



Local Planning Policy 4.1.5 – Variation to R-Codes – Primary street setback for grouped dwellings in existing areas

1. Introduction

Part 5 of the Residential Design Codes Volume 1 (R-Codes) provides requirements on the context of residential development within WA and, amongst other matters, aims to “ensure that designs respond to the key natural and built features of the area and respond to the local context...”. It provides standard setbacks of buildings from the primary street boundary and also provides for the setback from the primary street boundary to be an average of the setback of existing dwellings on adjacent properties. Pursuant to Clause 7.3.1(a) of the R-Codes, this Policy varies the primary street boundary setback requirements (Clause 5.1.2, C2.1 of the R-Codes) and provides guidance on the primary street boundary setback requirements within existing residential areas.

2. Policy objective

- To protect valued streetscapes within the Shire’s existing residential areas.
- To vary the R-Codes requirements and outline the manner in which the primary street setback for grouped dwellings in existing residential areas will be determined.

3. Policy scope

This Policy applies to grouped dwelling developments within existing residential areas.

4. Policy

The ‘Deemed-to-comply’ provisions of Clause 5.1.2 (Street Setback) of the R-Codes provides a number of ways to determine the setback of buildings from the primary street as follows:



- In accordance with Table 1 of the R-Codes.
- Corresponding to the average of the setback of existing dwellings on each adjacent property fronting the same street.
- Reduced by up to 50% in certain circumstances.

In areas coded R15 or higher and a grouped dwelling has its main frontage to a secondary street, the street setback can be reduced. In order to meet the objectives of this Policy, the primary street setback for grouped dwellings within existing areas will be determined as follows:

- Corresponding to the average of the setback of existing dwellings on each adjacent property fronting the same street
- If there are no existing dwellings adjoining the development site, in accordance with Table 1 of the R-Codes.
- Or as otherwise determined by Council.

5. Strategic objective

The policy aligns to the following strategic objective:

	<p>Protected natural environment Adopting a range of management practices to protect, conserve and rehabilitate the biodiversity of the natural environment.</p>
	<p>Effective civic leadership Effective civic leadership is visionary and influential. It means listening to the community, balancing competing demands, making fair decisions and acting with integrity.</p>

6. Definitions

Grouped dwelling – means A dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above or below another, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property.

Street setback – means the horizontal distance between the street boundary and a building, measured at right angles (90 degrees) to the street boundary.

7. Legislation

- *Planning and Development Act 2005*
- Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 2 Deemed Provisions (Part 2)
- Shire of Harvey’s District Planning Scheme No. 1
- State Planning Policy 7.3 – Residential Design Codes Volume 1 2021 (Part 7).

8. Related documents

- Delegated Authority 9.1.2 and 9.1.10
- Former Council Policies 15.17 and 4.1.14.

Responsible officer	Director Sustainability		
Responsible team	Planning		
Responsible area	Planning Services		
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Version 1	28.08.2007	Resolution	21756
Version 2	11.12.2007	Resolution	21902
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