

8.11 RESIDENTIAL DESIGN CODES - SIDE AND REAR BOUNDARY SETBACKS

INTRODUCTION

The purpose of the Residential Design Codes (referred to herein as the R-Codes) is to provide a comprehensive basis for the control, through local government, of residential development throughout Western Australia.

They are intended to cover all requirements for development control purposes and to minimise the need for local government to introduce separate planning policies concerning residential development.

This policy seeks to provide additional delegated authority and modified 'acceptable development' criteria in regard to various provisions of the R-Codes, and is to be read in conjunction with the 'Residential Development' provisions of the 'Schedule of Delegation - Town Planning' (found in the Delegation Register) as adopted by Council on the 30 September 2010.

OBJECTIVE

To provide for consistent, fair and thorough assessment of residential development in the Shire of Dandaragan, taking into account local context and current development precedents.

In addition, this policy aims to expedite the processing efficiency of applications for residential development that include variations to the 'acceptable development' criteria for side and rear boundary setbacks as contained within the R-Codes.

POLICY STATEMENT

The following 'Table 1' provides a summary of the side and rear boundary setback variations for residential development that can be approved under the delegated authority prescribed for 'Residential Development' in the 'Schedule of Delegation - Town Planning' as adopted by Council on the 30 September 2010.

Table 1

R-Code Provision	Delegated Authority
6.3.1 'Buildings setback from the boundary'	Authorised to approve of a wall(s) situated closer to an adjoining residential boundary(ies) than the standards prescribed in Tables 1, 2a and 2b of the R-Codes, where the following are observed: a) The performance provisions of section 6.3.1 (P1) of the R-Codes are sufficiently addressed to the satisfaction of the Shire Manager Planning or Shire Manager Building Service. b) No objection or concern has been raised by an adjoining landowner or resident(s).
6.3.2 'Buildings on Boundary'	Authorised to approve of a residential parapet wall (inclusive of incidental development) built up to a property boundary in areas zoned R20 or less dense, where the following are observed: a) The parapet wall has a height no greater than 3.3 metres (measured from the ground level of the

R-Code Provision	Delegated Authority
	<p>affected adjoining property).</p> <p>b) The parapet wall has a maximum aggregate length of 9m.</p> <p>c) The performance provisions of section 6.3.2(P2) of the R-Codes are sufficiently addressed to the satisfaction of the Shire Manager Planning or Manager Building Services.</p> <p>d) No objection or concern has been raised by an adjoining landowner or residents.</p> <p>e) Construction inside an existing fence (unless otherwise agreed to by the affected adjoining landowner).</p> <p>f) That both the applicant / builder and affected adjoining landowner enter into a written agreement as to the standard of construction / finish to the neighbouring side of boundary.</p> <p>OR</p> <p>g) The proposed wall would abut an existing or simultaneously constructed wall of similar or greater dimension.</p>
<p>6.3.3 'Setback of retaining walls'</p>	<p>Retaining walls not exceeding 0.5 metres in height may be built up to the side boundary. Retaining walls exceeding 0.5 metres, setback from common boundaries in accordance with the setback provisions of Table 1, Table 2 and Figure 3.</p>

NOTE: Should there be any conflict between this policy and the Shire of Dandaragan Local Planning Scheme, the Local Planning Scheme shall prevail.