

<b>Title</b>	<b>LOCAL PLANNING POLICY 5.5</b>
<b>Policy Number</b> (Governance Purpose)	



## Policy Type

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Local Planning Policy

## Policy Purpose

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Local Development Plans (LDP's) are a simple tool to facilitate the implementation of desirable variations or design objectives in a consistent manner. Facilitation is achieved by the LDP taking into account specific considerations and/or objectives and applying them on a site by site basis to achieve a consistent built form for a specified area. LDP's are created either through subdivision of land involving lots under 260m<sup>2</sup> or through the requirements of Town Planning Scheme No. 3 (TPS 3) under Structure Plans that call for LDP's to address specific built form aspirations for a location.

LDP's may be prepared by the City or the owner of the land and consist of a one page document with a plan of one or more lots annotated with various notes indicating variations preapproved by the LDP or desired outcomes for development on the subject lots.

TPS 3 lists matters for inclusion in a LDP created through the structure planning process. The Western Australian Planning Commission's (WAPC) operation policy for land subdivision Liveable Neighbourhoods (LN) originally introduced the concept of LDP's. LN sets out the scope of LDP's and provides a template which should be used in preparing a LDP.

However the list of information required does not provide guidance on the purpose and rationale for content of a LDP. There are also additional considerations that a LDP may address and these include matters such as neighbourhood character, occupant/resident safety and sustainability.

LDP's were primarily designed to facilitate specific variations to the requirements of the Residential Design Codes of Western Australia (R-Codes) to enable a design objective to be met. Such objectives may include solar orientation and access to sunlight maximisation or creating a more intimate streetscape with reduced front setbacks being permitted via the LDP.

On commercial and multi residential sites a LDP may also address building height, scale, bulk and the relationship of the mass of larger structures to the street and public spaces or between building structures and sites.

The purpose of this policy is to ensure adequate planning and design considerations are incorporated into LDP's for the purpose of achieving responsive development outcomes where particular built form outcomes are desired or required to be addressed.

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## Policy Statement

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(1) LDP's whether required as a condition of subdivision approval or via a Structure Plan in a Development Area under TPS 3 are to demonstrate how they will address these objectives:

- achieve high quality, responsive development outcomes;
- integration of landform and site context responses;
- contribute to a strong sense of place, community and local identity; and
- facilitate sustainable dwelling design.

In particular where a LDP proposes variations to the R-Codes or TPS 3 development standards the LDP is required to demonstrate how the variations are consistent with the above objectives.

Proposed LDP's are to address the following matters (where applicable, as determined in consultation with the City).

### 1. Site Planning

- (a) Primary street setback variations;
- (b) Secondary street setback variations;
- (c) Setbacks to Rights of Way, common driveways or similar;
- (d) Ground and upper floor side and rear setbacks
- (e) Location and extent of boundary walls where they vary from the R-Codes
- (f) The location and setback of garages
- (g) Setbacks from open space reserves, rights of way or the like
- (h) Visual privacy setbacks where design objectives may result in overlooking of sensitive areas.
- (i) Building Height variations.

2. Dwelling Orientation - for the purpose of addressing or emphasising particular lot frontages, corner locations, local environmental conditions (prevailing winds/solar access) or views (immediate/distant).

3. Open Space - Outdoor Living Areas positioned to maximise passive environmental design opportunities (solar access and cross ventilation), and interactive development edges to streetscape environments or public open space.

### 4. Safe and Engaging Street and Public Space Frontages

- (a) Largely permeable street/public edge fencing and walls, providing for high levels of community interaction and visibility. This includes both dwelling elevations and boundary fencing (front and rear – if the property adjoins public open space).
- (b) Visually permeable fencing (with few exceptions), limited in height to maximise visual relationships between public and private spaces.

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## 5. Parking and Access

- (a) Safe and functional, unobtrusive on-site parking relative to adjoining development and the streetscape environment. On-site parking identified as 'preferred' or 'designated' to achieve these requirements.
- (b) On-site parking setback 4.5m where possible from the front or side lot boundary, catering for visitor parking in tandem (whilst diminishing the impact of parking related structures).
- (c) Vehicle access where available to be via a rear or side laneway (1<sup>st</sup>), secondary street (2<sup>nd</sup>) or primary street (3<sup>rd</sup>) in order of preference.
- (d) Garages and carports setback at least 0.5m from laneways which have a width of 6m or less or where the need arises (depending on laneway width) for safe access/egress.
- (e) Garage/carports to laneways limited to 6m in width or as per the R-Codes, whichever is the lesser requirement.
- (f) Street elevations are not to be dominated by carports and garages. In all instances, these elements are to be set behind the main alignment of the dwelling at least 0.5m where fronting a primary or secondary street.

## 6. Sustainability

- (a) Building envelopes prescribed wherever possible, to maximise the potential to access winter sun for warmth and natural lighting.
- (b) Building envelopes prescribed wherever possible, to maximise the potential to access prevailing winds for ventilation and summer cooling.

## 7. Noise from Road and Rail Transport

- (a) Sound attenuating measures or particular design requirements may be required for particular sites and/or locations to mitigate noise from transport corridors. For residential development, 'Quiet House Design' requirements to address a noise source/s and supported by noise assessments may be required.
- (b) Noise assessments and the submission of mitigation details where the planned use of land has the potential be impacted on by noise sources defined in State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning are required

## 8. Expiry

LDP's are envisaged under the Planning and Development (Town Planning Schemes) Regulations 2015 to expire after a period of 10 years. However it is expected that a LDP remain in place until development of the subject area has

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been completed, After which time the LDP need no longer apply, this is particularly the case for single and grouped housing development.

(2) Process:

LDP's are to be presented to the City for determination in accordance with the requirements of a Subdivision Approval or under the requirements of TPS 3 where facilitated by a Structure Plan and a Development Area. An application for a LDP is to include a copy of the LDP consistent with the Liveable Neighbourhoods template and all supporting reports and information are to be provided.

The relevant application fee for a LDP is required to be paid prior to assessment commencing.

Strategic Link:	Town Planning Scheme No. 3
Category	Planning - Town Planning & Development
Lead Business Unit:	Statutory Planning
Public Consultation: (Yes or No)	Yes
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