Part 1, an application will only be considered for residential development at the higher applicable density code where all the essential criteria set out below are achieved.

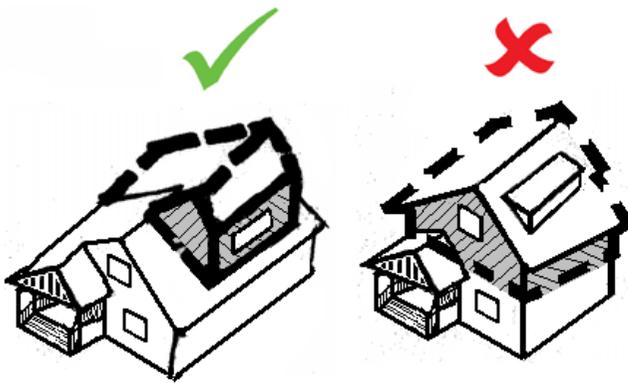
The criteria below applies to both retained dwellings and new development, unless otherwise stated. Therefore, where an applicant proposes to retain a dwelling as part of a higher density code redevelopment, modification and upgrading to the retained dwelling may be required in order for the higher density code to apply.

CRITERIA		ESSENTIAL OR DESIRABLE	OBJECTIVE /ADDITIONAL COMMENT
<b>PRINCIPLES OF GOOD URBAN DESIGN</b>			
1.	<p>The front entrance of a dwelling must be clearly defined and visible from the primary street, with the exception of a dwelling on a battleaxe lot where the front entrance must be visible from the approach to the dwelling.</p> <p>Note: This may require modification to an existing dwelling where a dwelling is to be retained and does not achieve this requirement.</p>		<p>Essential</p> <p>To ensure dwellings address the primary street and assist in articulating a buildings façade</p>

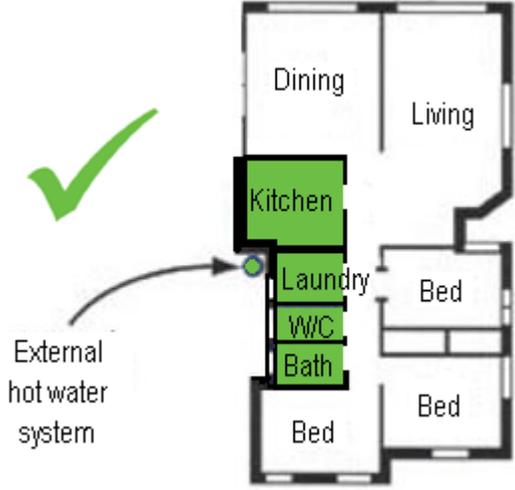
CRITERIA		ESSENTIAL OR DESIRABLE	OBJECTIVE /ADDITIONAL COMMENT
2.	<p>With the exception of a retained dwelling, all buildings including garages and carports must be setback a minimum of 4.0 metres from the primary street. Averaging of the 4.0m setback distance is not permitted.</p> <p>Note: For the purpose of Residential Design Codes;</p> <p>(i) Clause 6.2.1 'Buildings setback generally', A1.1 &amp; P1 does not apply.</p>	Essential	To maintain compatible setback distances between higher and lower density codes and protect the open streetscapes of these localities.
3.	<p>Carport and garage additions must be compatible with the associated dwelling.</p> <p>Note: For the purpose of compatibility the carport must match the main dwelling with respect to roof design, pitch and colour.</p> <div style="text-align: center;">  </div>	Essential	To ensure additions visible from the street are compatible with the main dwelling.

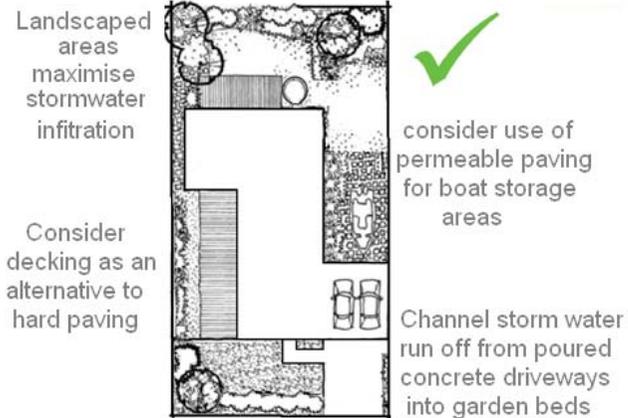
CRITERIA		ESSENTIAL OR DESIRABLE	OBJECTIVE /ADDITIONAL COMMENT
4.	<p>A garage door and its supporting structures must not occupy more than 50% of the primary street frontage at the setback line. This may be varied to 60% where a balcony or upper floor with major openings extends 2/3 of the width of the garage.</p> <p>Note: For the purpose of Residential Design Codes Clause 6.2.8 'Garage doors', the performance criterion does not apply.</p> <div style="text-align: center;">  <p style="margin-left: 150px;">Garage door and its supporting structures occupy 60% of the primary street frontage</p> <p style="margin-left: 150px;">Balcony extends 2/3 of the width of the garage</p> <p style="margin-left: 400px;">Garage door and its supporting structures occupies more than 50% of the street frontage</p> </div>	Essential	To ensure development does not unduly impact streetscape and diminish opportunities for passive surveillance.

