

## Local Planning Policy 8 – Retention and Upgrade of Grouped Dwellings (LPP8)

Management Procedure

Relevant Delegation

### Purpose

#### 1. Background and Introduction

As a deemed to comply requirement of the provisions of State Planning Policy 3.1 – Residential Design Codes (R Codes) (Section 5.2.6 C6), existing dwellings that are retained as part of a grouped dwelling development are to be upgraded externally to an equivalent maintenance standard to the new (or the rest of) the development. There has been some ambiguity regarding the expected standards of the upgrades that need to take place.

#### 2. Application of Policy

This policy applies to retained grouped dwellings within zones where Grouped dwellings can be approved by the City of Kalamunda including sites where an existing dwelling is retained as part of the development/subdivision application process and includes dwellings retained as part of mixed use development and includes multiple dwellings.

#### 3. Statutory Authority / Legal Status

This Policy has been prepared under and in accordance with *Schedule 2 Clause 3 of the Planning and Development (Local Planning Scheme) Regulations 2015 (The Regulations)* and *Part 7 of the Residential Design Codes of Western Australia (R-Codes)*.

- a) Relationship to other state planning/development control policies

This policy has due regard to, and should be read in conjunction with state planning policies. Of particular relevance to this policy are:

- i. State Planning Policy 1 – State Planning Framework
- ii. State Planning Policy 3.1 – Residential Design Codes.
- iii. State Planning Policy 3.7 – Planning in Bushfire Prone Areas
- iv. State Planning Policy - Liveable Neighbourhoods
- v. State Planning Policy 2.2 – Residential Subdivision

b) Relationship to other local planning policies:

Clause 7.3.1 of the R Codes specifies that Local Planning Policies may amend or replace the deemed to comply provisions set out in Part 5 or Part 6 of the R Codes, including Streetscape / Appearance of retained dwelling (Clause 5.2.6). In this instance the deemed to comply standards are not proposed to be amended. This policy is formulated to provide further clarification in relation to compliance with the deemed to comply provisions and satisfying the design principles relating with the retention of grouped dwellings.

#### 4. Policy Objectives

The primary objectives of this policy are to:

- a) Outline the upgrades that may be required by the City to bring existing dwellings into compliance with the relevant clauses of the Residential Design Codes (R Codes);
- b) Detail both acceptable and unacceptable outcomes of the upgrades; and
- c) Provide for the establishment of an enhanced and aesthetically pleasing streetscape through the upgrade of the retained dwellings.

#### 5. Policy Statement

The following table (Table 1) details the various upgrades required for retained grouped dwellings, as well as a list of both acceptable and unacceptable outcomes.

In order to comply with Clause 5.2.6 of the R Codes, an applicant is required to submit a schedule of works in accordance with the provisions of Table 1 of this policy, either upon lodgment of a development application or to satisfy a condition of subdivision clearance where compliance with the Residential Design Codes is required.

#### 6. Matters to be Considered

The following matters will be given consideration in the assessment of applications for grouped dwelling development:

- a) Any relevant matters set out in Clause 69 of the Regulations and the objectives of the zone;
- b) The impact of the proposed development on the amenity and character of residential or non-residential areas, as viewed from a street, public space, or neighbouring property;
- c) Whether any significant trees or other vegetation should be preserved;
- d) Whether the development application will still achieve a desired streetscape where a variation is applied;
- e) The preservation of areas of useable on-site open space;
- f) Any special limitation on the development of the land by virtue of its size, shape, or environmental/geographical feature;
- g) Whether support for the development application will set an undesirable precedent for similar sized surrounding lots; and
- h) Comments received from affected adjacent property owners/occupiers.

#### 7. Variations to the Policy

Where a variation is applied consideration to Clause 5 "Matters to be considered" shall be referenced.

