

Our Ref: 21.2021.3.1 - Vol 3 – D24/239667

Your Ref:

Enquiries to: Mr Dave Waller



14th November 2024

Mr Chris Green
Principal Urban Planner
Rowe Group
Level 3, 369 Newcastle Street
NORTHBRIDGE WA 6003

Email: Chris.Green@rowegroup.com.au

Dear Mr Green

Re: Kennedy Bay Estate - Minor Amendment to Local Development Plan

I refer to your request on 10th October 2024 seeking to update the previously approved Local Development Plan (LDP) for Kennedy Bay Estate subdivision, dated 3 March 2024.

The modification is to delete Condition 17 from the existing LDP, which required *"All dwellings abutting public open space shall provide direct pedestrian access to the public open space."*

The proposed modifications to the Local Development Plan is considered suitable, and has been approved in accordance with clause 52(1)(a) of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Attached is a signed copy of the approved Local Development Plan.

Should you have any enquiries with respect to this advice, please contact Mr Dave Waller on 9528 0384 or via David.Waller@rockingham.wa.gov.au.

Yours faithfully

MIKE ROSS
MANAGER STATUTORY PLANNING

cc. Mr Reyne Dial



Provisions

Preliminary

1. Development shall be in accordance with the *City of Rockingham Town Planning Scheme No. 2* ('TPS 2') and the Residential Design Codes ('R-Codes') for the relevant density code.
2. The 'Deemed-to-Comply' requirements of the R-Codes are varied as shown on this Local Development Plan ('LDP').
3. Lots that are not marked as subject of this LDP are shown for illustrative purposes only.
4. RMD provisions must be applied where the design element is not addressed in this LDP. Where the RMD provisions are silent, *State Planning Policy 7.3; Residential Design Codes Volume 1* must be used to address all other design elements.

Variations to the Residential Design Codes

5. Refer table overleaf.
6. The RMD40 provisions apply to Lots 19 – 22 and 33 – 36.

Other built form provisions

Garages and Vehicular Access

7. Vehicular access must be taken from the laneway, where one is provided, with the exception of Lots 18, 37, 97, 107, 168, 182, 190 and 204 which may take access from the primary street or the laneway.
8. Garages are to be located as per the locations designated on the LDP. Minor variations to the locations may be permitted.
9. Garages on Lots 160 and 167 are to be setback a minimum of 1.5m from the secondary street (Longitude Road and Carnac Road).
10. For Lots 160 and 167 the maximum crossover width at 4.5m is applicable.
11. For corner lots, vehicular access may be taken from the primary or secondary street unless otherwise mandated by this LDP.

Streetscape

12. All elevations, or portions of elevations which visible when viewed from the public realm, should generally be finished in a manner which is consistent with that of the primary elevation, including visible portions of boundary walls.

Building Height

13. For Lots 11 – 17, 19 – 22, 33 – 36, 98 – 104, 160 – 167, 183 – 189 and 260 – 272, (as shown on the LDP) two storey development is mandatory.

Golf Course / Public Open Space Interface Lots

14. The finished level of all of the lots with an interface to the public open space must be elevated a minimum of 500mm above the adjoining public open space.
15. Dwellings are to be designed to incorporate at least one habitable room window overlooking the primary street and/or public open space.
16. Two storey development adjacent to the golf course is encouraged to promote passive surveillance.

Storage and Refuse

17. Refuse collection is to occur from the rear laneway for those lots which abut laneway reserves. Collection from the primary or secondary streets is only to occur where laneway frontage does not exist.
18. Refuse/storage areas are to be fully integrated with the design of the building. Refuse storage areas shall be screened from view from the public realm.

Fencing

19. For laneway lots and lots abutting public open space and the golf course, uniform fencing shall be constructed by the developer which is visually permeable above a height of 1.2 m.
20. Where fencing has been installed by the developer, modifications to fences are not permitted.

Landscaping

21. For lots with a frontage of 8.5m or less, the street setback area is to include a minimum of 30% landscaping which is not to consist of any impervious surfaces (being brick and other solid paving, artificial turf and concrete).
22. A minimum of one street tree per lot and two street trees for corner lots are required. Street trees will be provided by the developer within the road verge and maintained for a minimum of two years until established. Street trees are to be generally located as shown on this LDP, subject to a detailed landscape design. Street trees are not to be relocated or removed by landowners.
23. Each residential lot must be provided with a minimum tree planting area of 2.0m x 2.0m.

