

Local Planning Policy No.

1.2 REAR LOADED LOTS

1. HEAD OF POWER

This Policy has been adopted pursuant to *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2 (Deemed Provisions), Clause 4 and applies to development across the whole of the City.

2. PURPOSE

To encourage compact urban village residential forms as a component of the design of residential areas in order to create diversity of living environments within the City, while still maintaining a sense of security, and addressing streetscape, privacy and design for climate principles.

3. INTERPRETATION

Primary Street - For the purposes of determining front, rear and secondary street setbacks, the "Primary Street" shall have the same meaning given to it by the R Codes, notwithstanding that access may not be available from the Primary Street by virtue of a covenant or access restriction on Title.

Cottage lot - shall be defined as a lot which fronts a public open space reserve.

4. POLICY STATEMENT

This provision applies to all applications for residential development including single, grouped and multiple dwellings on rear loaded lots.

In instances where a rear loaded lot is also a cottage lot then the policy provisions will apply, provided vehicular access to the lot is restricted to access from a Right of Way or rear access place/laneway.

Applications for development of those lots that are identified on a Detailed Area Plan (DAP) as having rear laneway access, shall be assessed against these policy provisions in addition to any requirement pursuant to the DAP.

4.1 Vehicle Access and Garages

4.1.1 All vehicular access to the lot shall be provided from the rear laneway.

4.1.2 Garages and carports shall be located to the rear of the dwelling accessed from the rear laneway.

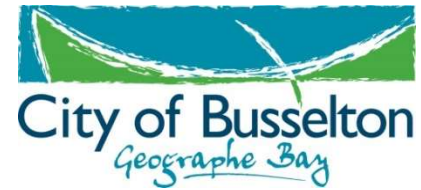
4.1.3 Vehicle access to a carport or garage from a secondary street is not permitted.

4.1.4 A 45 degree visibility splay is to be kept clear from the door or entry of each side of the garage or carport.

4.1.5 Where located on a corner allotment, garages and carports shall be located at the furthest point from the intersection of the street and laneway and vehicle access to the garage or carport from the secondary street is not permitted.

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- 4.1.6 Where located on a corner allotment, garages and carports shall be located on the southerly side of the rear or side boundary (if applicable) to preserve solar access to private rear yard areas except where this conflicts with the requirement to locate the garage or carport at the furthest point from the intersection of the street and laneway as required above.
- 4.1.7 Development above a garage is encouraged, as follows:
- Examples of development may include a studio, ancillary accommodation or an area to be used for the purpose of a suitable home occupation.
 - Development over a garage will not be included in any calculation of the development site coverage.
 - Any balcony over the garage can be used in the calculation of the site courtyard area.
 - Any development over a garage shall be required to satisfy the over shadowing/solar access requirements of the R Codes (refer Element 9 of the R Codes).

4.2 Setbacks

4.2.1 Rear

- 4.2.1.1 Garages and carports shall have a minimum 1.5m setback from the rear laneway and may be permitted with a nil setback to the side boundary preferably on the southern and western boundaries.
- 4.2.1.2 An outbuilding may be permitted with a nil rear setback.
- 4.2.1.3 Development above a garage should be setback a minimum of 1.5 m from the rear boundary, with the exception of the encroachment of balconies, decks, outdoor living areas or bay windows which may be permitted with a nil rear setback.

4.2.2 Front

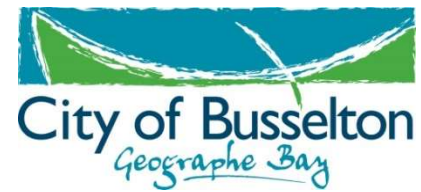
- 4.2.2.1 Dwellings shall have a minimum setback from the primary street as follows: R21 - R25 coded lots, 3.0 metres with an average of 4.5 metres; R30 - R40 coded lots, 2.0 metres with an average of 3.0 metres. Where due to streetscape objectives a consistent front setback is sought through a DAP then development shall be setback a minimum of 4.0 metres from the front boundary of a lot, within the R21 and R25 Coded areas, for the full frontage of the development.

