

## Local Planning Policy 1.2 – Residential Development – Apartments

This information sheet summarises and explains the policy provisions of Local Planning Policy 1.2 (LPP 1.2). This should be read in conjunction with City of Subiaco Local Planning Policy 1.2 and State Planning Policy 7.3 Residential Design Codes Volume 2 (R-Codes Volume 2).

### TABLE OF CONTENTS

General information.....	2
Definitions .....	2
What do the different sub-precincts mean?.....	4
Relationship with R-Codes Volume 2.....	4
General provisions .....	6
Purpose of general provisions .....	6
Table 1 – general provisions.....	6
Transition areas .....	7
Purpose of provisions for transition areas .....	7
Table 2 – transition areas.....	7
Areas with a density interface – side or rear boundary of low density lot.....	9
Purpose of provisions for density interface – side or rear boundary.....	9
Table 3 - Specific provisions for land with a density interface – side or rear boundary of low density land.....	9
Areas with a density interface – across a public street .....	13
Purpose of provisions for density interface – across a public street.....	13
Table 4 – Areas with a density interface – across a public street .....	13

**Disclaimer:** this information sheet provides an overview of the policy and further explanations and additional diagrams to assist understanding of the LPP. Please read Local Planning Policy 1.2 for detailed policy provisions and specific policy wording. To avoid any doubt, this information sheet is not a LPP in and of itself and is not a matter to be considered under clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 and is provided for guidance only. This information sheet does not represent a decision of any development approval, or prejudice any future decision on any application for development approval by Council or by City Officers acting under delegated authority.

## General information

### Further Explanation of Definitions

A list of definitions is included in LPP 1.2 and the following terms are explained in further detail.

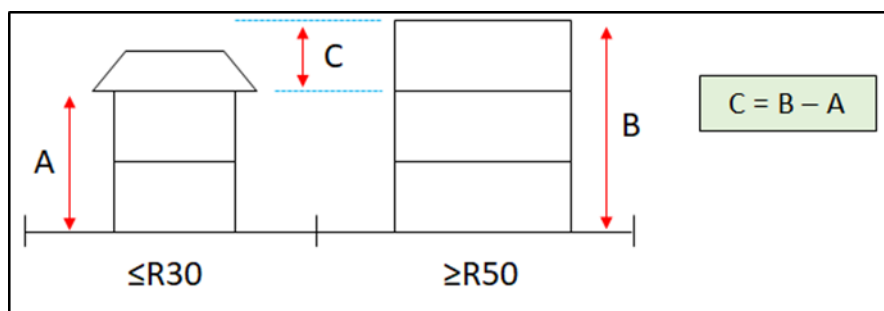
**Apartment (multiple dwelling):** A dwelling on top (wholly or partially) of another dwelling/commercial tenancy. For technical definition refer to State Planning Policy 7.3 Residential Design Codes Volume 2 (R-Codes Volume 2).

**Building height difference:** As defined in LPP 1.2.

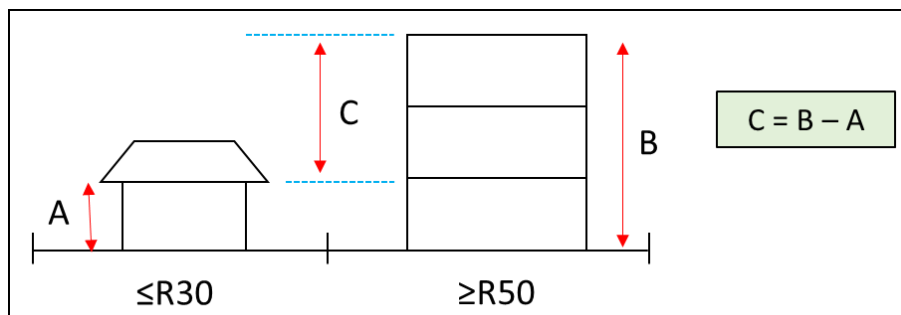
The reference to maximum permitted building height (storeys) refers to the deemed-to-comply provisions for the lower density land. The following table provides a guide and Local Planning Policy 1.1 – Residential Development – Single Houses and Grouped Dwellings (LPP 1.1) includes detailed provisions on building height within each sub-precinct:

R-Codes Vol. 1 building height	Equivalent storeys	Sub-precinct
Category A	1	1 and 2, unless existing two-storey building
Category B	2	3 and 4 where R40 and less; or 1 and 2 with existing two-storey building
Category C	3	3 and 4 where R50 and above, subject to conditions

Example 1: A lot on low density land has a deemed-to-comply maximum permitted building height of two storeys (R-Codes Volume 1 Table 3 Category B). The higher density land has a maximum building height of three storeys (R-Codes Volume 2 Table 2.1). The building height difference is one storey (see diagram below).



Example 2: A lot on low density land has a deemed-to-comply maximum permitted building height of one storey (R-Codes Volume 1 Table 3 Category A). The higher density land has a maximum building height of three storeys (R-Codes Volume 2 Table 2.1). The building height difference is two storeys (see diagram below).



**Character:** The City's Local Planning Strategy 2020 defines character as follows:

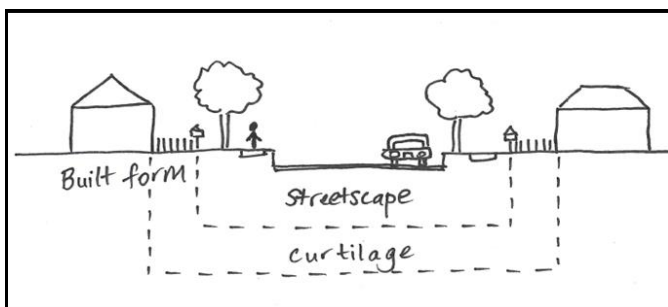
Character reflects the dynamic relationship between built form and its setting. It encompasses key elements in both public and private land and it is the combination of these elements that makes a place unique.

