



INTRODUCTION

The Residential Design Codes (the R-Codes) apply to all residential development. The R-Codes enable local governments to prepare a local planning policy that varies the provisions of the R-Codes relating to boundary walls. This policy outlines the requirements that apply for applications for residential development that incorporate boundary walls within the Town of Victoria Park.

This policy is a Local Planning Policy prepared under deemed clauses 3 and 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015* ('the Regulations').

OBJECTIVES

- (a) To provide certainty for applicants, landowners and Council staff regarding the applicable requirements for boundary walls;
- (b) To define boundary walls for the purposes of development applications in the Town of Victoria Park;
- (c) To clarify those aspects where the Town has varied the boundary wall requirements of the Residential Design Codes; and
- (d) To outline the consultation requirements that apply for applications proposing boundary walls.

SCOPE

This policy is applicable to all land within the Town of Victoria Park to which the R-Codes apply. This policy does not apply to Sunbury Park Estate which is the subject of the Sunbury Park Site Design Guidelines.

This policy deals only with the planning issues relating to boundary walls. It does not deal with the structural and fire safety requirements, for which applicants should consult with Council's Building Business Unit.

STATUTORY BACKGROUND

The current version of the Residential Design Codes was gazetted on 23 October 2015. All residential development is to conform to the R-Codes. Clauses 5.1.3 (C3.2 and C3.3) and 6.1.4 (C4.3 and C4.5) of the R-Codes contain provisions relating to boundary walls.

Part 7 of the R-Codes enables Council to prepare its own Local Planning Policies in relation to a number of deemed-to-comply provisions. This policy shall override Clauses 5.1.3 (C3.2 and C3.3) and 6.1.4 (C4.3 and C4.5) of the R-Codes.

DEFINITIONS

Boundary wall means:

- (a) A wall located on the boundary; or
- (b) A wall without any windows located between the boundary and the setbacks required by Table 2a and Figure 4e of the Residential Design Codes (2015).

POLICY REQUIREMENTS

1. The following development standards apply for boundary walls:

Design Principles (P)	Deemed-to-Comply (C)
<p>P1 Buildings built up to boundaries (other than the street boundary) where this:</p> <ul style="list-style-type: none"> • Makes more effective use of space for enhanced privacy for the occupant/s or outdoor living areas; • Does not compromise the design principle contained in clause 5.1.3 P3.1 of the Residential Design Codes; • Does not have any adverse impact on the amenity of the adjoining property; • Ensures direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted; and • Positively contributes to the prevailing development context and streetscape. 	<p>C1 Boundary walls to all Single Houses, all Grouped Dwellings and Multiple Dwellings with a coding of less than R40 within the following limits, subject to the overshadowing provisions of clause 5.4.2 and Figure Series 11 of the Residential Design Codes and any other relevant Council policy:</p> <ul style="list-style-type: none"> i. Boundary walls shall be constructed behind a 6m front setback (excluding carport structures open on all sides) to a primary street or behind a 3m front setback to a secondary street or a lot that results from subdivision of a former corner lot and fronts the former secondary street; and ii. Boundary walls are permitted to abut an existing or simultaneously constructed wall of similar or greater dimensions; or iii. In areas coded R20 and R25, walls not higher than 3.5m with an average of

	<p>3.0m or less, up to a maximum length of the greater of 9m or one-third the length of the balance of the lot boundary behind the front setback; or</p> <p>iv. In areas coded R30 and higher, walls not higher than 3.5m with an average of 3m or less, up to a maximum length of the greater of 9m or two-thirds the length of the balance of the lot boundary behind the front setback.</p>
<p>P2 Buildings setback from boundaries or adjacent buildings so as to:</p> <ul style="list-style-type: none"> • Ensure adequate daylight, direct sun and ventilation for buildings and the open space associated with them; • Moderate the visual impact of building bulk on a neighbouring property; • Ensure access to daylight and direct sun for adjoining properties; • Assist with the protection of privacy between adjoining properties. <p>P3 In mixed use development, in addition to the above:</p> <ul style="list-style-type: none"> • Side boundary setbacks to retail/commercial component of the development is in accordance with the existing street context, subject to relevant scheme provisions. • Retail/commercial development adjoining residential is designed to minimise the potential impacts between the two users. 	<p>C2 Boundary walls for Multiple Dwellings in areas with a coding of R40 or greater and within mixed use developments:</p> <p>i. A wall may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions; or</p> <p>ii. A wall be built up to one or more side boundaries if it has a maximum and average height as set out in Table 4 of the Residential Design Codes and has a maximum length of two-thirds the length of the balance of the boundary behind the front setback.</p>

- (a) Where the subject site and an affected adjoining site are subject to different density codes, the length and height of the boundary wall on either site is determined by

reference to the lower density code.