Any variation to development requirements will require the applicant to provide additional justification demonstrating how the proposal will not:

- a) Adversely affect adjoining property owners
- b) The streetscape or
- c) The amenity of the locality

With particular reference to Clause 5 'Matters to be Considered' of this policy

Adopted	24 July 2017 OCM 125/2017
Reviewed	April 2020
Next Review Date	April 2022

**Table 1 – Schedule of Works, Retention and Upgrade of Grouped Dwellings**

Column A Aspect of Upgrade	Column B Residential Design Codes	Column C Acceptable Outcome	Column D Unacceptable Outcome
1 - Storage Areas	<ul style="list-style-type: none"> <li>• Clause 5.4.5 Utilities and Facilities</li> <li>• Deemed to comply C5.1, An enclosed lockable storage area, constructed in a design and material matching the dwelling, with a minimum dimension of 1.5m with an internal area of at least 4m<sup>2</sup>, for each grouped or multiple dwelling.</li> <li>• Compliance with the Design Principles P5</li> </ul>	<ul style="list-style-type: none"> <li>• Compliance with the deemed to comply requirements of the R Codes.</li> <li>• Enclosed and Lockable</li> <li>• 4 square metres in area</li> <li>• Minimum dimension of 1.5 metres</li> <li>• Same materials and colours as the dwelling</li> <li>• Provided for each dwelling (Inc. retained dwelling)</li> <li>• Not visible from the primary street</li> <li>• Incorporated as part of a garage</li> </ul>	<ul style="list-style-type: none"> <li>• Open on one or more sides.</li> <li>• Not lockable.</li> <li>• Less than 4 square metres.</li> <li>• Not of sympathetic colours or styles to the existing dwelling</li> <li>• Not present.</li> </ul>
2 - Clothes Drying Area	<ul style="list-style-type: none"> <li>• Clause 5.4.5 Utilities and Facilities</li> <li>• Deemed to comply C5.1, An enclosed lockable storage area, constructed in a design and material matching the dwelling, with a minimum dimension of 1.5m with an internal area of at least 4m<sup>2</sup>, for each grouped or multiple dwelling.</li> <li>• Compliance with the Design Principles P5</li> </ul>	<ul style="list-style-type: none"> <li>• Compliance with the deemed to comply requirements of the R Codes.</li> <li>• Adequately screened from the primary and secondary streets</li> <li>• Adequately screened from adjoining properties</li> </ul>	<ul style="list-style-type: none"> <li>• Visible from a primary or secondary street, or any adjoining properties.</li> <li>• Not present.</li> </ul>
3-Driveways	<ul style="list-style-type: none"> <li>• Clause 5.3.5 Vehicular Access</li> <li>• Compliance with the Deemed to comply provisions of C5.2-C5.7</li> <li>• Compliance with the Design Principles P5.1 – P5.2</li> </ul>	<ul style="list-style-type: none"> <li>• Compliance with the deemed to comply requirements of the R Codes.</li> <li>• Existing driveways are to be upgraded and/or drained, or replaced to meet the technical specifications of the City</li> </ul>	<ul style="list-style-type: none"> <li>• Existing driveway is cracked, has parts missing, or is in a state of disrepair.</li> </ul>

Column A Aspect of Upgrade	Column B Residential Design Codes	Column C Acceptable Outcome	Column D Unacceptable Outcome
-Access to Rear Lot Where Dwelling is to be Retained	<ul style="list-style-type: none"> <li>• Clause 5.3.5 Vehicular Access</li> <li>• Compliance with the Deemed to comply provisions of C5.2-C5.7</li> <li>• Compliance with the Design Principles P5.1 – P5.2</li> </ul>	<ul style="list-style-type: none"> <li>• In cases of Survey Strata lots with common property, the new lot and access leg is to be cleared and graded</li> <li>• Where developing, as part of a development applications the access leg is to be cleared, graded, and constructed to the satisfaction of the City's Engineering Services</li> </ul>	<ul style="list-style-type: none"> <li>• Access leg not constructed, or only partially constructed</li> <li>• Access leg that is partially or wholly constructed is cracked or in other states of disrepair</li> </ul>
5 -Landscaping	<ul style="list-style-type: none"> <li>• Clause 5.3.2 Landscaping</li> <li>• Compliance with the deemed to comply provisions of C2.</li> <li>• Compliance with Design Principles P2</li> </ul>	<ul style="list-style-type: none"> <li>• A Compliance with the deemed to comply requirements of the R Codes.</li> <li>• Landscaping plan being submitted prior to completion to the satisfaction of the City's Environment Services team. Both species type and planting location being incorporated into landscaping plan.</li> <li>• Landscaping completed in accordance with submitted landscaping plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Not undertaken, or only partially completed</li> <li>• Not in line with the requirements of the City's Environmental Services.</li> <li>• No landscaping plan.</li> </ul>
6 -Parking	<ul style="list-style-type: none"> <li>• Clause 5.3.3 Parking</li> <li>• Compliance with the deemed to comply provisions of C3.1-3.3</li> <li>• Compliance with the deemed to comply provisions of C4.1-4.3</li> </ul>	<ul style="list-style-type: none"> <li>• The required number of parking bays in accordance with C3.1 are to be constructed and drained to the satisfaction of the City's Engineering Services.</li> </ul>	<ul style="list-style-type: none"> <li>• No bays provided</li> <li>• Bays provided, but not of an adequate standard to satisfy the City's Engineering Services</li> </ul>

