

Residential Development

This document outlines supplementary assessment criteria to the Residential Design Codes Volume 1 – Part B for residential development within the City of Melville.

If you are searching for general information in relation to planning requirements, please refer to the Planning Services page of our website <https://www.melvillecity.com.au/> or alternatively you can speak to one of our planning officers either on the phone, 9364 0666 or in person at 10 Almondbury Road, Booragoon during business hours, 8.30am – 5:00pm Monday to Friday.

Policy Type: Local Planning Policy Policy Owner: Director Urban Planning	Policy No. LPP3.1 Last Review Date: TBD
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Citation

This is a Local Planning Policy prepared under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the City of Melville Local Planning Scheme No.6. (LP6 No.6). This Local Planning Policy has also been prepared to comply with Part 3.2.3 of the Residential Design Codes Volume 1.

This Local Planning Policy may be cited as Local Planning Policy No. 3.1 – Residential Development.

Policy Objectives

The objectives of this policy are as follows:

- To enhance the character and amenity of existing residential areas;
- To promote a high standard of residential development;
- To ensure new residential development makes a positive contribution towards attractive streetscapes;
- To allow for innovative residential design providing the development is compatible with the streetscape.
- To accommodate increasing residential density without compromising streetscape character.
- To ensure that residential environments are safe and secure for owners, occupiers, and the wider community;
- To safeguard, protect and enhance the levels of residential amenity enjoyed by existing and future owners and occupiers of residential property; and
- To reduce the impact of vehicle access and on site car parking spaces on the streetscape.
- To ensure that the height of buildings is consistent with the desired character of the locality.

Policy Scope

Under Clause 25 of Local Planning Scheme No. 6 (LPS6) the R-Codes are to be read as a part of the Scheme.

Part 3.0 'Local Planning Framework' of Residential Design Codes Volume 1 (the R-Codes Volume 1) allows local planning policies to amend or replace various deemed-to-comply provisions. This policy amends the Deemed to Comply provisions in Clauses 5.1.3, 5.1.6, 5.2.2, 5.2.4, 5.2.5 and 5.4.3. If a proposal does not meet the amended deemed to comply provisions in this policy then it will require a performance assessment against the relevant Design Principle/s in the R-Codes and Local Housing Objectives and objectives of this policy.

This local planning policy applies to all residential development which has the R-Codes Volume 1 applicable, within the City of Melville unless another document such as LPS6, a precinct structure plan and any other relevant local planning policy specifies otherwise.

Terms, Definitions and Abbreviations Used In Policy

LPS6	City of Melville Local Planning Scheme No. 6
R-Codes	Residential Design Codes Volume 1 and Volume 2
Deemed-to-comply	A proposal, or a component of a proposal, that complies with the deemed-to-comply provisions of the R-Codes, or an adopted local planning policy.
Design principles	Specific design objectives for each element of R-Codes Volume 1 are to be met by all residential development subject to Volume 1 and are to be used in the preparation, submission and assessment for proposals for the purpose of determining their compliance with R-Codes Volume 1. A proposal is required to demonstrate compliance with design principles where it does not satisfy corresponding deemed-to-comply provisions.
Local housing objectives	A local government may augment the design principles of the R-Codes Volume 1 by providing local housing objectives to guide judgements about the merits of proposals for any aspect of residential development covered by this volume that does not meet the requirements, or is not provided for, under the R-Codes Volume 1. Local housing objectives must be consistent with the general objectives of the R-Codes Volume 1.

Unless otherwise stated terms used in this policy have the same definition as in LPS6 or the R-Codes

Policy Requirements

As permitted by clause 3.2.3a and b of the R-Codes - Volume 1, this policy replaces the following Deemed to Comply provisions of the R-Codes Volume 1:

