

Residential Development Local Planning Policy

City Policy

Responsible Directorate: Planning and Community Development

1. Purpose:

The purpose of this Policy is to provide guidance on the assessment criteria to be used for residential development within the City of Joondalup.

2. Objectives:

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.
- Varying density development, inclusive of development within dual density coded areas that are integrated into the surrounding built environment.

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 the *Residential Design Codes of Western Australia (R-Codes)*.

4. Application:

This Policy applies to all residential development within the City of Joondalup and 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 District Planning Scheme No. 2* (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.

“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 under croft 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 all residential development within the City of Joondalup, and has been prepared in accordance with Schedule 2 of Division 2 of the Regulations and Clause 7.3 of the R-Codes.

This Policy should 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 all residential development, 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 residential development not located on a dual density coded lot, 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.

For residential development located on a dual density coded lot, the ‘Additional Housing Opportunity Area 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 all residential subdivision applications, conditions will be recommended that ensure the delivery of both the overall objectives and the specific ‘Local Housing Objectives’ set out in this Policy. These include the specific conditions outlined in this policy for dual density coded areas.

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.

7.3 Development at the higher density code for dual-coded lots

For dual-coded lots, the City may permit development or support subdivision at the higher density code subject to the following requirements being met:

- 7.3.1 With the exception of battleaxe sites, the width of any lot, excluding an access leg to the rear lot(s), shall be a minimum width of ten metres at both the primary street boundary and the lot frontage for single house and grouped dwellings, and 20 metres for multiple dwellings;
- 7.3.2 Development on lots which abuts a laneway shall take its vehicle access from the laneway, with the exception of retained dwellings;
- 7.3.3 Where sole access is via a laneway and a lot does not have access to another street pedestrian access shall be provided to a street other than the laneway. The pedestrian access shall be 1.5 metres wide, unless an existing dwelling is retained in which a minimum width of one metre is acceptable.
- 7.3.4 The verge, crossover, on-street car parking embayment and external appearance of a retained dwelling shall be upgraded in accordance with Schedule 1 and Schedule 2 of this Policy.

Where the deemed-to-comply provisions of the R-Codes or Residential Development Table 1 and 2 refer to a requirement that is to be assessed by reference to the lower density code, the development shall be assessed against the lower dual density code unless the adjoining site has been subdivided or developed at a higher density, in which the higher dual density code shall be applicable.

Creation Date:	December 2015
Amendments:	N/A
Related Documentation:	<ul style="list-style-type: none">• <i>District Planning Scheme No. 2</i>• <i>State Planning Policy 3.1 – Residential Design Codes</i>

Residential Development Table 1

<p align="center">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 not located on a dual density coded lot.</p>	<p align="center">Housing Opportunity Area 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 located on a dual density coded lot.</p>	<p align="center">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"> i. in accordance with Table 1 of the R-Codes; ii. corresponding to the average of the setback of existing dwellings on each adjacent property fronting the same street; iii. 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); iv. 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 • 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; 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 v. to provide for registered easements for essential services. <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. C2.4 of clause 5.1.2 and C3.1 of clause 5.1.3 do not apply.</p> <p>C2.6 Buildings set back from 132kV Western Power transmission lines a minimum of 10 metres.</p> <p>C2.7 Buildings set back from 33kV Western Power distribution lines a minimum of 3 metres.</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"> i. A minimum of 4 metres; ii. corresponding to the average of the setback of existing dwellings on each adjacent property fronting the same street; iii. 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 of the R-Codes); iv. 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 • 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; 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 v. to provide for registered easements for essential services. <p>C2.2 Buildings set back from the secondary street boundary 1.5m.</p> <p>C2.3 Buildings set back from the corner truncation boundary in accordance with the secondary street setback above.</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. C2.4 of clause 5.1.2 and C3.1 of clause 5.1.3 do not apply.</p> <p>C2.6 Buildings set back from 132kV Western Power transmission lines a minimum of 10 metres.</p> <p>C2.7 Buildings set back from 33kV Western Power distribution lines a minimum of 3 metres.</p>	<p>O2.1 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 to 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 5.2.3 – Street Surveillance; b. Clause 5.3.2 – Landscaping; c. Clause 5.3.3 – Parking; and d. Clause 5.4.5 – Utilities and Facilities <p>O2.2 Approval from Western Power is provided prior to the issuing of Development Approval for development that does not comply with C2.6 and/or C2.7.</p> <p>O2.3 Additional dual density code objective Buildings set back from street boundaries and comply with O2.1 and O2.2 in addition to the deemed-to-comply provisions of:</p> <ol style="list-style-type: none"> i. Clause 5.2.1 – Setbacks of Garages and Carports; and ii. Clause 5.2.2 – Garage Width.
<p>Clause 5.1.3 – Lot Boundary setback</p>		
<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"> i. where the wall abuts an existing or simultaneously constructed wall of similar or greater dimension; 	<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, survey strata boundary or indicative lot boundary behind the street setback (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"> i. where the wall abuts an existing or simultaneously constructed wall of similar or greater dimension; ii. in areas coded R20 and R25, walls not higher than 3.5m with an 	<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"> i. Eaves or external shading devices are provided to a minimum depth of 500mm to the front and side elevations for each floor;

