



Metro North-West Joint Development Assessment Panel Agenda

Meeting Date and Time: 23 September 2013; 3pm
Meeting Number: MNWJDAP/39
Meeting Venue: Department of Planning – 140 William Street Perth
Meeting Room L3.22

Attendance

DAP Members

Karen Hyde (Presiding Member)
Paul Drechsler (Deputy Presiding Member)
Fred Zuideveld (Specialist Member)
Cr Liam Gobbert (Local Government Member, City of Joondalup)
Cr Mike Norman (Local Government Member, City of Joondalup)
Cr Giovanni Italiano (Local Government Member, City of Stirling)
Cr Rod Willox (Local Government Member, City of Stirling)

Officers in attendance

Mr Craig Shepherd (DAP Secretariat)
Ms Karen Newman (DAP Secretariat)
Ms Sally Grebe (Department of Planning)
Ms Hayley Richardson (State Solicitor's Office)
Ms Melinda Bell (City of Joondalup)
Ms Lydia Dwyer (City of Joondalup)
Mr Ross Povey (City of Stirling)
Mr Neil Maull (City of Stirling)
Mr Chris Harman (City of Stirling)

Department of Planning Minute Secretary

Ms Fiona Sze (DAP Secretariat)

Applicants and Submitters

Mr Giles Harden Jones (Harden Jones Architects)
Mr Andrew Roberts (McLeods Barristers and Solicitors)
Mr Ford Murray and Ms Janine Murray (Submitters)
Mr Trevor Hutchings (Submitter)

Members of the Public

Ms Madeline Hutchings	Mr Don Wright
Mr Peter Alcock	Ms Suzanne Waller
Ms Barbara Alcock	Ms Victoria Richards
Mr Paul Hallam	Mr Russell Meahan
Ms Christine Hallam	
Mr Jerry Hooper	
Ms Donna Hooper	
Ms Felicity Reed	
Mr Karl Hribar	
Ms Michelle Tucker	
Ms Lynette Dobson	
Dr Greg O'Neil	
Ms Karen O'Neil	
Ms Deirdre Chell	



1. Declaration of Opening

The Presiding Member declares the meeting open and acknowledges the past and present traditional owners and custodians of the land on which the meeting is being held.

2. Apologies

Nil

3. Members on Leave of Absence

Nil

4. Noting of Minutes

The Minutes of the Metro North-West JDAP Meeting No.38 held on 11 September 2013 were not available at time of Agenda preparation.

5. Disclosure of Interests

Nil

6. Declarations of Due Consideration

Any member who is not familiar with the substance of any report or other information provided for consideration at the DAP meeting must declare that fact before the meeting considers the matter.

7. Deputations and Presentations

- 7.1** Mr Trevor Hutchings presenting against the application at Item 8.1. The presentation will address the issues of purpose, use, local amenity and streetscape.
- 7.2** Mr Ford Murray and Ms Janine Murray presenting against the application at Item 8.1. The presentation will address plot ratio, building appearance, public safety near roads and vehicle safety.
- 7.3** Mr Giles Harden Jones (Harden Jones Architects) presenting for the application at Item 8.1. The presentation will address that a 12% increase in Plot Ratio would not be considered as a major departure to orderly and proper planning process for this site and the development proposal is generally compliant with sensible and reasonable design principles.
- 7.4** Mr Andrew Roberts (McLeods Barristers and Solicitors) presenting against the application at Item 10.1. The presentation will outline why there is a statutory impediment to approval of the proposed development under the City's Local Planning Scheme No. 3.

8. Form 1 - Responsible Authority Reports – DAP Applications

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|------------|------------------------|--|
| 8.1 | Property Location: | Lot 39 (14) Lennard Street, Marmion |
| | Application Details: | Proposed Two Storey Multiple Dwelling Development |
| | Applicant: | Harden Jones Architects |
| | Owner: | Pref Nominees Pty Ltd |
| | Responsible authority: | City of Joondalup |
| | Report date: | 13 September 2013 |
| 8.2 | DoP File No: | DP/13/00370 |
| | Property Location: | Lot 51 (No 83) Salisbury Street, Inglewood (lot 51 dp26645; volume 1459; folio 994; lot area: 10,540 m2) |
| | Application Details: | Extension and refurbishment of existing shop - Coles supermarket |
| | Applicant: | TPG Town Planning & Urban Design |
| | Owner: | Framington Nominees Pty Ltd |
| | Responsible authority: | City of Stirling |
| | Report date: | 17 September 2013 |
| | DoP File No: | DP13/00428 |

9. Form 2 – Responsible Authority Reports - Amending or cancelling DAP development approval

Nil

10. Appeals to the State Administrative Tribunal

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|-------------|------------------------|--|
| 10.1 | Property Location: | Lot 123, House Number 731, Beaufort Street,
Mount Lawley |
| | Application Details: | Additions to St Patrick's Anglican Church –
Offices & Rectory |
| | Applicant: | TPG Town Planning & Urban Design |
| | Owner: | Perth Diocesan Trustees |
| | Responsible authority: | City of Stirling |
| | Report date: | 17 September 2013 |
| | DoP File No: | DP/12/01331 |

11. Meeting Closure



Form 1 - Responsible Authority Report (Regulation 12)

Application Details:	Proposed Two Storey Multiple Dwelling Development
Property Location:	Lot 39 (14) Lennard Street, Marmion
DAP Name:	Metro North West JDAP
Applicant:	Harden Jones Architects
Owner:	Pref Nominees Pty Ltd
LG Reference:	DA13/0416
Responsible Authority:	City of Joondalup
Authorising Officer:	Dale Page Director Planning and Community Development
Department of Planning File No:	DP/13/00370
Report Date:	13 September 2013
Application Receipt Date:	23 April 2013
Application Process Days:	143 Days
Attachments:	1. Location plan 2. Development plans 3. Building perspectives 4. City of Joondalup Environmentally Sustainable Design checklist 5. Map of submitters

Recommendation:

That the Metro North-West JDAP resolves to:

Refuse DAP application (reference DP/13/00370) and accompanying plans (refer to Attachment 2) in accordance with Clause 6.9 of the City of Joondalup District Planning Scheme No 2, for the following reason:

1. The proposed plot ratio of 0.68, which exceeds the deemed to comply standard of 0.6 and the proposed open space of 40.8% which is less than the deemed to comply standard of 45%, represents over-development of the site and results in a bulk and scale of development that is excessive in the context of the existing and desired built form of the locality.

Background:

Insert Property Address:	Lot 39 (14) Lennard Street, Marmion
Insert Zoning	MRS: Urban
	TPS: Residential
Insert Use Class:	Multiple Dwellings
Insert Strategy Policy:	N/A
Insert Development Scheme:	City of Joondalup District Planning Scheme No. 2 (DPS2)
Insert Lot Size:	2,144m ²
Insert Existing Land Use:	Holiday Accommodation and Conference Centre

Value of Development:	\$4 million
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The subject site is located on the south-western corner of the intersection of Lennard Street and Cliff Street, Marmion. To the south of the site is an existing one storey single house and to the west are two existing two storey grouped dwellings (Attachment 1 refers).

The site is zoned 'Urban' under the *Metropolitan Region Scheme* (MRS) and 'Residential' under the City's *District Planning Scheme No. 2* (DPS2). The broader locality is coded R20 and is characterised by a mix of dwelling types. The dwellings also vary in terms of their age, design and bulk and scale.

The site is relatively unique with regard to its approved use, being 'Holiday Accommodation and Conference Centre'. It was granted approval prior to the commencement of the operation of the *Wanneroo Town Planning Scheme No. 1* (TPS1). The existing use, whilst not permitted within the 'Residential' zone under DPS2, may continue operation under the non-conforming use right provisions of DPS2.

The site currently contains 11 holiday units, function rooms, dining halls and associated facilities. Whilst the approved use of the site is 'Holiday Accommodation and Conference Centre' the site has previously been used to accommodate students during school terms rather than providing tourist accommodation. As a public building, the conference centre can accommodate up to 100 people on the site.

The site was re-coded from R20 to R40 upon the finalisation of Amendment No. 62 to DPS2 on 15 June 2012. A concept plan provided with the scheme amendment application showed the potential development of eight grouped dwellings on the site. It is noted however that this concept was indicative only and in no way compelled the owner of the site to pursue a development of this exact nature.

A development application was received on 23 April 2013 for the proposed construction of 20 multiple dwellings on the site. Following a review of the issues that were raised during the public consultation period and from an initial assessment of the application, the applicant submitted revised plans on 7 August 2013. Further consultation with the public was undertaken following the submission of these amended plans.

Details: outline of development application

An application for a two storey development, accommodating 20 multiple dwellings with basement car parking was received on 23 April 2013. Following public advertising of this application, amended plans were received on 7 August 2013, which reduced the overall area of each dwelling and modified the siting and design of buildings on the subject site.

Details of the revised development are outlined below and development plans and building perspectives are provided as Attachments 2 and 3 to this report.

Basement Car Park

- The application proposes to construct basement car parking for the sole use of the residents with vehicle access from Lennard Street. The car park is to consist of 20 tandem car bays to be located directly under the units and 10 bays along the western boundary;
- It is proposed to locate 20 storerooms in the basement, along the eastern and southern sides;
- Nine wall-mounted bicycle racks are proposed to be located along the southern boundary of the proposed basement; and
- One stair case and a lift located along the southern side of the basement will provide pedestrian access to the ground floor units.

Ground Floor

- Ten units are proposed to be located on the ground floor being two one-bedroom units and eight two-bedroom units.
- Each of the 10 units consists of a kitchen, dining, family area and courtyard.
- One communal staircase provides access to the second floor level.
- A pedestrian pathway provides access to a communal pool and terraced area.
- In addition to the residents' car parking in the basement, five at-grade visitor bays are provided off Cliff Street.

Second Floor

- Ten units are proposed to be located on the second floor being two one-bedroom units and eight two-bedroom units;
- Each of the 10 units consists of a kitchen, dining, family area and a balcony.

As part of the application, the applicant supplied a transport statement, which provides an assessment of the impacts associated with parking and traffic generation from the development.

Legislation & policy:

Legislation

- *Planning and Development Act 2005*
- *Metropolitan Region Scheme (MRS)*
- *City of Joondalup District Planning Scheme No. 2 (DPS2)*

State Government Policies

- Residential Design Codes of Western Australia (State Planning Policy 3.1) (R-Codes).

Local Policies

- Height and Scale of Buildings within Residential Areas
- Environmentally Sustainable Buildings in the City of Joondalup

Consultation:

Public Consultation

The application has been the subject of two separate public consultation periods.

The City sought comment on the original proposal for a period of 21 days from 20 May 2013 to 10 June 2013. Owners of 40 adjoining and nearby properties were advised in writing and the details of the proposal were placed on the City's website. A total of 31 responses were received during or shortly after the consultation period. All submissions, except one, were objections to the proposal.

The applicant submitted revised plans in response to concerns outlined by the City and the surrounding local community. The revised plans were considered to be substantially different to those originally submitted, therefore requiring further public consultation. The application was re-advertised for a period of 14 days between 19 August 2013 and 2 September 2013 to the owners and occupiers of the same 40 properties that were originally consulted with. Details of the proposal were also placed on the City's website. A total of 22 responses were received, being 22 objections to the proposal.

The submissions raised the following key issues on the revised proposal:

- The Council report for Amendment 62 was misleading and indicated that a less intense form of development would occur on the site.
- The bulk and scale of development is not compatible with the surrounding area.
- The building will adversely impact on the streetscape and character of the area.
- Increase in traffic on Lennard Street will add to congestion and safety problems already experienced.
- The proposal will adversely impact on natural light (overshadowing) to adjoining residences.
- The proposed development will adversely impact on the privacy of neighbours.
- Inadequate setback from the side boundaries will lead to excessive bulk on adjoining properties.
- Development will result in adverse noise and amenity impacts to nearby residences.
- Bin collection and waste management has not been properly considered or provided for.
- Laundry facilities have not been provided as part of the development.

- The development will have an adverse impact on the natural environment, particularly on the fragile coastline in and around 'Lennard's Pool'.

The concerns raised in the submissions are discussed in the planning assessment section below.

Consultation with other Agencies or Consultants

The application was not required to be referred to any other agency or consultant.

Planning assessment:

The application has been assessed in accordance with the provisions of DPS2 and Part 6 of the Residential Design Codes of Western Australia (R-Codes), which relates to multiple dwellings in areas coded R30 or higher.

DPS2 Assessment

Many submitters have raised concerns about the development of the site for multiple dwellings and about the number of dwellings proposed. While Amendment No. 62 to DPS2 did not specifically canvas the potential development of multiple dwellings, the purpose of the amendment was to determine a change in residential density code, rather than define or constrain the exact nature of any future development on the site.

The subject site is located in the 'Residential' zone of DPS2, where multiple dwellings are a discretionary ("D") use. As such, it is important to determine whether the proposed use is appropriate given the locality.

The objectives of the 'Residential' zone are to:

- (a) Maintain the predominantly single residential character and amenity of established residential areas;*
- (b) Provide the opportunity for grouped and multiple dwellings in selected locations so that there is a choice in the type of housing available within the City; and*
- (c) Provide the opportunity for aged persons housing in most residential areas in recognition of an increasing percentage of aged residents within the City.*

Despite some of the concerns raised by certain submitters, it is considered that development of the site for the purposes of multiple dwellings is, in itself, not an issue of concern.

The coding approved for the site makes provision for the development of multiple dwellings and the development of multiple dwellings will help engender a mix of dwelling types to accommodate greater household diversity within Marmion. Given the size of the site and its close proximity to natural amenities, existing infrastructure and nearby services, the site presents a good location to provide the opportunity for grouped or multiple dwellings.

The current development on the site (known as 'Sunset Coast Holiday Accommodation and Conference Centre') contains 11 holiday units, function rooms, dining halls and associated facilities, and has been used for school camps,

accommodation, conferences and the like. The use of the site for multiple dwellings is more consistent with the 'Residential' zoning of the site than the existing development.

Therefore, it is considered that the proposal is not inappropriate in a land use sense. Well designed multiple dwellings which correlate well with the existing development context can be apposite and desirable. Multiple dwellings that do not appropriately fit within their context can have negative impacts on surrounding residents and therefore the specific nature and design of the proposed development needs to be carefully considered.

Consequently, the rest of this report will focus on whether the specific design of the proposed development is appropriate in its intended locality. This will be done through the application of the R-Codes.

R-Codes Assessment

Several aspects of the proposed development do not meet the deemed-to-comply requirements of the R-Codes and therefore require discretion to be exercised against the corresponding design principles, as indicated in the table below.

Clause	Deemed-to-Comply	Proposed
6.1.1	Maximum plot ratio: 0.6	Maximum plot ratio 0.68
6.1.4	Upper floor building setback of 8m to the western boundary	Upper floor building setback of 7.5m to the western boundary
6.1.5	45% open space provision	40.8% open space provision
6.3.1	Outdoor living area minimum dimension of 2.4m	Outdoor living area minimum dimension of 1.2m
6.3.5	Vehicular access from a secondary street	Vehicular access from a primary street

Residential Design Codes Element 6.1.1 – Building size and scale

The deemed-to-comply requirements of the R-Codes stipulate a maximum plot ratio of 0.6 for areas coded R40. The application originally proposed a plot ratio of 0.83. Revised plans have been received, reducing the plot ratio to 0.68. This equates to a floor area of approximately 171.52m² larger than the maximum allowable floor area prescribed by the deemed-to-comply requirements. Given that the plot ratio does not meet these requirements, the proposed development has been assessed against the corresponding design principle which states:

"Development of the building is at a bulk and scale indicated in the local planning scheme and is consistent with the existing or future desired built form of the locality."

The explanatory guidelines of the R-Codes emphasise that the perceived bulk and scale of a building can be reduced and made congruent with the existing setting through good design and consideration of current built form. It is acknowledged that the revised plans have alleviated many of the original concerns held in regards to the articulation and dominance of the building facades along the street frontages.

It is considered that the applicant is proposing a high quality development with many design considerations that respond sensitively to the surrounding residential dwellings and streetscape. Furthermore, the facade treatments and the amount of landscaping proposed will ensure that the development will be aesthetically pleasing.

The revised plans include new design treatments which architecturally moderate the visual impact of the building and help remove the appearance of a continuous wall along the site frontages, as was the approach with the original plans. Varying setbacks and materials have been used to help create stronger definition between units. There is strong variation in materials, colours and textures of the external facade. The elevated accessway has portions which project towards the street so as to appear as balconies, providing depth and modulation to the built form. Large panes of glass and different textures have been used along the walls to conceal the stairwells and lift area, making them appear visually softer and less dominating along the Cliff Street frontage.

Notwithstanding the above, many submissions have been received with comments pertaining to the scale of the proposed development and its divergence from the character of the area.

The explanatory guidelines for Part 6 of the R-Codes state that where land use and zoning differs between adjoining lots, development sites should respect adjoining properties.

An analysis of the neighbourhood and street context reveals a scale and setting of relatively low density residential dwellings. However, it is noted that in recent years, there has been a trend towards strata subdivision and larger two-storey dwelling developments within the area. There are many examples, particularly along West Coast Drive and Troy Avenue, of new, larger dwellings with skillion and flat roof designs, rather than the more traditional pitched roofs. The proposed development, with its contemporary, flat roof design, is not totally out of character with these larger dwellings.

