



Department of  
Planning



Western  
Australian  
Planning  
Commission

# R-Codes

State Planning Policy 3.1 Residential Design Codes

## R-Codes proposed amendments 2016

For public comment

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on application to Communication Services.

No.	Details of proposed amendment	Administration comment
1.	Modify replacement dates on title page to 2 August 2013 and 23 October 2015	Administrative change.
2.	Modify contents page as follows: <ul style="list-style-type: none"> <li>• replace 'planning approval' with 'development approval' under clauses 2.3 and 3.1</li> <li>• replace 'R30' with 'R40' under Appendix 1 Definitions text relating to Table 1 and Table 4</li> </ul>	Administrative change to correct anomaly.
3.	Remove sub-contents pages in Parts 1 – 6, Tables and Figures	Administrative change. Main contents page sufficient.
4.	Modify clause 1.4 as follows: <ul style="list-style-type: none"> <li>• Replace 'R30' with 'R40'</li> </ul>	Administrative change to correct anomaly.
5.	Modify clauses 2.1.2, 2.1.3, 2.2.1, 2.2.2, 2.3, 3.1 and 4.1.2 as follows: <ul style="list-style-type: none"> <li>• Replace 'planning approval' with 'development approval'</li> </ul>	Align with LPS regulations.
6.	Amend clause 2.2.2 as follows: <ul style="list-style-type: none"> <li>• insert '**' after 'single house' and corresponding note at the end of the clause as follows:  'Note: *includes the erection or extension to a single house, ancillary dwelling, outbuilding, external fixture, boundary wall or fence, patio, pergola, verandah, garage, carport or swimming pool – refer to Schedule 2, Clause 61 (c) and (d) of the <i>Planning and Development (Local Planning Schemes) Regulations</i> (as amended).'</li> <li>• Replace '(or other application as determined by the <b>decision maker</b>)' with 'under the scheme'</li> </ul>	Align with LPS regulations.
7.	Modify clause 3.1 as follows: <ul style="list-style-type: none"> <li>• Amend the text following point (c) as follows: an application shall be made to the <b>decision-maker</b> on the appropriate application for development approval form (refer to Schedule 2, Clause 62 and 86 of the <i>Planning and Development (Local Planning Schemes) Regulations</i> (as amended)).</li> </ul>	Align with LPS regulations.
8.	Modify clause 3.2.1 as follows: <ul style="list-style-type: none"> <li>• replace 'determined by the decision maker' with 'required under the scheme'</li> </ul>	Align with LPS regulations.
9.	Modify Part 3 Accompanying information - Application information matrix as follows:	Align with LPS regulations and improve clarity.