4.2.3 Sides

- 4.2.3.1 Common Boundary walls are permitted for two thirds of the length of the side boundary of a lot subject to meeting the Element 9 Design for Climate requirements of the R Codes. This will be in addition to a nil setback for any garage. A nil setback to the side boundary will not be permitted for a secondary street.
- 4.2.3.2 Boundary wall concessions outlined in F3.2.3.1 can apply to both boundaries subject to the R Codes solar access requirements for adjoining lots and the proposal meeting the secondary street setbacks of this policy.

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4.2.4 Secondary Street

4.2.4.1 Dwellings on corner lots shall have a minimum setback from the secondary street in accordance with Table 1 of the R Codes. The dwelling shall be designed to front both roads (also refer to Element D of this Policy for garages, fences and gates on secondary streets) through the incorporation of major openings and/or wrap around verandahs in the design of the building.

4.3 Site Coverage and Open Space

4.3.1 Lots may be developed to maximum site coverage of 55 per cent (i.e. minimum total open space of 45 per cent). Open space requirements shall be calculated in accordance with the R Codes definition of open space.

4.3.2 Outdoor living areas shall be provided in accordance with Table 1 of the R codes.

4.3.3 Where possible courtyards should be located on the northern side or eastern side to maximise access to and utilisation of winter sun.

4.4 Windows/Walls and Fences

4.4.1 Dwellings are to be designed to address all street frontages through appropriate design measures which engage the street, but in any event shall satisfy the following:

4.4.1.1 Large areas of blank wallspace without major openings with frontage to or visible from the street, or secondary street shall not be permitted.

4.4.1.2 Where a two-storey dwelling is proposed, at least one habitable room window on the upper floor shall be located to provide for surveillance of the rear laneway.

4.4.1.3 No solid portion of any fence (excluding piers) situated between the street and front setback shall exceed 0.75 metres in height, with the exception of corner lots described below.

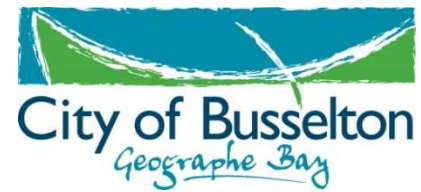
4.4.1.4 On secondary street frontages, or as may be otherwise determined by the City, a solid fence up to 1.8 metres in height may be built on the street boundary. Such fences shall not exceed 10.0 metres in length, exclusive of any fence returns to the dwelling or garage. All fencing forward of the building line shall be in accordance with the height and construction limitations specified immediately above.

4.5 Balconies

4.5.1 Balconies are encouraged to the front and rear of dwellings to provide for surveillance of the rear laneways and the primary street, whilst maintaining a reasonable level of privacy between dwellings. Balconies should be designed in accordance with the following principles:

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4.5.1.1 Balconies, decks, outdoor living areas or bay windows may be permitted with a nil rear setback. Balconies and outdoor living areas/major openings shall be screened from side boundaries (if necessary) in accordance with the R Codes privacy requirements.

4.6 Subdivision and DAP criteria

All subdivision proposals and DAP applications will be assessed against the provisions of Local Planning Scheme No 21 and *Liveable Neighbourhoods* (WAPC).

The provision of additional on street carparking shall be provided at the frontage to rear loaded lots for visitor and resident use and shall be depicted in submitted DAP's and subdivision applications.

The City will request the WAPC to include a condition of subdivision which effectively precludes vehicular access to the lot from any street other than a rear laneway.

The City may request the WAPC to impose a condition of subdivision truncating the rear of corner lots at the laneway/street boundary in order to preserve visibility and improve pedestrian safety.

5. REVIEW DETAILS

Review Frequency	2 yearly			
Council Adoption	10/3/2010		C1003/069	
Previous Adoption	DATE		Resolution #	

* Policy number changed from LPP 1F to LPP 1.2 on the 11th May 2020. The change is administrative only, no resolution by Council required.