However, this proposal is for a large building that takes up the majority of a large site and is at a higher density than the surrounding development. Given this and given the site is the sole R40 lot in the immediate area, it could be argued that a level of dispensation has already been granted in regards to the permitted density and therefore intensity of development on site. As such, it is considered that the applicant should either ensure that the design meets the deemed to comply standards of the higher coding or should clearly demonstrate that departure from the deemed-to-comply requirements will achieve a development that wholly meets the design principle(s) and objectives of the R-Codes.

It is acknowledged that a development which fully complies with a plot ratio of 0.6 may not necessarily result in a structure of less bulk and scale than currently proposed. The applicant could potentially amend the design to achieve a plot ratio of 0.6 but the changes made could be internal to the site only and would not make any difference to the number of units or the presentation of the development to the street

or neighbouring properties. Indeed, changes could be made to the design to reduce the plot ratio to 0.6 that could result in a poorer quality design than currently proposed.

However, in this case, assessment against the relevant design principle requires sole consideration of whether the subject development will take place in a manner that is consistent with the current or future character of the neighbourhood.

The City's draft Local Housing Strategy was adopted by Council in February 2011. A key recommendation of this strategy is to allow the potential for properties within 10 identified areas within the City of Joondalup to be developed to higher residential densities. The subject site and its immediate surrounding area are not located within one of these areas and it is therefore unlikely that the existing character of the area will undergo substantial changes in the near future. Furthermore, there are no other specific design controls or policies which outline the expectations of the future desired form of the area. As such, part 4 of the Explanatory Guidelines emphasise that the proposed development must respond to the existing spatial setting and character of the area in terms of its function, scale and visual appearance.

As outlined above, there is an insufficient strategic or policy basis in terms of the desired future built form of the area, to indicate that more intensive forms of development will take place in the future. Therefore, after significant consideration of all the matters discussed above, it is considered that the proposed plot ratio of 0.68 is excessive for this site and should not be supported.

Residential Design Codes Element 6.1.3 – street setback

The deemed-to-comply requirements of the above clause require a minimum front setback of 4m to the primary street. However, the proposed development seeks approval for a minimum setback of 3.8m. As such, the development has been assessed under the corresponding design principles which state:

“Buildings are set back from street boundaries (primary and secondary) an appropriate distance to ensure they:

- contribute to the desired streetscape;*
- provide articulation of the building on the primary and secondary streets;*
- allow for minor projections that add interest and reflect the character of the street without impacting on the appearance of bulk over the site;*
- are appropriate to its location, respecting the adjoining development and existing streetscape; and;*
- facilitate the provision of weather protection where appropriate”*

It is considered that the proposed front setback is minimal in its difference to the setback prescribed by the deemed-to-comply requirements. As such, sufficient open space is provided at the front of the building for landscaping to be designed and installed. This will provide a comfortable relationship and transition between the private units and public street, and contribute to the desired streetscape.

As outlined previously in this report, the building has been appropriately articulated along the street elevations. Two courtyards and two balconies are open to the street, providing opportunity for casual surveillance and safe interaction. It is from these courtyards and balconies that the minimum setback has been taken, with the main unit walls setback a further 2m. It is considered that these private balconies and

courtyards, being open in nature, provide articulation of the building, and add interest without impacting on the appearance of bulk.

The proposed setback will not be at odds with the predominant setback pattern of the area. Several of the surrounding dwellings feature primary street setbacks that are considerably less than that proposed by the subject development. Furthermore, the property directly adjoining the site to the west has a front setback that is only slightly greater at 4.3m. Thus, the proposed setback is appropriate in ensuring that the development is suitable within its location and respects the neighbouring sites and streetscape.

Residential Design Codes Element 6.1.4 – lot boundary setbacks

The deemed-to-comply requirements prescribe a minimum setback of 8m from the building upper floor to the western boundary. The application proposes a setback of 7.5m. As such, the application has been assessed under the relevant design principles which state the following:

“Buildings set back from boundaries or adjacent buildings so as to:

- ensure adequate daylight, direct sun and ventilation for buildings and the open space associated with them;*
- moderate the visual impact of building bulk on a neighbouring property;*
- ensure access to daylight and direct sun for adjoining properties; and*
- assist with the protection of privacy between adjoining properties.”*

The application does not propose long lengths of blank and featureless walls to the western boundary. The exposed side wall to the western boundary has been well articulated with balconies provided along this elevation. This will moderate the visual impact of building bulk. Furthermore, as the balconies have been setback 7.5m from this boundary, the privacy setback meets the deemed-to-comply requirements of clause 6.4.1 (visual privacy), and the proposed setback therefore assists in the protection of privacy between properties.

The distance of the building from the western boundary is substantial, with sufficient space in between to provide car parking bays and landscaping along this boundary. Thus, it is considered that the setback is appropriate in providing adequate open space for ventilation and airflow to the building and adjoining properties. Due to the orientation of the site, minimal overshadowing will occur of the adjoining properties to the west, allowing ample access to daylight and direct sun for both adjoining dwellings and the subject development.

Residential Design Codes Element 6.1.5 – open space

The deemed-to-comply requirements prescribe an open space provision of 45%. The proposed development will have an open space provision of 40.8%. As such, the application has been assessed under the relevant design principle which states the following:

“Open space respects existing or preferred neighbourhood character and responds to the features of the site.”

It is considered that the development meets the latter part of the above design principle as it does respond to the features of the site. The development provides for the needs of residents in terms of open space as the proposal dedicates a large pool

and terraced area for the amenity of residents in the south western corner of the site. This will provide a space for active and passive recreation and allow access to direct sun for all the residents. The proposal also incorporates a large portion of usable, covered space in the form of courtyards and balconies, which, based on the definition of open space, cannot be included in the calculation. The development will also provide ample space for access and car parking.

However, it is considered that the development does not adequately respond to the first part of the design principle, as the reduction in open space contributes to the perception of over-development of the site, especially if viewed in conjunction with the issue of plot ratio.

Lennard Street and Cliff Street can be described as having a more suburban character, generally featuring an open streetscape with plentiful landscaping and open space at the front and sides of dwellings. However, the subject development is more urban in character. The proposed building will take up the majority of the site and, while design features have been employed to visually break up the bulk, the development still presents as one long, continuous building to the street frontages. As such, whilst it is acknowledged that there is sufficient space at the front and side of the building for landscaping to soften the built form, the built form of the development will still be a dominant feature within the streetscape.

It is acknowledged that increasing the amount of open space on the site will not necessarily change this outcome. Similar to the issue of plot ratio, the applicant could potentially amend the design to achieve open space of 45% and the changes made could be internal to the site only and would not make any difference to the presentation of the development to the street or neighbouring properties.

However, it is considered that the reduced open space on site, in conjunction with a plot ratio over and above the deemed to comply standards of the Codes, does result in the perceived over-development of the site especially given the site has already been granted a level of dispensation in regards to the permitted density and related development standards. The reduced open space provision of 40.8% is therefore not supported.

Residential Design Codes Element 6.3.1 – outdoor living areas

The minimum dimension of a balcony or courtyard is prescribed to be 2.4m as per the deemed-to-comply requirements of the R-Codes. However, a minimum dimension of 1.2m has been provided for some of the balconies and courtyards. Thus, the development requires assessment against the relevant design principles, which state:

“Balconies or equivalent outdoor living areas capable of use in conjunction with a habitable room of each dwelling, and if possible, open to winter sun.”

All the balconies and courtyards are capable of use with direct access from a habitable room. They are of a sufficient area and dimension to be considered functional and allow for the placement of a table setting, with each in excess of the minimum required area. Furthermore, the majority of the dimensions for each outdoor living area meet the deemed-to-comply requirements, with only a few side dimensions being slightly less.

Where possible, balconies and courtyards have been located along the northern elevation and are open to the winter sun. A communal area has also been provided for the use of the residents which is open to the winter sun.

Residential Design Codes Element 6.3.5 – vehicular access

The deemed-to-comply requirements of the above clause require access to on-site car parking spaces to be provided from a secondary street. However, as access to the basement car parking for the proposed development is to be provided from Lennard Street, the application requires assessment against the design principles, which state:

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

The transport statement provided by the applicant assessed the parking and traffic generation impacts of the development and concluded that access and egress from Lennard Street was appropriate. It is acknowledged that the basement and driveway design on the revised plans is slightly different from the original plans that the transport statement was based on, however, the revised plans are considered acceptable.

The explanatory guidelines clarify that not having vehicular access directly from the primary street is to ensure that the streetscape is less dominated by parked vehicles, with fewer crossovers and, consequently, fewer conflicting movements of vehicles, pedestrians and cyclists. However, as all the residential parking will be located out of sight in a basement and served by only one crossover, the proposal has been designed to minimise the number of crossovers. This will create a good balance between car parking requirements and the visibility of vehicles and their associated structures so as not to detract from the streetscape.

City Policy - Height and Scale of Buildings within Residential Areas

The development is fully contained within the City’s Building Threshold Envelope as per the Council Policy on *Height and Scale of Buildings within Residential Areas*. The Building Threshold Envelope has been the primary instrument in managing height and scale within the ‘Residential’ zoned areas of the City. This policy states that its objectives, which pertain to the protection and enhancement of amenity and streetscape character, have been complied with when a development does not exceed this envelope. Furthermore, many of the surrounding dwellings have been designed in consideration of this envelope.

Although the R-Code height provisions have not been formally used for the assessment of this proposal, it is noted that the building wall height prescribed under the deemed-to-comply requirements of clause 6.1.2 of the R-Codes allows for a maximum concealed roof height of 7m at the R40 coding. While the maximum wall height of 8.166m does not meet this requirement, it is considered that the development would meet the relevant design principles, which state:

“Building height that creates no adverse impact on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves; and where appropriate maintains:

- *adequate access to direct sun into buildings and appurtenant open spaces;*
- *adequate daylight to major openings into habitable rooms;*

- *access to views of significance;*
- *buildings present a human scale for pedestrians;*
- *building façades designed to reduce the perception of height through design measures; and*
- *podium style development is provided where appropriate.”*

The height of the proposed building is not considered to have an undue impact on access to sunlight of the building or adjoining properties. The location and orientation of the site ensures that only a few adjoining properties will be affected by overshadowing. Furthermore, overshadowing to the southern site complies with clause 6.4.2 (solar access for adjoining sites) as a maximum of 21% of the site will be in shadow at midday 21 June.

City Policy - Environmentally Sustainable Buildings within the City of Joondalup

The applicant has advised that the building design and site layout ensures that spaces of indoor and outdoor residential living areas receive adequate and natural sunlight and ventilation, as well as ensuring communal open space is a usable area all year round.

The City's Environmentally Sustainable Design Checklist has been completed and is included as Attachment 4 to this report.

Public Consultation

Public consultation was undertaken as part of the assessment process (refer to the Consultation section earlier in this report). The following concerns were raised by the objectors which have not been addressed in the above R-Codes assessment:

- *The number of units proposed*

City response: Many of the submissions received criticised the number of units proposed and urged for a lesser number to be considered. However, it must be recognised that the R-Codes do not limit the number of dwellings allowable within a development. Rather, plot ratio is considered to be the main form of quantitative control in determining built form and intensity.

Further to this, it is noted that the construction of 20 units and compliance with plot ratio is easily achievable, particularly given that the deemed-to-comply requirements of clause 6.4.3 only require dwellings of a minimum plot ratio area of 40m². Thus, any amendments to the subject development which lead to a compliant plot ratio will not guarantee a reduction in unit numbers and, correspondingly, the number of residents or vehicles on site.

- *Laundry facilities have not been provided as part of the development*

City response: The final amended plans provide details on the proposed laundry setup for each of the individual units.

- *Bicycle bays have not been provided as part of the development*

City response: The final amended plans provide details on the provision of nine wall mounted bicycle racks. This now complies with the deemed-to-comply requirements.

- *Potential adverse impact on the natural environment, particularly on the fragile coastline in and around 'Lennard's Pool'*

City response: It is not considered that the development will significantly impact the surrounding natural environment.

- *Traffic Impact on Lennard Street and Cliff Street*

City response: Many submissions highlighted the potential impact on Lennard Street and Cliff Street in terms of safety and increased traffic congestion. Submitters noted that these streets are already congested during peak periods and that the development would increase this problem. The applicant has provided a transport statement to demonstrate how traffic will be managed entering and exiting onto Lennard Street. This report demonstrates that predicted flows can be accommodated within the existing network without resulting in unacceptable adverse impacts.

It was noted that the traffic generation rates as per the traffic statement appeared on the low side (4.5vpd). However, it was considered that there were no specific traffic impact issues for the development even if the generation rate were to be higher. It is not considered that there are any major traffic generation issues around this development and the traffic assessment is appropriate. Access from Lennard Street is the appropriate location, however, the traffic statement used a different basement layout and driveway layout.

- *Noise impact on surrounding properties*

City response: While this is not a planning consideration, the development is required to be designed and constructed in accordance with the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*.

- *Overshadowing to the southern boundary*

City response: A number of submitters raised concerns with the potential for overshadowing of properties adjoining the site. The original plans submitted did result in the shadow at midday 21 June to be cast over 39% of the adjoining site to the south. However, the revised plans have modified the roof design to the southern boundary so that the proposal results in only 21% total overshadowing of the adjoining property. This now meets the deemed-to-comply requirements of the R-Codes.

- *Overlooking of adjoining properties*

City response: A number of submitters raised concerns with the potential for overlooking of properties adjoining the site. The final, revised plans have been amended to ensure that all major openings and unenclosed outdoor active habitable spaces, which have a floor level of more than 0.5m above natural ground level, have either been setback the minimum distance as

prescribed in the table of clause 5.4.1, or are provided with permanent screening. This now complies with the deemed-to-comply requirements of the R-Codes.

- *Bin collection and waste management*

City response: A Refuse Management Plan indicating the method of rubbish collection has been submitted to the City. Refuse management for the proposal is proposed to be undertaken by a caretaker/cleaner employed by the strata management body. The refuse Management Plan indicates that the caretaker would be responsible for placing refuse bins on the Lennard Street road reserve for collection. Bulk refuse collection is also proposed to be a strata managed item.

Options/Alternatives

This application is recommended for refusal on the basis that the design principles relating to plot ratio and open space are not fully satisfied. However, should the DAP consider that the various elements of the application satisfy all relevant design principles, including the proposed plot ratio and open space for the development, an alternative recommendation for approval, subject to conditions, is set out below.

That the Metro North-West JDAP resolves to:

Approve DAP application (reference DP/13/00370) and accompanying plans (refer to Attachment 2) in accordance with Clause 6.9 of the City of Joondalup District Planning Scheme No 2, subject to the following conditions:

Conditions

- a) **This decision constitutes planning approval only and is valid for a period of two (2) years from the date of approval. If the subject development is not substantially commenced within the two (2) year period, the approval shall lapse and be of no further effect.**
- b) **A Construction Management Plan being submitted and approved prior to the commencement of construction. The management plan shall detail how it is proposed to manage:**
 - All forward works for the site;
 - The delivery of materials and equipment to the site;
 - The storage of materials and equipment on the site;
 - The parking arrangement for contractors and subcontractors;
 - Other matters likely to impact in the surrounding properties;
- c) **Any roof mounted or freestanding plant or equipment such as air conditioning units, satellite dishes or radio masts to be located and screened so as not to be visible from beyond the boundaries of the development site, prior to the occupation of the buildings to the satisfaction of the City. Where practicable, piping, ducting and water**

tanks should also be located so as to minimise any visual and noise impacts.

- d) An onsite stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied, and thereafter maintained to the satisfaction of the City. Plans showing the proposed stormwater drainage system are to be submitted to the City for approval, prior to the commencement of construction.
- e) The car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009), and Off-street Commercial Vehicle Facilities (AS2890.2:2002) prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City.
- f) Any bicycle parking facilities provided shall be provided in accordance with the Australian Standard for Off-Street Car Parking – Bicycles (AS2890.3-1993) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided and approved by the City prior to the commencement of construction.
- g) All external walls of the proposed buildings, including boundary walls shall be of a clean finish, and shall at all times be maintained to a high standard, including being free of vandalism, to the satisfaction of the City;
- h) All construction works shall be contained within the property boundaries.
- i) Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of construction. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:
 - I. Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
 - II. Provide all details relating to paving, treatment of verges and tree planting in the car park;
 - III. Show spot levels and/or contours of the site;
 - IV. Indicate any natural vegetation to be retained and the proposed manner in which this will be managed;
 - V. Be based on water sensitive urban design principles to the satisfaction of the City;
 - VI. Be based on designing out crime principles to the satisfaction of the City;
 - VII. Show all irrigation design details; and
 - VIII. Show the location of any services that will be affected by the landscaping and irrigation works.

- j) Landscaping and reticulation shall be established by the landowner or developer in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to a high standard to the satisfaction of the City.
- k) Refuse management for the development shall be undertaken in accordance with the approved Refuse Management Plan, to the satisfaction of the City.

Advice Notes:

- a) Further to condition a) above, where an approval has lapsed, no development shall be carried out without further approval having first being sought and obtained.
- b) Development to be designed and constructed in accordance with the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*. Consideration needs to be given to the location of plant equipment including air conditioning units, mechanical exhaust ventilation and future swimming pool equipment.
- c) Development shall comply with the *Health (Aquatic Facilities) Regulations 2007*. Please be advised that any future swimming pool additions will first require approval from the Department of Health WA.
- d) Further to condition k) above, the applicant/landowner is advised that bulk refuse collection will also be a caretaker/strata managed item.

