

1. Purpose

To outline acceptable local planning scheme amendment proposals seeking to control multiple dwelling development in R40 coded areas and variation to multiple dwelling standards for consistent application throughout Western Australia.

2. Background

Issues have been raised from the 2010 changes to the Residential Design Codes (R-Codes), removing the *site area per dwelling* requirement for multiple dwellings in areas coded R30 and above in favour of *plot ratio* control.

They identified a community perception that the changes have encouraged inappropriate multiple dwelling densification, adversely affecting the amenity of predominantly single dwelling existing neighbourhoods coded R30 and R35.

The R-Codes have been amended to address these issues and will come into operation in October 2015. In addition, some local governments also seek to restrict or otherwise prohibit multiple dwellings in existing R40 coded areas.

Issues have also been raised from the variation to R-Codes multiple dwelling standards, particularly plot ratio. A standardised approach is required in respect to quantum and criteria applied to multiple dwelling proposals seeking variation to R-Codes plot ratio and other development standards.

3. Local planning scheme amendment proposals

The WAPC will consider local planning scheme amendment proposals (*under MST clause 5.3 Special Application of Residential Planning Codes*) seeking to restrict the number of multiple dwellings in R40 coded areas by applying the average site area per grouped dwelling standard, in lieu of plot ratio standard, for R40 coded lots located outside of the following core areas:

- Within 800 metres of any existing or proposed strategic metropolitan, secondary, district or specialised activity centre or railway station on a high frequency rail route.

In addition to the above, the following optional locational criteria may be applied, at Local Government discretion:

- Within 200 m of public open space (preferably overlooking public open space).
- Within 400 m of a local or neighbourhood activity centre.
- Within 250 m of a bus stop on a high frequency bus route.

The WAPC supports greater than R40 densities and multiple dwelling provision within the above locations; however, not necessarily for all land within these locations. Local government must consider and implement via their local planning/housing strategy and local planning scheme review process, and via an activity centre structure plan for centres.

Location measurement can be undertaken using the following methods:

- straight line from any pedestrian entry to a railway station or bus stop to any part of a lot (*refer R-Codes definition of high frequency bus and rail route*).

- from a central/centroid point within an activity centre boundary.
- walkable catchment technique (*refer Liveable Neighbourhoods Appendix 3*).

4. Variation to R-Codes multiple dwelling standards

Some multiple dwelling proposals have obtained approval for plot ratio substantially greater than the maximum R-Codes deemed-to-comply amount, which has triggered local government and resident concern.

Notwithstanding the R-Codes set a maximum deemed-to-comply plot ratio standard based upon the R-Coding of a site (*refer Clause 6.1.1 C1 and Table 4*), the corresponding design principle (*P1*) allows discretion to vary, if the bulk and scale is in accordance with the local planning framework and is consistent with existing or future desired built form of the locality.

A local planning scheme provision prevails over an R-Codes provision where it is inconsistent.

Most local planning schemes contain a provision which allows discretion to broadly vary site and development standards (*refer MST clause 5.5 Variations to site and development standards and requirements*). However, few outline the maximum quantum amount and/or the criteria or circumstances where and how variations to standards are considered and determined.

The WAPC supports local government preparing and implementing a local planning policy to appropriately deal with multiple dwelling development proposals seeking variation to the R-Codes 'deemed-to-comply' standards. In doing so, the local planning policy should address the following matters:

- the maximum plot ratio bonus: the WAPC supports a maximum plot ratio bonus (above the deemed-to-comply plot ratio in R-Codes Table 4) of 25 per cent for R30 to R80 codes, up to a maximum of 50 per cent for R100 and greater codes, to align with existing R-Codes plot ratio standards.
- the criteria applied to multiple dwelling proposals seeking plot ratio bonus and variance to other R-Codes 'deemed-to-comply' development standards. Local government is to determine what criteria is appropriate for its area/precinct.

In order for the maximum amount of variation to be supported via an exercise of discretion, the proposal should achieve all such criteria.

Criteria could relate to, but not limited to, building design and quality, dwelling size and type (particularly provision of adaptable and/or universally accessible aged or dependent persons' and single bedroom dwellings), sustainability and energy efficiency, housing affordability, heritage and vegetation retention, removing vehicle access fronting a major road, removing a non-conforming use, communal facilities, public open space and public art.

5. Application and implementation

Where a local government seeks to initiate a local planning scheme amendment proposal in accordance with this planning bulletin, WAPC consent to publicly advertise is waived.

Where a local government seeks to prepare a local planning policy in accordance with this planning bulletin, it does not require WAPC consent to initiate. However, it must be referred to the WAPC for final approval as required under R-Codes Clause 7.3.2.

The local planning policy preparation, public advertising and determination process must be followed as outlined in the local planning scheme (refer Part 2 of the Model Scheme Text).

6. Further information

Enquiries or correspondence on this planning bulletin should be sent by email to rcodesreview@planning.wa.gov.au or by post to:

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Gordon Stephenson House
140 William Street
Perth WA 6000

Please quote reference
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