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PROVISIONS

This Local Development Plan (LDP) applies to Lots 60 and 61 Kenby Chase within the Wandri (south) Local Structure Plan area.

Unless otherwise defined on this LDP, all development shall be in accordance with the City of Kwinana Town Planning Scheme No. 2, the Residential Design Codes, and the Wandri (south) Local Structure Plan.

Unless otherwise varied on this LDP, the relevant density code provisions of the Residential Design Codes (R-Codes) apply to all lots subject to this LDP. The Residential Design Codes do not apply where varied below. Compliance with the provisions of this LDP negates the need for planning approval for lots of 260m² or less.

Minimum Open Space and Outdoor Living

- For lots coded R40, site cover may be increased to 65%, subject to provision of a 24m² outdoor living area, with a minimum dimension of 4 metres, two thirds of this area uncovered, and located behind the street setback area.

Garages

- All garages shall be enclosed with a door.
- Garages are not to be forward of the dwelling alignment. Garages may be aligned with the dwelling provided they do not exceed the dwelling setback line.
- For any single storey dwelling on a lot with a frontage less than 10 metres in width and where vehicle access is gained solely from the primary street, only a single width garage/carport (including tandem) is permitted.
- Double garages are permitted on lots less than 10m wide where dwellings are two storeys and where major openings to habitable rooms are provided on the primary street frontage.
- For all lots where a footpath adjoins the boundary, the garage must be setback a minimum 4.5m from that boundary.

Setbacks

- For all lots, a nil side setback is permissible to one side boundary behind the primary street setback line, to a minimum of 4 metres from the rear boundary, unless otherwise designated on the LDP or where this boundary is to a secondary street. Where possible, nil setbacks should be positioned on the boundary that maximises solar access to the dwelling. The City of Kwinana may vary the location of the nil setback line where appropriate to achieve specific design outcomes.
- Where lots have a frontage of 7.5m or less, nil side setbacks are permitted for the full extent of the lot boundary, provided the dwelling and garage complies with the R-codes and this LDP for all other requirements
- Garages are permitted to have a nil side setback to one boundary. The garage nil side setback is not required to be on the same nil side setback boundary as the dwelling.
- For lots with a frontage of 11 metres or less or where otherwise designated on this LDP, nil setbacks are permitted to both side boundaries simultaneously.
- Where a nil side setback is permissible but not proposed, side setbacks shall conform to the requirements of the R-Codes.
- For corner lots, where the major dwelling entry (front door) is oriented toward the secondary street, secondary street setbacks still apply. Primary street setbacks apply to the other street, as designated on this LDP.
- A porch, balcony, veranda or the equivalent may project not more than 1m into the Primary street setback area, provided the total of such projections does not exceed 50% of the frontage at any level.

Fencing

- Front fences within the primary street setback being visually permeable above 0.9m to a maximum height of 1.2m above natural ground level.
- For secondary street boundaries, fencing shall be visually permeable above 1200mm behind the primary street setback, for a minimum length of 3m behind the truncation with a habitable room addressing the street.
- Alternative materials to Colorbond are encouraged on the secondary street boundary e.g. Brick/Masonry.

Streetscape

- All dwellings to provide an appropriate, high quality design interface with the surrounding streetscape, through the use of at least three of the following architectural design features:
 - Articulation in dwelling facade (i.e. varied wall setbacks);
 - A minimum of two building materials, colours and/or finishes (E.g. render, brick, cladding);
 - Major habitable room openings incorporating large windows to provide surveillance;
 - Roof forms that incorporate gables;
 - A balcony, portico, or verandah; or
 - A built in planter box.
- Where garages exceed 50% of the primary lot frontage, they shall comply with the following:
 - A clear indication of the dwelling entrance.
 - The dwelling entrance shall be the dominant feature of the facade, and shall include a projecting portico or veranda with a minimum depth of 1.5 metres.
 - Garages are to be set back at least 0.5 metres behind the dwelling alignment, with the exception of two storey dwellings.