Conclusion

The original plans submitted on 23 April 2013 proposed a plot ratio of 0.83 and a maximum wall height of 8.7m. The proposed development also featured several projections through the Building Threshold Envelope set out in the City's policy relating to the height and scale of buildings in the 'Residential' zone. Following a review of the issues raised from the public consultation period, amended plans were submitted which substantially reduced the plot ratio, contained the development within the Building Threshold Envelope and increased the articulation and modulation of the built form to the street frontages.

It is acknowledged that, through these revised plans, the applicant has attempted to address the issue of bulk and produced a well articulated development that, for the most part, meets the deemed-to-comply requirements and design principles of the R-Codes.

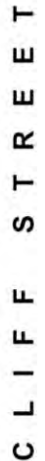
It is important to clarify that the City does not object to the proposed use of the site for the development of multiple dwellings, provided the development relates well to the existing context of the development site.

However, there is a concern that the proposed development fails to adequately respond to the existing built form of the area as a result of excessive plot ratio and inadequate open space provision.

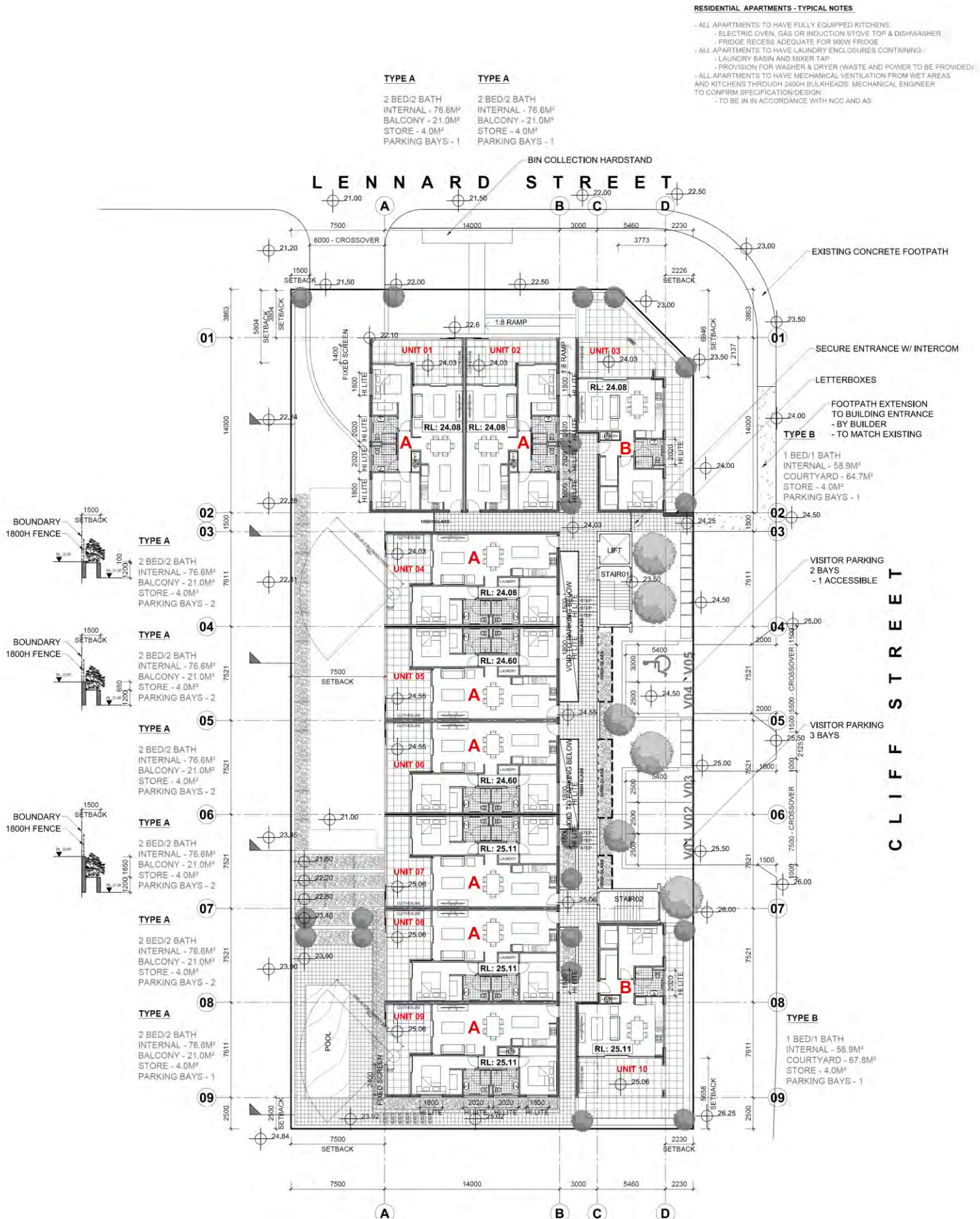
Given the density apportioned to the site and the nature of the development proposed (multiple dwellings) it cannot be conclusively argued that the proposed plot ratio and the proposed reduction in open space does not contribute to perceived overdevelopment of the site.

The application is therefore recommended for refusal.





01 BASEMENT PARKING PLAN
1:200@A2 1:400@A4



RESIDENTIAL APARTMENTS - TYPICAL NOTES

- ALL APARTMENTS TO HAVE FULLY EQUIPPED KITCHENS:
 - ELECTRIC OVEN, GAS OR INDUCTION STOVE TOP & DISHWASHER
 - FRIDGE RECESS ADEQUATE FOR 900W FRIDGE
- ALL APARTMENTS TO HAVE LAUNDRY ENCLOSURES CONTAINING:
 - LAUNDRY BASIN AND MIXER TAP
 - PROVISION FOR WASHER & DRYER (WASTE AND POWER TO BE PROVIDED)
- ALL APARTMENTS TO HAVE MECHANICAL VENTILATION FROM WET AREAS AND KITCHENS THROUGH 2400H BULKHEADS. MECHANICAL ENGINEER TO CONFIRM SPECIFICATION/DESIGN.
- TO BE IN ACCORDANCE WITH NCC AND AS.

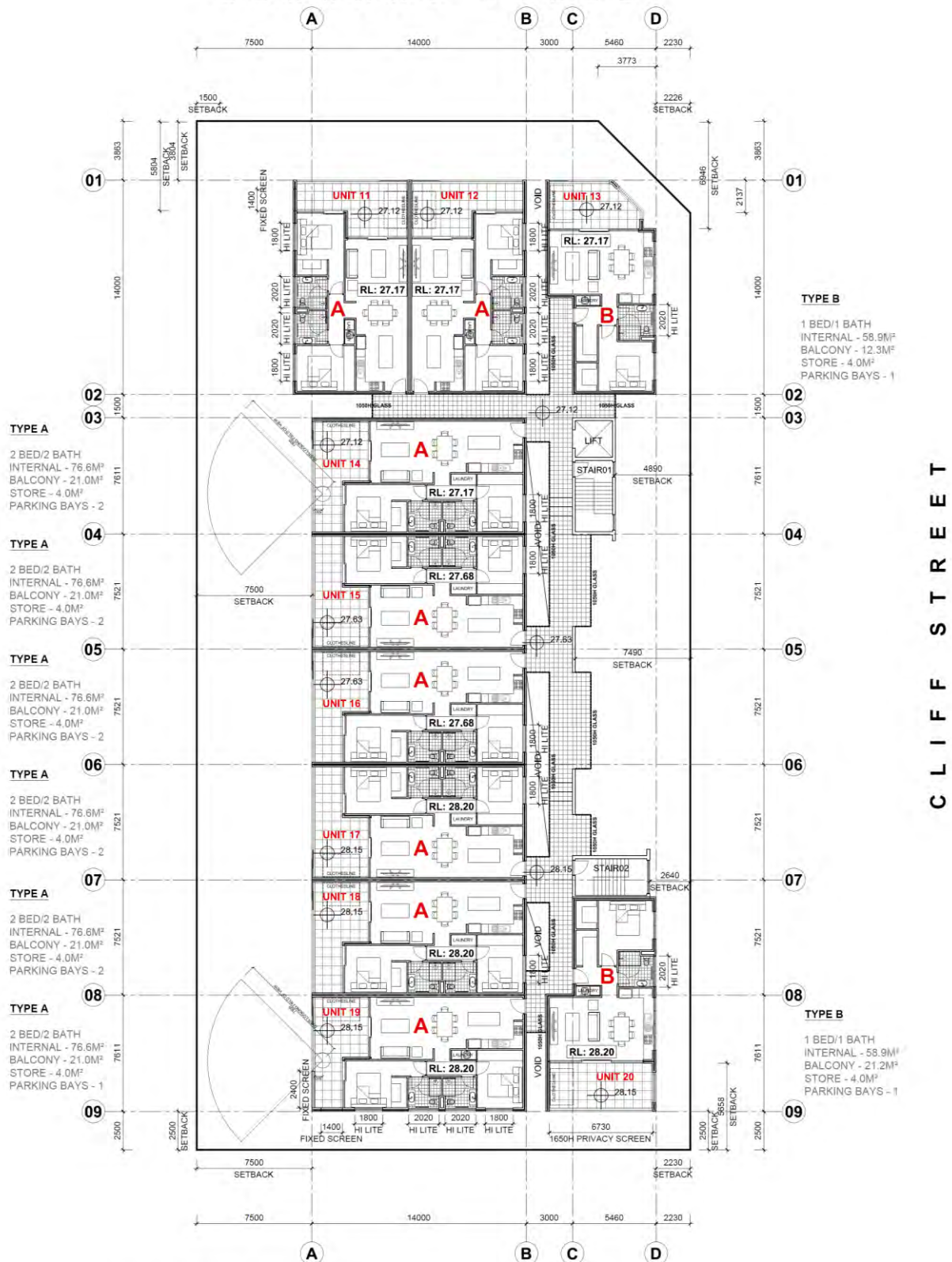
TYPE A

2 BED/2 BATH
INTERNAL - 76.6M²
BALCONY - 21.0M²
STORE - 4.0M²
PARKING BAYS - 1

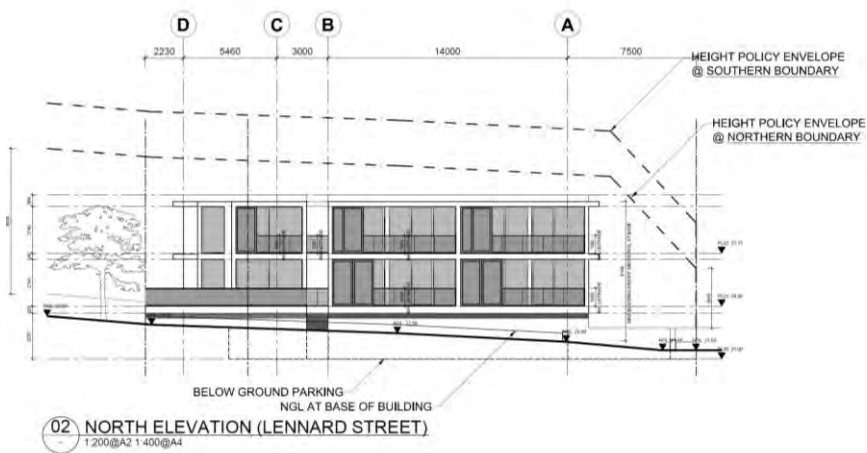
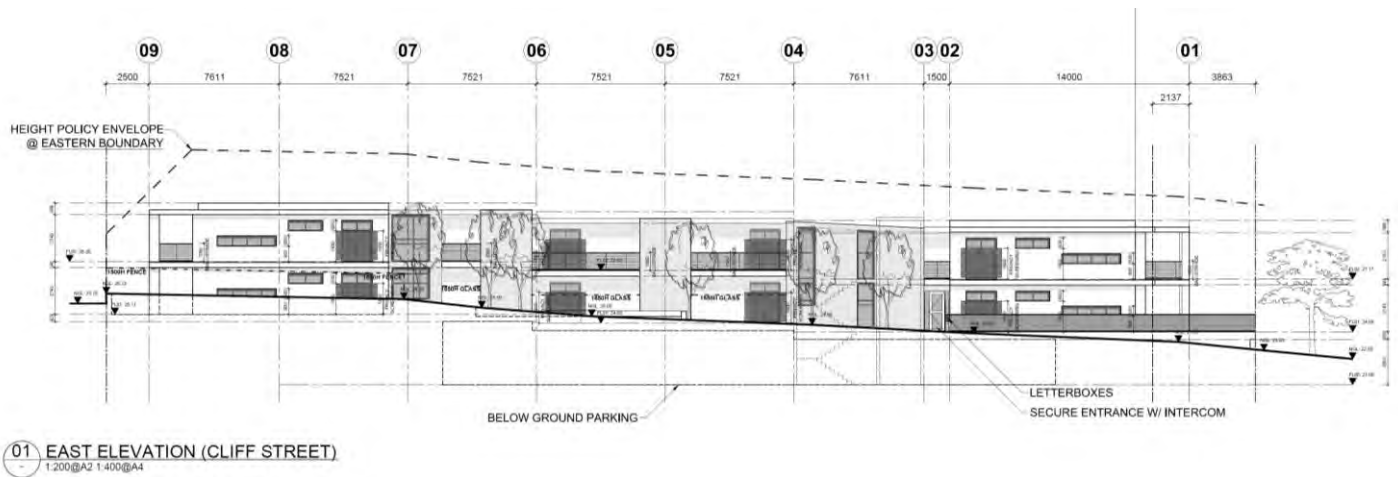
TYPE A

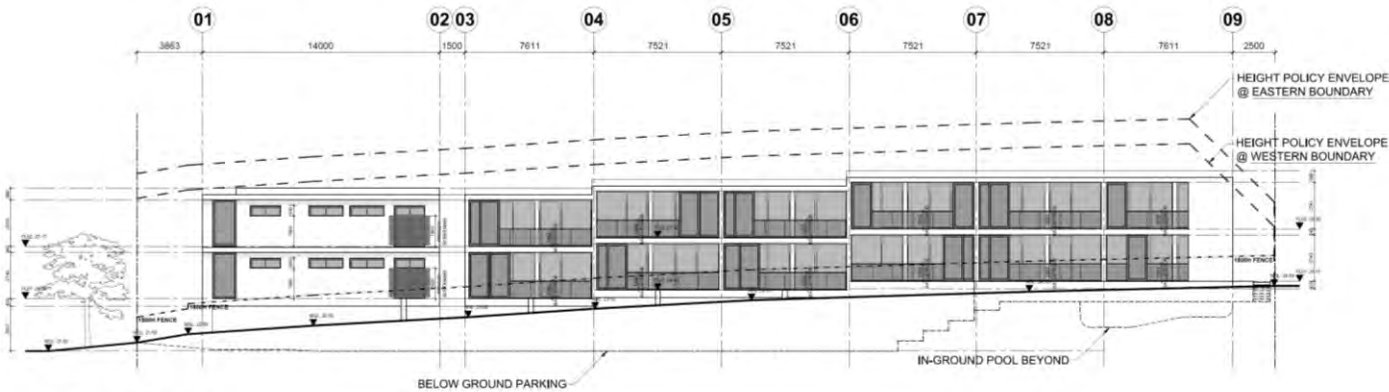
2 BED/2 BATH
INTERNAL - 76.6M²
BALCONY - 21.0M²
STORE - 4.0M²
PARKING BAYS - 1

LENNARD STREET

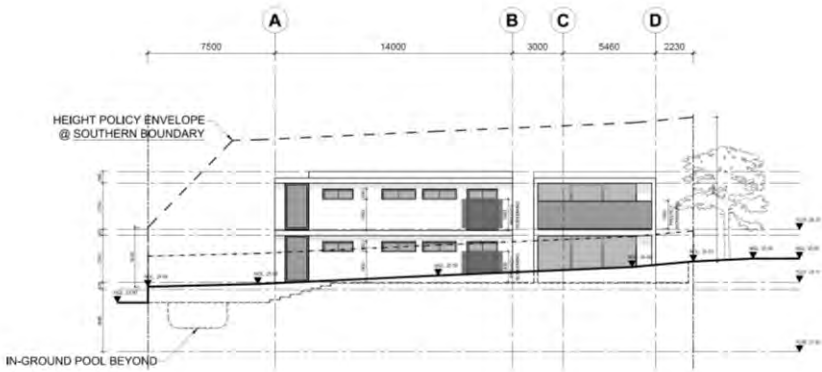








03 WEST ELEVATION
1:200 @ A2 1:400 @ A4



04 SOUTH ELEVATION
1:200 @ A2 1:400 @ A4



NO 14 LENNARD STREET, MARMION
CLIFF STREET ELEVATION - 02/09/2013

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www.hjarchitect.com.au



NO 14 LENNARD STREET, MARMION
LENNARD STREET VIEW - 06/09/2013



NO 14 LENNARD STREET, MARMION
LENNARD STREET VIEW - 30/08/2013



Environmentally Sustainable Design – Checklist

Under the City's planning policy, *Environmentally Sustainable Design in the City of Joondalup*, the City encourages the integration of environmentally sustainable design principles into the construction of all new residential, commercial and mixed-use buildings and redevelopments (excluding single and grouped dwellings, internal fit outs and minor extensions) in the City of Joondalup.

Environmentally sustainable design is an approach that considers each building project from a 'whole-of-life' perspective, from the initial planning to eventual decommissioning. There are five fundamental principles of environmentally sustainable design, including: siting and structure design efficiency; energy efficiency; water efficiency; materials efficiency; and indoor air quality enhancement.

For detailed information on each of the items below, please refer to the *Your Home Technical Manual* at: www.yourhome.gov.au, and *Energy Smart Homes* at: www.clean.energy.wa.gov.au.

