

The proposed amendments to the Western Australia Residential Design Codes (R-Codes) have been approved after a lengthy period of stakeholder consultation and will come into effect on 2 August 2013. The following 7 points provide an overview of key changes that property developers need to be aware of.

### 1 Changes to Minimum Lot Sizes

Part of the rationale behind the R-Code amendments was the changing social demands on the building and development industry. As a result, the minimum lot area for R20 single house or groups dwellings has been reduced to 450m<sup>2</sup>. Minimum lots areas have also been reduced for R25-40 and R60.

### 2 Introduction of R80

A new R80 zone has been introduced with a minimum lot area of 380m<sup>2</sup> and a site area per dwelling of 100m<sup>2</sup>. A minimum of 30% of the total site must be open space, with a minimum setback of 1m from the primary street. It has no minimum frontage requirements.

### 3 Evolution of 'the Granny Flat'

The requirement that ancillary accommodation be used only by family members of those in the primary dwelling has been removed. The allowable floor space has also been increased to 70m<sup>2</sup>. The WAPC encourages creativity and innovation with the new ancillary accommodation clauses, such as developing areas above garages.

Further, a density bonus of up to one-third for provision of an aged persons' dwelling has been permitted.

### 4 Public Transport Reduces Parking Requirements

Required car parking spaces will be reduced by one if a proposed development is within 800m of a train line, or 250m from a public transport route.

### 5 Impact of amendments on subdivision

The R-Codes are not intended to prescribe subdivision design. The operational policy DC 2.2 provides for this instead. DC 2.2 has been updated but further amendments will be made at a date not yet specified by the WAPC. The only amendments of note being made to the DC 2.2 at present are changing references to lot sizes to reflect the amended R-Codes.

### 6 Designing for climate

R-Codes contain 'design for climate' provisions, including provisions relating to solar access on adjoining sites. The provisions require proponents to calculate potential overshadowing caused by the development on midday on the winter solstice (21 June). The maximum overshadowing limits for various density codes are expressed as a percentage of the adjoining site area.

### 7 Planning approval on small lots

The amended R-Codes have reduced the lot size area requiring development approval to 260m<sup>2</sup>. This also applies to any single house lots created by a Local Development Plan or Local Structure Plan. Local planning policies will not override this, but the provisions of Local Planning Schemes will need to be adhered to in the face of any inconsistency.

#### Amendment Alert

The amended R-Codes come into effect on **2 August at 3:00PM**. Regardless of what stage of review a development application is at, if it has not been decided upon by that time, the new R-Codes will apply to it. Similarly, any review of development approvals submitted to the State Administrative Tribunal after this time will be governed by the 2013 R-Codes.

If you have any queries about how any of these changes may affect you, please contact us.

#### Margie Tannock

T +61 8 9429 7456

E [margie.tannock@squiresanders.com](mailto:margie.tannock@squiresanders.com)

#### Lauren Barnett

T +61 8 9429 7530

E [lauren.barnett@squiresanders.com](mailto:lauren.barnett@squiresanders.com)