Design Elements

- Where sheds and outbuildings do not match the construction materials and colours of the dwelling they are to be screened from public view.
- For lots with an area of 260m² or less, storage areas with a minimum internal area of 4m² and with a minimum dimension of 1.5 metres are to be provided at the time of construction of the dwelling. Storage areas shall be constructed under the main roof of the residence or garage, and shall be accessible from either the exterior or within the garage.

Fire Management

- The land subject to this LDP is within a bushfire prone area, as designated by the Department of Fire and Emergency Services. Those lots identified on this LDP as being subject to a Bushfire Management Plan require a Bushfire Attack Level Assessment and certification prior to construction, in accordance with Australian Standard 3959. No development is permitted within land identified as having a Bushfire Attack Level above 29.

Noise Management

- For those lots identified on the LDP as requiring 'Quiet House Design Package A' the dwelling must be compliant with the minimum construction requirements specified in the state planning policy 5.4 (2019) This includes the provision of a protected outdoor living area.
- Where the main outdoor living area is situated fronting or siding on to a noise source (exceeding 60 dB(A)Leq(16-hour)), a solid 2m high fence (eg. Hardifence pinelap or Colorbond) is required between the outdoor living area and the road for the length of the outdoor living area or as long as required to fully screen the line of view from the outdoor living area to the noise source.
- All dwellings on lots with a frontage of 7.5m or less shall be constructed with the following minimum quiet house design requirements:
 - Walls shall be double leaf cavity brickwork, such as two leaves of 90mm thick bricks with 50mm air gap. Any alternatives shall achieve a minimum Rw50 acoustic rating;
 - Windows shall be minimum 4mm laminated glazing in a high quality residential grade frame to achieve a minimum Rw+Ctr23 acoustic rating;
 - Roof / Ceiling - to be minimum 10mm thick plasterboard with R2.0 insulation between ceiling joists. Combined with roof, acoustic performance to be minimum Rw42;
 - Eaves are to be enclosed using a minimum 4mm thick compressed cement sheeting or equivalent; and
 - Air conditioning units, or the like, must be selected on the basis of quiet operation and units shall be roof mounted on appropriate anti-vibration mounts, or be no more than 1.5m above ground level; or
 - Any alternative construction methods shall be supported by a report undertaken by a suitably qualified acoustic consultant.



R-Coding	R40	
Minimum Open Space	35%	
Building Setbacks	Min (m)	Maximum (m)
Primary Street Setback	3.0	5.0
Secondary Street Setback	1.0	-
Garage Setback	4.5	-

Note: No Average Setbacks Apply

LEGEND

LOTS SUBJECT TO THIS LDP	DESIGNATED GARAGE LOCATION
PROPOSED LOT BOUNDARIES	1.0M SECONDARY STREET DWELLING SETBACK LINE
INDICATIVE LOT LAYOUT	3.0M PRIMARY STREET DWELLING SETBACK LINE
TRANSMISSION POLE	QUIET HOUSE DESIGN PACKAGE A
WESTERN POWER EASEMENT	LOTS SUBJECT TO A BUSHFIRE MANAGEMENT PLAN
POWERLINE	RESIDENTIAL - R40
ASSET PROTECTION ZONE. REFER BUSHFIRE MANAGEMENT PLAN	INDICATIVE STREET TREE LOCATION SUBJECT TO DETAILED DESIGN AND APPROVAL OF LANDSCAPE PLANS. STREET TREES ARE NOT TO BE REMOVED OR RELOCATED BY LANDOWNER
NO VEHICLE ACCESS (S.129BA RESTRICTIVE COVENANT)	6m CRUSHED LIMESTONE FIRE ACCESSWAY, IN ACCORDANCE WITH BUSHFIRE MANAGEMENT PLAN
2M HIGH MASONRY WALL FOR NOISE ATTENUATION AND FIRE MANAGEMENT	

This Local Development Plan has been approved by Council under the provisions of the City of Kwinana Town Planning Scheme No.2 and the Wandri South Local Structure Plan.

Maria Cooke
Director of City Development and Sustainability:

Date: **12 August 2021**

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