This checklist must be submitted with the planning application for all new residential, commercial and mixed-use buildings and redevelopments (excluding single and grouped dwellings, internal fit outs and minor extensions) in the City of Joondalup.

The City will seek to prioritise the assessment of your planning application and the associated building application if you can demonstrate that the development has been designed and assessed against a national recognised rating tool.

Please tick the boxes below that are applicable to your development.

Siting and structure design efficiency

Environmentally sustainable design seeks to affect siting and structure design efficiency through site selection, and passive solar design.

Does your development retain:

- ☐ existing vegetation; and/or
- ☒ natural landforms and topography

Does your development include:

- ☒ northerly orientation of daytime living/working areas with large windows, and minimal windows to the east and west
- ☒ passive shading of glass
- ☒ sufficient thermal mass in building materials for storing heat
- ☒ insulation and draught sealing
- ☒ floor plan zoning based on water and heating needs and the supply of hot water; and/or
- ☒ advanced glazing solutions - TBA .

Energy efficiency

Environmentally sustainable design aims to reduce energy use through energy efficiency measures that can include the use of renewable energy and low energy technologies.

Do you intend to incorporate into your development:

- ☒ renewable energy technologies (e.g. photo-voltaic cells, wind generator system, etc); and/or
- ☒ low energy technologies (e.g. energy efficient lighting, energy efficient heating and cooling, etc); and/or
- ☒ natural and/or fan forced ventilation

Water efficiency

Environmentally sustainable design aims to reduce water use through effective water conservation measures and water recycling. This can include stormwater management, water reuse, rainwater tanks, and water efficient technologies.

Does your development include:

- ☐ water reuse system(s) (e.g. greywater reuse system); and/or - TBA.
- ☐ rainwater tank(s) - TBA.

Do you intend to incorporate into your development:

- ☒ water efficient technologies (e.g. dual-flush toilets, water efficient showerheads, etc)

Materials efficiency

Environmentally sustainable design aims to use materials efficiently in the construction of a building. Consideration is given to the lifecycle of materials and the processes adopted to extract, process and transport them to the site. Wherever possible, materials should be locally sourced and reused on-site.

Does your development make use of:

- ☒ recycled materials (e.g. recycled timber, recycled metal, etc)
- ☐ rapidly renewable materials (e.g. bamboo, cork, linoleum, etc); and/or - TBA
- ☐ recyclable materials (e.g. timber, glass, cork, etc) - TBA.
- ☒ natural/living materials such as roof gardens and "green" or planted walls

Indoor air quality enhancement

Environmentally sustainable design aims to enhance the quality of air in buildings, by reducing volatile organic compounds (VOCs) and other air impurities such as microbial contaminants.

Do you intend to incorporate into your development:

- ☐ low-VOC products (e.g. paints, adhesives, carpet, etc)

'Green' Rating

Has your proposed development been designed and assessed against a nationally recognised "green" rating tool?

- ☐ Yes
- ☒ No

If yes, please indicate which tool was used and what rating your building will achieve:

Will happen during design development.

If yes, please attach appropriate documentation to demonstrate this assessment.

If you have not incorporated or do not intend to incorporate any of the principles of environmentally sustainable design into your development, can you tell us why:

Is there anything else you wish to tell us about how you will be incorporating the principles of environmentally sustainable design into your development:

When you have checked off your checklist, sign below to verify you have included all the information necessary to determine your application.


harden jones architects

Thank you for completing this checklist. Your application is processed as quickly as possible.

Suite 8, 300 Rokeby Road, Subiaco WA 6008

Applicant's Full Name: **admin@hjarchitect.com.au**
www.hjarchitect.com.au

Contact Number: **9380 9900**

Applicant's Signature: 

Date Submitted: **24-06-2013**

Accepting Officer's Signature: _____

Checklist Issued: March 2011





Form 1 - Responsible Authority Report

(Regulation 12)

Application Details:	Extension and refurbishment of existing shop - Coles supermarket
Property Location:	Lot 51 (No 83) Salisbury Street, Inglewood (lot 51 dp26645; volume 1459; folio 994; lot area: 10,540 m ²)
DAP Name:	Metropolitan North West Joint DAP
Applicant:	TPG Town Planning & Urban Design
Owner of Property:	Framington Nominees Pty Ltd
LG Reference:	DA13/1052
Reporting Agency:	City of Stirling
Authorising Officer:	Ross Povey Director Planning and Development
Application No and File No:	DP13/00428
Report Date:	16 Sep 2013
Application Receipt Date:	6 May 2013
Application Process Days:	85 days
Attachment(s):	Attachment 1 a. Existing Survey 383-DA-01EX b. Existing Conditions Layout 383-DA-02EX c. Existing Elevations 383-DA-02EX d. Proposed Site Plan DA-383-da.01 e. Proposed Floor Plan 383-SK18 f. Proposed Elevation Plans 383-DA.03 g. Proposed Elevation Plans 383-DA.04 h. Modifications required to accommodate fire exit doors Attachment 2 Local Planning Policy 4.2 - Mixed Use and Commercial Centre Design Guidelines Attachment 3 Statement of Planning Policy 4.2 – Activity Centres for Perth and Peel Attachment 4

	<p>Local Planning Policy 3.1 – Character Retention Guidelines Mount Lawley, Menora and Inglewood</p> <p>Attachment 5 Local Planning Policy 6.2 - Bicycle Parking</p> <p>Attachment 6 Local Planning Policy 6.7 – Parking and Access</p> <p>Attachment 7 Local Planning Policy Street Addressing</p> <p>Attachment 8 a. Outcome of Consultation June 2013 (City of Bayswater & Adjoining Landowners) b. Further comment from the City of Bayswater comment September 2013</p> <p>Attachment 9 Site photographs</p> <p>Attachment 10 Examples of developments with main street frontage</p> <p>Attachment 11 Car Parking Analysis</p> <p>Attachment 12 a. Elevation submitted 7 May 2013 b. Elevation submitted 17 July 2013 c. Elevation submitted 26 July 2013</p>
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Recommendation:

That the North West Metropolitan JDAP resolves to:

1. **APPROVE** DAP Application DP13/00428 and accompanying plans (ATTACHMENT 1) for Additions & Refurbishment to Existing Shop (Coles Supermarket) at Lot 561, House Number 83 Salisbury Street, Inglewood in accordance with Clause 10.3.1 of the City of Stirling Local Planning Scheme No. 3 subject to the following conditions:

CONDITIONS:

- a. The fire doors abutting the north eastern (Salisbury Street) lot boundary being modified so as not to encroach the Salisbury Street road reserve when open.
- b. Openings to Salisbury Street to be clear glazing to the satisfaction of the City's Manager Approvals.
- c. Landscaping being installed in accordance with an approved landscaping plan upon completion of the development and maintained thereafter to the satisfaction of the City. A landscaping plan shall be submitted to, and approved by the City's Manager Approvals prior the submission of an application for a Building Permit.
- d. The exterior finish of the additions shall be in accordance with a Schedule of Colors and Materials approved by the City. A Schedule of Colors and Materials shall be submitted to, and approved by the City's Manager Approvals prior to the submission of an application for a Building Permit.
- e. A Shopping Trolley Management Plan shall be submitted to, and approved by the City's Manager Community Safety prior to the submission of an application for a Building Permit.
- f. A waste management plan shall be submitted to, and approved by the City's Manager Health and Compliance prior to the submission of an application for a Building Permit.
- g. The development being designed and constructed in accordance with the recommendations of a qualified acoustic consultant to the satisfaction of the Manager Health and Compliance. The recommendations of an acoustic consultant are to be submitted to, and approved by the City's Manager Health and Compliance prior to the submission of an application for a Building Permit. The ongoing operation of the use is to comply with relevant Environmental Protection (Noise) Regulations 1997.
- h. The external face of additions being finished with an anti graffiti coating and thereafter maintained in good repair by the owner/occupant to the satisfaction of the City's Manager Community Safety.
- i. A security and lighting strategy being prepared by a qualified security consultant and implemented upon completion of the development to the satisfaction of the City. The security and lighting strategy shall be submitted to, and approved by the City's Manager Community Safety prior to the submission of an application for a building permit.
- j. On-site lighting not being positioned or operated in such a manner so as to cause nuisance or annoyance to surrounding uses or passing traffic.
- k. All plant and equipment shall screened to the satisfaction of the Manager Approvals.
- l. Vehicular parking manoeuvring and circulation areas indicated on the approved plan being sealed and drained to the satisfaction of the City. The 170 parking spaces shall be marked out and maintained in good repair to the satisfaction of the City's Manager Engineering Design.

- m. The dimensions of all parking bays and manoeuvring areas to be in accordance with the Australian Standards for Off Street Parking AS2890.1.
- n. Any existing crossovers not included as part of the proposed development on the approved plan are to be removed. New kerbing and verge to be reinstated to the satisfaction of the City's Manager Engineering Operations.
- o. Signage is to be installed in accordance with a signage strategy submitted to, and approved by the City's Manager Approvals prior to the submission of an application for a Building Permit.
- p. The applicant/owner submitting a request to amend the street address of the property to HN. 9 Wood Street, Inglewood prior to the submission of an application for a Building Permit.
- q. A Site Management Plan addressing the safe and efficient management of earthworks and construction is to be submitted to, and approved by the City's Manager Approvals prior to the submission of an application for a Building Permit. The Site Management Plan shall address dust, noise, waste management, storage of materials, traffic, pedestrian and site safety/security. The Site Management Plan is to be complied with for the duration of the construction of the development.

ADVICE:

- a. The applicant is advised that a separate development application is to be made to, and approved by the City of Bayswater prior to the commencement of development within the Salisbury Street road reserve.
- b. With regards to Condition 'c', landscaping plans are to include hard and soft landscaping and street furniture proposed within the car parking area and landscaped square abutting Salisbury Street.
- c. With regards to Condition 'd', the City will accept a color scheme as discussed with the applicant prior to the determination of the applicable, whereby the color of brickwork is to be consistent with colors illustrated on the approved elevation plans.
- d. With regards to Condition 'e' and 'i', the applicant is advised to refer to the City of Stirling Local Planning Policy 4.2 – Mixed Use and Commercial Centre Design Guidelines for further information.
- e. With regards to Condition 'p', the applicant is advised to refer to the City of Stirling Local Planning Policy 6.9 – Street Addressing and complete the 'Change of Street Addressing' form available on the City's website.
- f. If the development the subject of this approval is not substantially commenced within a period of two years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.
- g. Where an approval has so lapsed, no development shall be carried out without the further approval of the City of Stirling having first been sought and obtained.

- h. Except where the land the subject of this approval is the subject of a notice under Clause 32 of the Metropolitan Region Scheme or is reserved by that Scheme, this approval shall be deemed to be an approval under the Metropolitan Region Scheme.
- i. This is a Development Approval made under the City of Stirling's Local Planning Scheme No. 3 and related policies. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant to obtain any other necessary approvals, consents and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
- j. This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.
- k. Development is to comply in all respects with the attached approved plan which have been stamped accordingly.
- l. The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
- m. Compliance with the provisions of the Building Code of Australia.
- n. In areas where power is supplied by overhead street mains new installations must be serviced by underground service mains to the satisfaction of Western Power.
- o. Noisy Construction Work outside the period 7.00 am to 7.00 pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued.
- p. Submission of acceptable plans showing the details of paving, stormwater drainage and disposal with the Building Permit application. Such plans and any other stormwater drainage requirements and/or conditions of approval are to be to the satisfaction of the Manager, Engineering Operations.
- q. Connection to Deep Sewer in the locality.

Background:

Insert Property Address:	Lot 51, House Number 83, Salisbury Street INGLEWOOD WA 6052
Insert Zoning	MRS: Urban
	TPS: Local Centre/ Civic
Insert Use Class:	Shop
Insert Strategy Policy:	Not Applicable
Insert Development Scheme:	Not Applicable
Insert Lot Size:	10,540m ²
Insert Existing Land Use:	Shop (Supermarket, Chemist & Newsagent)
Value of Development:	\$5 million

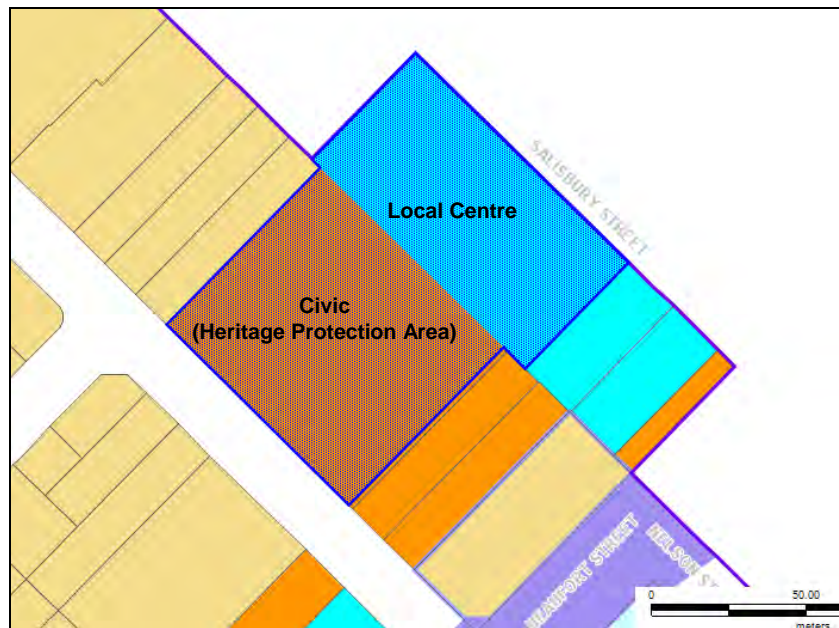
The subject site is located within the municipality of Stirling approximately 5 kilometres north/east of the Perth CBD. The north eastern lot boundary represents the municipal boundary of the City of Stirling and City of Bayswater. Development within the Salisbury Street road reserve is subject to the approval of the City of Bayswater.

The site is bound by Wood and Salisbury Streets, commercial development orientated toward Beaufort Street (drive through fast food outlet, drive through liquor store and tavern) and medium density (R30/R40) residential development to the north/west. Adjacent land uses are predominantly residential, with the exception of the Salisbury Street Medical Centre and a public open space reserve on the north eastern side of Salisbury Street.

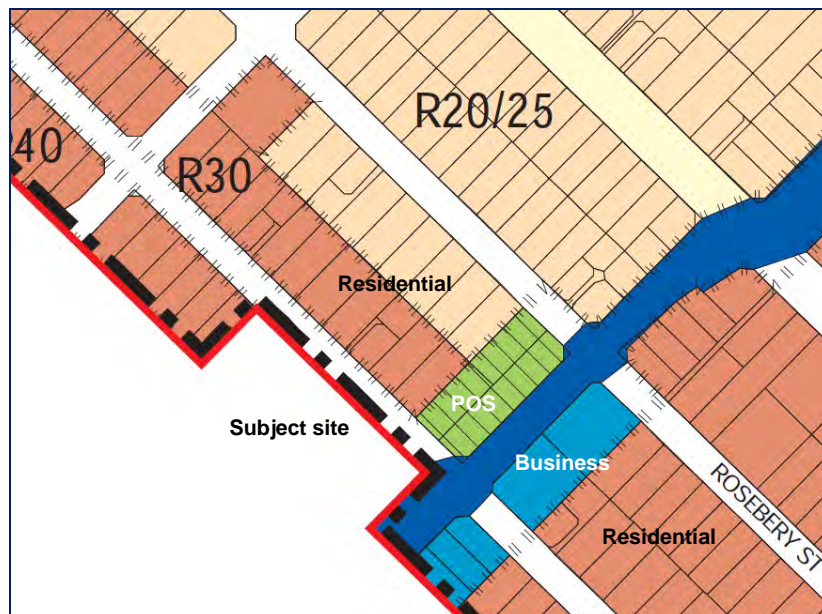
Existing land uses on the site comprise of a 2,738m² Coles Supermarket and 346m² Chemist/ Newsagent (total of 3084m² of 'Shop' gross leasable floor area). Vehicular access to the site exists via Wood Street, Salisbury Street and (informally) the adjoining commercial lots to the south. No formal reciprocal access arrangement is in place to secure access across the subject and adjoining sites.

The site is zoned 'Urban' under the Metropolitan Region Scheme (MRS). The north/ eastern portion of the site is zoned 'Local Centre' under the City of Stirling Local Planning Scheme No. 3 (LPS3). The south/western portion of the site is zoned 'Civic' under LPS3 and is located within the City's Heritage Protection Area Special Control Area, herein referred to as the Heritage Protection Area.

At present, the subject site is occupied by a 'box style' building orientated toward Wood Street yet disconnected from the street by an expansive car parking area (167 bays). As viewed from Salisbury Street, the building façade presents as a red brick wall, approximately 90m long and 4.6m high. The wall does not contain any openings and is setback approximately 11.5m from the Salisbury Street lot boundary. The setback area is utilised for car parking.



Land Use Zoning (City of Stirling Local Planning Scheme No. 3)



Land Use Zoning (City of Bayswater Local Planning Scheme No. 24)



Location Plan



Aerial Photograph

The division of the site into separate zones reflects two previous landholdings. Amalgamation was considered necessary as the supermarket (located on former Lot 43 Salisbury Street - currently zoned 'Local Centre') and associated car parking (located on former Lot 44 Wood Street - currently zoned 'Civic') were formerly on different titles and within different municipalities (Stirling and Bayswater). Amalgamation of the lots and the realignment of municipal boundaries in 2004 resulted in the parking area and supermarket being situated on a single lot and within a single municipality.

