CITY OF FREMANTLE

LOCAL PLANNING POLICY 2.4

BOUNDARY WALLS IN RESIDENTIAL DEVELOPMENT

ADOPITION DATE: 22 October 2008
AMENDED: 23 June 2010 and 06 May 2014
AUTHORITY: LOCAL PLANNING SCHEME NO.4

STATUTORY BACKGROUND

This local planning policy has been prepared under Part 2 of the City of Fremantle Local Planning Scheme No. 4 (LPS4) and Part 7 of State Planning Policy 3.1: Residential Design Codes, August 2013 (R-Codes).

APPLICATION

This policy applies to the assessment of boundary walls in residential development as provided by clause 5.1.3 P3.2 and C3.2 A2 of the R-Codes.

This policy applies in addition to any other applicable requirements under Local Planning Scheme No. 4, the Residential Design Codes and any other relevant Local Planning Policy.

POLICY

Deemed-to-comply requirements

The deemed-to-comply provisions of clause 5.1.3 C3.2 of the R-Codes are replaced with the following:

Walls may be built up to a lot boundary behind the street setback (specified in Table 1 and in accordance with clauses 5.1.2, 5.2.1 and 5.2.2 of the R-Codes), within the following limits and subject to the overshadowing provisions of clause 5.4.2 and Figure Series 11 of the R-Codes:

i. Where the construction of a boundary wall/s is specifically permitted by the City’s Local Planning Scheme No. 4 or another Local Planning Policy; or

ii. Where the wall is proposed to abut an existing or simultaneously constructed boundary wall of similar or greater dimensions; or

iii. Where the wall is proposed to abut a property that is not used for residential purposes; or

iv. Where the wall is proposed on a lot, not including a battleaxe lot, with a frontage (as defined by the Residential Design Codes) of less than 10 metres and complies with the following:

Adopted at Ordinary Meeting of Council 23 April 2014
i) In areas coded R20 and R25, walls not higher than 3.5m with an average of 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, to one side boundary only; or

ii) In areas coded R30 and higher, walls not higher than 3.5m with an average of 3m for two-thirds the length of the balance of the lot boundary behind the front setback, to one side boundary only.

or

v. Where both the subject site and the affected adjoining site are created in a plan of subdivision submitted concurrently with the development application.

Design Principle assessment

Design principle 5.1.3 P3.2 of the R-Codes states:

‘P3.2 Buildings built up to boundaries (other than the street boundary) where this:

- 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;
- 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.’

In considering a proposed boundary wall against the design principle of the R-Codes, Council will be satisfied that the boundary wall meets the criteria of the third point above where, after considering the proposal against the criteria of points 2, 4 and 5, Council considers that the proposed boundary wall presents no significant adverse impact on the amenity of the adjoining property.