Column A Aspect of Upgrade	Column B Residential Design Codes	Column C Acceptable Outcome	Column D Unacceptable Outcome
7 -Roofing	<ul style="list-style-type: none"> <li>• Clause 5.2.6 Appearance of Retained Dwelling</li> <li>• Compliance with the deemed to comply provisions of C6</li> <li>• Compliance with the deemed to comply provisions of P6</li> </ul>	<ul style="list-style-type: none"> <li>• Cracked tiles or ridge capping is to be replaced or repaired.</li> <li>• Roof is to be high pressure cleaned or re-sprayed where it is not of an acceptable new standard (with the exception of asbestos roofing)</li> <li>• Colorbond or other material that is in disrepair is to be replaced.</li> <li>• Eaves and Fascia Boards are to be repainted or replaced in instances where they are not of an acceptable new standard.</li> <li>• Gutters and downpipes to be repainted, or replaced if they are not of an acceptable new standard.</li> <li>• Asbestos roofing must be kept painted and where it has weathered removed by a licensed asbestos removalist and replaced with roofing compliant with the R Codes.</li> </ul>	<ul style="list-style-type: none"> <li>• Cracked tiles or holes in the roof</li> <li>• Roof is damaged, with either faded or warped materials</li> <li>• Roof repair is not in line with the existing colours or styles of the roof</li> <li>• Eaves are have been neglected</li> <li>• Gutters or downpipes have not been upgraded, or have been repainted but were not of a standard to allow them to function correctly</li> <li>• The cement binding the asbestos fibres has diminished due to weathering.</li> </ul>

8 -Fencing	<ul style="list-style-type: none"> <li>• Clause 5.2.5 Sightlines</li> <li>• Compliance with Deemed to comply provisions of C5</li> <li>• Compliance with Design Principles of P5</li> <li>• Clause 5.2.3 Street Surveillance</li> <li>• Compliance with the deemed to comply provisions of C3.1-3.2 Compliance with the design principles of P3 Clause</li> </ul>	<ul style="list-style-type: none"> <li>• All front fences/walls are to comply with the provisions of the R Codes, as well as the provisions of the City's Fencing Policy and Fencing Local Law</li> <li>• Where front fences are already existing, these may be retained as part of the redevelopment of the site. F</li> <li>• Front fencing/ walls where existing where impeding on sightlines or truncations may need to be modified</li> </ul>	<ul style="list-style-type: none"> <li>• Front fences are not compliant with the provisions of the specified policies and local laws, are over height or not visually permeable.</li> </ul>
Column A Aspect of Upgrade	Column B Residential Design Codes	Column C Acceptable Outcome	Column D Unacceptable Outcome
9 -External Façade	<ul style="list-style-type: none"> <li>• Clause 5.2.6 Appearance of Retained Dwelling</li> <li>• Compliance with the deemed to comply provisions of C6</li> <li>• Compliance with the deemed to comply provisions of P6</li> </ul>	<ul style="list-style-type: none"> <li>• External façade is to be in an 'as new' condition, i.e. without crumbling brickwork, no missing mortar, no peeling paint or areas of obvious fading and weathering.</li> </ul>	<ul style="list-style-type: none"> <li>• Façade in disrepair</li> <li>• Faded, chipped, or peeling paint</li> <li>• Crumbling or broken brickwork with missing mortar.</li> </ul>
10 -Garage	<ul style="list-style-type: none"> <li>• Clause 5.2.6 Appearance of Retained Dwelling</li> <li>• Compliance with the deemed to comply provisions of C6</li> <li>• Compliance with the deemed to comply provisions of P6</li> </ul>	<ul style="list-style-type: none"> <li>• Garage doors upgraded or replaced where it is not of a high maintenance standard.</li> </ul>	<ul style="list-style-type: none"> <li>• Peeling paint</li> <li>• Broken, warped, or rusty garage door</li> <li>• Other obvious signs of wear and failure</li> </ul>

