

# DRIVEWAY SETBACKS TO A SIDE BOUNDARY - PERFORMANCE CRITERIA POLICY



Responsible Division	Planning and Development Services
Responsible Business Unit/s	Planning Services
Responsible Officer	Planning Manager
Affected Business Unit/s	Planning Services

## PURPOSE:

The purpose of the policy is to provide direction and clarity to Developers and the Community on the application of the Performance Criteria with regard to the driveway setbacks to a side boundary pursuant to Clause 3.5.4 (Design Element 5 – Access and Car Parking) of the *Residential Design Codes 2002*.

## POLICY STATEMENT:

In accordance with the provisions of the RD-Codes (Access and Car Parking) a reduction in the required driveway setback to a side boundary where an existing dwelling is to be retained requires approval in accordance with the performance criteria.

The relevant Residential Design Codes 2002 Performance Criteria states:

*“Vehicular Access provided so as to minimise the number of crossovers, to be safe in use and not detract from the streetscape.”*

1. This policy is made pursuant to Clause 2.6.2 of the Residential Design Codes 2002 and shall have effect for applications made for residential development and survey strata (excluding grouped dwelling) subdivision applications as defined by the City of Bayswater Town Planning Schemes (as amended). This policy does not alter or change in any way the acceptable development criteria of the codes.
2. A proposal to reduce the required driveway setback to a side boundary to nil shall be deemed as meeting the performance criteria of Clause 3.5.4 of the Residential Design Codes where:
  - a) The existing dwelling is retained.
  - b) The eaves of the existing dwelling do not overhang into the 3m driveway.
3. Subject to compliance with point 2 above, a major opening to the existing dwelling, adjoining the communal access way with a nil setback is deemed as meeting the performance criteria of Clause 3.5.5 of the Residential Design Codes.
4. Applications for green title and rear battleaxe subdivision shall not be assessed under the provisions of this policy.

## DEFINITIONS:

*Nil*

## RELATED LEGISLATION:

Clause 2.6.2 of Residential Design Codes (2002).

## RELATED DOCUMENTATION:

*Nil*

Relevant Delegations		
Risk Evaluation		
Council Adoption	Date	27 February 2001
Reviewed / Modified	Date	24 June 2003
Reviewed / Modified	Date	1 March 2016
Reviewed / Modified	Date	