Residential Development Table 1

<p align="center">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 not located on a dual density coded lot.</p>	<p align="center">Housing Opportunity Area 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 located on a dual density coded lot.</p>	<p align="center">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.</p>
<ul style="list-style-type: none"> ii. 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; iii. 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 iv. where both the subject site and the affected adjoining site are created in a plan of subdivision. 	<ul style="list-style-type: none"> 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; iii. 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 iv. where both the subject site and the affected adjoining site are created in a plan of subdivision. 	<ul style="list-style-type: none"> ii. Upper floors are setback a minimum of 500mm behind the floor below; iii. Walls are articulated through varied setbacks, and the inclusion of major and non-major openings; 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 of the adjoining lot; and v. The development complies with the deemed-to-comply provisions of: <ul style="list-style-type: none"> a. Clause 5.1.6 – Building Height; and b. Clause 5.4.2 – Solar Access for Adjoining Sites.
<p>Clause 5.1.4 – Open Space</p>		
		<p>O4 Development incorporates suitable open space such that:</p> <ul 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: <ul 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
<p>Clause 5.1.6 – Building Height</p>		
<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> <ul 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>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> <ul 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>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>Clause 5.2.1 C1.1, C1.3 and C1.4 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 requirements:</p> <p>C1.6 Garages and carports that match the dwelling with respect to materials, roof design, roof pitch and colour.</p> <p>C1.7 Garages and carports setback 5.5 metres from a laneway.</p>	<p>O1.1 The setting back of garages and carports from the primary street such that:</p> <ul style="list-style-type: none"> i. The 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; and iii. The development complies with the deemed-to-comply provisions of: <ul style="list-style-type: none"> a. Clause 5.1.2 C2.1 – Street Setbacks b. Clause 5.2.2 – Garage Width; and c. Clause 5.2.3 – Street Surveillance <p>O1.2 Additional dual density code objective In addition to 5.1.2 O1.1, the setting back of garages and carports from the primary street such that:</p> <ul style="list-style-type: none"> i. 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; <p>O1.3 The setting back of garages and carports from a secondary street or right-of-way such that:</p> <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

Residential Development Table 1

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		<p>bay or in the driveway and crossover, provided it does not overhang a footpath; and</p> <p>iv. The development complies with the deemed-to-comply provisions of:</p> <p>a. Clause 5.1.2 – Street setbacks (C2.2 and C2.3 only);</p> <p>b. Clause 5.2.2 – Garage width; and</p> <p>c. Clause 5.2.3 – Street surveillance.</p>
<p>Clause 5.2.2 – Garage width</p>		
<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>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> <p>i. Clause 5.2.1 – Setbacks of garages and carports;</p> <p>ii. Clause 5.2.3 – Street surveillance;</p> <p>iii. Clause 5.3.2 – Landscaping;</p>
<p>Clause 5.2.3 – Street Surveillance</p>		
<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>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 of the dwelling faces and has uninterrupted views of the following (where applicable):</p> <ol style="list-style-type: none"> i. primary street; ii. secondary street; iii. right-of-way; iv. battleaxe leg; v. pedestrian access way; vi. pedestrian approach to the dwelling; and vii. vehicular approach to the dwelling. 	<p>O3 Buildings designed such that:</p> <p>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 main entry shall be provided to enhance surveillance.</p> <p>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>
<p>Clause 5.2.4 – Street walls and fences</p>		
<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>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>
<p>Clause 5.2.5 – Sightlines</p>		
<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>	<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>	
<p>Clause 5.2.6 – Appearance of retained dwellings</p>		