In 2004, the north/eastern portion of the site was zoned 'Business' under the City of Stirling District Planning Scheme No. 2 (DPS2). This was subsequently zoned 'Local Centre' when LPS3 was gazetted in 2010. The current LPS3 'Civic' zoning of the north/eastern portion of

the lot reflects the former zoning under DPS2. The permissibility of land uses within the LPS3 'Civic' zone differs from that of DPS2 as discussed further below.

Clause 4.2 (LPS3) – Objectives of the Local Centre Zone:

- a. *To provide for a limited range of small-scale retail, commercial and community facilities to meet the day-to-day needs of the immediate neighbourhood.*
- b. *To ensure safe and convenient access to facilities, in an environment which is conducive to pedestrian movement.*
- c. *To ensure development is sited and designed so as to reinforce a sense of place and attractive streetscapes.*

The City of Stirling's *Mixed Use and Commercial Centre Design Guidelines* (Local Planning Policy 4.2), herein referred to as the '*Mixed Use and Commercial Centre Design Guidelines*', (ATTACHMENT 2) provide specific development provisions for development proposed within the local centre zone. The objectives of the *Mixed Use and Commercial Centre Design Guidelines* are as follows:

- *To create vibrant and active mixed use centers by locating facilities such as housing, employment places and retail activities together;*
- *To create main street frontages to existing box style developments;*
- *To create a high level of pedestrian amenity through the provision of continuous streetscapes, interactive frontages and weather shelter;*
- *To promote a high quality built form that creates a distinctive urban form and enables safety and security through passive surveillance; and*
- *To create public and private spaces that are safe, attractive and surrounded by active vibrant uses that will become the focal / meeting point of the centres.*

The intent of the *Mixed Use and Commercial Centre Design Guidelines* is to guide the development and redevelopment of the City's centers in line with contemporary town planning practice and principals. The guidelines promote retail development with main-street frontages in lieu of a conventional approach to activity centre development, typically characterised by enclosed, parking-lot dominated 'box style' developments, occupying large windowless rectangular single-storey buildings that lack pedestrian amenity. Such developments are uniform in their layout and design, lack individuality and fail to contribute toward a sense of place in and around centres.

The principals underpinning the City's *Mixed Use and Commercial Centre Guidelines* also reflect the objectives and provisions of Statement of Planning Policy 4.2 - *Activity Centres for Perth and Peel* (ATTACHEMNT 3), herein referred to as *State Activity Centres Policy* relevant to the subject proposal are as follows:

7. *Maximise access to activity centres by walking, cycling and public transport while reducing private car trips.*
8. *Plan activity centre development around a legible street network and quality public spaces.*

Clause 5.4 of *State Activity Centres Policy* contains provisions relating to urban form within activity centres. Relevant provisions being as follows:

1. *District centres and higher-order centres should incorporate a network of streets and public spaces as principal elements.*
2. *The following should be considered:*
 - *a well formed structure typically consist of small, walkable blocks that improve accessibility within a centre;*
 - *buildings need to address streets and public spaces to promote vitality and encourage natural surveillance;*
 - *Activity centres should contain a mix of land uses along street frontages, and arrange key retail and other attractors to maximise pedestrian flows along streets;*
 - *New activity centre development or redevelopment should include ‘sleeving’ (sleeving being defined as the technique of enclosing much of the perimeter of a large bulky building with smaller retail or commercial tenancies that incorporate active facades to the adjacent street or public space) of large-scale retail and car parks, more externally-orientated or “active” building frontages and fewer blank walls”;*
 - *‘town squares’, public and civic spaces and parks need to be attractive, well located spaces that provide a quality meeting place for the community as an integrated component of the centre.*

Clause 4.2 of LPS3 identifies the following objectives of the Civic zone:

- a) *To provide for a limited range of community facilities which are compatible with surrounding development.*
- b) *To ensure that the design of development is in keeping with the scale and form of surrounding development.*

Clause 6.6.1 of LPS3 identifies the following objectives of the Heritage Protection Area:

- a) *To ensure the conservation and retention of buildings within the Heritage Protection Area Special Control Area dating from the early 1900s to the 1950s where the architectural style of the building is generally intact;*
- b) *To ensure the retention of existing buildings referred to in (a) above to maintain the existing character of the streetscape;*
- c) *To ensure that new buildings (where permitted), alterations, additions to existing buildings, carports, garages and front fences are in keeping with the heritage character of the area, respect the scale and proportions of surrounding buildings, and are designed to fit into the existing streetscape;*
- d) *To maintain and improve existing street trees, grass verges and front gardens; and*
- e) *To retain mature trees wherever possible.*

City of Stirling’s *Character Retention Guidelines – Mount Lawley, Menora and Inglewood* (Local Planning Policy 3.1) (ATTACHMENT 4), herein referred to as the ‘*Character Retention Guidelines*’, provide guidance with respect to development within the *Heritage*

Protection Area. Part 6 of the Character Retention Guidelines provides specific objectives with respect commercial development as follows:

- *Ensure the conservation and retention of traditional buildings, particularly traditional shops and commercial buildings, including those described in Part 5;*
- *Ensure new commercial and mixed-use development consistent with 'main street', mixed-use design principles, and consistent with the heritage character of the locality; and*
- *Ensure refurbishment of more recent development in a manner in keeping with traditional commercial buildings.*

The following approvals (subject to conditions) have previously been issued for the subject site:

28 January 2009	Additions to Shop (ATM) (DA09/0092 - issued by City of Stirling)
12 March 2004	Additions to Pharmacy/ Newsagency (DA04/0058 - issued by City of Stirling)
31 January 2002	Signage – Coles Supermarket (SAL-2/83-91; issued by City of Bayswater)
26 February 2001	Refurbishment and Upgrade - Coles Supermarket (M205270.01- issued by City of Stirling)
22 November 2001	Refurbishment and Upgrade - Coles Supermarket (SAL-2/83-91 - issued by City of Bayswater)
10 December 1996	Additions to Shop – Chemist (SAL-2/79-81 issued by City of Bayswater)

Details: outline of development application (DP13/00428)

The application relates to the existing Shop (Coles Supermarket) at Lot 51, House Number 83 Salisbury Street, Inglewood. The proposal comprises of an internal refurbishment of the existing supermarket, modifications to the on site car parking areas, access, and an additional 961m² (35%) of 'Shop' gross leasable area (GLA) resulting in a total 4,045 sqm of 'shop' GLA on site.

- 897m² addition to the rear (north/east) of the existing supermarket;
- 64m² addition to the front (south/west) of the existing supermarket comprising of an enclosed entry/shopping trolley storage area;
- Removal of 18 existing car parking bays and landscaping abutting Salisbury Street and *the construction of 5 additional bays in the existing car parking area abutting Wood Street* (aggregate loss of 13 on-site parking bays);
- Removal of the existing crossover to Salisbury Street;
- Removal of one (1) of three (3) existing crossovers to Wood Street; and
- Reconfiguration of the internal supermarket layout.

Background

On 7 August 2013 the North West Metropolitan JDAP met to consider the development proposal, but agreed to defer the subject application to allow for further discussions to take place between the City of Stirling and the applicant with respect to a more appropriate interface between the proposed addition to the rear of the supermarket and Salisbury Street. The applicant has since met with representatives of both the City of Stirling and the City of Bayswater to discuss modifications to the original development proposal. Amended plans were subsequently been submitted on 3 September 2013 reflecting those discussion. Modifications to the previous proposal, presented to the North West Metropolitan JDAP on 7 August 2013, are as follows:

- Alcoves accommodating fire exits removed;
- Additional gables provided;
- Additional windows;
- End of trip facilities for cyclists provided;
- Shopping trolley returns within the carpark retained (reduced parking provision);
- Minor reduction of the floor area of the addition to rear (8sqm); and
- Varied setback to Salisbury Street.

The applicant has also advised of intentions to undertake the following works within the Salisbury Street road reserve (subject to the approval of the City of Bayswater):

- Awnings to be constructed over the Salisbury Street footpath; and
- Upgrade existing verge treatments.

The Salisbury Street road reserve is located within the municipality of the City of Bayswater, therefore awnings and upgrades to verge treatments are subject to an application being made to the City of Bayswater.

Legislation & policy:

Legislation

- Planning and Development Act 2005
- Metropolitan Region Scheme (MRS)
- City of Stirling Local Planning Scheme No. 3 (LPS3)
- City of Stirling District Planning Scheme No. 2 (DPS2)

State Government Policies

- State Planning Policy 4.2 – Activity Centres for Perth and Peel

Local Policies

The following Local Planning Policies are applicable to the Development Assessment Panel's consideration of the proposed development:

- Local Planning Policy 3.1 – Character Retention Guidelines Menora, Mt Lawley and Inglewood
- Local Planning Policy 4.2 - Mixed Use and Commercial Centre Design Guidelines
- Local Planning Policy 6.2 – Bicycle Parking
- Local Planning Policy 6.7 – Parking
- Local Planning Policy 6.9 – Street Addressing

Consultation:

Public Consultation

The original application (ATTACHMENT 12a) was advertised to adjoining and nearby landowners likely to be affected by the development for a period of 14 days (in accordance with Clause 9.4.3 (a) of LPS3). Five (5) submissions were received during the advertising period. The proposal has since been modified in response to the comments of nearby landowners, discussions with representatives of the City of Stirling and the City of Bayswater and the comments made at the North West Metropolitan JDAP meeting of 7 August 2013.

Adjoining and nearby landowners who provided comment on the original submission were invited to provide further comment on revised plans. A further two (2) submissions were received.

The content of the seven (7) submissions is summarised below.

Revised Plans (ATTACHMENT 1)

Comment	City of Stirling Response
<p>The view of blank red brick walls provided by the East and West Elevations does little to enhance the streetscape or the general environment. A wall is still a wall and no matter how much you try to disguise it, it will still be very much 'in the face' of those residents living across the street and alongside it. Also it would not be too long before it was defaced by vandalism, graffiti artists, bill stickers etc as the current building frequently is.</p> <p>It has been stated that one of the reasons for the proposed extension being on the Salisbury street side is that the car park is under-utilised. This may be the case, but this is a situation created by Coles when they chose to close the access to the store from that side and therefore is not a reasonable justification.</p> <p>The plans show an attempt to soften the impact by the planting of trees. Would this actually occur and which council will accept the responsibility for maintaining them and also collect the rubbish that will accumulate around them from the discarded fast food containers, wraps and bags blown by the wind. Bayswater council has consistently ignored requests to re-plant street trees on south side of Salisbury Street after the road was widened, because of the maintenance costs and the existence of power lines.</p> <p>Much of the proposed extension is new cool rooms and food preparation areas. These will require refrigeration units, exhaust fans etc so what will be the environmental impact of the noise produced by these as they will be significantly closer to adjacent properties than they are now. These are also areas that will in all probability begin work earlier than normal store opening hours so can we look forward to having our sleep disturbed in the early hours of the morning as at present by the emptying of waste bins at 4.00 am?</p>	<p>While it is noted that the development proposed does not strictly adhere to the City's Mixed Use and Commercial Centre Design Guidelines, the proposal (inclusive of works within the Salisbury Street road reserve) are a significant improvement from the current situation.</p> <p>The decision to close an access point is not being considered; rather what needs to be considered is the current development application.</p> <p>Awnings and upgrades to verge treatments are subject to a separate application being made to the City of Bayswater. The applicant has confirmed intentions to carry out works within the road reserve subject to the approval of the City of Bayswater.</p> <p>Should the North West Metropolitan JDAP support the proposal, it is recommended a condition be imposed requiring the development to be designed and constructed in accordance with the recommendations of an acoustic consultants report. The ongoing operation of the use will be required to comply with relevant Environmental Protection (Noise) Regulations 1997.</p>

<p>In conclusion for any proposed development Coles should be made to recognise their social responsibility and try to improve the impact the store has on the environment, (and I include the existing structure), not detract from it even more than it does now.</p>	<p>It is the opinion of the City of Stirling that the development (inclusive of anticipated development within the road reserve) represents an improvement to the current Salisbury Street elevation.</p>
<p>We notice from the modified proposal document showing the rear elevation that some attempt has been made to soften the effect of a continuous brick wall by including a series of stepped gables which, to some extent, mimic the gables of the houses nearby. The modified proposal also includes faux windows against the bare brick wall. We believe this is merely an attempt at window dressing (excuse the pun). The windows would need to be opaque otherwise it would be obvious that they are not real. We are not really sure whether the windows actually add any value.</p> <p>We don't believe for one minute, that Coles will want to have the rear wall looking different to the front and we are sure that their intention is for this to be red brick with a metal roof.</p> <p>With regard to the windows, we believe these will be a magnet for graffiti and vandalism and bill posters, look no further than the various bus stops with a shelter in the locality. Also, the windows would need to be cleaned and maintained regularly to ensure that they do not become dilapidated and an eyesore.</p> <p>The pavement on that side of the road is quite wide. There is a red brick half closest to the road and a light cement surface closest to the existing boundary. We realise that the pavement is within the City of Bayswater. In the event that objections are not upheld, we believe the Council should seriously consider using a portion of the pavement nearest to the boundary to landscape, with trees along the boundary to soften the appearance of the wall. The modified proposal did include an outline of trees along the street in front of the brick wall. The picture, mentioned previously, actually showed trees along the brick wall. We realise that this is still at the outline</p>	<p>Noted. The applicant has confirmed actual windows are proposed abutting Salisbury Street. Should the North West Metropolitan JDAP support the proposal, it is recommended a condition be imposed requiring the type of windows permitted facing Salisbury Street.</p> <p>The applicant has advised of the following with regards to the external finish addition to the rear: <i>"the darker brickwork is to match the existing, and the lighter brickwork is to pickup on the color scheme of the nearby heritage listed Civic Hotel"</i>. Should the North West Metropolitan JDAP support the proposal, it is recommended a condition be imposed addressing the proposed color scheme given the inconsistencies shown on elevation plans.</p> <p>Given the minimal surveillance provided by the Salisbury Street elevation, it is likely to be affected by vandalism. Expectations of ongoing upkeep and maintenance of the external face of the addition building is questionable, particularly given the Salisbury Street elevation represents the back of the building and is not easily visible to customers. It is recommended the external appearance of the building be maintained by the occupant to the satisfaction of the City of Stirling.</p> <p>The proposed upgrades to the road reserve are subject to an application being made to the City of Bayswater. The applicant has confirmed intentions to undertake works within the road reserve, however there is no guarantee the development of the awning and verge upgrades will be undertaken as part of the development proposed.</p>

<p>proposal stage however, if this does go ahead in the format proposed, we wonder how the planting and maintenance of the trees will be handled between the two local authorities.</p> <p>Whilst Coles have claimed that the rear car park is underused, we have noticed that vans and trucks do park there on occasions possibly undertaking some maintenance activities for Coles itself. It is likely that these vehicles would then park on the road which would reduce the parking for visitors to the Doctors' Surgery, local homes which do not have visitor parking and Coles itself. Vigilance would be needed by City of Bayswater Council Rangers to ensure that parking does not increase on the opposite side of the road which has parking restrictions.</p> <p>There are a number of large refuse bins located in the rear car park. The bins are used by the Pharmacy as well as Coles. We wonder what the plans are for relocating them, particularly as they are emptied in the early hours of the morning.</p>	<p>As discussed further below, the proposed on-site parking provision is considered adequate to meet the parking needs of the proposed development.</p> <p>Should the North West Metropolitan JDAP support the proposal, it is recommended a condition be imposed requiring the preparation and implementation of a waste management plan to the satisfaction of the City of Stirling Manager Health and Compliance.</p>
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Original Proposal (ATTACHMENT 12a)

Comment	Applicant Response	City of Stirling Response
Expansion toward Wood Street is preferred as this would not impact adjoining residential properties.	Expansion towards Wood Street is unfeasible as this is where the main parking area is. The small number of car bays on the site adjacent to Salisbury Street are currently not used by supermarket customers as they are located at the back of the store and it is inconvenient for customers to park here. The only people that use these bays are people that park and commute to the CBD on weekdays therefore this area is the most feasible to build on.	Expansion toward Wood Street is not permitted due to the 'Civic' zoning of the land. The City does not object to an extension toward Salisbury Street subject an appropriate interface between the building and the street.
Concerns arose regarding the impact of building bulk as the result of the loss of existing setback.	<p>The elevation to Salisbury Street has been modified to ensure that the Salisbury Street elevation presents as an attractive façade that is in keeping with the streetscape. Modifications include:</p> <ul style="list-style-type: none"> • Fire exits and glazed, tinted panels (representing windows) 	These comments are based on superseded plans.

