

Policy P350.02 Lot Boundary Setbacks (Boundary Walls)

Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services
Affected Business Unit/s	Development Services

Policy Objectives

To ensure that boundary walls are appropriate for the streetscape and do not have any significant impact on the amenity of adjoining properties.

Policy Status

This policy is made pursuant to Part 2 (Division 2) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulation 2015* (the Regulations). Clause 7.3.1(a) of the Residential Design Codes (the R-Codes) provides that local planning policies may vary or replace certain deemed-to-comply requirements of elements of the R-Codes, including those listed in 5.3.1 C3.2 & C3.3 and 6.1.4 C4.1-C4.5 (lot boundary setbacks). This policy is to be used in conjunction with the Scheme, Part 5 & 6 of the R-Codes and any other relevant council policies relating to residential land.

Policy Application

This policy applies additional deemed to comply criteria to that listed in 5.3.1 C3.2 and C3.3, and 6.1.4 C4.1 to C4.5 which are to be used in conjunction with the Scheme and any other relevant council policies relating to residential development. The Policy also provides matters for consideration already specified in the application of the relevant design principles.

Policy Statement

1.0 Deemed-to-comply proposals

In addition to Design Elements 5.1.3 C3.2 & C3.3 and 6.1.4 C4.3 to C4.5 of the R-Codes the following will apply:

1.1 Setback of walls built to boundaries to street boundaries

Walls built to a boundary (other than a street boundary) shall be located no closer to:

- (i) the street boundary by less than the street setback prescribed in Table 1 or Table 4 (whichever is applicable to the code) of the R-Codes or Table 2 of Town Planning Scheme No. 6, whichever is greater. Any averaging or reduction in this distance applicable under other design elements of the R-Codes does not apply; or
- (ii) a public right-of-way by not less than the setback distance specified in the deemed-to-comply criteria of the R-Codes for the dwelling where the right-of-way is the principal frontage; and

In areas coded R20 (only) in the Cygnia Cove estate, Waterford, walls built to a boundary shall be set back not less than 4.5 metres from the primary street boundary.

1.2 Finishes of walls built to boundaries

Walls built to lot boundaries shall be finished in a clean material to the same standard as the rest of the development prior to the developments occupation.

Where the surface of a proposed boundary wall on a development site is visible from the adjoining property but does not form part of the streetscape, the surface finish is to match the external walls of the neighbour's dwelling, unless the owner(s) of the adjoining property consent to another finish and their written agreement for the selected finish is supplied to the City.

2.0 Proposals assessed against the design principles

Where a development proposal does not meet the applicable deemed-to-comply criteria of this policy, the proposal is to be assessed against the design principles of the R-Codes. This policy does not modify the design principles, however the following matters will be considered in the determination of proposals that apply the design principles of Design Element 5.3.1 P3.2 & 6.1.4 P4.2;

- (a) Streetscape character;
- (b) Outlook from:
 - (i) the front of an adjoining dwelling or its front garden, if the proposed boundary wall is located forward of that adjoining dwelling; or
 - (ii) any habitable room window of an adjoining dwelling;
- (c) Visual impact of building bulk where the proposed boundary wall is situated alongside an outdoor living area on an adjoining lot; and
- (d) Amount of overshadowing of a habitable room window or outdoor living area on an adjoining lot. The amenity impact of the boundary wall will be deemed to be acceptable where the overshadowing caused by the boundary wall does not exceed the overshadowing caused by a wall that conforms to the Residential Design Codes 'deemed-to-comply' setback.

Legislation / Local Law Requirements

City of South Perth Town Planning Scheme No. 6

Residential Design Codes of Western Australia

Building Code of Australia

Other Relevant Policies / Key Documents

City of South Perth Planning Policies