*Built form includes:*

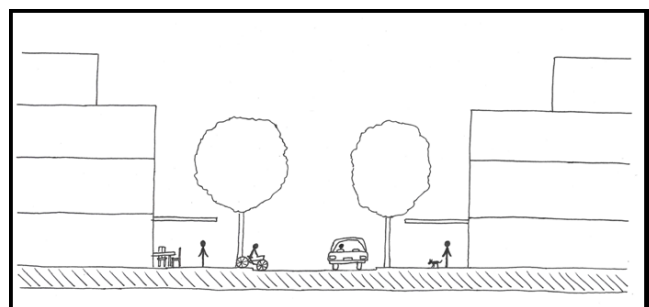
- Bulk, scale, type and form/orientation of buildings;
- Materials, design elements and architectural features; and
- Building setbacks from street and lot boundaries.

*Setting includes:*

- Lot configuration;
- Streetscape – street trees, road and verge treatments;
- The natural environment – topography, landscaping, waterways;
- Use of buildings, such as residential, commercial or a mixture of both; and
- Curtilage – the elements in the public and private realms between the front façades of buildings on both sides of the street.



Streetscape character – low density



Streetscape character – medium density and mixed use

### ***Density interface:***

Land at the interface of two different densities may have an amenity impact on the lower density lot. For the purpose of LPP 1.2 density interface is defined as follows:

Land allocated density code of R50 or higher abutting:

- land allocated a density code of R30 or lower; or
- land developed with a pre-existing low density dwelling.

### ***Interface area:***

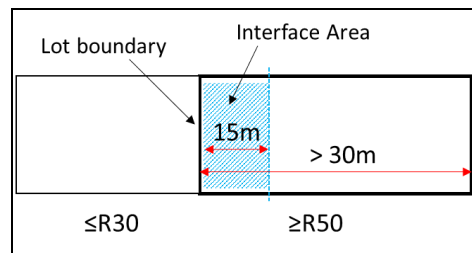
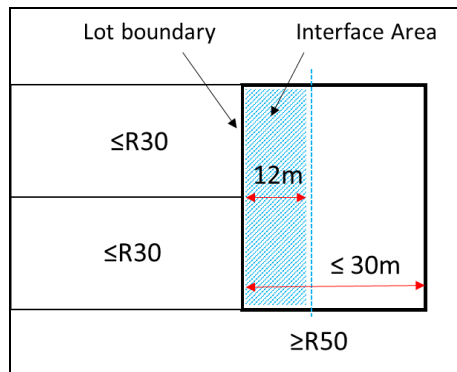
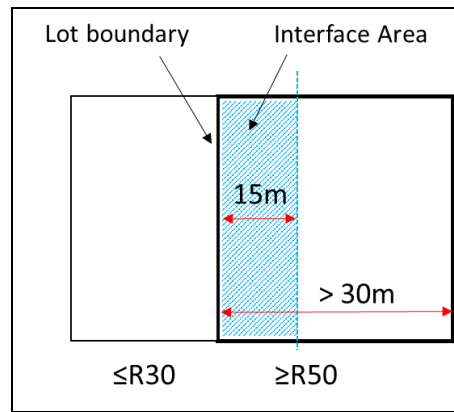
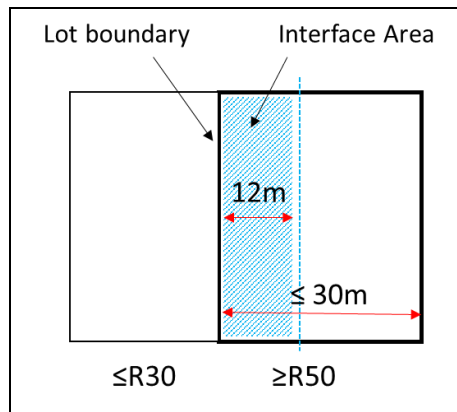
Development at the interface of two different densities has the potential to soften the transition from higher to lower density by reducing building height and increasing setbacks from the boundary with the lower density land. LPP 1.2 requires new development on the higher density land to shift the bulk of development away from the lower density land. It achieves this by establishing an Interface Area within which building bulk is required to be reduced.

The Interface Area relates to lot dimensions evident on affected lots. The size of the Interface Area varies based on the lot dimension of the development site, measured at right angles to the boundary abutting the low density land (see diagrams below):

- Development sites with a dimension of 30m or less: 12m
- Development sites with a dimension of more than 30m: 15m

**Interface Area for development site  
with a dimension of 30m or less**

**Interface Area for development site  
with a dimension of more than 30m**



### **Transition area:**

Land where density codes have increased under Local Planning Scheme No. 5 (LPS 5) and is expected to undergo a period of transition from predominantly single residential dwellings to grouped and multiple dwellings.

### **What do the different sub-precincts mean?**

Note: a map showing the sub-precincts is included in LPP 1.2 clause 7.2.

Sub-precinct 1 and 2: unique character area to be retained and enhanced.

Sub-precinct 3: areas without distinct character, generally developed based on the R-Codes Volume 1 provisions.

Sub-precinct 4: areas transitioning to higher density and interface areas between low and higher density (density interface).

Sub-precinct 5: Areas developed under the Metropolitan Redevelopment Authority in accordance with Subiaco Redevelopment Scheme No. 2.

### **Relationship with R-Codes Volume 2**

LPP 1.2 needs to be read in conjunction with the R-Codes Volume 2 as it changes specific acceptable outcomes. The element objectives and acceptable outcomes that have not been modified continue to apply.

The acceptable outcomes of the following elements of the R-Codes Volume 2 have been amended by LPP 1.2:

- 2.2 Building height
- 2.3 Street setbacks
- 2.4 Side and rear setbacks
- 3.6 Public domain interface
- 3.8 Vehicle access
- 4.10 Façade design

## **General provisions**

### **Purpose of general provisions**

The general provisions provide additional controls to ensure new apartment development carefully considers local character, in particular it is in close proximity to existing residential properties that are unlikely to be redeveloped in the short term.

