**ASSESSMENT TEMPLATE INFORMATION**

**Local Development Plan seeking modifications to the R-Codes Volume 1**

This template should be used when a local development plan proposes modifications to the R-Codes that require WAPC approval.

Refer to the R-Codes Vol. 1 2024 section 3.2.4b for modifications to the R-Codes that require WAPC approval.

Where WAPC approval is not required, local governments may request that proponents use this template.

**Pre-lodgement advice**

Early engagement in the planning process produces several benefits which are outlined within the *Guide to Best Practice Planning Engagement in Western Australia,* section 1.2. The R-Codes Vol. 1 Explanatory Guidelines Part A, section 3.4.1 encourages pre-lodgement advice between proponents and local government as well as the WAPC where their approval is required.

While pre-lodgement advice is not a requirement of the deemed provisions, it may ensure consistency from draft (as advertised) local development plans through to endorsement, ensuring stakeholder expectations are satisfied.

Advice provided to proponents/local government during pre-lodgement will generally focus on the information provided for the following:

* Application documentation;
* the need for the local development plan;
* SPP 7.0 considerations;
* the general consistency with the objectives and design principles of the R-Codes; and
* the legibility of the local development plan to be properly implemented and audited.

Section 3.4 of the R-Codes Explanatory Guidelines provide further detail associated with pre-lodgement processes that should be undertaken.

Where WAPC approval is required under Part A, section 3.2 of the R-Codes, proponents/local government are equally encouraged to seek pre-lodgement advice from the WAPC once the pre-lodgement advice has been received from the local government and prior to lodging the local development plan with the local government.

**Lodgement with local government**

Proponents should provide sufficient material to demonstrate that the local development plan satisfies criteria (i) to (v) set out at Part A section 3.1 of the R-Codes Vol.1 to enable an assessment. Proponents should include reference to the ‘head of power’ (cl. 47 of the deemed provisions) which has initiated the local development plan.

Local governments may request that Section B of this template is filled out.

**Post advertising local government approval**

Following advertising, local government will undertake an assessment. If the local government is supportive of the proposed modifications, they may approve the local development plan. Where WAPC approval is also required, a local government approval subject to a future decision of the WAPC may be appropriate.

**Post advertising WAPC approval**

Upon completion of advertising, the local government must not resolve to commence operation of the local development plan until approval of the WAPC has been granted for the relevant modifications under cl.52(1A), of the deemed provisions.

Following pre-lodgement discussions with the applicant, the local government may provide the WAPC with a copy of the local development plan and the following information:

* the rationale for the proposed modification to the R-Codes Vol. 1 **deemed-to-comply** provisions;
* the extent to which the proposed modification meets criteria **(i) – (v)** set out at Part A, section **3.1** of the R-Codes Vol.1;
* a summary of submissions;
* whether the local government supports the local development plan; and
* any other matter the local government considers relevant.

This information should be inserted into the table at Sections B and C as appropriate. A submissions summary may be attached separately.

As per the Explanatory Guidelines, the WAPC will endeavour to determine the modifications within 30 days to assist local government in meeting their statutory determination timeframe (refer cl. 52(2) of the deemed provisions).

State Planning Policy 7.0 – *Design of the Built Environment*

Local government may consider the use of its Design Review Panel to assist in determining consistency with SPP 7.0. The assessment may be against all Ten Design Principles or by reference to the linkages in Table G1.4b of the Explanatory Guidelines to determine consistency with those (relevant) design principles.

The WAPC will also undertake an assessment against relevant design principles of SPP 7.0 with reference to linkages in Table G1.4b of the Explanatory Guidelines.

R-Codes Vol. 1 Explanatory Guidelines (Part C)

The R-Codes Explanatory Guidelines should be read alongside the R-Codes. The Explanatory Guidelines includes information that may be useful for applicants and decision makers in considering modifications to the deemed-to-comply.

Applicable to Part C, the design guidance section explains the intent underpinning the provisions and can therefore assist decision-making. A Local Planning Frameworks section is included to provide guidance on certain modifications to deemed-to-comply provisions through local planning frameworks.

**ASSESSMENT TEMPLATE**

**Section A: SUMMARY OF LOCAL DEVELOPMENT PLAN:**

*To be completed by the proponent*

[Brief description of the local development plan and why modifications to the R-Codes may be required]

**Section B: LOCAL GOVERNMENT DETERMINATION**

A detailed assessment of proposed modifications to the R-Codes is to be undertaken by the local government in accordance with Part A, Section 3.0 of the R-Codes Volume 1.

It must be demonstrated that the modifications are:

1. warranted due to a specific need identified by the decision-maker related to that particular locality or region;
2. consistent with the relevant provisions of SPP 7.0 Design of the Built Environment;
3. consistent with the general objectives of the R-Codes Volume 1, as well as the section objectives and the design principles of Part B and C (as applicable);
4. able to be properly implemented and audited by the decision-maker as part of the ongoing building approval process; and
5. consistent with orderly and proper planning.

**Modification requires WAPC approval**

|  |  |  |
| --- | --- | --- |
|  | *To be completed by the proponent*  | *To be completed by the local government* |
| **LDP provision** | **R-Codes Volume**  | **Element**  | **Clause**  | **Proposed modification**  | **Justification against criteria** | **Supporting information**  | **Recommendation** | **Assessment comment and detail of modifications (if required)** |
|  | Volume 1Part C | 3.2 Building height | C3.2.1 |  |  |  | [ ]  Recommend WAPC approve with no further modification [ ]  Recommend WAPC approve subject to minor modification[ ]  Recommend WAP does not approve without further modification |  |
| Assessment comments  |

**Modification does not require WAPC approval**

*Please provide for WAPC noting*

|  |  |  |
| --- | --- | --- |
|  | *To be completed by the proponent*  | *To be completed by local government* |
| **LDP provision** | **R-Codes Volume**  | **Element**  | **Clause**  | **Proposed modification**  | **Justification against criteria** | **Supporting information**  | **Recommendation** | **Assessment comment and detail of modifications (if required)** |
|  | Volume 1Part C | 3.4 Lot boundary setbacks | C3.4.4 |  |  |  | [ ]  Approve with no further modification [ ]  Approve subject to minor modification[ ]  Does not approve without further modification |  |
| Assessment comments |

**Section C: WAPC DETERMINATION**

A detailed assessment of proposed modifications to the R-Codes is to be undertaken by the WAPC in accordance with Part A, Section 3.0 of the R-Codes Volume 1.

It must be demonstrated that the modifications are:

1. warranted due to a specific need identified by the decision-maker related to that particular locality or region;
2. consistent with the relevant provisions of SPP 7.0 Design of the Built Environment;
3. consistent with the general objectives of the R-Codes Volume 1, as well as the section objectives and the design principles of Part B and C (as applicable);
4. able to be properly implemented and audited by the decision-maker as part of the ongoing building approval process; and
5. consistent with orderly and proper planning.

**Modification requires WAPC approval**

|  |  |  |
| --- | --- | --- |
|  | *To be completed by the proponent as above* | *To be completed by the WAPC* |
| **LDP provision** | **R-Codes Volume**  | **Element**  | **Clause**  | **Proposed modification**  | **Justification against criteria** | **Supporting information**  | **Recommendation** | **Assessment comment and detail of modifications (if required)** |
|  | Volume 1Part C | 3.2 Building height | C3.2.1 |  |  |  | [ ]  Approve with no further modification [ ]  Approve subject to minor modification[ ]  Further modification required |  |
| Assessment comments  |