	<p>have been added to the Salisbury Street;</p> <ul style="list-style-type: none"> • The façade has been modified to incorporate a range of materials colors and textures; • The roof form has been modified; • Landscaping has been included within the Salisbury Street verge (note that the installation of landscaping is to be subject to approval of the City of Bayswater)". 	
The addition is not aesthetically appealing ("an eyesore, industrial type building, the 'back of a building'). Development of the centre Coles should be made to beautify the streetscape.	The elevation to Salisbury Street has been modified to ensure that the Salisbury Street elevation presents as an attractive façade that is in keeping with the streetscape.	Objection relates to revised proposal. It is considered that the modified proposal improves the current situation.
The addition will exaggerate noise emissions and impact nearby residences (particularly in relation to equipment associated with food preparation and storage)	The proposal does not involve modifications to loading areas. The plans include the construction of an acoustic wall between the existing loading area and the adjacent residences to ameliorate any noise impacts. Landscaping along the north western boundary will further reduce noise impacts.	Should the North West Metropolitan JDAP support the proposal, it is recommended a condition be imposed requiring the development be designed and constructed in accordance with the recommendations of an acoustic consultants report. The ongoing operation of the use will be required to comply with relevant Environmental Protection (Noise) Regulations 1997.
An increase in the number of abandoned shopping trolleys is likely to occur along Salisbury Street (currently catered for by the car park to be removed).	The applicant anticipates a shopping trolley management plan to be required as a condition of approval.	Should the North West Metropolitan JDAP support the proposal, it is recommended a condition be imposed requiring the preparation and implementation of a shopping trolley management plan to the satisfaction of the City of Stirling Manager Community Services. On-site parking provision is considered sufficient to meet the needs of the development proposed as discussed further below.
The bins currently stored in the car parking area abutting Salisbury Street will require relocation.	The applicant anticipates a waste management plan to be required as a condition of approval.	Should the North West Metropolitan JDAP support the proposal, it is recommended a condition be imposed requiring the preparation and

		implementation of a waste management plan to the satisfaction of the City of Stirling Manager Health and Compliance.
An increase in illegal street parking is likely to occur as the result of the loss of the existing car parking area abutting Salisbury Street, which currently serves as an overflow parking area for the subject and adjoining sites.	The expansion of the store doesn't directly translate to an increase in customers and the parking provided is considered to meet the need of the proposed expansion.	As discussed further below, the proposed on-site parking provision is considered adequate to meet the parking needs of the proposed development. It is unreasonable to expect the subject site to accommodate overflow parking needs of surrounding land uses.

Consultation with other Agencies or Consultants

The subject site abuts City of Bayswater municipal boundary, therefore the City of Bayswater was invited to comment on the original development proposal (ATTACHMENT 12a). The proposal was considered at the City Bayswater Ordinary Council Meeting on 25 June 2013, where Bayswater City Council resolved as follows (ATTACHMENT 8a):

1. *"Council does not support the planning application for a proposed extension to existing supermarket at Lot 51, No. 83 Salisbury Street, Inglewood for the following reasons:*
 - a. *The proposed development is not consistent with the City of Stirling's Local Planning Policy 4.2 – Mixed Used and Commercial Centre Design Guidelines' and 'Local Planning Policy 6.7 – Parking'.*
 - b. *The reduced setback to Salisbury Street is considered to be inconsistent with the street setback of adjoining and surrounding residential properties along Salisbury Street.*
 - c. *The on-site parking provision is considered to be insufficient for the proposed development.*
 - d. *The proposed development will have an undue impact on the amenity and streetscape of the locality.*
 - e. *The proposed development is considered to be inconsistent with the orderly and proper planning of the locality."*
2. *The City advises the City of Stirling of the above non-support for the proposed development.*

The City of Bayswater was invited to provide further comment on revised plans (submitted 5 September 2013 (ATTACHMENT 8b). Constrained by statutory timeframes, The City of Bayswater Director of Planning and Development Services provided the following comments on behalf of the City:

"Whilst it is noted that the revised plans improve the appearance of the Salisbury Street elevation, the modifications are not considered to adequately address the City of Bayswater Council Resolution, made at its Ordinary Meeting on 25 June 2013 as follows..."

"The revised plans maintain a nil setback to the Salisbury Street boundary and a similar car parking shortfall to that which was previously considered by Council.

It is noted the revised plans include feature awnings and landscaping within the Salisbury Street road reserve. Should the DAP choose to approve the proposal, a separate application is required to be lodged with the City of Bayswater for consideration of awning and verge upgrades/landscaping”.

It is also noted that at least two (2) objections from surrounding landowners have been received in relation to the revised plans. It is requested that the City of Stirling and/or the DAP give full consideration to these objections”.

The applicant has provided the following justification with respect to the proposal and the objectives of the *Mixed Use and Commercial Centre Design Guidelines*:

Applicant Justification	City's Response
The applicant has since modified the façade based on comments received during public advertising and also comments received from the City. Whilst Wood Street remains as the site and store's primary address, the applicant has since significantly enhanced the Salisbury Street façade to increase pedestrian amenity and contribute to the Salisbury Street streetscape, in accordance with the objectives of the City's Mixed Use and Commercial Centres Guidelines	Modifications are noted. It is the opinion of the City that the provision of shelter and upgraded verge treatments within the Salisbury street road reserve will result in increased pedestrian amenity along Salisbury Street. Such development is subject to an application being made, and subsequent approval of the City of Bayswater.
In the context of the site, Beaufort Street is considered to be the 'main street' for the purpose of concentrating interaction and active frontages.	While the development proposed does not provide a 'main street' frontage, elements such as openings, awnings, verge treatments and finishes have been incorporated into the Salisbury Street façade, consistent with main street principals. The proposed façade presents an improvement to the current elevation.
Based on the concerns raised by the surrounding residents, it would not be appropriate to either re-orient the supermarket to Salisbury Street, or replace the supermarket extension with active frontages i.e. small shops to Salisbury Street, as suggested by the City.	Nearby landowners have not been provided the opportunity to comment on a proposal that incorporates an active street frontage to Salisbury Street. No formal, written comment opposing such development was received during the advertising period.
This is further hampered by the fact that there is a significant level difference between Salisbury Street and the subject site and therefore it would be impossible to provide sufficient access (both abled and disabled) to any small shops facing Salisbury Street.	Previously, excavation of the site has occurred, resulting in an approximate 1m difference between the level of the site and Salisbury Street road reserve. Development of the site that involves raising the north eastern portion to the ground level of Salisbury Street in order to allow for direct access from and/or passive surveillance of Salisbury Street is considered possible. The applicant has advised that a building with a single finished floor level is preferred for the purpose of a supermarket.
The introduction of an entry to Salisbury Street will also increase the level of activity and is considered to have an adverse impact on the surrounding residents. In the context of the Inglewood Local Centre, the active 'main street' frontage is considered to be achieved via the adjoining Civic Hotel building which faces	The land is zoned 'Local Centre' under LPS3, a zone which allows for the development of wide range of commercial, residential and community based land uses. Given the zoning of the land, there is to be an expectation amongst the community of an active frontage to Salisbury Street. As

Beaufort Street, and the supermarket is considered to simply form a component of the wider centre.	stated previously, the fact that the Civic hotel fronts Beaufort Street does not remove the need for an acceptable elevation to Salisbury Street.
The proposal is considered to significantly enhance the pedestrian amenity along Salisbury Street as the revised façade addresses the streetscape and provides openings to Salisbury Street. The various colours, materials and textures, as well as a combination of roof forms and wall heights also assists to articulate the façade and creates visual interest, far beyond what is currently provided on the site. The continuation of verge trees also provides weather protection for pedestrians.	It is acknowledged the existing 'box style' building, as viewed from Salisbury Street, is inconsistent with the City's current planning framework and the proposal presents an improvement to the current situation the current situation.
As mentioned, the proposed façade provides a high quality built form that contributes to the streetscape and provides the perception of safety and passive surveillance through the introduction of doors and glazing to Salisbury Street. The proposal also includes a landscaped square with furniture (benches and bicycle parking) adjacent to Salisbury Street as a staff breakout area and this will also assist in the provision of passive surveillance. The proposal is also a significant improvement from the current situation in regards to safety and anti-social behaviour whereby an unutilised carpark sits at least 1.2m lower than the adjacent streetscape with no interaction at all between the site and the street.	<p>Doors providing access to Salisbury Street are limited to fire exits. Furthermore, the fire doors require modification to so as not to encroach the road reserve when open. Based on discussions with the applicant, the modifications will result in the creation of two small alcoves abutting Salisbury Street.</p> <p>Due to the difference in levels between the finished floor level of the supermarket and the Salisbury Street road reserve, the proposed windows, when viewed from inside the supermarket, windows will have a sill height of approximately 2m above the supermarket floor level. When viewed from Salisbury Street, the sill height of the windows will be approximately 1m above the Salisbury Street road reserve.</p>
Finally, the proposal is in keeping with the final objective as it involves the creation of a building that is attractive and will increase the perception of safety along Salisbury Street. The site is then complimented by the adjoining interactive land uses such as the Civic Hotel as these land uses that are actually facing Beaufort Street should be the focus of the 'active main street'.	The development proposed is considered to be an improvement to the current elevation.

Discussion between the applicant and the City has indicated that the Coles standard store model has influenced the design and orientation of the development proposed. Key elements of this model are as follows:

- Preference for a single store entry highly accessible to on-site car parking;
- A consistent finished floor level throughout the store;
- A standard internal store layout based on consumer behaviour rather than external appearance; and
- Limited windows and openings.

The above elements of Coles standard model are generally inconsistent with contemporary town planning practice and principals. Despite this, the applicant has attempted to

incorporate 'main street' principals into the overall design in accordance with the Mixed Use and Commercial Centre Design Guidelines. The proposal presents an improvement to what currently exists on site.

Planning assessment:

The development has been assessed against the City of Stirling's Local Planning Scheme No. 3 (LPS3) and the relevant State and Local Planning Scheme Policies.

Land Use

The applicant seeks a discretionary decision with respect to the alteration/ extension of a non conforming land use; specifically the alteration/ extension of a 'Shop' within the 'Civic' zone.

Under LPS3 'Shop' is defined as:-

"Means premises used to sell goods by retail, or hire goods, but does not include a showroom or fast food outlet".

The table below summarises the permissibility of a 'Shop' land use within the Civic zone as per Table 1 and clause 4.3.2 of the City of Stirling's Local Planning Scheme No. 3 (LPS3), and Table 1 and clause 1.3.2.2 of the City of Stirling District Planning Scheme No. 2 (DPS2).

Permissibility of 'Shop' Land Use in the 'Civic' Zone

Zone	Permissibility of 'Shop' in the 'Civic' Zone	
Local Planning Scheme No. 3	X	<i>Means a use that is not permitted by the Scheme.</i>
District Planning Scheme No. 2	IP	<i>Means the use is not permitted unless such use is incidental to the predominant use as decided and approved by the Council.</i>

The proposed alteration to the non conforming use is limited to a 64m² enclosed entry and shopping trolley storage area in front of the existing supermarket. The addition encroaches a portion of the site zoned 'Civic' under LPS3. The addition will replace an existing awning and windbreak approved by the City of Stirling under DPS2 (Reference No. M205270.01; dated 26 February 2001). Gazettal of LPS3 in 2010 rendered the use of the portion of the site upon which the addition is proposed a 'non-conforming use'.

Clause 4.8 LPS3 – Non-Conforming Uses:

Except as otherwise provided in the Scheme, no provision of the Scheme is to be taken to prevent –

- i. The continued use of any premise for the purpose for which it was being lawfully used immediately prior to the Gazettal date.*

In accordance with clause 4.9.1 of LPS3:

A person must not:

- a) alter or extend a non-conforming use;*
- b) erect, alter or extend a building used in conjunction with or in furtherance of a non-conforming use; or*
- c) change the use of land from a non-conforming use to another non-conforming use,*

without first having applied for and obtained approval under the Scheme”.

The development associated with the non-conforming use on the site is limited to the enclosure of the existing awning/ windbreak to the front of the supermarket (ATTACHMENT 9). The predominant use of the portion of the site zoned ‘Civic’ is to remain ‘Car Park’, a ‘P’ (permitted) use under LPS3. The City does not object to the addition to the front of the building based on the proposed land use.

Clause 4.2 – Objectives of the Local Centre Zone:

- a. To provide for a limited range of small-scale retail, commercial and community facilities to meet the day-to-day needs of the immediate neighbourhood.*
- b. To ensure safe and convenient access to facilities, in an environment which is conducive to pedestrian movement.*
- c. To ensure development is sited and designed so as to reinforce a sense of place and attractive streetscapes.*

Local Planning Policy 4.2 - Mixed Use and Commercial Centre Design Guidelines

The table below outlines the proposal's compliance with the relevant development standards of the *Mixed Use and Commercial Centre Design Guidelines*:

Element	Satisfies Scheme/ Policy	OR	Variation Required	Comment
1	BUILT FORM AND DESIGN			
	<i>Street setbacks</i>			
	Buildings shall have a nil setback to both primary and secondary streets.	✓		<p>The proposed addition to the rear of the building is to have a nil setback to Salisbury Street in accordance with the requirements of the policy.</p> <p>The existing building is setback approximately 70m from the primary street (Wood Street). No significant reduction to the primary street setback is proposed as part of the development.</p>
	Where adjoining sites are zoned residential, street setbacks shall be stepped back from the residential site to match the setback of the residential building	✓		4.5m setback to adjoining residential site (4m required).
	Existing ‘box style’ developments shall have at least one nil setback to a ‘main street’ frontage		✓	<p>The existing building is a ‘box style’ development with frontage setback approximately 70m from Wood Street.</p> <p>A nil setback is proposed to</p>

Element	Satisfies Scheme/ Policy	OR	Variation Required	Comment
				Salisbury Street, however the elevation consists of the rear of the building rather than a 'main street frontage'.
<i>Colors and materials</i>				
	New colour schemes shall take into consideration the colour scheme of existing buildings and shall not be in sharp contrast		✓	<p>The color scheme of the addition to the rear of the building does not match the existing. The color scheme proposed has been selected in order to provide an attractive façade to Salisbury Street.</p> <p>The addition to the front of the building meets the requirements of the policy.</p>
3	STREETSCAPE RELATIONSHIP			
	<i>Ground floor frontage</i>			
	Being predominantly clear glazed with a mixture of openings, display windows and shopfronts that allows passive surveillance of the street and tenancies		✓	The Salisbury Street elevation does not incorporate display windows, clear glazing, shopfronts or an opportunity for passive surveillance as the windows have a sill height approximately 2m above the floor level.
	<i>Entry points</i>			
	Entry points shall directly face the street.		✓	The existing entry point is to be retained. Direct public access from Salisbury Street is not proposed.
	<i>Activity and Uses</i>			
	<p>Active and lively street fronts shall be provided that encourage pedestrian activity and vitality of the centre by:</p> <ol style="list-style-type: none"> 1. Locating retail and other active commercial uses of the ground floor level; and 2. Locating office and other non-active uses (residential) on upper levels 		✓	The building presents as 'back of house'; to Salisbury Street. The proposal does not provide an active, lively street front.
	<i>Weather Protection</i>			

Element		Satisfies Scheme/ Policy	OR	Variation Required	Comment
	Awnings shall be provided over all footpaths that abut a building, including footpaths that provide access to the rear of buildings.			✓	The applicant has expressed intentions to submit a further application to the City of Bayswater for awnings overhanging the Salisbury Street footpath.
	<i>Levels</i>				
	There shall be no difference between the ground floor level of a building and the footpath level to ensure pedestrian access.			✓	The existing and proposed finished floor level is approximately 1m below the Salisbury Street road reserve.
4	ACCESS & PARKING				
	<i>Design and Location of Car Parking Spaces</i>				
	Parking areas shall generally not be visible from the street and located behind the building line.			✓	Proposed modifications to the existing car parking area abutting Wood Street are minimal. Re-orientation of the front façade/ building entry to Salisbury Street would be considered to satisfy the requirements of the policy, however is not proposed as part of the development.
	Car parking areas within the front setback area shall be softened by landscaping along street frontages in accordance with the City's Landscaping Policy			✓	The City recommends a condition of approval requiring a landscaping plan be prepared and implemented should the North West Metropolitan JDAP approve the proposed development.
5	LIGHTING, SAFETY & SECURITY				
	<i>Lighting</i>				
	Lighting shall be provided (in designated areas) to increase safety and security.				Details not provided. The City recommends a condition of approval requiring a lighting and security strategy be prepared and implemented in accordance with the <i>Mixed Use and Commercial Centre Design Guidelines</i> should the North West Metropolitan JDAP approve the proposed development.
	<i>Safety and Surveillance</i>				
	The following design features shall be avoided to improve safety and reduce graffiti: - Entrapment areas, blind corners and narrow pathways; - Long expanses of			✓	The proposal does not exacerbate the current situation, as neither the existing, nor proposed development provides opportunities for passive surveillance of Salisbury Street. Should this application be

Element	Satisfies Scheme/ Policy	OR	Variation Required	Comment
<p>blank walls (treatment with anti graffiti paint required where permitted);</p> <ul style="list-style-type: none"> - Dead ends and hidden recesses shall be avoided; - Landscaping and other elements shall not create a visual barrier between 0.5m and 2.0m above finished floor level or ground level as applicable; - Rear loading shall be secured at night and preferably enclosed to reduce light and noise spill during night loading; - Loading bay access lanes and other areas that may be dead ends at night shall be secured; and - Rear parking and pick-up/delivery areas shall be under passive surveillance from active indoor areas. 				<p>approved, the City recommends conditions of approval requiring walls be finished with an anti graffiti coating and the preparation and implementation of a lighting and security strategy should the North West Metropolitan JDAP approve the proposed development.</p>
<i>Screening</i>				
<p>Air conditioning units, ducts and other services shall be screened from view and should be located away from the street front.</p>			✓	<p>Details not provided.</p> <p>The City recommends a condition of approval requiring plant to be screened and located away from the street front should the North West Metropolitan JDAP approve the proposed development.</p>
<i>Shopping Trolleys</i>				
<p>All development that utilise shopping trolleys shall prepare a Shopping Trolley Management Plan addressing issues such as, but not limited to, collection of trolleys from surrounding areas and trolley storage</p>				<p>Details not provided.</p> <p>The City recommends a condition of approval requiring a shopping trolley management plan to be prepared and implements should the North West Metropolitan JDAP approve the proposed development.</p>
OTHER CONSIDERATIONS				
<i>Adaptability</i>				
<p>Large developments shall be designed to allow for</p>			✓	<p>The future conversion of the proposed addition to individual</p>

Element	Satisfies Scheme/ Policy	OR	Variation Required	Comment
easy conversion to individual tenancies each with their own street front access				tenancies with their own street front is not possible given the difference in the proposed finished floor level and the Salisbury Street road reserve (approximately 1m).