R-Codes – Volume 1 – Part B – Low Density	
R-Code Clause	Modified And Additional Deemed-to-Comply Provisions
<p>Clause 5.1.3</p> <p>Lot Boundary Setbacks</p>	<p>C3.2 is replaced with the following:</p> <p>C3.2 Boundary walls may be built within the following limits and subject to the overshadowing provisions of Clause 5.4.2 and Figure Series 11 - Overshadowing.</p> <ul 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 less than R20, walls not higher than 3m for a length of 9m behind the primary street setback line specified in Table 1 of the R-Codes, to side boundaries only (excludes the rear boundary of the parent lot); iii in areas coded R20 and R25, walls not higher than 3.5m up to a maximum length of the greater of 9m or one-third the length of the balance of each lot boundary behind the front setback. iv in areas coded R30 and higher, walls not higher than 3.5m for two-thirds the length of the balance of each lot boundary behind the front setback. v in areas coded R20 or more, boundary walls are permitted forward of the primary street setback specified in Table 1, subject to meeting the average front setback required by Clause 5.1.2. vi. where both the subject site and the affected adjoining site are created in a plan of subdivision submitted concurrently for the proposed development and the boundary walls are interfacing and of equal dimension. <p>Note: Boundary walls, retaining walls and vertical screening structures shall be finished to the satisfaction of the City.</p>
<p>Clause 5.1.6</p> <p>Height of Buildings</p>	<p>C7 is included as an additional deemed-to-comply provision:</p> <p>C7 Where there is a variation in ground level over a development footprint greater than one metre, the building height requirements of Table 3 –</p>



	<p>Maximum building heights of the R-Codes (Part B) are modified to include the following;</p> <ul style="list-style-type: none">i. no portion of the external wall of the building exceeds the maximum external wall height required by Table 3 of the R-Codes – Maximum building heights by greater than 1m; andii. the development is designed to address the topography of the lot with higher portions of building located on the lower portion of the lot so that the highest point of the building above Australian Height Datum meets the deemed to comply building height requirements of Table 3 – Maximum building heights of the R-Codes (Part B). <p>Note: the site survey plan provided is required to use levels in Australian Height Datum (AHD).</p>
<p>Clause 5.2.2 Garage Width</p>	<p>C2.2 is included as an additional deemed-to-comply provision:</p> <p>C2.2 For front loaded single storey dwellings on street frontages between 10.0m and 12.0m, a double garage and supporting structures (or a garage wall where the garage is aligned parallel to the street) is permitted to a maximum width of 6m as viewed from the street subject to:</p> <ul style="list-style-type: none">i The garage being setback a minimum of 1.0m behind a habitable room; andii There being a minimum 2.0m² major opening to the habitable room directly facing the primary street; andiii A minimum of two wall materials (not including two render colours); andiv There being an entry feature consisting of a porch, portico or veranda with the following features;<ul style="list-style-type: none">a. Minimum depth of 1.0m; andb. A feature roof form which incorporates an eave/gutter line higher than the garage or a gable end; andc. A pier or post positioned in front of one portion of the supporting garage wall.v No vehicular crossover being wider than 4.5m where it meets the street; andvi A landscape plan



<p>Clause 5.2.4 Fences and Street Walls</p>	<p>C4.3 is included as an additional deemed-to-comply provision:</p> <p>C4.3 Fencing within the secondary street setback area may be solid to a height of 1.8 meters above the natural ground level as measured from the street side of the front fence only where it abuts the primary outdoor living area. The remaining secondary street fencing is to be visually permeable above 1.2m of natural ground level, measured from the street side of the fence. Fencing may contain solid pillars that are not more than 1.8m above natural ground level provided the horizontal dimension of the pillars is not greater than 400mm by 400mm and pillars are separated by visually permeable fencing.</p>		
<p>Clause 5.2.5 Sightlines</p>	<p>C5 is replaced with the following:</p> <p>C5 Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences, or other structures adjoin:</p> <ul style="list-style-type: none"> i. A driveway that intersects a street, right-of-way or communal street; ii. A right of way or communal street that intersects a public street; and iii. Two streets that intersect (refer Figure 9a – Sight lines); <p>However, one fencing pier to a maximum width of 0.35m may be located within 1.5m of the above sightline areas where it directly abuts the driveway and the lot boundary, with any other associated fencing in-fill panels above 0.75m to have surface area which is 80% open and free of obstruction to view.</p> <p>Note: The above applies to driveways serving a single house or three or less grouped dwellings. The sightline requirement for four or more grouped dwellings is as per LPP 1.6.</p>		
<p>Clause 5.4.3 Outbuildings</p>	<p>C3 is replaced with the following:</p> <p>C3 Outbuildings associated with a dwelling site address either:</p> <ul style="list-style-type: none"> i. the standards for small outbuildings (A. Small outbuilding); or ii. the standards for large and multiple outbuildings (B. Large and multiple outbuildings). <table border="1" data-bbox="504 1742 1425 2042"> <tr> <td data-bbox="504 1742 839 2042"> <p>A. Small outbuildings</p> </td> <td data-bbox="839 1742 1425 2042"> <ul style="list-style-type: none"> (i) no more than one outbuilding per dwelling site (ii) has no more than two boundary walls; (iii) does not exceed a wall and ridge height of 2.7m; (iv) not located within the primary or secondary street setback area; and (vi) does not reduce open space and outdoor living area requirement in Table B </td> </tr> </table>	<p>A. Small outbuildings</p>	<ul style="list-style-type: none"> (i) no more than one outbuilding per dwelling site (ii) has no more than two boundary walls; (iii) does not exceed a wall and ridge height of 2.7m; (iv) not located within the primary or secondary street setback area; and (vi) does not reduce open space and outdoor living area requirement in Table B
<p>A. Small outbuildings</p>	<ul style="list-style-type: none"> (i) no more than one outbuilding per dwelling site (ii) has no more than two boundary walls; (iii) does not exceed a wall and ridge height of 2.7m; (iv) not located within the primary or secondary street setback area; and (vi) does not reduce open space and outdoor living area requirement in Table B 		



