



## LPP/12 Variations to the Residential Design Codes Volume 1

### 1.0 Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) and Part 7 of the State Planning Policy 7.3 Residential Design Codes (R Codes). This Policy may be cited as LPP/12 Variations to the Residential Design Codes Volume 1 (LPP/12).

### 2.0 Purpose

The purpose of this Policy is to provide a localised deemed-to-comply criteria for residential development within the Town of Port Hedland that is consistent with the desired built form outcomes and Hedland lifestyle.

### 3.0 Objectives

The objectives of the Policy are:

1. To provide amendments or replacements to the deemed-to-comply provisions that are consistent with the relevant design principle of State Planning Policy 7.3 Residential Design Codes Volume 1.
2. To provide Local Housing Objectives that demonstrate desirable design outcomes of residential development.
3. To consider local context and allow exemptions for development that will not be detrimental to residents' amenity.
4. To apply a consistent approach to the assessment and decision making of low density residential development applications within the Town.

### 4.0 Applications subject of this Policy

#### 4.1 Application

This Policy applies to all development applications subject to assessment against the R Codes – Volume 1 for Residential zoned land.

Clause 3(5) and Clause 67(2)(g) of the Deemed Provisions of the Regulations state that the local government is to have due regard to a local planning policy in making a determination under the local planning scheme and applications for development approval.

If the Policy is inconsistent with the Town of Port Hedland Local Planning Scheme No. 7 (LPS7) and the Regulations, LPS7 and the Regulations prevail to the extent of any inconsistency. It does not bind the Council of the Town of Port Hedland ('the Council') when assessing a proposal for residential development.

#### 4.2 Exemptions

Development approval will not be required for residential development that complies with the deemed-to-comply criteria of this policy, the R Codes and development that is exempt in accordance with Clause 61(1)(a)&(b) of the Regulations.



It is not intended for this Policy to be applied retrospectively to existing approved development, except for where development applications:

- Are made to vary existing approvals and works are not considered minor;
- Are requesting an extension of time to substantially commence development; and
- For development approvals that have lapsed.



5.0 Deemed-to-comply criteria

Policy Reference	Deemed-to-Comply Criteria		Local Housing Objectives	
5.1.2 Street Setback	C2.1	i, ii	Buildings set back 4.0 metres from the primary street setback	Refer to R Codes 5.1.2 P2.1 and P2.2
5.1.3 Lot Boundary Setback	C3.1	iv	For patios, verandahs or equivalent structures, all eaves, gutters and roofs set back at least 750mm from the lot boundary, unless stormwater measures are demonstrated to show stormwater and drainage will be contained on-site;	Refer to R Codes 5.1.3 P3.1 and P3.2
	C3.1	vi	All development must demonstrate compliance with Fire Separation and Rating of the National Construction Code.	
5.2.1 Setback of Garages and Carports	C1.1		Garages are set back 5.4m from the street boundary	Refer to R Codes 5.2.1 P1
	C1.2		Carports set back 0.75m from the street boundary where there are no: <ul style="list-style-type: none"> <li>• posts greater than 450mm in width; or</li> <li>• other structures above 750mm in height and greater than 450mm in width that are not visually permeable.</li> </ul>	
	C1.6		For all carports that are not perpendicular to the street, there should be adequate manouvering areas on-site	



5.2.4 Street Walls and Fences	C4	i	Street walls, fences and gates within the primary street setback area, including along the side boundaries: <ul style="list-style-type: none"> <li>• Maximum height of 1.8 metres above the natural ground level;</li> <li>• Visually permeable 1.2 metres above the natural ground level;</li> <li>• Where swimming pools are located in front of the existing dwelling, up to 50% of the frontage of the lot may be constructed as solid fence to a height of 1.8m to allow for privacy, where there is a design element to reduce visual impact.</li> </ul>	P4.2	All primary and secondary street walls, street fences and gates are to be of a style and materials that are compatible with the existing development on the subject site and within the immediate surrounding area
		i	Street walls, fences and gates to secondary streets, behind the primary street setback line: <ul style="list-style-type: none"> <li>• Maximum height of 1.8 metres above natural ground level;</li> <li>• At least one half visually permeable above 1.6 metres as measured from the secondary street side of the fence</li> </ul>	P4.3	Any secondhand, recycled materials visible from the street or adjoining properties are to be of an equal or greater quality and durability to that of a new material
<p><i>Note: The measurement of street walls, fences and gates is to include any retaining walls and is to be measured from the natural ground level immediately below the base of the wall to the top of the wall above.</i></p>					
5.3.2 Landscaping	Refer to R Codes 5.3.2			P2.1	Landscaping of single houses that: <ul style="list-style-type: none"> <li>• Contribute to the appearance and amenity of the development for the residents;</li> <li>• Contribute to the appearance of the street;</li> <li>• Contribute to the amount of tree canopy on-site;</li> <li>• Enhance security and safety for residents;</li> <li>• Provide for microclimate; and</li> </ul>



				<ul style="list-style-type: none"> <li>• Retain existing trees to maintain a local sense of place.</li> </ul>
<p>5.4.3 Outbuildings</p>	<p>C3</p>	<p>Outbuildings that:</p> <ul style="list-style-type: none"> <li>• Are not constructed from sea container;</li> <li>• Are not attached to a dwelling;</li> <li>• Are non-habitable;</li> <li>• Collectively do not exceed 90m<sup>2</sup> in area;</li> <li>• Do not exceed a wall height of 3.6m;</li> <li>• Do not exceed a ridge height of 4.2m;</li> <li>• Are not within the primary or secondary street setback area;</li> <li>• Do not reduce the amount of open space required in Table 1 of the R Codes;</li> <li>• Are set back at least 1.0 metres from lot boundaries.</li> </ul>	<p>P3.1</p>	<p>All outbuildings are to be of a style and materials to be compatible to the existing development and immediately surrounding streetscape.</p>



7.0 Definitions

**Amenity** means all those factors which combine to form the character of an area and include the present and likely future amenity and includes the ‘liveability’, comfort or quality of a place which makes it pleasant and agreeable to be in for individuals and the community.

**Design Element** are design features of the street including colour palette texture, scale, materials, and may include design features such as open structures, recesses and/or planters facing the road at regular intervals.

**Streetscape** means the visible components in a street between the facing buildings, including the form of the buildings, garages, setbacks, fencing, driveways, utility services, street surfaces, street trees and street furniture such as lighting, signs, barriers and bus shelters.

**Visually Permeable** means a wall, gate, fence or screen that the vertical surface when viewed directly from the street or other public space has:

- Continuous vertical or horizontal gaps of 50mm or greater width occupying not less than one third of the total surface area; or
- Continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the of the total surface area in aggregate; or
- A surface offering equal or lesser obstruction to view.

Relevant legislation	<i>Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015 Town of Port Hedland Local Planning Scheme No. 7</i>
Delegated authority	Director Regulatory Services Manager Town Planning and Development Senior Planner
Business unit	Planning & Development
Directorate	Regulatory Services

<i>Governance to complete this section</i>			
Version Control	Version No.	Resolution No.	Adoption date
	VO1	CM202021/203	30 June 2021
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