



Town of
Cambridge

**DEVELOPMENT
COMMITTEE MEETING**

TUESDAY 20 APRIL 2021

ATTACHMENT 1 OF 2 TO ITEM DV21.34

**DRAFT AMENDED LOCAL PLANNING POLICY 3.2 'BUILDINGS ON
THE BOUNDARY' – CLEAN VERSION**

Local Planning Policy 3.2: Buildings on the Boundary

ADOPTION DATE: 13 October 2009

AMENDED DATE:

AUTHORITY:

Planning and Development (Local Planning Schemes) Regulations 2015

State Planning Policy 7.3 'Residential Design Codes' – Volume 1

Local Planning Scheme No.1

POLICY PURPOSE

This policy provides deemed-to-comply requirements and matters to be considered by the Town of Cambridge and/or a decision maker in determining applications to be made under Schedule 2, Part 9, Clause 67(g) of the *Planning and Development (Local Planning Schemes) Regulations 2015* for residential buildings which do not meet the deemed-to-comply requirements of 5.1.3 C3.2 'Lot Boundary Setbacks', as prescribed by this policy and by the Residential Design Codes.

OBJECTIVE

City Beach and Floreat were established as low density residential suburbs, characterised by detached housing within landscaped garden settings. These features still exist today and the Town's policy framework intends to preserve and enhance this character. Whilst boundary walls are relatively common today in new residential development, buildings built up to the boundary were not a typical feature of City Beach and Floreat and are considered out of character to the area.

The overarching objective of this Policy is to ensure that buildings built up to the boundary are approved only where it can be demonstrated that the development is consistent with the Desired Future Character* of City Beach and/or Floreat and where the design principles of the R-Codes are met.

This Policy also acknowledges that there may be examples of boundary walls in close proximity of a development or elsewhere in the suburb, and whilst these will be considered where relevant as part of any assessment process, such historical incidence will not in itself be considered as precedent to justify approval of any new boundary walls in these suburbs.

*Desired Future Character statements are contained in Local Planning Policy 3.1: Streetscape.

APPLICATION OF THE POLICY

Where this policy is inconsistent with the provisions of a specific policy or guidelines applying to a particular site or area (eg. Jersey Street, Jolimont; Ocean Mia, City Beach; Parkside Walk, Jolimont, and St John's Wood, Mt Claremont), the provisions of that specific policy or guidelines prevail.

POLICY

1. Deemed-to-comply requirements for City Beach and Floreat

- a. The following standards replace the deemed-to-comply requirements for C3.2 'Buildings on the Boundary'
 - i. For properties coded R12.5 in City Beach and R12.5 and R15 in Floreat, there are no deemed to comply requirements for boundary walls (i.e. Boundary walls are not permitted 'as of right').

1.1 Design Principles

Where a development application proposes to address the design principles, it will be assessed against Design Principles P3.1 and P3.2 of the R-Codes. Council shall have regard to the following matters in considering the design principles, particularly in determining whether the proposed boundary wall *'positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework'*:

- i. The Objectives of this Policy; and
- ii. The Desired Future Character of the area as detailed in Local Planning Policy 3.1: Streetscape.

2. Deemed-to-comply requirements for Wembley and West Leederville

- a. For residential development within the Wembley and West Leederville Precincts, this policy does not vary the deemed-to-comply requirements of design element 5.3.1 C3.2 of the R-Codes

Adopted: 26 May 2009
Amended: 21 December 2010 (DV10.124)
Amended: 26 November 2013 (DV13.142)
Amended 26 August 2014 (DV14.118)
Amended: 29 July 2015 (technical edits and reformatting)
Amended: 20 December 2016 (DV16.207)
Amended: 26 March 2019 (DV19.29)



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ATTACHMENT 2 OF 2 TO ITEM DV21.34

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Local Planning Policy 3.2: Buildings on the Boundary

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AMENDED DATE:

AUTHORITY:

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State Planning Policy 7.3 'Residential Design Codes' – Volume 1

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The overarching objective of this Policy is to ensure that buildings built up to the boundary are approved only where it can be demonstrated that the development is consistent with the Desired Future Character* of City Beach and/or Floreat and where the design principles of the R-Codes are met.

This Policy also acknowledges that there may be examples of boundary walls in close proximity of a development or elsewhere in the suburb, and whilst these will be considered where relevant as part of any assessment process, such historical incidence will not in itself be considered as precedent to justify approval of any new boundary walls in these suburbs.

*Desired Future Character statements are contained in Local Planning Policy 3.1: Streetscape.

APPLICATION OF THE POLICY

Where this policy is inconsistent with the provisions of a specific policy or guidelines applying to a particular site or area (eg. Jersey Street, Jolimont; Ocean Mia, City Beach; Parkside Walk, Jolimont, and St John's Wood, Mt Claremont), the provisions of that specific policy or guidelines prevail.

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- ii. The Desired Future Character of the area as detailed in Local Planning Policy 3.1: Streetscape.

2. Deemed-to-comply requirements for Wembley and West Leederville

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INTRODUCTION

~~The purpose of setbacks from side and rear boundaries is to provide for separation between buildings to enable access to sunlight, ventilation, and visual relief from the built form for the streetscape, and assist in protecting privacy and ameliorating the impact of building bulk.~~

~~This Policy is adopted under the provisions of the Residential Design Codes of Western Australia (R-Codes) and the following standards replace the deemed-to-comply requirements of 5.1.3 C3.2 and 6.1.4 C4.2 of the R-Codes.~~

~~Where the development does not meet the deemed-to-comply requirements, the relevant design principles of the R-Codes apply.~~

~~Where this policy is inconsistent with the provisions of a specific policy or guidelines applying to a particular site or area (eg. Jersey Street, Jolimont; Ocean Mia, City Beach; Parkside Walk, Jolimont, and St John's Wood, Mt Claremont), the provisions of that specific policy or guidelines prevail.~~

AIMS

~~To provide opportunities for owners of adjoining properties who might be affected by a proposal to construct a wall on a side or rear boundary to provide comments.~~

APPLICATIONS SUBJECT TO THIS POLICY

This policy applies to all residential development in the Residential zones.

ACCEPTABLE DEVELOPMENT STANDARDS

Buildings on the boundary

1. ~~Walls may be built up to a boundary behind the front setback line where the wall abuts an existing or simultaneously constructed wall of similar or greater dimension.~~
2. ~~In the case of a garage or carport which is located off a right-of-way, it will be permitted as of right to be built to the side boundaries, provided parapet walls are no higher than 3m with an average height no greater than 2.7m and provided the wall is no greater than 6m in length along the boundary. Neighbour consultation is not required in this circumstance.~~

Note: ~~In some cases, requirements of the National Construction Code may restrict opportunities for setback reductions.~~

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