Residential Development Table 1

<p align="center">Replacement Deemed-to-Comply Provisions</p> <p align="center">Deemed-to-comply requirements that replace or augment the 'deemed-to-comply' provisions of the R-Codes for residential development not located on a dual density coded lot.</p>	<p align="center">Housing Opportunity Area Replacement Deemed-to-Comply Provisions</p> <p align="center">Deemed-to-comply requirements that replace or augment the 'deemed-to-comply' provisions of the R-Codes for residential development located on a dual density coded lot.</p>	<p align="center">Local Housing Objectives</p> <p align="center">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 5.2.6 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>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 • Maintain and enhance 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>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 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: <ol 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.
<p>Clause 5.3.2 – 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>Clause 5.3.5 – Vehicle Access</p>		

Residential Development Table 1

<p align="center">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 not located on a dual density coded lot.</p>	<p align="center">Housing Opportunity Area 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 located on a dual density coded lot.</p>	<p align="center">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.</p>
		<p>O5 Vehicular access is provided such that:</p> <ul 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: <ul style="list-style-type: none"> a. Clause 5.2.2 – Landscaping; and b. Clause 5.3.3 – Parking.
<p>Clause 5.3.7 – Site works</p>		
<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>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>Clause 5.3.7 is modified to include in the deemed-to-comply requirements:</p> <p>C7.4 Excavation and fill of adjoining battleaxe legs such that they match in level.</p>	<p>O7 Fill between the street and building, or within the front setback area, whichever is the lesser such that:</p> <ul style="list-style-type: none"> i. The fill is terraced such that at no point a terrace is greater than one metre in height; ii. 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 iii. Fill does not exceed 750mm where vehicle access point(s) meet the front property boundary.
<p>5.4 Building Design</p>		
<p>5.4.3 - Outbuilding</p>		
		<p>O3 Outbuildings 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 dwelling. ii. The development complies with the deemed-to-comply provisions of: <ul style="list-style-type: none"> a. Clause 5.1.2 – Street setbacks; b. Clause 5.1.6 – Building height; and c. Clause 5.1.3 – Lot boundary setbacks.
<p>5.5 Special Purpose Dwellings</p>		
<p>Clause 5.5.1 – Ancillary dwellings</p>		
		<p>O1 Ancillary dwellings are provided such that:</p> <ul 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: <ul 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

<p align="center">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 not located on a dual density coded lot.</p>	<p align="center">Housing Opportunity Area 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 located on a dual density coded lot.</p>	<p align="center">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>6.1 Context</p>		
<p>Clause 6.1.2 – Building Height for Multiple Dwellings</p>		
<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>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>Clause 6.1.3 – Street setback</p>		
	<p>Clause 6.1.3 C3.1 and C3.2 is replaced with the following:</p> <p>C3.1 Buildings set back from the primary street boundary:</p> <ol style="list-style-type: none"> A minimum of 4 metres; 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 incursion, 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); to provide for registered easements for essential services. <p>C3.2 Buildings set back from the secondary street boundary 1.5m.</p> <p>C3.3 Buildings set back from the corner truncation boundary 1.5m.</p> <p>C3.4 A minor incursion may reduce the primary street setback by 50 percent; provided that the total of such projections does not exceed 50 per cent of the frontage at any level (refer Figure 2b).</p> <p>C3.5 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. C3.4 of clause 6.1.3 and clause 6.1.3 do not apply.</p> <p>C3.6 Buildings set back from 132kV Western Power transmission lines a minimum of 10 metres.</p> <p>C3.7 Buildings set back from 33kV Western Power distribution lines a minimum of 3 metres.</p>	<p>O3.1 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 of 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 6.2.1 – Street surveillance; Clause 6.3.2 – Landscaping; Clause 6.3.3 – Parking; and Clause 6.4.5 – Utilities and Facilities <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 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> <ol style="list-style-type: none"> Clause 6.3.5 – Vehicular Access