<b>11-Redundant Crossovers</b>	<ul style="list-style-type: none"> <li>• Clause 5.3.5 Vehicular Access</li> <li>• Compliance with the Deemed to comply provisions of C5.2-C5.7</li> <li>• Compliance with the Design Principles P5.1 – P5.2</li> </ul>	<ul style="list-style-type: none"> <li>• Redundant crossovers to be removed and the verge reinstated, to the satisfaction of the City of Kalamunda</li> </ul>	<ul style="list-style-type: none"> <li>• Redundant crossover remains on site</li> <li>• Crossover removed, but verge has not been reinstated to an appropriate level</li> </ul>
<b>Column A Aspect of Upgrade</b>	<b>Column B Residential Design Codes</b>	<b>Column C Acceptable Outcome</b>	<b>Column D Unacceptable Outcome</b>
<b>12 - New and existing Crossovers</b>	<ul style="list-style-type: none"> <li>• Clause 5.3.5 Vehicular Access</li> <li>• Compliance with the Deemed to comply provisions of C5.2-C5.7</li> <li>• Compliance with the Design Principles P5.1 – P5.2</li> </ul>	<ul style="list-style-type: none"> <li>• Where new crossovers are required, they shall be constructed to the specifications and standards of the City's Engineering Services.</li> <li>• New crossovers will not be required to be constructed until such time as is required to connect to a newly constructed common property driveway.</li> </ul>	<ul style="list-style-type: none"> <li>• Crossover not constructed</li> <li>• Crossover constructed to an incomplete or inappropriate standard</li> </ul>
<b>13 -Doors and Windows</b>	<ul style="list-style-type: none"> <li>• Clause 5.2.6 Appearance of Retained Dwelling</li> <li>• Compliance with the deemed to comply provisions of C6</li> <li>• Compliance with the deemed to comply provisions of P6</li> </ul>	<ul style="list-style-type: none"> <li>• Doors and windows to be of an equivalent standard of a new dwelling. This includes all frames and may require replacement or sanding and repainting/revarnishing. Any damaged glass or flyscreens are to be replaced or repaired.</li> </ul>	<ul style="list-style-type: none"> <li>• Doors and windows in disrepair, i.e. cracked panes, peeling paint, warped and faded wood or other materials</li> </ul>



<p><b>14 - Access to Outdoor Living Area</b></p>	<ul style="list-style-type: none"> <li>• Clause 5.3.1 Outdoor Living Areas.</li> <li>• Compliance with the deemed to comply provisions of C1.1 –C1.2</li> <li>• Compliance with the design principles of P1.1-1.2</li> </ul>	<ul style="list-style-type: none"> <li>• An access door is available from a habitable room to the primary outdoor living area.</li> </ul>	<ul style="list-style-type: none"> <li>• Access to outdoor living area is not from a habitable room</li> </ul>
<p><b>15 -Bin Storage Areas</b></p>	<ul style="list-style-type: none"> <li>• Clause 5.4.5 Utilities and Facilities</li> <li>• Deemed to comply C5.2, Compliance with the Design Principles P5</li> </ul>	<ul style="list-style-type: none"> <li>• Where bins are not collected from the street immediately adjoining the dwelling a communal pick-up area shall be provided.</li> <li>• Bin storage shall be non-visible from the street.</li> </ul>	<ul style="list-style-type: none"> <li>• Communal bin area not provided.</li> <li>• Bin collection area is not screened from the street.</li> </ul>

## Definitions

Grouped dwelling is defined under the City's Local Planning Scheme No.3 (the Scheme) as follows:

“Grouped dwelling” has the same meaning given to the term in the Residential Design Codes.