CRITERIA		ESSENTIAL OR DESIRABLE	OBJECTIVE /ADDITIONAL COMMENT
<p>5.</p>	<p>For areas of open space, the sum of all hard surface treatments (regardless of permeability) must not exceed 40% of a front setback area.</p> <p>Note: 'Hard surface' means the use of solid ground covers such as pavers, poured concrete and other like materials the City deems similar, and includes driveways. Landscaped areas such as rockery, lawn, mulch and garden beds are deemed 'soft surface' treatments.</p> <p>Bitumen is not a permissible hard surface treatment in housing opportunity areas.</p> <div data-bbox="840 335 1489 734" style="text-align: center;"> </div>	<p>Essential</p>	<p>To reduce storm water wastage and provide opportunities for landscaped streetscapes.</p>
<p>6.</p>	<p>With the exception of retained dwellings, retaining and fill within the front setback area is to be no more than 1.0 metre above natural ground level.</p> <p>Note: For the purpose of the Residential Design Codes, Clause 6.6.1 'Excavation or Fill, P1 is varied. The related performance criteria still applies.</p> <div data-bbox="940 790 1534 1252" style="text-align: center;"> </div>	<p>Essential</p>	<p>To reduce the bulky appearance of high retaining walls as seen from the street.</p>

CRITERIA		ESSENTIAL OR DESIRABLE	OBJECTIVE /ADDITIONAL COMMENT
7.	<p>With the exception of retained dwellings, where a two storey dwelling is proposed, the upper floors must be differentiated through the provision of balconies, mid-level roofing and/or offsetting upper and lower floors to reduce the impact of building bulk on adjoining properties.</p> 	Essential	To assist in breaking up building bulk often associated with two storey dwellings.
8.	<p>A minimum of one habitable room window must have an unobstructed view of the primary street and where applicable a secondary street.</p> <p>Note: For the purpose of Residential Design Codes Clause 6.2.4 'Surveillance of the street', the performance criterion does not apply.</p> 	Essential	To cater for passive surveillance and articulate a buildings façade.

CRITERIA		ESSENTIAL OR DESIRABLE	OBJECTIVE /ADDITIONAL COMMENT	
<p>9.</p>	<p>Dwellings on corner lots must be designed to address both the primary and secondary street by:</p> <ul style="list-style-type: none"> <li>i. having habitable rooms with major openings facing both the primary and secondary street; and</li> <li>ii. reducing the length of any solid fencing (1.8 metre maximum height) to no more than 1/2 of the length of the secondary street boundary and the remaining length being unfenced or visually permeable above 1.2 metres height; or</li> </ul> <p>having fencing that is, as a minimum, visually permeable above 1.2 metres in height along the entire secondary street boundary.</p> <p>Note: Visually permeable has the same meaning as given by the Residential Design Codes.</p> <p>This may require modification to an existing dwelling where a dwelling is to be retained and does not achieve this requirement.</p>	<p>The top diagram shows a two-story house on a corner lot. A green checkmark is placed to the left. Labels include: 'Minimal solid fencing' pointing to a short fence on the secondary street side; 'Large windows to habitable rooms' pointing to windows on the primary street side; 'Secondary Street' and 'Primary Street' labels at the bottom with arrows indicating the street directions.</p> <p>The bottom diagram shows a similar house. A red X is placed to the left. Labels include: 'Solid fencing along entire length of secondary street' pointing to a long fence; 'Bathroom window (not habitable room) is the only window to secondary street' pointing to a window on the secondary street side; 'Secondary Street' and 'Primary Street' labels at the bottom with arrows.</p>	<p>Essential</p>	<p>To maximise opportunities for passive surveillance and to encourage an attractive dwelling presentation to the street.</p>