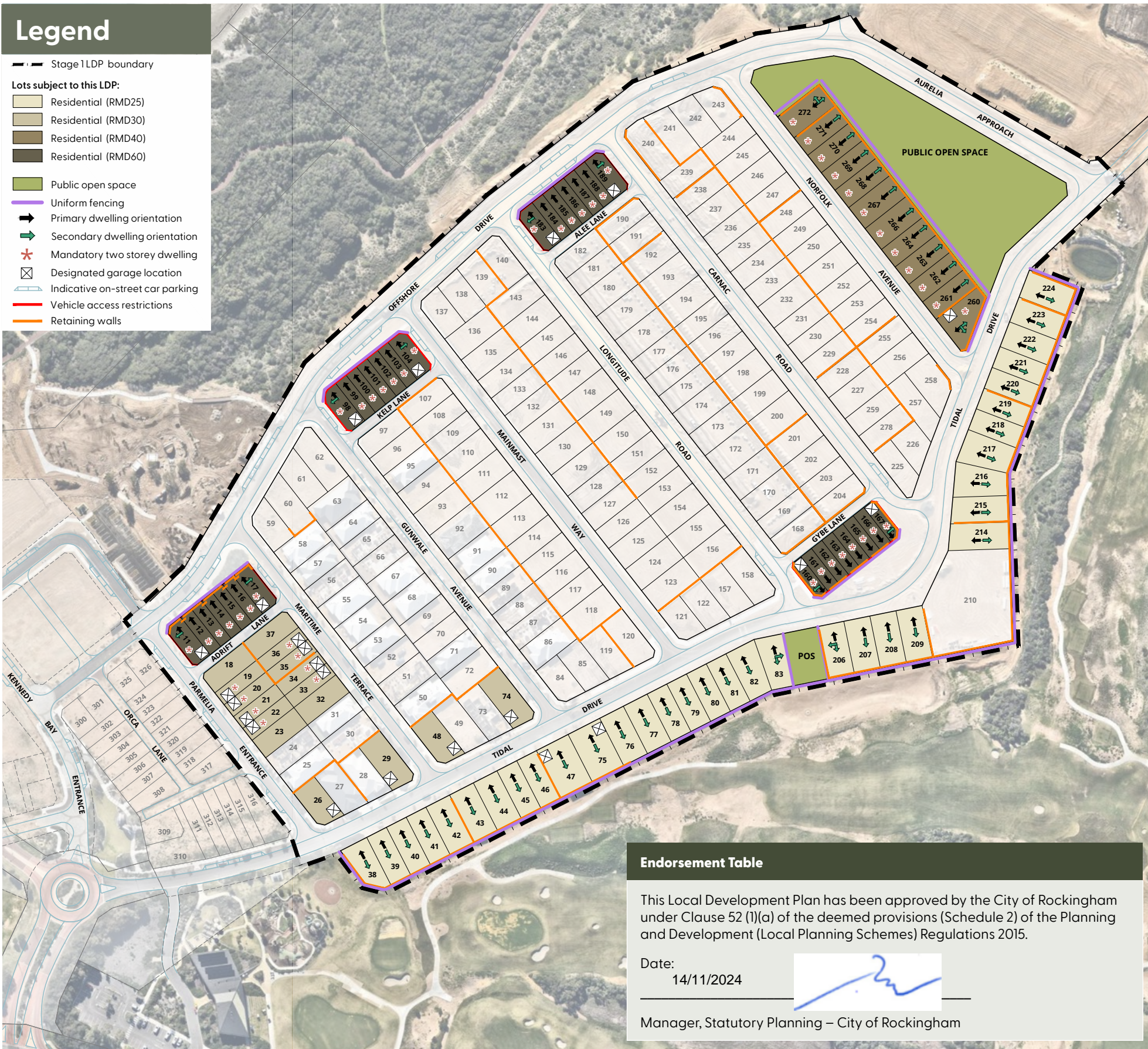
Legend

Stage 1 LDP boundary

Lots subject to this LDP:

- Residential (RMD25)
- Residential (RMD30)
- Residential (RMD40)
- Residential (RMD60)

- Public open space
- Uniform fencing
- Primary dwelling orientation
- Secondary dwelling orientation
- Mandatory two storey dwelling
- Designated garage location
- Indicative on-street car parking
- Vehicle access restrictions
- Retaining walls



Endorsement Table

This Local Development Plan has been approved by the City of Rockingham under Clause 52 (1)(a) of the deemed provisions (Schedule 2) of the Planning and Development (Local Planning Schemes) Regulations 2015.