Grouped Dwelling is defined under the Residential Design Codes as follows:

**Grouped Dwelling** – 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 another, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property.

Legislation	<i>City of Kalamunda Local Planning Scheme No.3</i>
Adopted	24 July 2017 OCM 125/2017,
Reviewed	
Next Review Date	

# Appendix 1

## Example of Grouped Dwelling Upgrade

### Roof Replacement



Works required – 20/01/2017



Works Completed- 15/02/2017

### Garage Door Replacement



Works required – 21/01/2017



Works completed – 21/01/2017

### Driveway Resurfacing



Works required – 25/01/2017



Works Completed – 16/02/2017

### **Façade Upgrade**



Works required – 18/11/2016



Works completed – 30/11/2016

### **Window Replacement/ Upgrade**



Works required – 20/01/2017



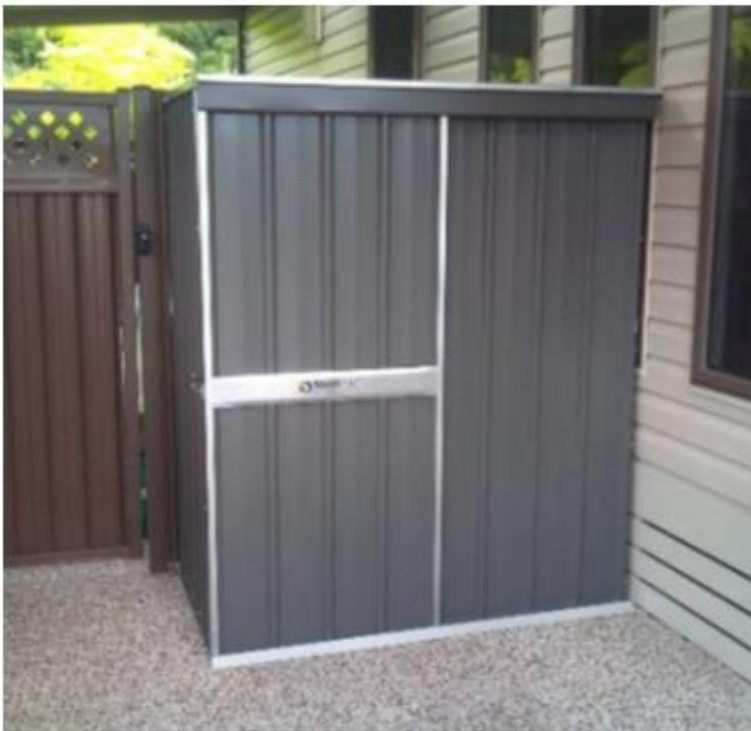
Works completed – 03/02/2017

**Washing Line** – New Washing Line installed and screened with Fence.



Works completed – 01/02/2017

**Installation of Storage Area**



Works completed – 15/12/2016



## Appendix 2

### Schedule of works – Upgrade and Retention of Grouped Dwelling

- Where existing element is compliant, please provide photograph for the City's assessment.
- All completed items **must** be accompanied with photographs.
- Please list the date of completion or tick box N/A of existing.