CRITERIA		ESSENTIAL OR DESIRABLE	OBJECTIVE /ADDITIONAL COMMENT
10.	<p>Dwellings must be designed such that the shadow cast at midday 21 June onto any adjoining property does not exceed 25%.</p> <p>Note: For the purpose of Residential Design Codes Clause 6.9.1 'Solar access for adjoining sites' A1 is varied. The related performance criteria still applies.</p>	Essential	To ensure new development does not unfairly impact the solar access of existing development.
<b>ENERGY EFFICIENT AND WATER SENSITIVE DESIGN</b>			
11.	<p>With the exception of retained dwellings, 'wet' or plumbed rooms in a house (kitchen, bathroom, laundry, ensuite) must be grouped and/or within close proximity to hot water systems to reduce the need for long water pipe runs.</p> <p>Note: This will also result in lower plumbing costs for home owners.</p>	Essential	To improve efficiency of hot water systems.
 <p>The diagram shows a floor plan of a house. The 'wet' rooms (Kitchen, Laundry, W/C, Bath) are highlighted in green and are clustered together in a central hallway area. To the left of this cluster, an 'External hot water system' is indicated with a blue dot and a line connecting to the Laundry room. A large green checkmark is placed to the left of the diagram, indicating that this layout is the correct approach for grouping wet rooms near the hot water system. Other rooms shown include Dining, Living, and three Bed rooms.</p>			
12.	<p>With the exception of retained dwellings, a building must have roof and wall insulation at a rate 0.5 higher than that required by the Building Code of Australia.</p>	Essential	To maximise energy efficiency.

CRITERIA		ESSENTIAL OR DESIRABLE	OBJECTIVE /ADDITIONAL COMMENT	
13.	<p>With the exception of retained dwellings, the roof of a building must not have a solar absorptency rating in excess of 0.7 as classified by the Building Codes of Australia.</p> <p>Note: As a guide black, dark brown or dark grey coloured roofing materials generally have a solar absorbance rate in excess of 0.7.</p> <p>The City may consider alternative means of achieving this criteria where the applicant can clearly demonstrate that the roof design achieves the equivalent energy saving in an alternative way.</p>	Essential	To minimise the need for mechanical cooling and encourage environmentally sustainable design.	
14.	<p>With the exception of retained dwellings, areas of open space must be designed such that impermeable hard surface treatments channel stormwater run off into landscaped areas. (Eg. poured concrete driveways)</p> <p>Alternatively the use of permeable or porous hard surface treatments may be used where water infiltration can be achieved. (Eg. block paved or porous concrete driveways); and</p>		Essential	To reduce storm water wastage and provide opportunities for landscaped streetscapes.
15.	<p>All retained dwellings must be retrofitted with a rainwater tank of at least 2000 litres to collect rainwater runoff from rooftops.</p>	Essential	To maximise stormwater harvesting and reduce use of groundwater sources.	

	CRITERIA	ESSENTIAL OR DESIRABLE	OBJECTIVE /ADDITIONAL COMMENT
16.	<p>All new dwellings require the approval and installation of either:</p> <ul style="list-style-type: none"> <li>i) A rainwater tank of at least 3000 litres that is plumbed to the toilet(s) (for flushing) and the cold water tap of the washing machine; or</li> <li>ii) A grey-water reuse system that collects grey water from the laundry and bathroom and re-directs it to the garden irrigation/ground water recharge.</li> </ul>	Essential	To maximise opportunities for stormwater harvesting and grey-water reuse to reduce use of groundwater sources.
17.	<p>With the exception of retained dwellings, a minimum of one indoor and one outdoor living area with a minimum dimension of 4 metres must be orientated to the northern side of the lot to maximise northern light.</p> <p>Note: An outdoor living area may be located in the front setback area.</p> <p>An indoor living area may include a kitchen or living room but not bedrooms, bathrooms or laundries.</p> <div data-bbox="358 949 1512 1300" style="text-align: center;"> </div>	Essential	To maximise energy efficiency/solar orientation.

CRITERIA		ESSENTIAL OR DESIRABLE	OBJECTIVE /ADDITIONAL COMMENT
18.	<p>With the exception of retained dwellings, a dwelling must include eaves, pergolas or other external shading devices that permits winter sun and block summer sun.</p> <p>Note: This may be achieved through the use of sufficient eaves. Alternative protection such as solar pergolas or deciduous vegetation may be considered where the applicant can demonstrate adequate protection.</p>	Essential	To minimise the need for mechanical cooling and encourage environmentally sustainable design.

CRITERIA		ESSENTIAL OR DESIRABLE	OBJECTIVE /ADDITIONAL COMMENT
19.	<p>All new development must submit an ‘Energy Performance Report’. The report must specify how the energy efficient design requirements of this Policy have been undertaken in addition to other energy efficient design measures used.</p> <p>Note: The report may include information regarding:</p> <ul style="list-style-type: none"> <li>- Solar orientation</li> <li>- Cross ventilation</li> <li>- Building design, materials, colours and thermal properties</li> <li>- Wall and roof insulation</li> <li>- Solar orientation of rooms</li> <li>- Rainwater harvesting</li> </ul> <p>For additional energy efficiency design tips please refer to Appendix 4.</p>	Essential	To ensure applicants give consideration to energy efficiency during the design process.