The variations identified above to the Mixed Use and Commercial Centres Design Guidelines are to be assessed against the objectives of the policy, specifically:

- *To create vibrant and active mixed use centres by locating facilities such as housing, employment places and retail activities together;*
- *To create main street frontages to existing box style developments;*
- *To create a high level of pedestrian amenity through the provision of continuous streetscapes, interactive frontages and weather shelter;*
- *To promote a high quality built form that creates a distinctive urban form and enables safety and security through passive surveillance; and*
- *To create public and private spaces that are safe, attractive and surrounded by active vibrant uses that will become the focal / meeting point of the centres.*

The use of the site is appropriate within the local centre zone, and while a main street frontage has not been provided to Salisbury Street, principals of a main street development have been incorporated into the façade, resulting in an overall improvement in pedestrian amenity and an improved built form. The development proposed (inclusive of works subject to an application to be made to the City of Bayswater) is therefore supported by the City of Stirling.

Parking

The applicant seeks a discretionary decision with respect to the number of on site parking bays required for the proposed development.

The City of Stirling's *Parking and Access Policy* (Local Planning Policy 6.7), herein referred to as '*Parking Policy*' (ATTACHMENT 6) requires car parking bays for a 'Shop' use to be provided at a rate of 8 bays per 100m² of gross leasable area. Table 2 of the policy outlines reductions to the parking requirements available by the City's Parking Policy. The development qualifies for the following parking reductions:

Car Parking Reductions

Concession	Proposed	Existing
Proximity to high frequency bus route	15%	15%
Development is located within a 'local center' zone	10%	10%
TOTAL REDUCTION	25%	25%

Note: The concessions noted in the applicant's submission due to proximity to public car parking facilities and the provision of bicycle parking facilities are not applicable to this application.

Car parking requirements for the development in accordance with the *Parking Policy* are as follows:

Car Parking Requirements

	Existing	Proposed
Gross Leasable Area	3084m ²	4045m ²
Bays Required	246.7	323.6
Concessions	25% or 61.7 bays	25% or 80.9 bays
Bays Required	185	243
Bays Provided	186	170
Parking Shortfall/ Surplus	+1 bays	-73 bays

The proposed refurbishment will result in an on site parking shortfall of 73 bays.

The City's *Parking Policy* contains the following objectives:-

- *To facilitate the development of adequate parking facilities;*
- *To ensure safe, convenient and efficient access for pedestrians, cyclists and motorists;*
- *To ensure that a major parking problem is unlikely to occur;*
- *To ensure that car parking does not have a detrimental impact on the character and amenity of a residential area; and*
- *To ensure that an oversupply of parking does not occur that discourages alternative forms of transport and is detrimental to urban design and Centre character.*

The *Parking Policy* specifies that any further parking concessions beyond those allowed for in the Policy must be determined by “...*having due regard to the circumstances of a particular case, any justification submitted by the applicant and the likely impact on the amenity of the surrounding area and residents*”.

The applicant has submitted an analysis of the envisaged car parking requirements of the proposal (ATTACHMENT 11). The analysis indicates that the proposed car parking provision is adequate to accommodate future demand for on-site car parking as the result of the proposed extension, furthermore the provision of on site car parking is consistent with the recommendations of *State Activity Centres Policy* (between 162 and 203 bays) based on the proposed floor area.

The car parking provision proposed, despite the 73 bay shortfall, is considered capable of accommodating the development proposed. The proposal is considered to meet the objectives of the *Parking Policy* specifically that a major parking problem is unlikely to occur as a result of the development.

Bicycle Parking

In accordance with the City's Bicycle Parking Policy, bicycle parking facilities for the development are to be provided required as follows:

Staff:	1 bay per 400m2 gross floor area (10 bays required)
Customer:	1 bay per 200m2 gross floor area (20 bays required)
Total:	30 bays required; 33 bays provided.

End of journey facilities are to be provided to allow cyclists the opportunity to shower and change at the beginning or end of their journey to and from work as required.

Compliance with Local Planning Policy 3.1 – Character Retention Guidelines Mount Lawley, Menora and Inglewood

The applicant seeks a discretionary decision with respect to the addition to a building within the *Heritage Protection Area*.

The proposed addition referred to above is located within the Heritage Protection Area, as such the development is required to conform to the objectives of the Heritage Protection Area as outlined in clause 6.6 of LPS3, and the *Character Retention Guidelines*.

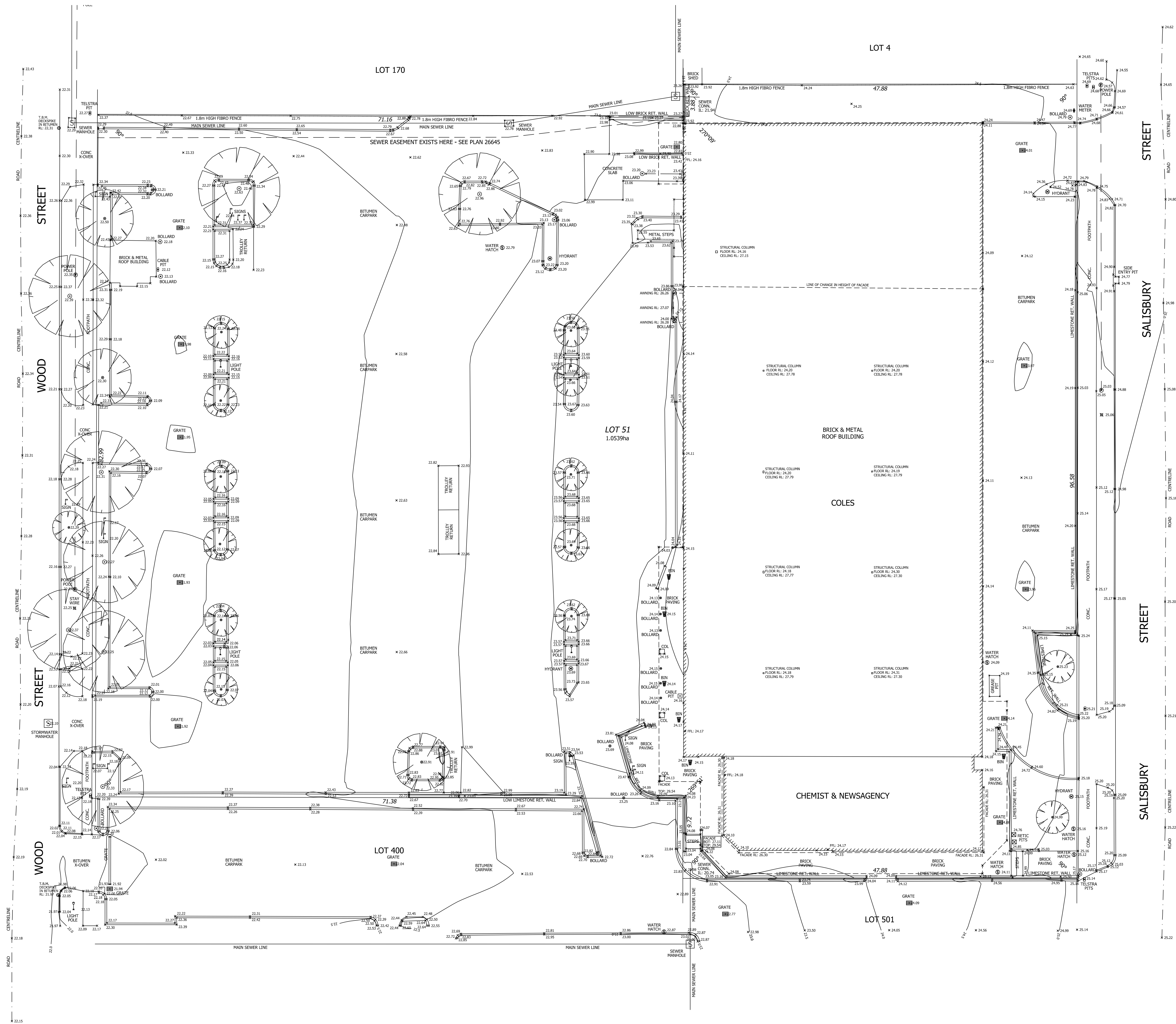
Given the existing building has been developed without any heritage characteristics, strict application of the *Character Retention Guidelines* is not considered appropriate to the minor addition to the front of the existing building.

Options/Alternatives

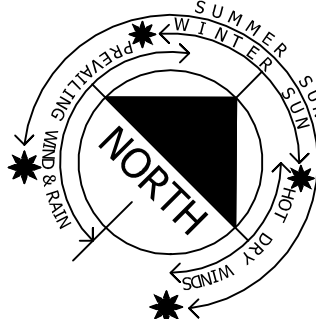
Not applicable.

Conclusion:

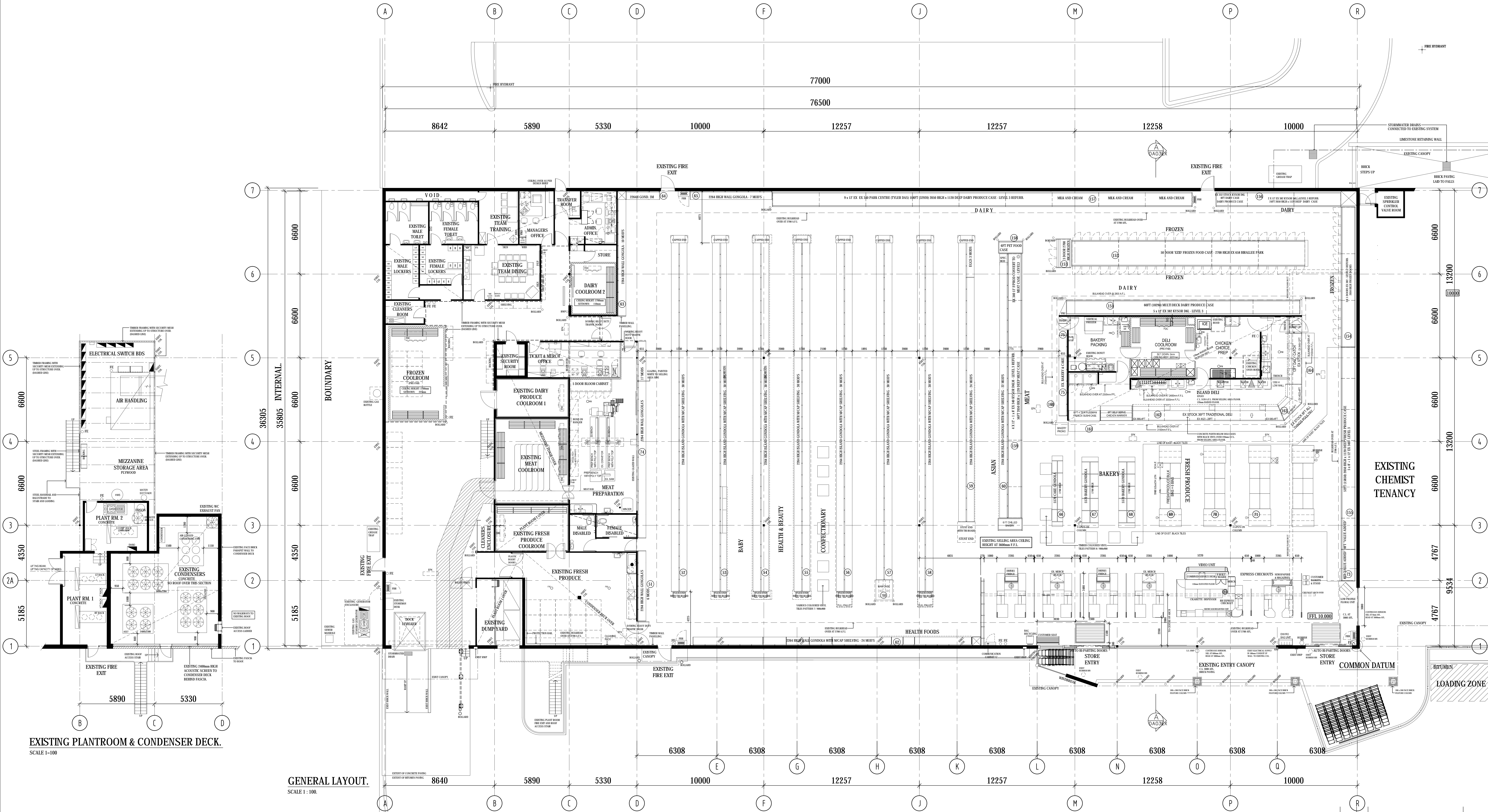
The City is supportive of the proposal based on the assumption that works proposed within the Salisbury Street road reserve will be undertaken as part of the development under consideration. The proposed development has been assessed and is considered to comply with the relevant statutory planning provisions. Accordingly the development application is recommended for approval, subject to relevant conditions and advice notes.



EXISTING SITE SURVEY.
SCALE 1 : 100.



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83-91 SALISBURY ROAD, INGLEWOOD, W.A. 6053.			
INGLEWOOD S/C, W.A.			
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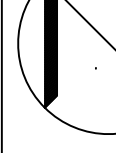