Residential Development Table 2

<p align="center">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 not located on a dual density coded lot.</p>	<p align="center">Housing Opportunity Area 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 located on a dual density coded lot.</p>	<p align="center">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 6.1.4 – Lot boundary setback</p>		
<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>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"> i. Eaves or external shading devices are provided of a minimum depth of 500mm to the front and side elevations for each floor; ii. Upper floors are setback a minimum of 500mm behind the floor below; iii. Walls are articulated through varied setbacks, and the inclusion of major and non-major openings; 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.
<p>Clause 6.1.5 – Open space</p>		
		<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>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>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>

Residential Development Table 2

<p align="center">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 not located on a dual density coded lot.</p>	<p align="center">Housing Opportunity Area 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 located on a dual density coded lot.</p>	<p align="center">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>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 property 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>Clause 6.3.5 – Vehicular access</p>		
		<p>O5 Vehicular access is provided such that:</p> <ul 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: <ul 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>Clause 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

Schedule 1 - Subdivision and development conditions

1.0 Subdivision

The following conditions will be recommended on all residential subdivision applications where the higher Dual Density code has been applied:

- 1. Visitor car parking provided at a rate of 0.5 bays for every lots/dwellings shall be provided within the verge to the specifications and satisfaction of the City of Joondalup. This shall be provided in addition to the car parking provisions required under clause 5.3.3 – Parking of the R-codes.*
- 2. The verge adjacent to the lot(s) shall be landscaped to the specifications and satisfaction of the City of Joondalup, and shall include one street tree for every 10 metres of frontage where a lot abuts a primary or secondary street.*
- 3. The external appearance of the retained dwelling is to be upgraded to the appropriate maintenance standard in accordance with Schedule 2 of the City of Joondalup Residential Development Policy.*

Condition 1 above may be varied at the discretion of the City where there is inadequate room within the verge to provide the required car bay and/or there are safety concerns regarding locating the car bay within the verge. In these instances the following condition will be recommended by the City under each of the following scenarios:

Survey strata with common property:

- 1. The provision of one car parking bay for every two lots/dwellings shall be provided within the common property. The car bay shall be to the specifications and satisfaction of the City of Joondalup. The car bay should not restrict access to any lot/dwelling.*

Green title or survey strata with no common property:

- 1. The provision of one car parking bay for every lot/dwelling shall be provided within the proposed driveway of that lot/dwelling and shall be wholly contained within the property boundaries. The car bay shall be to the specifications and satisfaction of the City of Joondalup. The car bay should not restrict access to any lot/dwelling.*

2.0 Development Applications

The following conditions shall be applied to all residential development applications within a Dual Coded area where development is proposed to occur at the higher applicable density:

- 1. Visitor car parking provided at a rate of 0.5 bays for every lots/dwellings shall be provided within the verge to the specifications and satisfaction of the City of Joondalup. This shall be provided in addition to the car parking provisions required under clause 5.3.3 – Parking of the R-codes.*
- 2. The verge adjacent to the lot(s) shall be landscaped to the specifications and satisfaction of the City of Joondalup, and shall include one street tree for every 10 metres of frontage where a lot abuts a primary or secondary street.*
- 3. The external appearance of the retained dwelling is to be upgraded to the appropriate maintenance standard in accordance with Schedule 2 of the City of Joondalup Residential Development Policy.*

Condition 1 above may be varied at the discretion of the City where there is inadequate room within the verge to provide the required car bay and/or there are safety concerns regarding locating the car bay within the verge. In these instances the following condition shall be applied by the City under each of the following scenarios:

Survey strata with common property:

- 1. The provision of one car parking bay for every two lots/dwellings shall be provided within the common property. The car bay shall be to the specifications and satisfaction of the City of Joondalup. The car bay should not restrict access to any lot/dwelling.*

Green title or Survey strata with no common property:

- 1. The provision of one car parking bay for every lot/dwelling shall be provided within the proposed driveway of that lot/dwelling and shall be wholly contained within the property boundaries. The car bay shall be to the specifications and satisfaction of the City of Joondalup. The car bay should not restrict access to any lot/dwelling.*

The following condition will be recommended for grouped and multiple dwelling developments that propose communal open space and/or common property:

- 1. A landscaping plan, detailing the landscaping of all common property and communal open space areas and addressing the deemed-to-comply requirement and design principles is lodged and approved prior to development commencing and landscaping is provided prior to development being occupied and maintained in accordance with the approved landscaping plan thereafter.*

The following advice notes will be recommended on all residential development applications within a Dual Coded area where development is proposed to occur at the higher applicable density;

- 1. The applicant/owner is advised that a crossover, excluding wings, shall be no greater than 3 metres in width for residential development within the Housing Opportunity Areas. The crossover shall be setback one metre from a side lot boundary*

A greater width may be permitted at the discretion of the City where this does not reduce the ability to accommodate required car parking bays within the verge or there are safety concerns regarding locating car bays within the verge.

Schedule 2 - Retained dwellings

Where an existing dwelling is proposed to be retained as part of a subdivision or grouped dwelling development the retained dwelling must be upgraded, as determined by the local government, so that its external appearance is of equivalent maintenance standard to a new development. In this regard, where required upgrading shall involve the following requirements as deemed appropriate by the City:

- a) Re-bagging or re-rendering external walls, replacing, repainting or professionally recoating non-masonry walls and/or professionally cleaning existing brickwork;
- b) Replacing or professionally cleaning or recoating faded or discoloured roof tiles or metal sheeting;
- c) Replacing or repairing and painting gutters and downpipes;
- d) Replacing or repairing driveways and crossovers which are undrained, extensively cracked and/or in a state of disrepair;
- e) Where visible from the street or public domain – repairing and repainting or replacing damaged or dilapidated windows and frames;
- f) Where visible from the street or public domain – demolishing unauthorised or poorly maintained additions that do not match the existing dwelling and constructing quality replacement structures (if required) which match or complement the existing dwelling and new development;
- g) Improvement of existing landscaping visible from the street (including the verge) in accordance with the City's standards; and
- h) Replacing substandard or asbestos boundary fencing.

Height of Non-Residential Buildings Local Planning Policy

City Policy

Responsible Directorate: Planning and Community Development

1. Purpose:

The purpose of this policy is to set provisions for the height of non-residential buildings in the City of Joondalup.

2. Objective:

The objective of this policy is to ensure that the height of non-residential buildings is appropriate to the context of any development site and sympathetic to the desired character, built form and amenity of the surrounding area.

3. Authority:

This Policy has been prepared under and in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).

4. Application:

This policy applies to all non-residential buildings, including buildings on local reserves, however does not apply to non-residential buildings on land:

- a. included as a Reserve under the Metropolitan Region Scheme
- b. subject to an approved structure plan (including structure plans for the Joondalup City Centre), activity centre plan, or local development plan, where relevant height provisions are included.

This policy does not apply to buildings, including mixed-use developments, to which the Residential Design Codes of Western Australia (R-Codes) apply.

5. Definitions:

“**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.

“**Height**” when used in relation to a building, means:

- a. if the building is used for residential purposes, has the meaning given in the Residential Design Codes; or
- b. if the building is used for purposes other than residential purposes, means the maximum vertical distance between the natural ground level and the finished roof height directly above.

“Minor and incidental development” for the purposes of this policy includes:

- c. Maintain or improve water quality of surface and groundwater resources.
- d. development for the purpose of allowing access or the provision of services or infrastructure that would not prejudice future development outcomes;
- e. change of use applications;
- f. minor modifications to existing buildings;
- g. minor modifications to car parking;
- h. signage;
- i. changes to landscaping;
- j. patio, verandah, shade sail, portico or outbuilding additions to an existing development.

