

R-Codes – Setback Variations

Local Planning Policy

VERSION 3

December 2015

town planning services

Version	Adoption	Comment
1	26 August 2008 Council Item SC002	Final – No objections received during advertising.
2	28 July 2009 Council Item SC091	Final – No objections received during advertising.
2	1 July 2011 Council Item SC001	Final – Readopted under the new City of Greater Geraldton.
3	15 December 2015 Council Item DRS242	Readopted under the new LPS No. 1.

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CITATION

This is a local planning policy prepared under the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City of Greater Geraldton Local Planning Scheme No. 1 ('the Scheme'). It may be cited as the *R-Codes – Setback Variations local planning policy*.

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area. In making a determination under the Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with the Scheme.

BACKGROUND

State Planning Policy 3.1 – Residential Design Codes (the R-Codes) includes provisions for decision-makers to prepare local planning policies to alter certain development standards of the R-Codes where a specific local need arises. The R-Codes also acknowledge that applications with proposals which do not satisfy the deemed-to-comply provisions of the R-Codes may need to rely more specifically on local housing requirements and design objectives.

This policy provides local housing objectives and varies relevant deemed-to-comply provisions of the R-Codes to assist in their implementation. It should be read in conjunction with the R-Codes.

OBJECTIVES

- a) To alter the deemed-to-comply provisions of the R-Codes for *Design Principle 5.1.3 – Lot boundary setback*.
- b) To ensure neighbours are informed about proposals for lot boundary walls.
- c) To specify the minimum standards for the surface finish of lot boundary walls.
- d) To alter, and clarify the local governments' interpretation of, the deemed-to-comply provisions of the R-Codes for *Design Principle 5.2.1 – Setback of garages and carports*.

POLICY MEASURES

1.1 Walls Built up to a Lot Boundary

- 1.1.1 In addition to the deemed-to-comply requirements for Part 5.1.3, C3.2 of the R-Codes, the following shall apply:

For areas coded R12.5, R15 and R17.5 – walls not higher than 3m with an average of 2.7m up to 9m in length up to one side boundary only. No development application is required provided the adjoining property has given its consent.

- 1.1.2 A development application is required for walls to be built up to a lot boundary for areas coded lower than R12.5 and in considering applications, consultation with adjoining properties is required.

1.2 Surface Finish of Lot Boundary Walls

- 1.2.1 Where a wall is built up to a lot boundary, the surface finish of the wall facing an adjoining property should be to the satisfaction of that adjoining property or, in the case of a dispute, to the satisfaction of the local government.
- 1.2.2 For all applications involving a wall built up to a lot boundary (either development applications or building permit) consultation with the adjoining property is required and should include the agreement on the surface treatment and colour of the wall.
- 1.2.3 The minimum standard considered acceptable by the local government is a fair faced finish which is defined as:
- a) Face finish brickwork with tooled joints.
 - b) Non face finish brick (i.e. commons) to have sand finish render.
 - c) Concrete panels to have smooth finish.
 - d) Face finish limestone blocks with tooled joints.
 - e) Concrete blocks larger than 0.16m² (standard 200mm x 400mm) to have sand finish render.
 - f) Face finish concrete block less than 0.16m with tooled joints.
 - g) For outbuildings only, colourbond to the same colour as the dividing fence or colour as determined by the local government.
- 1.2.4 Masonry lot boundary fences are a dividing fence and are therefore excluded.

1.3 Setback of Garages and Carports

- 1.3.1 There is an anomaly between the deemed-to-comply requirements for the street setback of buildings (design principle 5.1.2) and the setback of garages and carports (design principle 5.2.1).

For the deemed-to-comply requirements, buildings must be setback from the primary and secondary street in accordance with Table 1 (Part 5.1.2, C2.1 and C2.2). However the deemed-to-comply requirements for setback of garages and carports allows for garages to be setback 4.5m from the primary street (Part 5.2.1, C1.1) and both garages and carports to be setback 1.5m from the secondary street (Part 5.2.1, C1.4).

The anomaly occurs where Table 1 specifies a greater setback than that stipulated in design principle 5.2.1. For example areas coded R5 have a primary street setback of 12m (which could be reduced to 6m subject to averaging requirements) and a secondary street setback of 6m.

- 1.3.2 For the purposes of this policy, design principle 5.1.2 and Table 1 prevail should there be any conflict between design principle 5.2.1. This interpretation is further supported by the R-Codes which includes carports and garages in the definition of a *building*.

- 1.3.3 In addition to the deemed-to-comply requirements for design principles 5.1.3 and 5.2.1 of the R-Codes the following shall apply:

For areas coded R12.5 and higher – the setback to the side and/or rear boundary can be reduced to nil (subject to compliance with the applicable building standards). No development application is required provided the adjoining property has given its consent.

- 1.3.4 Where carports are proposed within the street setback area they may be built to within 1.5m of the primary street boundary where vehicles are either parked at right angles or parallel to the street alignment (subject to compliance with clause 1.3.2 of this policy). This 1.5m setback enables appropriate sight lines at vehicle access points in accordance with Part 5.2.5, C5. A development application is required.

- 1.3.5 A development application is required for all residential land where carports do not comply with the applicable secondary street setback requirements of Table 1 of the R-Codes.

1.4 Patio Setbacks

- 1.4.1 In addition to the deemed-to-comply requirements for design principle 5.1.3 of the R-Codes the following shall apply:

a) For areas coded R12.5 and R15 – the setback to the side boundary can be reduced to 900mm (subject to compliance with the applicable building standards). No development application is required provided the adjoining property has given its consent.

b) For areas coded R17.5 and higher – the setback to the side and/or rear boundary can be reduced to 900mm (subject to compliance with the applicable building standards). No development application is required provided the adjoining property has given its consent.

- 1.4.2 A development application is required for all residential land where patios do not comply with the applicable secondary street setback requirements of Table 1 of the R-Codes.

1.5 Rear Setbacks

In addition to the deemed-to-comply requirements for design principle 5.1.3 of the R-Codes the following shall apply:

For areas coded R10, R12.5 and R15 – the rear setback requirement of Table 1 can be reduced by up to 50%. No development application is required provided the adjoining property has given its consent.

DEFINITIONS

Refer to *State Planning Policy 3.1 – Residential Design Codes (the R-Codes)*.

Sand finish means a finish obtained by floating the final coat of a render with a wooden felt-covered or carpet-covered float.