			<p>– Primary Controls for all single house(s) in areas coded R40 and below, grouped dwellings in areas coded R25 and below; and multiple dwellings in areas coded R10 to R25.</p>
OR			
		<p>B. Large and multiple outbuildings</p>	<p>(i) individually or collectively does not exceed 60m² in area or 10 per cent in aggregate of the site area, whichever is the lesser; (ii) set back in accordance with Table 2a – Boundary setbacks – walls with no major openings, or comply with the boundary wall provisions of this policy; (iii) does not exceed a wall height of 2.7m; (iv) does not exceed a ridge height of 4.2m; (v) not located within the primary or secondary street setback area; and (vi) does not reduce the open space and outdoor living area requirements in Table B - Primary Controls for all single house(s) in areas coded R40 and below, grouped dwellings in areas coded R25 and below; and multiple dwellings in areas coded R10 to R25 .</p>
<p>Notes:</p> <ul style="list-style-type: none"> i. An outbuilding wall that meets (ii) for small outbuildings does not contribute to the number or dimension of boundary walls under clause 5.1.3. ii. An existing outbuilding that meets the development standards for small outbuildings does not need to be setback in accordance with Table 2a - Boundary setbacks – walls with no major openings, for additional outbuildings that are proposed under B. Large and multiple outbuildings. iii. There are separate building code requirements that may also apply. 			

As permitted by clause 3.2.3c of the R-Codes - Volume 1, this policy augments the following Design Principles of the R-Codes Volume 1:

R-Codes – Volume 1 – Part B – Low Density	
R-Code Clause	Additional Local Housing Objectives (Design Principles)



Clause 5.1.6 Height of Buildings	P6.1 and P6.2 are included as Local Housing Objectives in addition to the design principle (P6):	
	P6.1	Development which reflects the established built form context of the locality, with respect to bulk, scale, mass and form.
	P6.2	Development that provides site-responsive design which carefully considers and responds to the natural topography of the site to create no adverse impact on the amenity of adjoining lots.
Clause 5.2.4 Fences and Street Walls	P4.1 is included as a Local Housing Objective in addition to the design principle (P4):	
	P4.1	Development which preserves and enhances the visual character of the existing streetscape by considering bulk, scale, setbacks, design, relationship between the private and public domain, and fencing styles.

References that may be applicable to this Policy

Legislative Requirements:	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015
Procedure, Process Maps, Work Instructions:	Planning Application Procedure
Other Plans, Frameworks, Documents Applicable to Policy:	Residential Design Codes LPP1.1 Planning Process and Decision Making LPP1.8 Crime Prevention through Environmental Design of Buildings LPP1.1 Amenity LPP1.5 Energy Efficiency in Building Design CP-029: Tree Policy
Delegated Authority	DA – 020: Planning and Related Matters

ORIGIN/AUTHORITY

Ordinary Meeting of Council

20/11/2011

Item No.

P11/3248

REVIEWS

Ordinary Meeting of Council

19/11/2013

P13/3438

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15/11/2016

P16/3728

Administrative Review

(Council Resolution 18/6/2019)

M19/5691

Ordinary Meeting of Council

17/05/2022

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