“Non-residential building” means a building to which the R-Codes do not apply.

“Non-residential coastal sites” for the purposes of this policy includes the following sites, or lots created from these sites:

- Lot 1436 (59) Beachside Drive, Burns Beach
- Lot 100 (10) Oceanside Promenade, Mullaloo
- Lot 554 (19) Henderson Drive, Kallaroo (portion of site)
- Lot 803 (15) Hocking Parade, Sorrento (portion of site)
- Lot 25 (1) Padbury Circle, Sorrento

Sorrento Local Centre comprising:

- Lot 147 (2) Padbury Circle, Sorrento
- Lots 148 (136A-136B) 149 (134) West Coast Drive, Sorrento
- Lot 2 (130) West Coast Drive, Sorrento
- Lot 153 (128) West Coast Drive, Sorrento
- Lot 154 (1) Raleigh Rd, Sorrento

6. Details:

Maximum height of non-residential buildings

The maximum height of non-residential buildings as measured from the natural ground level is to be in accordance with the following table:

Zone or Reserve or Location	Maximum building height	Exceptions
<ul style="list-style-type: none"> Residential Special Residential Any other lot where building height is not specified elsewhere 	Table 3 – Category B of the R-Codes.	<p>The development of a Nursing Home or Retirement Village on a 'Residential' zoned lot of 5,000m² or more coded R40 or lower, the maximum height is not to exceed the maximum height set out in Table 3 – Category C of the R-Codes.</p> <p>The development of a Nursing Home or Retirement Village on a 'Residential' zoned lot of 5,000m² or more coded R50 or higher, the maximum height is not to exceed the maximum height for R80 development in Table 4 of the R-Codes.</p>
<ul style="list-style-type: none"> Private Clubs and Recreation Local Reserve 	Table 3 – Category B of the R-Codes.	Not applicable.
<ul style="list-style-type: none"> Mixed Use Business Commercial 	Table 4 of the R-Codes for the applicable coding of that lot.	Where a lot abuts a 'Residential' zoned lot, the maximum building height is not to exceed the height set out in Table 3 - Category B of the R-Codes within 6 metres of this common boundary.
<ul style="list-style-type: none"> Service Industrial Civic and Cultural Rural 	Table 3 – Category C of the R-Codes.	Where a lot abuts a 'Residential' zoned lot, the maximum building height is not to exceed the height set out in Table 3 - Category B of the R-Codes within 6 metres of this common boundary.
<ul style="list-style-type: none"> Non-residential coastal sites 	Table 3 – Category B of the R-Codes	<p>Minor and incidental development which does not increase the height of existing buildings.</p> <p>Greater height that has been approved as part of a structure plan, activity centre plan or local development plan, taking into account:</p> <ol style="list-style-type: none"> existing built form, topography and landscape character of the surrounding area; building siting and design; bulk and scale of buildings and the potential to unreasonably overshadow adjoining properties or the foreshore; visual permeability of the foreshore and ocean from nearby residential areas, roads and public spaces. whether the development is sympathetic to the desired character, built form and amenity of the surrounding area.

Creation Date: December 2015

Amendments: N/A

Related Documentation:

- District Planning Scheme No. 2*
- State Planning Policy 2.6 State Coastal Planning*

Figures taken from Residential Design Codes Tables 3 and 4 (as amended)

Table 3

	Maximum height		
	Category		
	A	B	C
Top of external wall (roof above)	3m	6m	9m
Top of external wall (concealed roof)	4m	7m	10m
Top of pitched roof	6m	9m	12m

Table 4

	Maximum height							
	R-Code							
	R30	R35	R40	R50	R60	R80	R100	R160
Top of external wall (roof above)	6m	6m	6m	9m	9m	12m	12m	15m
Top of external wall (concealed roof)	7m	7m	7m	10m	10m	13m	13m	16m
Top of pitched roof	9m	9m	9m	12m	12m	15m	15m	18m