## APPENDIX 1: SCHEDULES OF WORKS

*Schedule of Works: Necessary upgrades to retain dwellings (Single Houses and Grouped Dwellings):*

1. the required upgrading could include any or all of the following:
  - (i) Repair rendering or/and external painting.
  - (ii) Repair of mortar joints.
  - (iii) Where the roof tiles are discoloured, replacement of all roof cladding with new tiles or metal sheeting, or the professional re-coating of the existing roof tiles subject to a 15 year guarantee against discolouration.
  - (iv) Repair or replacement of gutters and downpipes.
  - (ix) Other exterior repainting where necessary.
  - (x) Existing landscaping is to be upgraded.
  - (xi) Upgrading/replacement of driveways surfaces.
  - (xii) Upgrading/replacement of crossovers.
  - (xiii) The provision of a rainwater tank of at least of at least 2000 litres to collect rainwater runoff from rooftops

**APPENDIX 2: STREETScape IMPROVEMENT GUIDELINES**

**FURTHER DEVELOPMENT REQUIRED**

## APPENDIX 3: RETENTION OF AN APPROPRIATE TREE

### PART 1: RETENTION OF AN APPROPRIATE TREE(S)

The term 'appropriate tree', for the purpose of retention, refers to a tree which, in the opinion of the City, having due regard to the following attributes:

1. Contribution to the streetscape and where applicable the landscape theme of the neighbouring area - a tree located in prominent view from neighbouring streets or dwellings.
2. Contribution to habitat and biodiversity of the local area – preferably a tree species that is both drought tolerant and endemic.
3. Attractiveness - a tree which is visually pleasing and has not been insensitively pruned.
4. Size - a tree at least 4 metres in height at the time the current application for planning approval is submitted.
5. Appropriateness of species and location – a tree which will flourish to maturity without detriment to the tree or structural damage to any adjacent building, fence or paving, having regard to space available for roots and foliage canopy.
6. Health and life expectancy - a tree in good health and which has more than 20 years to the end of its natural life expectancy.

### PART 2: PLANTING OF AN APPROPRIATE TREE

The term 'appropriate tree', for the purpose of planting, refers to a tree which, in the opinion of the City, has the following attributes:

1. Contribution to the streetscape and where applicable the landscape theme of the neighbouring area - a tree located in prominent view from neighbouring streets or dwellings.
2. Contribution to habitat and biodiversity of the local area – preferably a tree species that is both drought tolerant and endemic.
3. Attractiveness - a tree which is visually pleasing and has not been insensitively pruned.
4. Size - a tree at least 2 metres in height at the time the current application for planning approval or subdivision clearance is submitted. Size at maturity should be 3 or more metres.
5. Appropriateness of species and location – a tree which will flourish to maturity without detriment to the tree or structural damage to any adjacent building, fence or paving, having regard to space available for roots and foliage canopy. The applicant should liaise with the City's Landscape Architect or Horticultural Officer when selecting an appropriate species.

## APPENDIX 4: OTHER ENERGY EFFICIENCY TIPS

1. Try to keep ceiling heights to a maximum of 2.7 metres (9 feet). Even with older homes, it is often not architecturally necessary to maintain constant ceiling heights throughout the home. Higher ceilings result in increased heating costs and lower comfort levels.
2. In rooms with ceilings higher than 2.7 metres, ceiling sweep fans should be installed to circulate the warm air that collects near the ceiling.
3. In multi-storey renovations, avoid having the stairwell in living areas. Ideally, it should be located in a separate hallway or section which can be closed off from other rooms by doors. This will ensure heat and cooling efficiency can be maximised in these areas.
4. Heavyweight building materials such as concrete slab floors and internal masonry walls ('thermal mass') help stabilise internal temperatures, particularly in north-facing rooms
5. West-facing glass should be minimised to reduce overheating in summer. Consider having your garage on the west side of your home.
6. Make sure your renovation is designed to allow cross-ventilation. This is essential to allow cooling of the home in summer without requiring air-conditioning. Try to keep short, direct paths between windows. Use casement, sliding or double-hung windows. Awning windows are not as effective for ventilation
7. East and west facing windows should be well shaded from the morning and afternoon summer sun:
  - Awnings, external blinds and shutters that cover the entire face of the window are most suitable.
  - Landscaping and vegetation, particularly deciduous trees, shrubs and vines can provide excellent shade in summer, without obstructing the winter sun.
8. Consider the use of water wise landscaping with a balance of hard stand, mulched garden beds and lawn. The Water Corporation provides specific guidance for the Perth metropolitan areas at the following link:

[http://www.watercorporation.com.au/w/waterwise\\_plants\\_perth\\_search.cfm](http://www.watercorporation.com.au/w/waterwise_plants_perth_search.cfm)