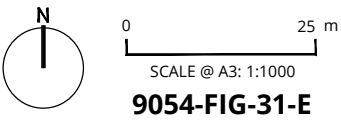
Date:
14/11/2024

Manager, Statutory Planning – City of Rockingham

Provisions							
R-Code	Street setback and front fences	Lot boundary setback	Open space and outdoor living area	Garage setback and width and vehicular access	Parking	Overshadowing	Privacy
RMD40	<p>2m minimum, no average</p> <p>1m to porch / veranda, no maximum length</p> <p>1m minimum to secondary street / laneway</p>	<p>Boundary setbacks</p> <p>1.2m for wall height 3.5m or less with major openings</p> <p>1m for wall height 3.5 or less without major openings</p> <p>Boundary walls</p> <p>To both side boundaries subject to:</p> <ul style="list-style-type: none"> - No maximum length to one side boundary; - 2/3 max length to second side boundary for wall height 3.5m or less. <p>For front loaded lots with a street frontage of 8.5m, 7m maximum boundary wall height for a maximum length of 15m</p>	<p>An outdoor living area (OLA) 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.</p> <p>At least 70% of the OLA must be uncovered and includes areas under eaves which adjoin uncovered areas</p> <p>The OLA has a minimum 3m length and width dimension</p> <p>No other R-Codes site cover standards apply</p>	<p>Front load</p> <p>4.5m garage setback from the primary street and 1.5m from a secondary street</p> <p>The garage setback from the primary street may be reduced to 4m where an existing or planned footpath or shared path is located more than 0.5m from the street boundary</p> <p>For front loaded lots with street frontages of 8.5m, a double garage is permitted to for a maximum width of 6m as viewed from the street, where a dwelling is constructed to a minimum building height of 2-storeys, subject to:</p> <ul style="list-style-type: none"> - Garage setback a minimum of 0.5m behind the building alignment - A major opening to a habitable room directly facing the primary street - no vehicular crossover wider than 4.5m where it meets the street 	Two on-site bays	<p>No maximum overshadowing for wall height 3.5m or less.</p> <p>No maximum overshadowing for wall height greater than 3.5m where overshadowing is confined to the front half of the lot.</p> <p>If overshadowing intrudes into rear half of the lot, shadow cast does not exceed 35%</p>	R-Codes clause 5.4.1 C1.1 applies, however the setback distances are 3m to bedrooms and studies, 4.5m to major openings to habitable rooms other than bedrooms and studies and 6m to unenclosed outdoor active habitable spaces.
RMD60	<p>2m minimum, no average</p> <p>1m to porch / veranda, no maximum length</p> <p>1m minimum to secondary street / laneway</p>	<p>Boundary setbacks</p> <p>1.2m for wall height 3.5m or less with major openings</p> <p>1m for wall height 3.5 or less without major openings</p> <p>Boundary walls</p> <p>No maximum length to both side boundaries</p> <p>7m maximum boundary wall height for a maximum length of 15m</p>	<p>An outdoor living area (OLA) 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.</p> <p>At least 70% of the OLA must be uncovered and includes areas under eaves which adjoin uncovered areas</p> <p>The OLA has a minimum 3m length and width dimension</p> <p>No other R-Codes site cover standards apply</p>	<p>Rear load</p> <p>1.0m garage setback to laneway</p> <p>Front load</p> <p>4.5m garage setback from the primary street and 1.5m from a secondary street</p> <p>The garage setback from the primary street may be reduced to 4m where an existing or planned footpath or shared path is located more than 0.5m from the street boundary</p>	Two on-site bays	No maximum overshadowing	No privacy provisions apply



RESIDENTIAL DENSITY CODE PLAN
VARIOUS LOTS, KENNEDY BAY ENTRANCE
PORT KENNEDY



DRAWN: VR
DATE CREATED: 2024.03.18
PROJECTION: MGA50 GDA2020
CADASTRE: LANDGATE
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