- (b) Notwithstanding the definition of wall height in the R-Codes, the height of the boundary wall shall include the height of any retaining where fill has occurred or is proposed on the subject lot. Where cut has occurred on the site adjoining the subject lot, the height of the boundary wall shall be measured relative to the finished ground level of the adjoining site.
- (c) In order to reduce the height and impact of boundary walls, it is recommended that boundary walls be designed with the gutter on top of the wall in lieu of parapet walls.
- (d) Wall lengths are calculated relative to the boundaries of each proposed strata lot, rather than being calculated relative to the boundaries of the original parent lot.
- (e) Two storey (or more) boundary walls will generally not be supported unless it abuts an existing or simultaneously constructed boundary wall of similar or greater dimension.
- (f) Where eaves to a boundary wall project forward of the required street setback line, a corbelled wall treatment is permitted to project forward of the required setback line as per Figure 1 below.

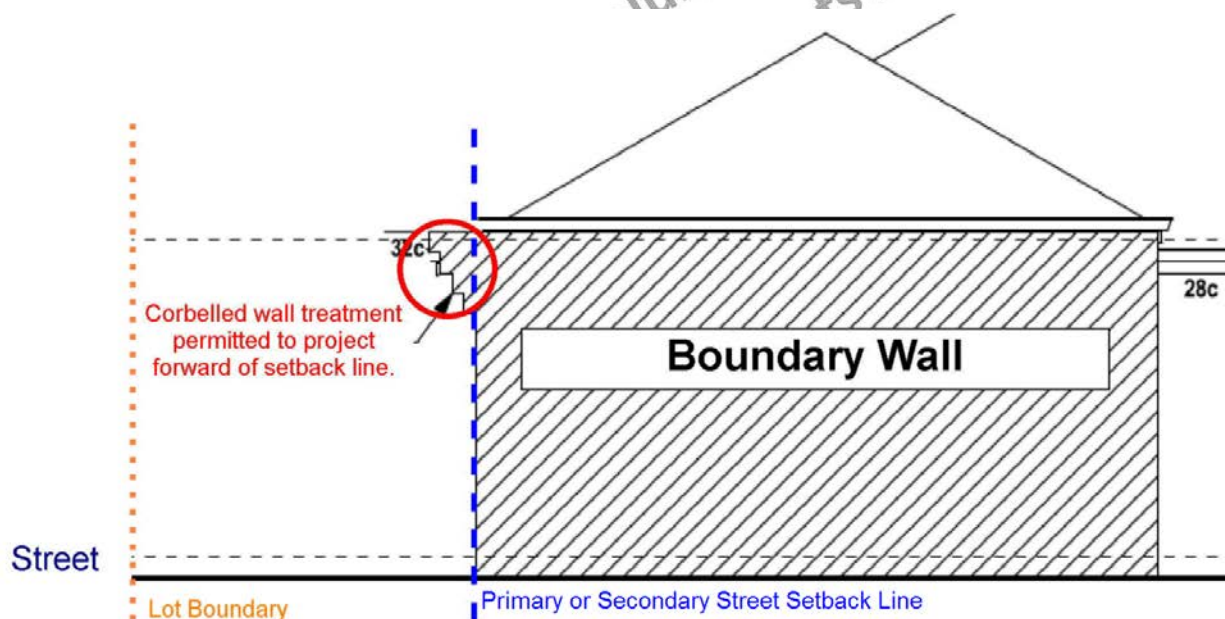


Figure 1: Corbel end to eaves on boundary wall.

Community Consultation

- (a) Where an application complies with the relevant Deemed-to-Comply provisions of this Policy, details of the compliant boundary wall will not be referred to the owners/occupiers of the adjoining property for information or comment.

- (b) Where an application does not comply with the Deemed-to-Comply provisions of the Policy, the proposed non-compliances will be referred to the owners/occupiers of the affected adjoining property for comment in accordance with Local Planning Policy 37 – Community Consultation on Planning Proposals.

Following consultation being undertaken, Council Officers will assess whether the application complies with the relevant Design Principles provisions prior to determining the application.

Also refer to the R-Codes, Volume 2 'Apartments'
which may prevail over requirements in this Policy