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	<ul style="list-style-type: none"> <li>Amend the Outbuildings application type column as follows: Outbuildings/external fixtures/patios/pergolas/verandahs/garages/ carports</li> </ul>	
10.	Modify clause 4.1.2 as follows: <ul style="list-style-type: none"> <li>Delete ‘, or other approval process as used by the <b>decision maker</b>,’</li> </ul>	Administrative change to correct anomaly. No alternate approval process available under the LPS regulations.
11.	Modify clause 5.1.1 as follows: <ul style="list-style-type: none"> <li>Delete P1.1, P1.2 and P1.3 under the design principles column and replace with: Note: Site area unable to be varied under design principles via the development application process. WAPC is able to vary through subdivision policy and application process (refer C1.4ii).</li> </ul>	Existing design principles are often misinterpreted by stakeholders as providing an option for site/lot area to be varied under the development process. WAPC has sole power to vary site/lot area via subdivision process.
12.	Modify clause 5.1.2 as follows: <ul style="list-style-type: none"> <li>Amend last dot point under P2.2 to: Positively contributes to the prevailing or future development context and streetscape as outlined in the <b>local planning framework</b>.</li> <li>Amend C2.4 to: A porch, <b>balcony, verandah</b>, chimney or the equivalent may (subject to the Building Code of Australia) project not more than 1m into the <b>street setback</b> area. Projections up to 1m are not subject to a compensating area, provided that the total of such projections does not exceed 20 per cent of the building façade as viewed from the street (refer Figure 2b). Projections greater than 1m and exceeding 20 per cent of the building facade at any level are subject to an equivalent open area under clause 5.1.2 C2.1iii.</li> </ul>	The additional text in P2.2 allows future development context outlined in the local planning framework to be considered in an assessment against the design principles.  C2.4 commonly misinterpreted by stakeholders. The change provides application and interpretation clarity.
13.	Modify clause 5.1.3 as follows: <ul style="list-style-type: none"> <li>Amend P3.1 as follows: <b>Buildings</b> set back from <b>lot</b> boundaries or adjacent <b>buildings</b> so as to:</li> <li>Amend final dot point under P3.2 to: positively contributes to the prevailing or future development context and streetscape as outlined in the <b>local planning framework</b>.</li> <li>Modify note after C3.3 as follows: The term ‘up to a <b>lot boundary</b>’ means a <b>wall</b>, on or less than 600mm from any <b>lot boundary (green title or survey strata lot)</b>, other than a <b>street boundary</b>.</li> </ul>	The additional text in P3.1 rectifies an anomaly where setbacks between buildings on the same lot were not covered.  The text in P3.2 allows future development context outlined in the local planning framework to be considered in an assessment against the design principles.  The modification to the note relating to lot boundaries is to clarify it relates to both green title and strata boundaries.
14.	Modify clause 5.2.3 by inserting new deemed-to-comply requirement as follows:	The change provides application and interpretation clarity

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	C3.3 For <b>battleaxe lots</b> or sites with internal <b>driveway</b> access, at least one major opening from a habitable room of the <b>dwelling</b> faces the approach to the dwelling.	for sites accessed via a battleaxe leg or internal access driveway.
15.	<p>Insert the following new clause after clause 5.2.6 as follows:</p> <ul style="list-style-type: none"> <li>• 5.2.7 Streetscape appearance</li> </ul> <p>P7 <b>Building</b> mass and form that:</p> <ul style="list-style-type: none"> <li>• satisfies objectives and design principles outlined in a relevant streetscape local planning policy approved by the WAPC;</li> <li>• uses design features to articulate the building;</li> <li>• uses appropriate minor projections that do not detract from the character of the streetscape;</li> <li>• uses major openings to facilitate street surveillance and activation and minimises building façade taken up by garages, blank walls and servicing infrastructure; and</li> <li>• positively contributes to the prevailing or future development context and streetscape as outlined in the <b>local planning framework</b>.</li> </ul> <p>C7 <b>Buildings</b> comply with the requirements of a relevant streetscape local planning policy approved by the WAPC in accordance with clause 7.3.2 of the R-Codes.</p>	The proposed streetscape appearance clause seeks to address unintended consequences of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> whereby R-Code compliant single houses bypass development approval (due to exemption under clause 61(1)(d)) and application of local planning policy. Local Planning Policy requirements will apply as if they are 'read into' the R-Codes provided WAPC approves.
16.	<p>Modify clause 5.3.5 C5.3 second dot point as follows:</p> <ul style="list-style-type: none"> <li>• No closer than 6m to a <b>street</b> corner as required under AS2890.1 Parking Facilities: Offstreet Parking (as amended); and</li> <li>• Insert Figure 3.1 Prohibited Locations of Access Driveways from AS2890.1</li> </ul>	The change provides application and interpretation clarity.
17.	<p>Amend clause 5.3.5 as follows:</p> <ul style="list-style-type: none"> <li>• C5.4 second dot point to read: the distance from an on-site car parking space to the <b>street</b> is 15m or more; or</li> </ul>	The change provides application and interpretation clarity.
18.	<p>Amend clause 5.3.6 C6.1 as follows:</p> <ul style="list-style-type: none"> <li>• Insert '(as amended)' following 'AS1428.1</li> </ul>	Administrative change.
19.	Amend clause 5.3.8 as follows:	The change provides application and interpretation clarity.

