

**CITY OF SWAN**  
**Planning Information**  
 ECM Doc Set ID: 5137811  
 Approval Date: 3/05/2016

*Disclaimer:*  
 The City makes every attempt to keep its published records up to date; however the subject document may have been superseded by a more recently approved document.



**LOCAL DEVELOPMENT PLAN VARIATIONS TO THE RESIDENTIAL DESIGN CODES**

The provisions outlined in this Local Development Plan (LDP) constitute variations to the requirements of the Residential Design Codes (R-Codes) and Local Planning Scheme No. 17 (LPS 17). The requirements of the R-Codes and LPS 17 shall be satisfied in all other matters. Consultation with neighbouring and/or nearby landowners to achieve a variation to the R-Codes in accordance with the provisions of this LDP will not be required. Minor variations to the provisions of this LDP may be approved by the City of Swan.

The minimum street setback stipulated in this LDP is not permitted to be reduced, including where a compensating open area behind the street setback is provided.

The density code for each lot is as per the prevailing Residential Code Plan.

**1) Minimum Street setbacks**

- a) Secondary street setback minimum 1.0m, including Henley Brook Avenue road reserve boundary.
- b) Minimum 1.0m setback to right-of-way (common property access way).

**2) Minimum Lot Boundary Setbacks**

- a) Boundary setback minimum 1.2m for wall height 3.5m or less with major openings.
- b) Boundary setback minimum 1.0m for wall height 3.5m or less without major openings.
- c) Minimum 2m setback to public open space (POS).

**3) Buildings on Boundary Setbacks**

- a) Boundary walls are permitted to both side boundaries subject to (i) no maximum length to one side boundary and (ii) two thirds maximum length to second side boundary for wall height 3.5m or less.

**4) Front Fences**

- a) Front fences located on the right-of-way (common property access way) boundary and/or between this boundary and a building shall be a maximum height of 900mm above natural ground level, measured from the primary street side of the front fence.

**5) Garages**

- a) Minimum 1.0m garage/carport setback to right-of-way (common property access way).
- b) Secondary street setback minimum 1.5m.

**6) Open Space**

- a) An outdoor living area (OLA) to be provided with an area of 10% of the lot size or 20m², whichever is greater, directly accessible from a habitable room of the dwelling and located behind the street setback area.
- b) At least 70% of the OLA must be uncovered and includes areas under eaves which adjoin uncovered areas.
- c) The OLA shall have a minimum 3.0m length or width dimension.
- d) Apart from the above, no other R-Code site cover standards apply.

**7) Visual Privacy**

- a) Clause 5.4.1 (C1.1) of the R-Codes applies, however, the setback distance is 3.0m to bedrooms and studies, 4.5m to major openings to habitable rooms other than bedrooms and studies and 6.0m to unenclosed outdoor active habitable spaces.

**8) Overshadowing**

- a) No maximum overshadowing for wall height 3.5m or less.
- b) No maximum overshadowing for wall height greater than 3.5m where overshadowing is confined to the front half of the lot.
- c) If overshadowing intrudes into rear half of the lot, shadow cast shall not exceed 35%.

**9) Noise & Sound Attenuation**

- a) The lots are situated in the vicinity of a transport corridor and residential amenity may be affected by transport noise in the future. Transportation noise controls and Quiet House design strategies at potential cost to the owner may be required to achieve an acceptable level of noise reduction, with special consideration given to noise attenuation measures for two storey dwellings. Further information is available on request from the City of Swan offices.

**10) Fencing**

- a) Visually permeable uniform fencing' as depicted on this LDP shall be visually permeable 1.2 metres above natural ground level of the lot.
- b) Modification to the 'Visually Permeable Uniform Fencing', including the installation of additional screening materials, is not permitted with the exception of maintenance and repair using materials that are as close as possible to those used in the original construction.

**11) Bushfire Management**

- a) Lots subject of this DAP are subject to an approved Fire Management Plan (FMP) and have been assigned a bushfire attack level as notated on this DAP. Dwellings and incidental structures constructed on the lots shall be constructed in accordance with AS3959-2009 (or equivalent), and shall comply with any additional planning and built form controls as specified in the approved BMP, which is available from the City of Swan offices for viewing.

**12) Sewer Easement**

- a) Development within easement area subject to Water Corporation approval.

**13) Storage Area**

- a) The storage area for each dwelling shall be exclusively accessible from outside of the dwelling, meaning that no access to the store is permitted from inside of the dwelling except where the storage area is located within a garage that is directly accessible from inside the dwelling.

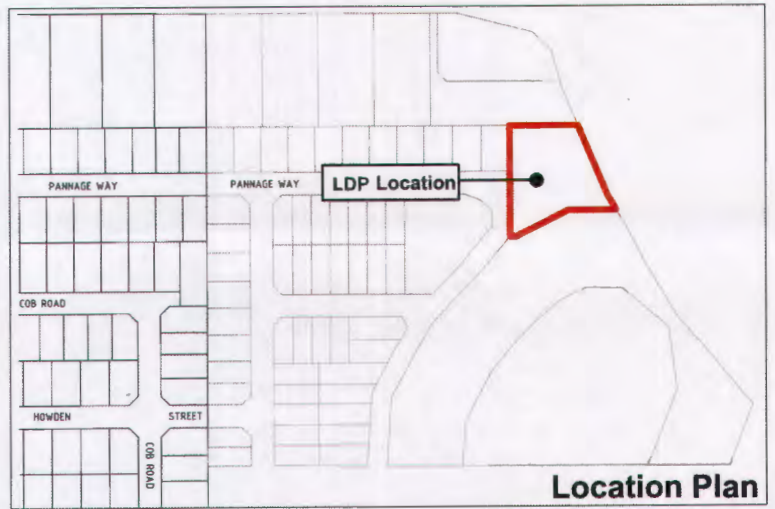
**14) Dwelling Design**

- a) Dwellings shall be designed to address the abutting public open space (POS) by providing at least one major opening facing the POS, and at least one of the following architectural features facing the POS; verandah, pergola, balcony and/or patio.

This Local Development Plan (DAP-303) has been adopted by Council and signed by the Manager/Coordinator of Statutory Planning:

**LEGEND**

- ➔ Primary orientation of dwelling
- Preferred location for private open space
- ▨ Sewer Easement
- 2m setback
- 1m setback
- No vehicle access (except for existing temporary access way to Park Street)
- Visually permeable uniform fencing (by Developer)
- Noise Wall (by Developer)
- \* Quiet House Design
- + Bushfire attack level (BAL)12.5
- ⊕ Bushfire attack level (BAL) 19
- ⊕ Bushfire attack level (BAL) 29
- ⊗ Mandatory location for garage/carport
- Indicative Bin Pads



*[Signature]*  
 Manager/Coordinator Statutory Planning

3/5/2016  
 Date

DAP303  
 City Ref.

*Avonlee*  
 BRABHAM

LOCAL DEVELOPMENT PLAN  
 STRATA LOTS 1 - 11  
 (LOT 1018 PANNAGE WAY  
 BRABHAM)

TOWN PLANNING  
**Whelans**