### **Table 1 – general provisions**

LPP 1.2 acceptable outcomes applicable to all apartment development in the City of Subiaco to which LPS 5 applies:

<b>R-Codes Vol. 2 Provision</b>	<b>Summary of LPP 1.2 Provision</b>
<b>3.6 Public domain interface</b>	
Acceptable outcome A3.6.5 of the R-Codes is replaced	Any level difference between private terraces, front gardens and the ground level of the building and the street level should not exceed 1.0 metre on average and 1.2 metres maximum.  Where a development is in an area with a density interface, or abuts a pre-existing low density dwelling the level difference should not exceed 0.6 metres.
Acceptable outcome A3.6.6 of the R-Codes is replaced	The following controls apply to front fences: <ul style="list-style-type: none"><li>• Front fencing should include visually permeable materials above a height of 0.9 metres.</li><li>• The maximum height of solid walls or fences to the street should not exceed 0.9 metres.</li><li>• Front fences should be integrated into the design of the building and reflect the desired future character.</li></ul>
<b>3.8 Vehicle access</b>	
Acceptable outcome A3.8.1 of the R-Codes is replaced	Vehicle access is required to be in accordance with the following in order of preference: <ul style="list-style-type: none"><li>• From a right-of-way where available,</li><li>• From a secondary street where no right-of-way exists, and</li><li>• Limited to one opening with a maximum width of 5.5m per street frontage that is visible from the street.</li></ul>
<b>4.10 Façade design</b>	
Acceptable outcome A4.10.1 of the R-Codes is replaced	Façade design includes: <ul style="list-style-type: none"><li>• Scaling articulation, materiality and detailing that reflects the scale, character and function of the public realm and the desired future character and adjoining lower density residential areas, where applicable.</li><li>• Streetscape rhythm and visual interest achieved by a combination of building articulation, the composition of different elements and changes in texture, material and colour.</li><li>• Responding to the desired future character by incorporating high quality materials and finishes that are sympathetic to the desired future character.</li></ul>


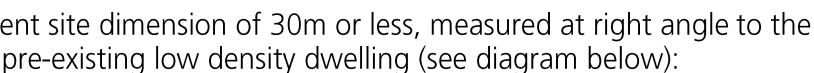
## Transition areas

### Purpose of provisions for transition areas

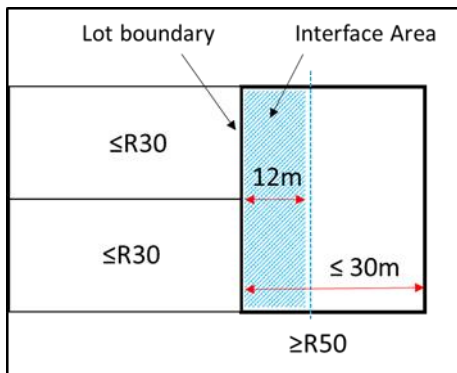
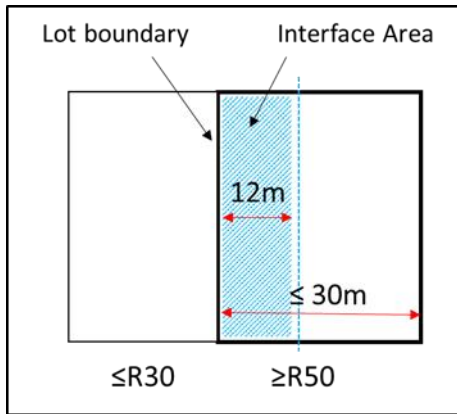
The LPP 1.2 supports areas transitioning from a low density residential neighbourhood to a higher density development area over an extended period of time. New development will need to be cognisant of the amenity of existing homes constructed under a lower density and with the expectation of being in a low density environment, many of which may not be redeveloped in the near future. However, the LPP 1.2 is cognisant of the need to not unduly constrain development in these areas to ensure appropriate development outcomes in the future. LPP 1.2 amends or replaces specific Acceptable Outcomes of the R-Codes to manage the transition however it cannot amend or replace the Element Objectives.

**Table 2 – transition areas**

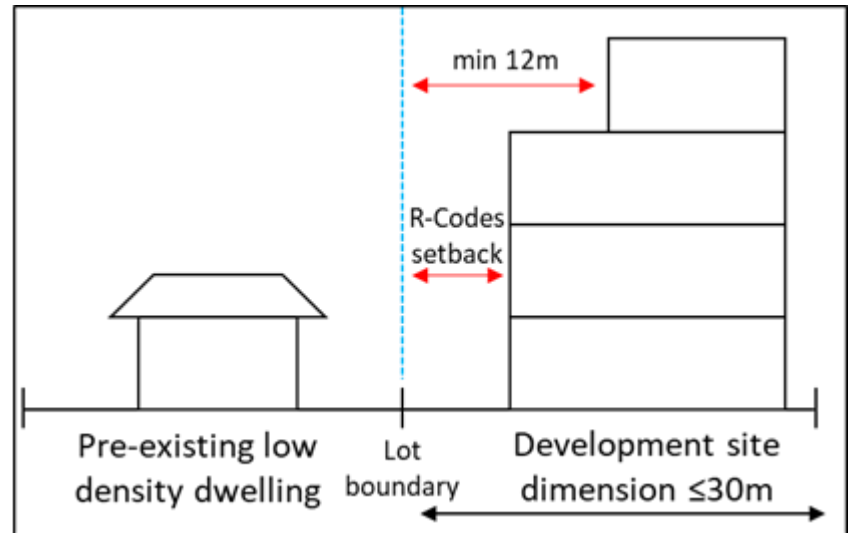
LPP 1.2 acceptable outcomes applicable to all apartment development in transition areas:

R-Codes Vol. 2 Provision	Summary of LPP 1.2 Provision
<b>2.2 Building height</b>	
Acceptable outcome A2.2.1 of the R-Codes is replaced	<p>The provisions in LPP 1.2 are summarised as follows:</p> <ul style="list-style-type: none"> <li>Where new development adjoins a pre-existing low density dwelling, the building height within the interface area should be stepped down to create an appropriate interface between the pre-existing low density dwelling and the new development.</li> <li>Building height difference within the interface area is a maximum of two storeys.</li> </ul> <p>Notes:</p> <ul style="list-style-type: none"> <li>While building heights in this Policy are expressed in storeys, R-Codes Volume 2 Table 2.2 Indicative building height provides guidance for the corresponding overall building height in metres.</li> <li>Please refer to LPP 1.2 for the full wording of provisions and provisions relating to discretion.</li> <li>Diagrams under 2.4 Side and rear setbacks below illustrate the key provisions for transition areas.</li> </ul>
<b>2.4 Side and rear setbacks</b>	
Acceptable outcomes A2.4.1 and A2.4.2 of the R-Codes are replaced	<p>The provisions in LPP 1.2 are summarised as follows:</p> <p>Development is setback from the boundary with any pre-existing low density dwelling to minimise any negative impacts of the difference in scale, including any portion of a building with a building height difference of three storeys or more, where applicable, is set back outside the interface area.</p>
<p>The following diagrams illustrate the policy provisions:</p> <p>Side and rear setback for development site dimension of 30m or less, measured at right angle to the boundary abutting the lot with the pre-existing low density dwelling (see diagram below):</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;">  <p>Interface area for development site with</p> </div> <div style="text-align: center;">  <p>Building height and setback requirement for a development site with a</p> </div> </div>	

a dimension of 30m or less:

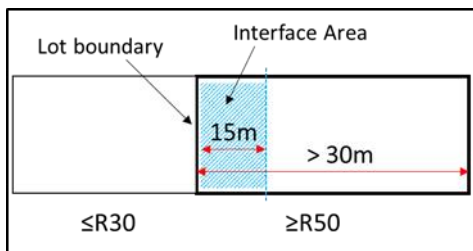
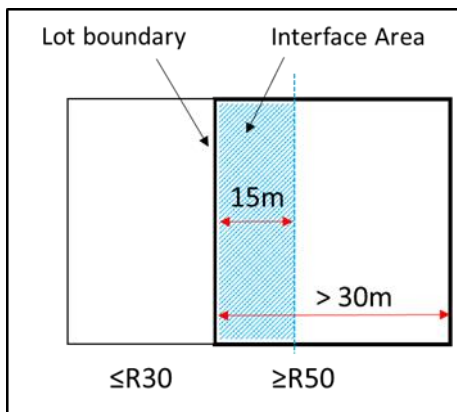


dimension of 30m or less:

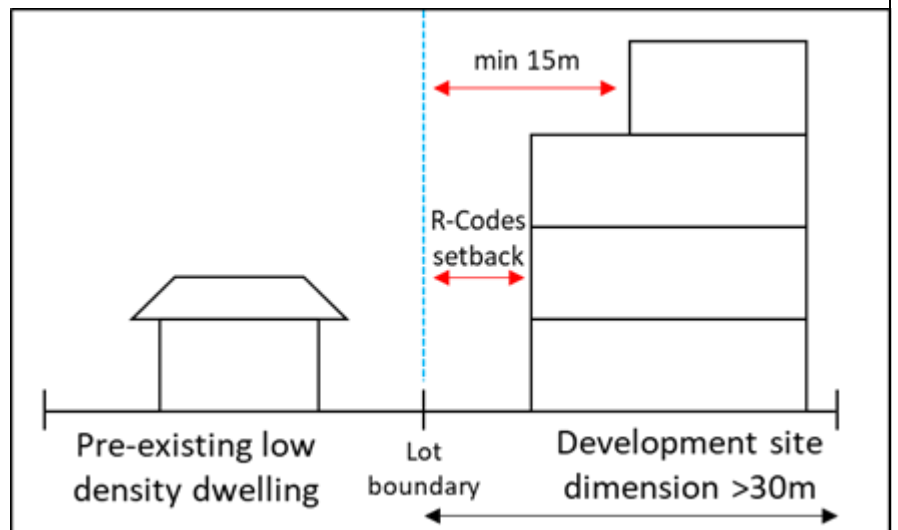


- Side and rear setback for development site dimension of more than 30m, measured at right angle to the boundary abutting the lot with the pre-existing low density dwelling (see diagram below):

Interface area for development site with a dimension of more than 30m:



Building height and setback requirement for a development site with a dimension of more than 30m:





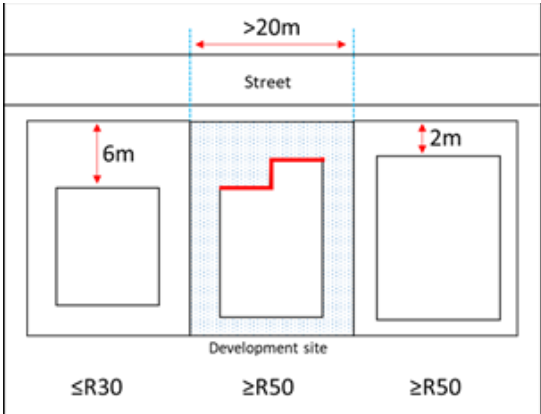
## Areas with a density interface – side or rear boundary of low density lot

### **Purpose of provisions for density interface – side or rear boundary**

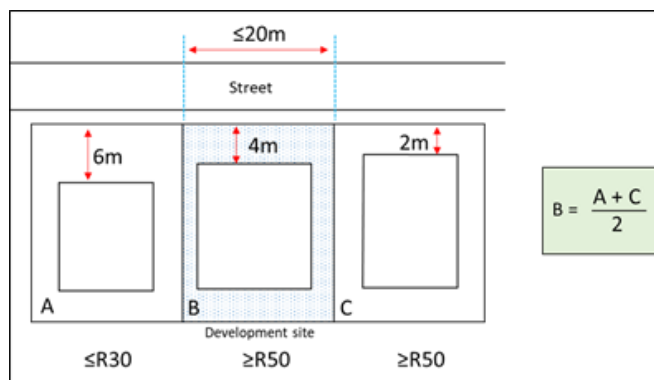
The interface between the higher density development and the adjoining low density area needs to be addressed carefully to manage that interface and enable a suitable transition that protects the amenity with regard to visual privacy, overshadowing, and visual impact of the low density residential area and provides an appropriate streetscape. LPP 1.2 includes provisions that soften the transition between higher and lower density and shift the bulk of development on higher density land away from lower density land however it cannot amend or replace the Element Objectives.