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	<ul style="list-style-type: none"> <li>• Modify C8.1 as follows: Retaining <b>walls</b> greater than 0.5m in height set back from <b>lot boundaries</b> in accordance with the <b>setback</b> provisions of Table 1. Retaining <b>walls</b> 0.5m or less in height may be located up to the lot boundary.</li> <li>• Delete C8.2.</li> <li>• Renumber C8.1 to C8.</li> </ul>	
20.	Amend clause 5.4.1 Note i. following C1.2 as follows: <ul style="list-style-type: none"> <li>• Replace 'Codes' with 'Code'</li> </ul>	Administrative change.
21.	Amend clause 5.4.2 C2.1 as follows: <ul style="list-style-type: none"> <li>• Insert 'for walls higher than 3.5m' following 'does not exceed the following limits'</li> </ul>	Proposal seeks to clarify solar access standards apply to walls with a height greater than 3.5 metres (generally single storey high walls). Wall height 3.5 metres or less will not trigger application of the solar access clause.
22.	Modify clauses 5.4.4 and 5.4.5 as follows: <ul style="list-style-type: none"> <li>• Modify the heading of clause 5.4.4 to 'External fixtures, utilities and facilities'</li> <li>• Relocate P5 from clause 5.4.5 to clause 5.4.4 following P4.1 and renumber to P4.2</li> <li>• Relocate C5.1, C5.2 and C5.3 from clause 5.4.5 to clause 5.4.4 following C4.4 and renumber to C4.5, C4.6 and C4.7 respectively</li> <li>• Modify renumbered C4.5 as follows: An <b>enclosed</b>, lockable storage area, constructed in a design and material matching the <b>dwelling</b> where visible from the <b>street</b>, accessible from outside the <b>dwelling</b>, with a minimum dimension of 1.5m when provided external to a garage and 1m when provided within a garage and an internal area of at least 4m<sup>2</sup>, for each <b>grouped dwelling</b>.</li> <li>• Delete all references to clause 5.4.5.</li> </ul>	Administrative change to merge both clauses as they contain similar content.  Change to renumbered C4.5 reflects commonly accepted practice that where a storage area is provided within a garage, a 1m dimension is appropriate.
23.	Modify clause 5.5.1 as follows: <ul style="list-style-type: none"> <li>• Insert the following after C1:                 Note: Where an <b>ancillary dwelling</b> provides for independent living (such as separate access, laundry and kitchen facilities), the ancillary dwelling may be considered as a separate dwelling for the purposes of the National Construction Code and additional or different construction             </li> </ul>	Change to provide clarification and early warning that an ancillary dwelling may be considered as a separate dwelling under the National Construction Code and additional or different construction standards may apply.