Upgrade Item	Completed – Acceptable Outcome Achieved Table 1	Date Completed	Photograph Attached
Storage Areas	Yes - <input type="checkbox"/>	Date	Yes <input type="checkbox"/>
	No - <input type="checkbox"/>	____/____/20____	No <input type="checkbox"/>
	Existing <input type="checkbox"/>	Or NA <input type="checkbox"/>	
Clothes Drying Areas	Yes - <input type="checkbox"/>	Date	Yes <input type="checkbox"/>
	No - <input type="checkbox"/>	____/____/20____	No <input type="checkbox"/>
	Existing <input type="checkbox"/>	Or NA <input type="checkbox"/>	
Driveways	Yes - <input type="checkbox"/>	Date	Yes <input type="checkbox"/>
	No - <input type="checkbox"/>	____/____/20____	No <input type="checkbox"/>
	Existing <input type="checkbox"/>	Or NA <input type="checkbox"/>	
Access to Rear Lot	Yes - <input type="checkbox"/>	Date	Yes <input type="checkbox"/>
	No - <input type="checkbox"/>	____/____/20____	No <input type="checkbox"/>
	Existing <input type="checkbox"/>	Or NA <input type="checkbox"/>	
Landscaping	Yes - <input type="checkbox"/>	Date	Yes <input type="checkbox"/>
	No - <input type="checkbox"/>	____/____/20____	No <input type="checkbox"/>
	Existing <input type="checkbox"/>	Or NA <input type="checkbox"/>	
Parking	Yes - <input type="checkbox"/>	Date	Yes <input type="checkbox"/>
	No - <input type="checkbox"/>	____/____/20____	No <input type="checkbox"/>
	Existing <input type="checkbox"/>	Or NA <input type="checkbox"/>	
Roofing	Yes - <input type="checkbox"/>	Date	Yes <input type="checkbox"/>
	No - <input type="checkbox"/>	____/____/20____	No <input type="checkbox"/>
	Existing <input type="checkbox"/>	Or NA <input type="checkbox"/>	
Fencing	Yes - <input type="checkbox"/>	Date	Yes <input type="checkbox"/>
	No - <input type="checkbox"/>	____/____/20____	No <input type="checkbox"/>
	Existing <input type="checkbox"/>	Or NA <input type="checkbox"/>	

External Façade	Yes - <input type="checkbox"/>	Date	Yes <input type="checkbox"/>
	No - <input type="checkbox"/>	____/____/20____	No <input type="checkbox"/>
	Existing <input type="checkbox"/>	Or NA <input type="checkbox"/>	
Garage	Yes - <input type="checkbox"/>	Date	Yes <input type="checkbox"/>
	No - <input type="checkbox"/>	____/____/20____	No <input type="checkbox"/>
	Existing <input type="checkbox"/>	Or NA <input type="checkbox"/>	
Redundant Crossover	Yes - <input type="checkbox"/>	Date	Yes <input type="checkbox"/>
	No - <input type="checkbox"/>	____/____/20____	No <input type="checkbox"/>
	Existing <input type="checkbox"/>	Or NA <input type="checkbox"/>	
New Crossover	Yes - <input type="checkbox"/>	Date	Yes <input type="checkbox"/>
	No - <input type="checkbox"/>	____/____/20____	No <input type="checkbox"/>
	Existing <input type="checkbox"/>	Or NA <input type="checkbox"/>	
Doors and Windows	Yes - <input type="checkbox"/>	Date	Yes <input type="checkbox"/>
	No - <input type="checkbox"/>	____/____/20____	No <input type="checkbox"/>
	Existing <input type="checkbox"/>	Or NA <input type="checkbox"/>	
Access to Outdoor Living Area	Yes - <input type="checkbox"/>	Date	Yes <input type="checkbox"/>
	No - <input type="checkbox"/>	____/____/20____	No <input type="checkbox"/>
	Existing <input type="checkbox"/>	Or NA <input type="checkbox"/>	
Outdoor Living Area	Yes - <input type="checkbox"/>	Date	Yes <input type="checkbox"/>
	No - <input type="checkbox"/>	____/____/20____	No <input type="checkbox"/>
	Existing <input type="checkbox"/>	Or NA <input type="checkbox"/>	
Bin Storage Area	Yes - <input type="checkbox"/>	Date	Yes <input type="checkbox"/>
	No - <input type="checkbox"/>	____/____/20____	No <input type="checkbox"/>
	Existing <input type="checkbox"/>	Or NA <input type="checkbox"/>	

Applicant Details			
Name			
Subject Site Address			
Signature		Date	