**Table 3 - Specific provisions for land with a density interface – side or rear boundary of low density land**

LPP 1.2 acceptable outcomes applicable to all apartment development in areas with a density interface at the side or rear boundary:

R-Codes Vol. 2 Provision	Summary of LPP 1.2 Provision
<b>2.2 Building height</b>	
Acceptable outcome A2.2.1 of the R-Codes is replaced	<p>The provisions in LPP 1.2 are summarised as follows:</p> <ul style="list-style-type: none"> <li>Building height within the interface area should be stepped down to create an appropriate interface with the adjoining lower density land.</li> <li>Building height difference within the interface area is a maximum of two storeys and is stepped in accordance with the provisions relating to side and rear setbacks below.</li> </ul> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>While building heights in this Policy are expressed in storeys, R-Codes Volume 2 Table 2.2 Indicative building height provides guidance for the corresponding overall building height in metres.</li> <li>Please refer to LPP 1.2 for the full wording of provisions and provisions relating to discretion.</li> <li>Diagrams under 2.4 Side and rear setbacks below illustrate the key provisions for areas with a density interface at a side or rear boundary.</li> </ul>
<b>2.3 Street setbacks</b>	
Acceptable outcome A2.3.1 of the R-Codes is replaced	<p>Where there is a density interface between lots which face the same primary street, the street setback is to transition as follows:</p> <p>For lots with a street frontage of more than 20m, the street setback is to be stepped within the lot to provide a transition from the main building line of the low density dwelling and the minimum required setback in Table 2.1 of the R-Codes of the higher density development site (see diagram to the right).</p> 

For lots with a street frontage of 20m or less the setback is to be no less than the average of the main building line of the adjoining low density dwelling and the minimum required setback in Table 2.1 of the R-Codes of the higher density development site (see diagram to the right).



## 2.4 Side and rear setbacks

Acceptable outcomes A2.4.1 and A2.4.2 of the R-Codes are replaced

The provisions in LPP 1.2 are summarised as follows:

Development within the interface area is setback from the boundary with the adjoining low density land to minimise any negative impacts on the lower density land in accordance with the following table:

Building height difference (storeys):	Minimum setback for development site dimension 30m or less	Minimum setback for development site dimension more than 30m
Nil	3m	6m
1	6m	9m
2	9m	12m
3 or more	12m	15m

On lot boundaries that are not subject to a density interface, the City may support reduced side and rear setbacks, including a boundary wall on more than one boundary. This is subject to the following:

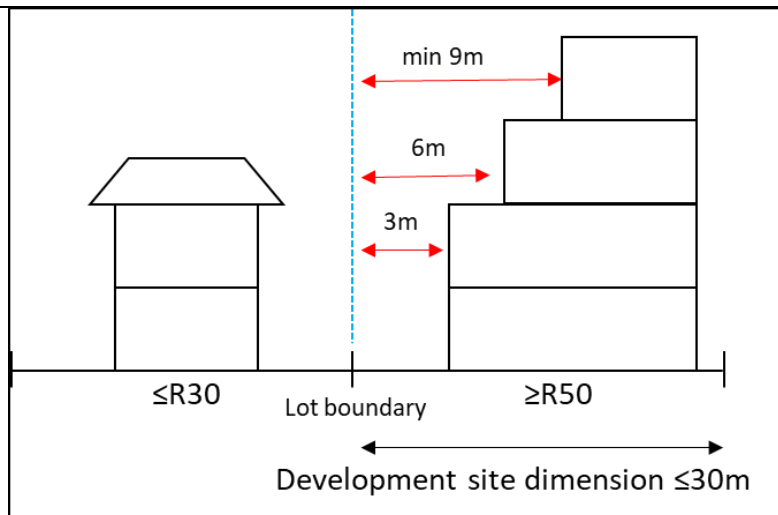
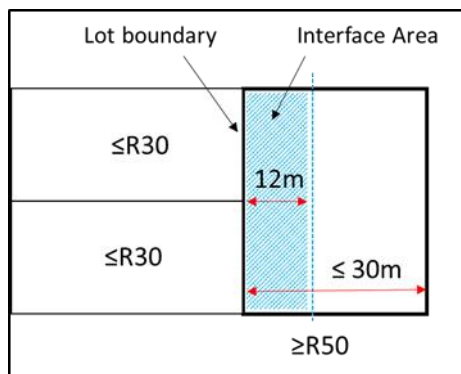
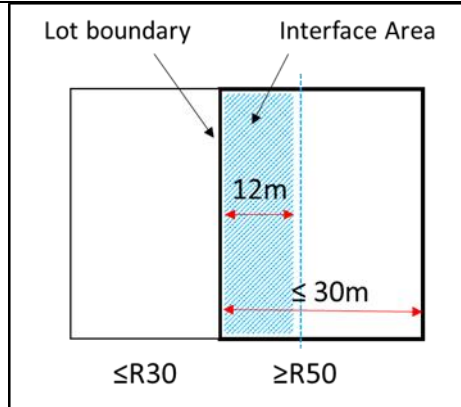
- It can be demonstrated that the reduced setback would result in an improved outcome for the subject development and/or the streetscape without resulting in any adverse impact on the adjoining lower density land or the streetscape with regard to building bulk, visual privacy or solar access; and
- The development is considered to be of high quality by the City's Design Review Panel in respect to built form and scale, and context and character.