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	requirements may apply. This may include an ancillary dwelling located under the same roof as the single house that provides independent living.	
24.	Modify clause 5.5.2 C2.1ii as follows: <ul style="list-style-type: none"> <li>• Replace 'five' with 'two'</li> </ul>	Change seeks to remove barriers to facilitate provision of aged and dependant persons' dwellings by reducing the minimum number required in a single development from five to two.
25.	Modify clause 6.1.4 P4.1 text preceding dot points as follows: <ul style="list-style-type: none"> <li>• <b>Buildings</b> set back from boundaries or adjacent <b>buildings</b> on the same <b>lot</b> so as to:</li> </ul>	The change provides application and interpretation clarity.
26.	Modify clause 6.3.5 C5.3 second dot point as follows: <ul style="list-style-type: none"> <li>• the distance from an on-site car parking space to the <b>street</b> is 15m or more; or</li> </ul>	The change provides application and interpretation clarity.
27.	Modify clause 6.4.2 C2.1 as follows: <ul style="list-style-type: none"> <li>• Insert 'for walls higher than 3.5m' following 'does not exceed the following limits'</li> </ul>	Proposal seeks to clarify solar access standards apply to walls with a height greater than 3.5 metres (single storey high walls). Wall height 3.5 metres or less will not trigger application of the solar access clause.
28.	Modify clauses 6.4.5 and 6.4.6 as follows: <ul style="list-style-type: none"> <li>• Amend title of 6.4.5 to External fixtures, utilities and facilities;</li> <li>• Relocate P6 from clause 6.4.6 to clause 6.4.5 following P5.2 and renumber to P5.3;</li> <li>• Relocate C6.1, C6.2 and C6.3 from clause 6.4.6 to clause 6.4.5, following C5.4 and renumber to C5.5, C5.6 and C5.7 respectively;</li> <li>• Modify renumbered C5.5: An <b>enclosed</b>, lockable storage area, constructed in a design and material matching the <b>building/dwelling</b> where visible from the <b>street</b>, accessible from outside the <b>dwelling</b>, with a minimum dimension of 1.5m when provided external to a garage and 1m when provided within a garage and an internal area of at least 4m<sup>2</sup> shall be provided for each <b>multiple dwelling</b>;</li> <li>• Delete all references to clause 6.4.6.</li> </ul>	Administrative change to merge both clauses as they contain similar content.  Change to renumbered C5.5 reflects commonly accepted practice that where a storage area is provided within a garage, a 1m dimension is appropriate.
29.	Modify clause 7.3 as follows: <ul style="list-style-type: none"> <li>• Modify the heading as follows: <b>Scope of local planning policies, local development plans and activity centre plans</b></li> <li>• Modify clause 7.3.1 text preceding point (a) as follows: <b>Local planning policies, local development plans and activity centre</b></li> </ul>	Align with LPS regulations.

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	<p><b>plans</b> may contain provisions that:</p> <ul style="list-style-type: none"> <li>Modify 7.3.2 as follows: Replace 'local structure' with 'activity centre'.</li> </ul>	
30.	<p>Modify the following definitions:</p> <p><b>Grouped dwelling</b> A <b>dwelling</b> that is one of a group of two or more detached or attached <b>dwelling</b>s on the same <b>lot</b> which are not located above or below another <b>dwelling</b> or another type of building other than a <b>garage</b>, and includes a <b>dwelling</b> on a <b>survey strata lot</b> with <b>common property</b> but does not include an <b>ancillary dwelling</b>.</p> <p><b>Local planning strategy</b> A document which supports the preparation and review of a <b>scheme</b> in accordance with Part 3 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p><b>Local structure plan</b> A planning document prepared and approved under the provisions of the <b>scheme</b> which provides a framework for the planning and coordination of land use, <b>development</b> and subdivision.</p> <p><b>Multiple dwelling</b> A <b>dwelling</b>:</p> <ul style="list-style-type: none"> <li>in a building containing two or more dwellings; or</li> <li>in a <b>mixed use development</b>.</li> </ul> <p>but does not include a <b>grouped dwelling</b>.</p>	<p><u>Grouped and multiple dwelling definitions</u> Changes proposed or clarity and to align definitions with National Construction Code building classifications.</p> <p><u>Local planning strategy</u> Administrative change to refer to the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p><u>Local structure plan</u> Change to align with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> by removing the word 'statutory'.</p>
31.	<p>Modify Table 2b: Boundary setbacks – Walls with major openings as follows:</p> <ul style="list-style-type: none"> <li>Modify boundary setback for wall height of 3.5m or less to 1.2m</li> </ul>	<p>A 1.2m setback for a wall with a major opening for wall height of 3.5 metres or less (single storey) provides slightly greater design and lot use efficiency opportunities than a 1.5m setback.</p>