The following diagrams illustrate the policy provisions:

- Side and rear setbacks for development site dimension of 30m or less – low density dwelling with maximum permitted height of two storeys (Category B, or existing two-storey building) (see diagram below):

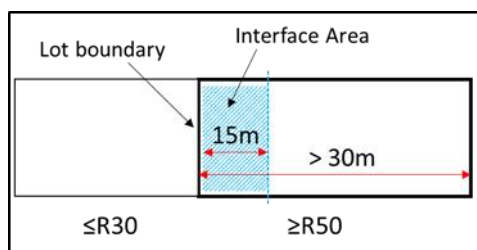
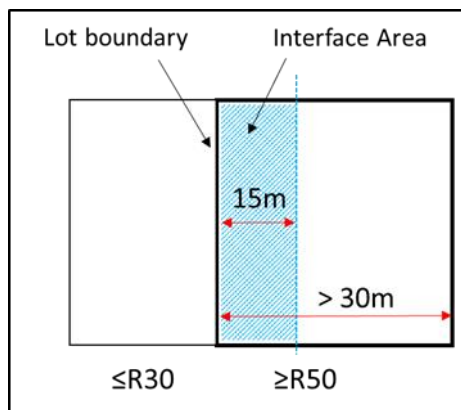
Interface area for development site with a dimension of 30m or less:

Building height and setback requirement for a development site with a dimension of 30m or less:

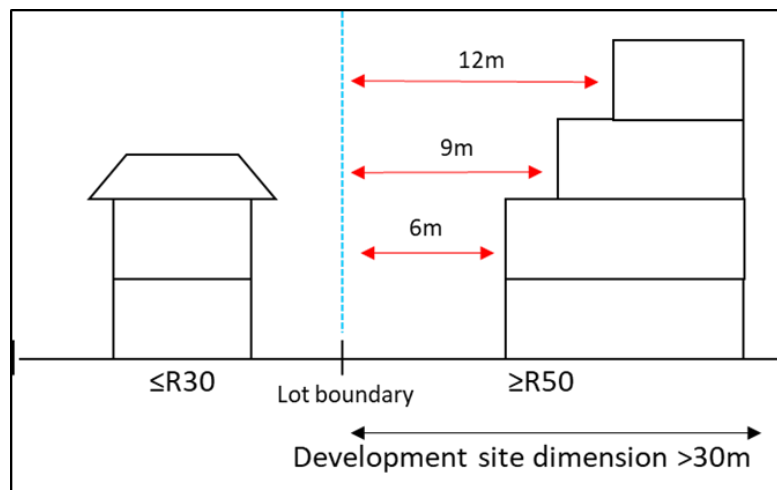


- Side and rear setbacks for development site dimension of more than 30m – low density dwelling with maximum permitted height of two storeys (Category B, or existing two-storey building) (see diagram below):

Interface area for development site with a dimension of more than 30m:



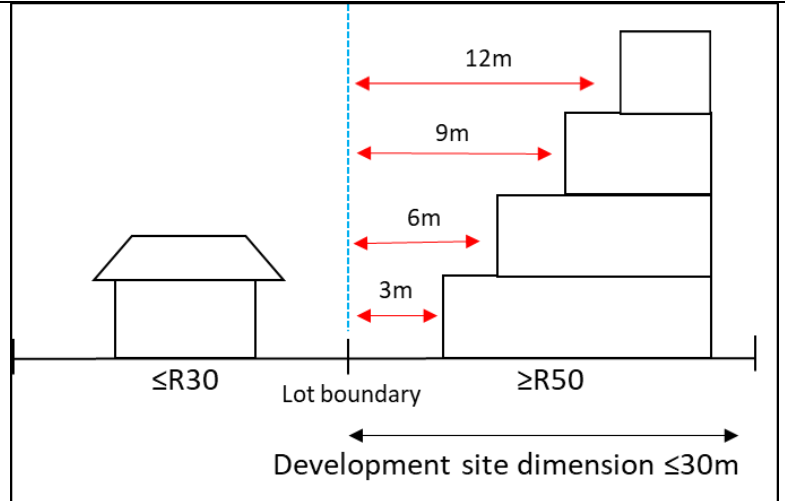
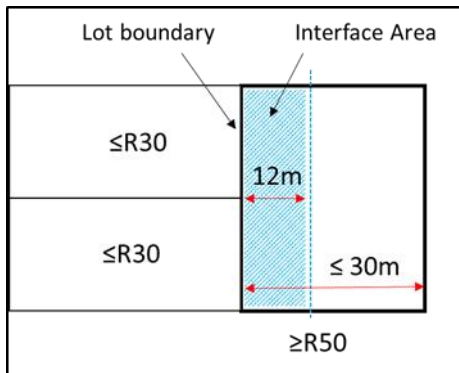
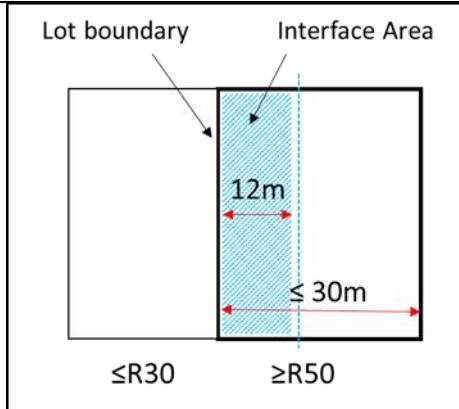
Building height and setback requirement for a development site with dimension of more than 30m:



- Side and rear setbacks for development site dimension of 30m or less – low density dwelling with maximum permitted height of one storey (Category A) (see diagram below):

Interface area for development site with a dimension of 30m or less:

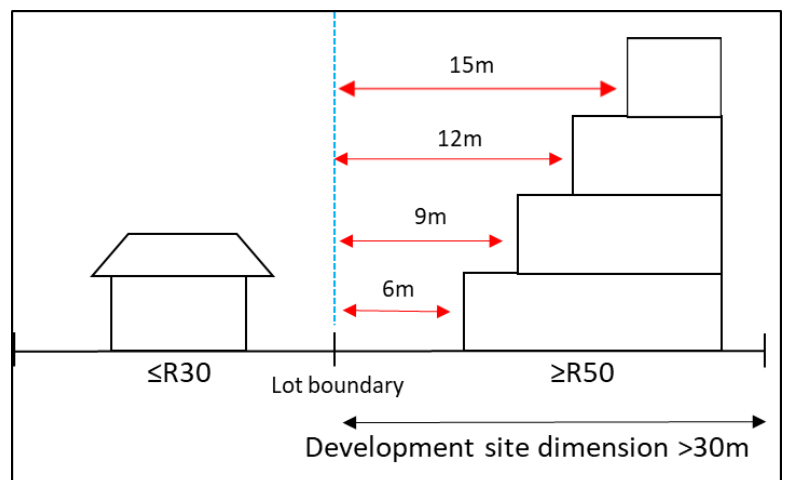
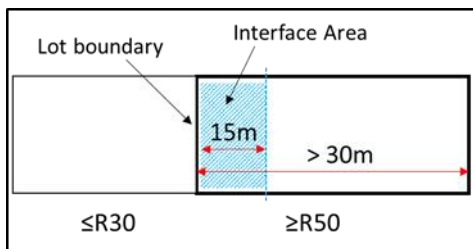
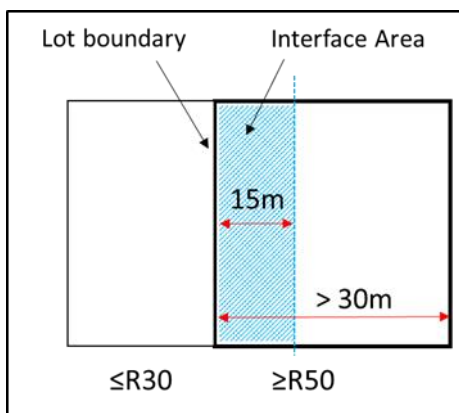
Building height and setback requirement for a development site with dimension of 30m or less:



- Side and rear setbacks for development site dimension of more than 30m – low density dwelling with maximum permitted height of one storey (Category A) (see diagram below):

Interface area for development site with a dimension of more than 30m:

Building height and setback requirement for a development site with a dimension of more than 30m:



## **Areas with a density interface – across a public street**

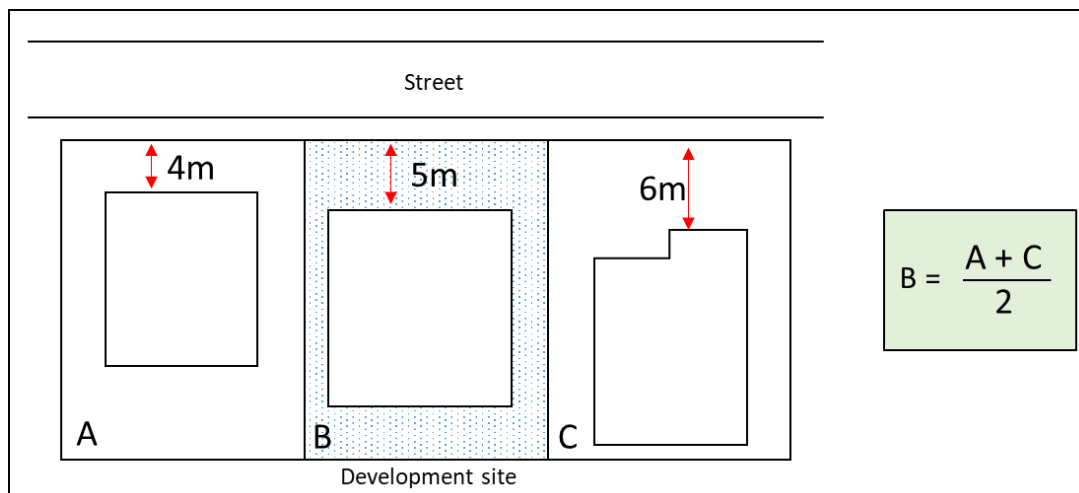
### **Purpose of provisions for density interface – across a public street**

The interface between the higher density development and the adjoining low density area separated by the public street is addressed in this Part 6 of LPP 1.2. The policy seeks to soften the transition between different densities across a street by requiring development to push the bulk away from the street frontage however it cannot amend or replace the Element Objectives.

**Table 4 – Areas with a density interface – across a public street**

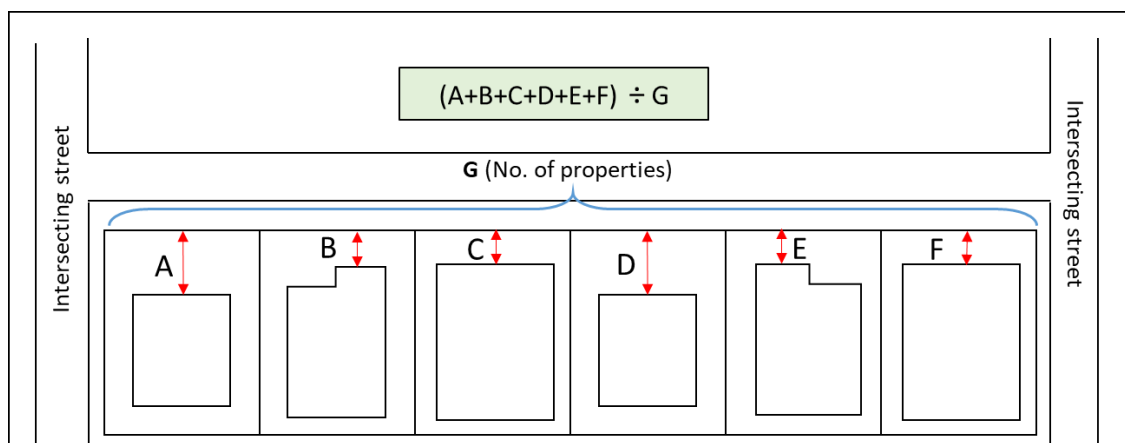
LPP 1.2 acceptable outcomes applicable to all apartment development in areas with a density interface across a public street:

<b>R-Codes Vol. 2 Provision</b>	<b>Summary of LPP 1.2 provision</b>
<b>2.2 Building height</b>	
Acceptable outcome A2.2.1 of the R-Codes is replaced	<p>The provisions in LPP 1.2 are summarised as follows:</p> <ul style="list-style-type: none"> <li>• Development is limited to a maximum height of two storeys at the street setback line.</li> <li>• Building height above two storeys is to be stepped back in accordance with clause 2.3 Street setbacks below.</li> </ul> <p>Notes:</p> <ul style="list-style-type: none"> <li>• <i>While building heights in this Policy are expressed in storeys, R-Codes Volume 2 Table 2.2 Indicative building height provides guidance for the corresponding overall building height in metres.</i></li> <li>• <i>Please refer to LPP 1.2 for the full wording of provisions and provisions relating to discretion.</i></li> <li>• <i>Diagrams under 2.3 Street setbacks below illustrate the key provisions for areas with a density interface across a public street.</i></li> </ul>
<b>2.3 Street setbacks</b>	
Acceptable outcome A2.3.1 of the R-Codes is replaced	<p><u>Primary street setback for the first and second storey:</u></p> <ul style="list-style-type: none"> <li>• Setback to reflect the setback of adjoining properties.</li> <li>• Where the land is vacant, the primary street setback should reflect the established street setback pattern where one exists.</li> <li>• Where no established street setback pattern exists, the setback should be as stipulated in Table 2.1 of the R-Codes Volume 2.</li> </ul> <p>Setback to reflect adjoining properties:</p>



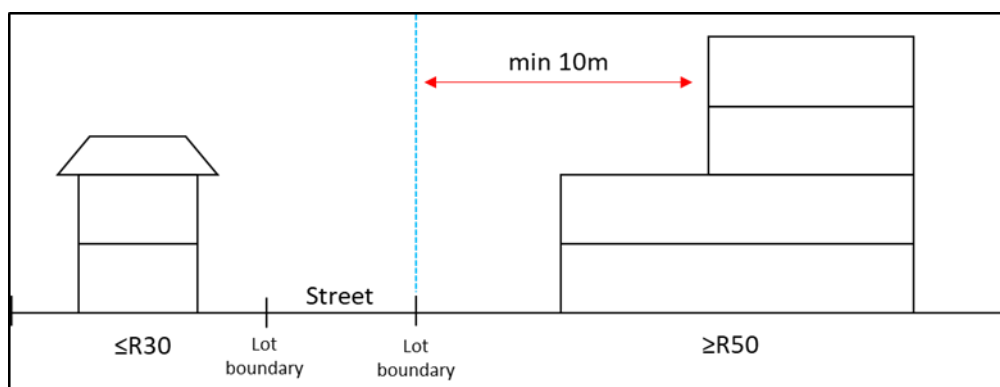
The established street setback pattern is defined in LPP 1.2 as follows and illustrated by the diagram below:

The average street setback of existing buildings on the same side of the street, between the nearest intersecting streets.



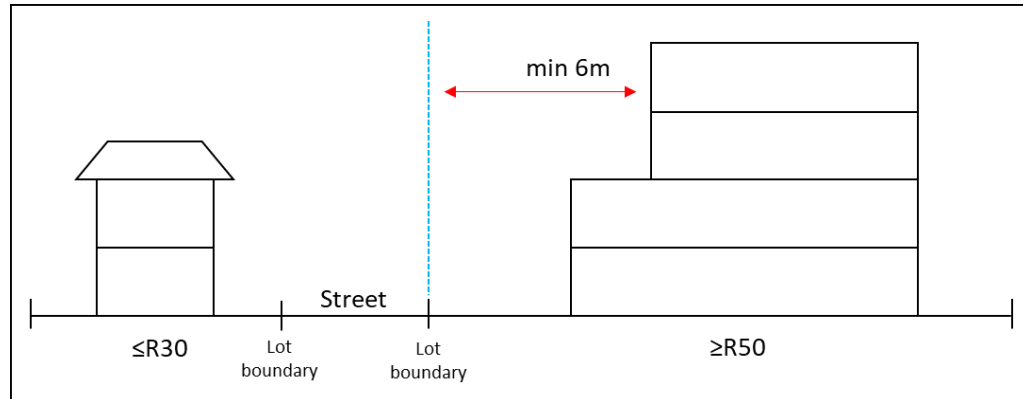
Primary street setback above two storeys:

- Development above two storeys should be setback a minimum of 10 metres from the primary street boundary so that it is not substantially visible from the street and maintains the appearance of a two-storey height from the footpath, or from the street if no footpath exists.



Setback where the development site is also at a density interface at the side or rear:

- A reduced setback of minimum 6 metres from the primary street boundary can be considered for the portion of development above two storeys where:
  - (a) It can be demonstrated that the reduced setback would result in an improved outcome for the subject development and/or the streetscape without resulting in any adverse impact on the adjoining lower density land across the street or the streetscape with regard to building bulk, visual privacy or solar access; and
  - (b) The development is considered to be of high quality by the City's Design Review Panel in respect to built form and scale, and context and character.



**To read the full policy or find out more information:**

- Visit <https://www.subiaco.wa.gov.au/plan-build/plan>
- Contact the City's Planning Services at [city@subiaco.wa.gov.au](mailto:city@subiaco.wa.gov.au) or phone on 9237 9222

Administrative

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