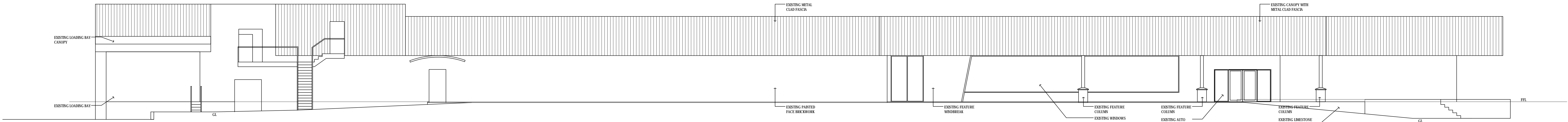
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GENERAL LAYOUT.
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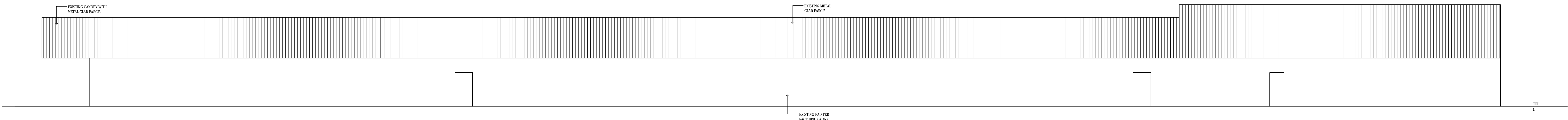
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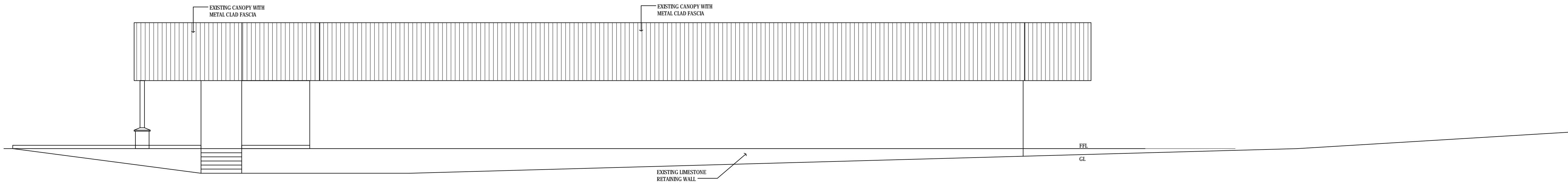
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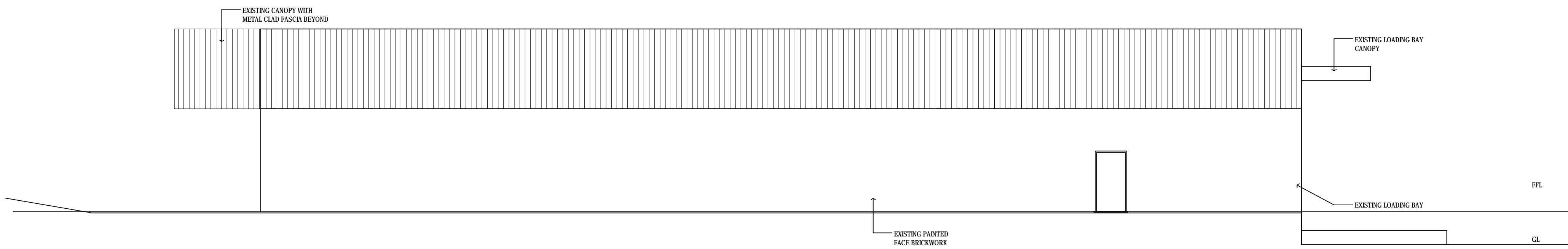
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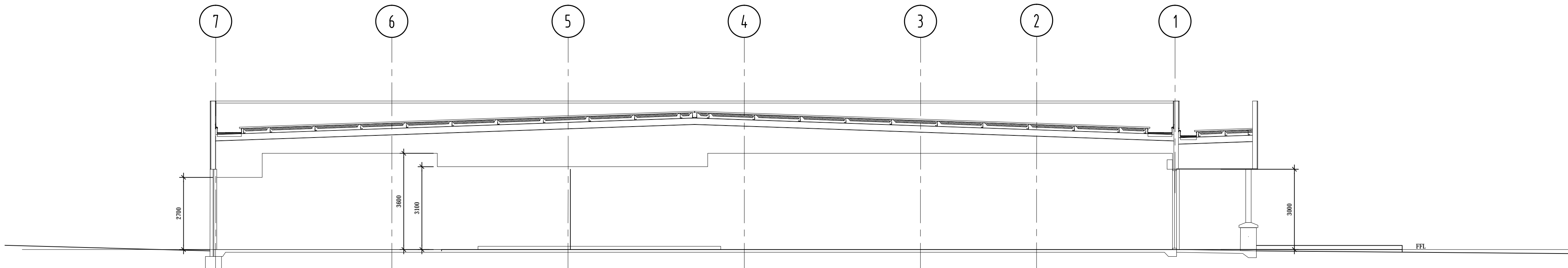
NORTH ELEVATION
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EAST ELEVATION.
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WEST ELEVATION.
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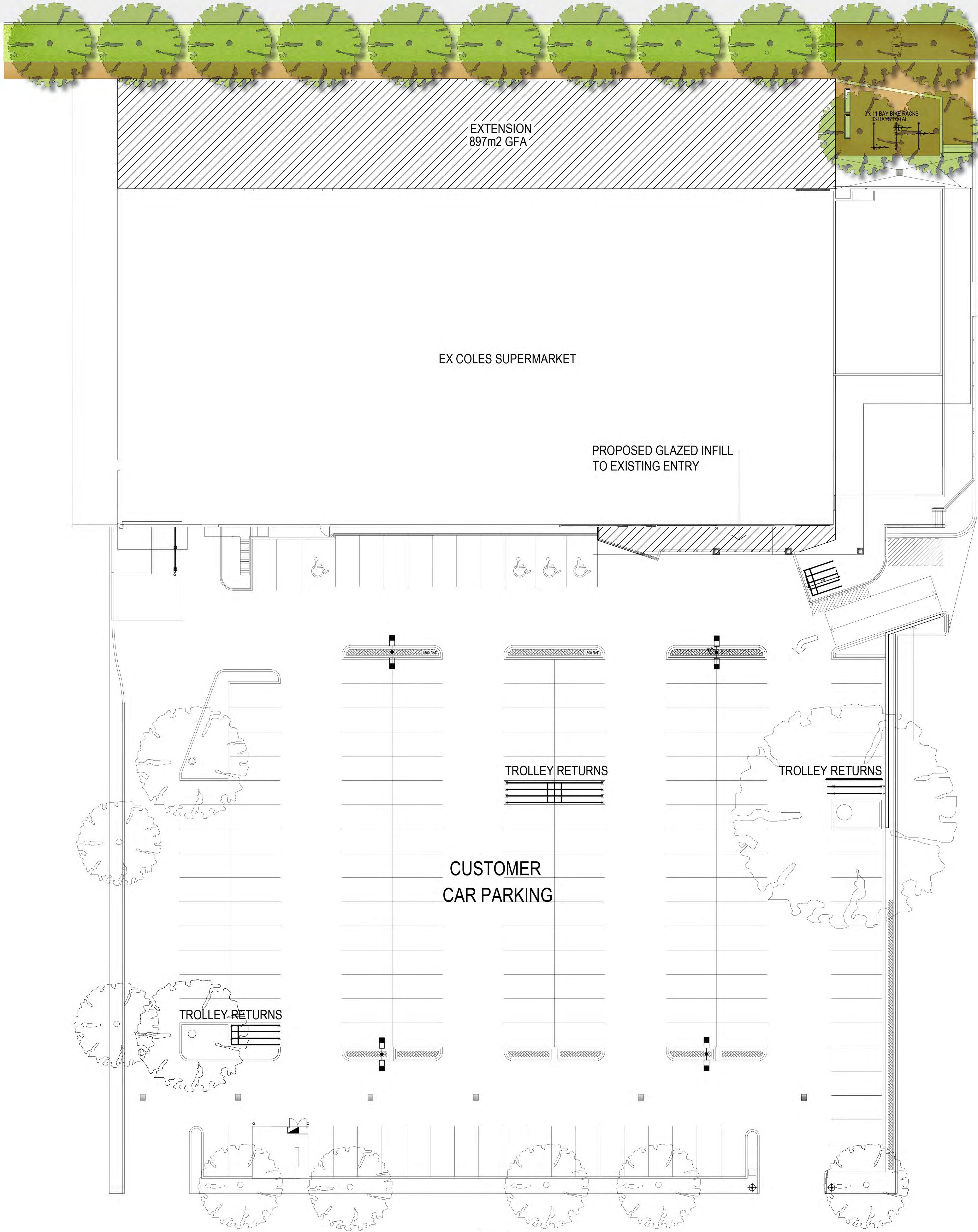
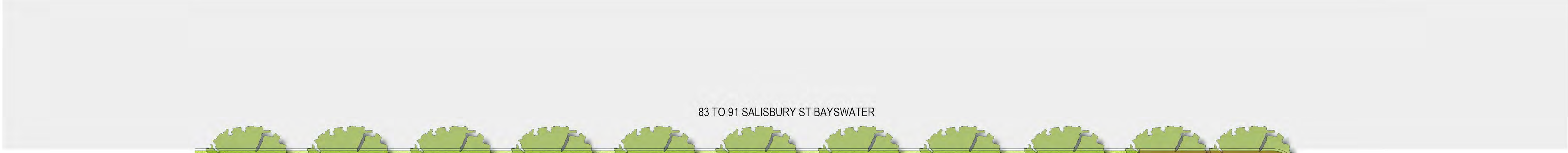


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SITE PLAN. 1:200

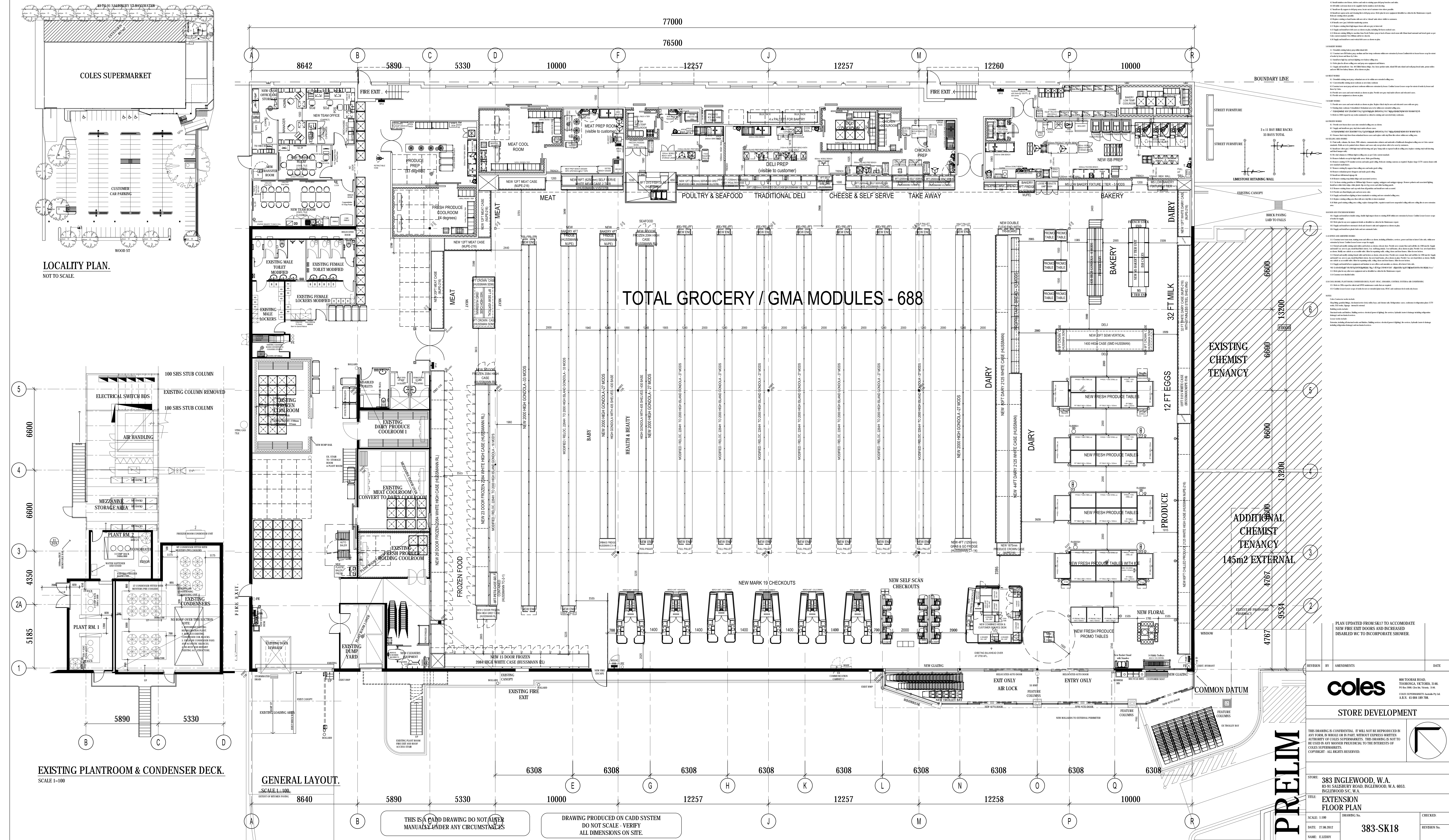
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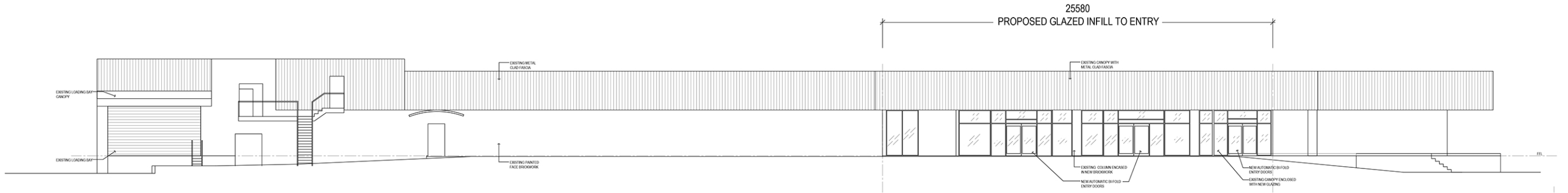
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STORE	383 INGLEWOOD		
	Existing	Proposed	%
GLA	2795 SQM	3700 SQM	100%
SLA	1925 SQM	2478 SQM	67%
MODULES	557	688	
EXTENSION		905 SQM	
GMA	N/A	N/A	
LIQUORLAND	N/A	N/A	
COLES ONLINE	N/A	N/A	

THIS PLAN IS HEREBY		APPROVED	
DIRECTOR	SIGNED _____	DATE _____	
OPERATIONS	SIGNED _____	DATE _____	
SPACE AND RANGE MANAGER	SIGNED _____	DATE _____	
STORE PLANNING & DESIGN	SIGNED _____	DATE _____	
STORE DEVELOPMENT	SIGNED _____	DATE _____	
FINANCE	SIGNED _____	DATE _____	
PROPERTY	SIGNED _____	DATE _____	
PLANNING MANAGER	SIGNED _____	DATE _____	
CONSTRUCTION MANAGER	SIGNED _____	DATE _____	
	SIGNED _____	DATE _____	





SOUTH ELEVATION
scale 1:100


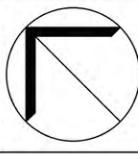
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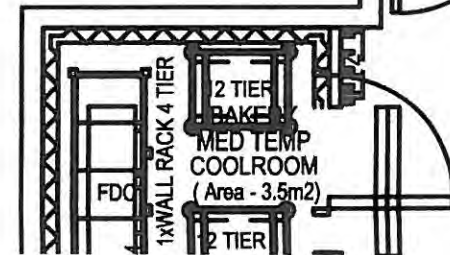
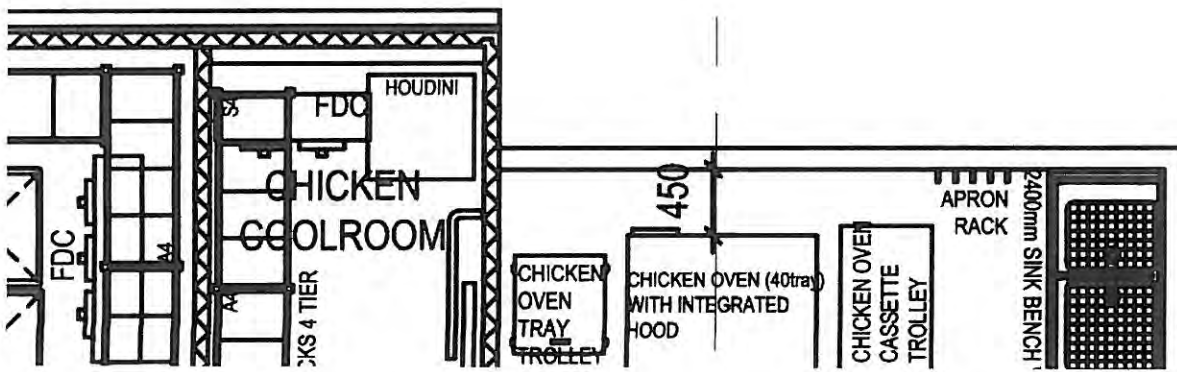
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Cardboard Collection Trolley
with Hooks @ 1200 FFL. @
500 Centre

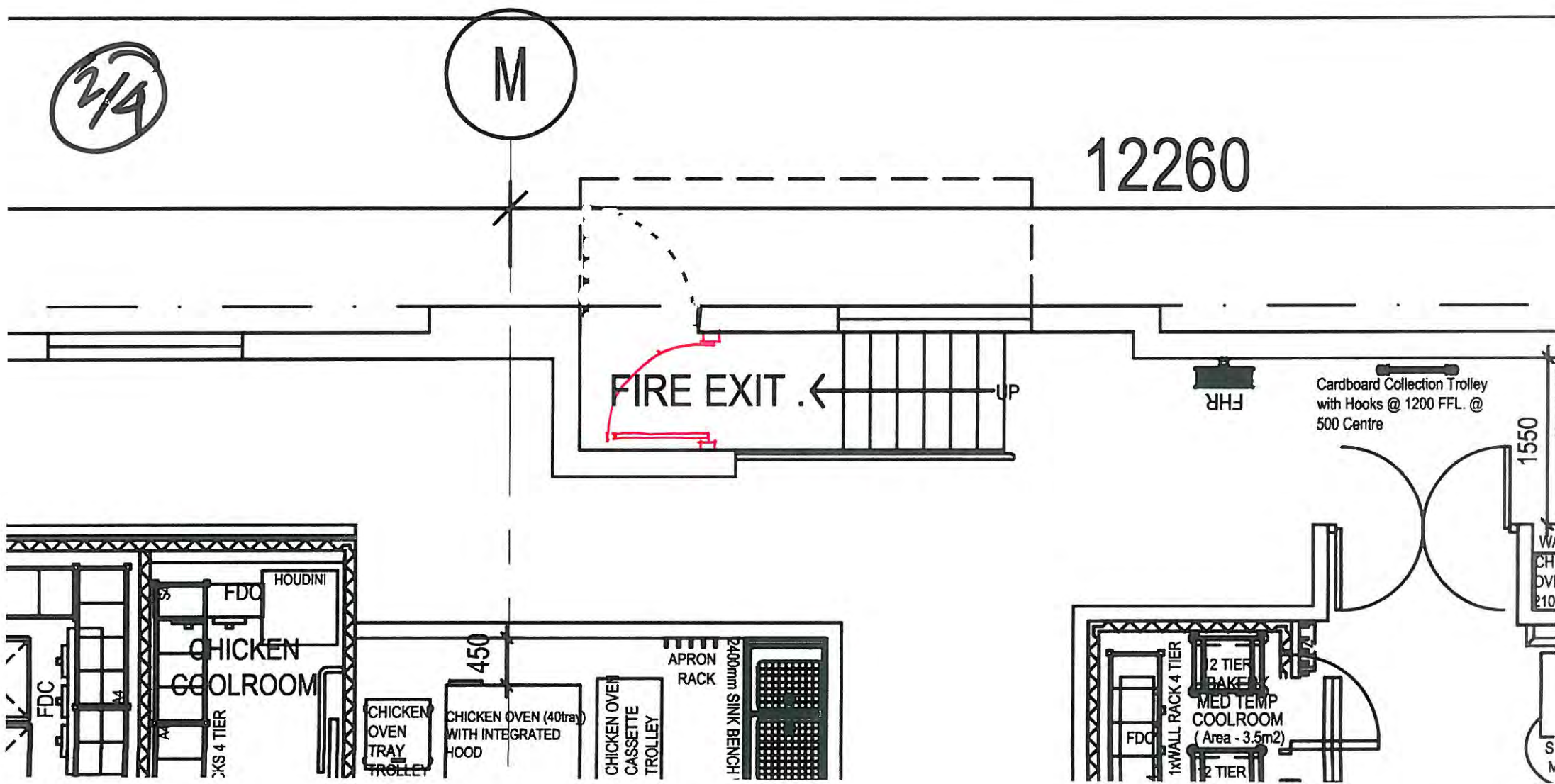
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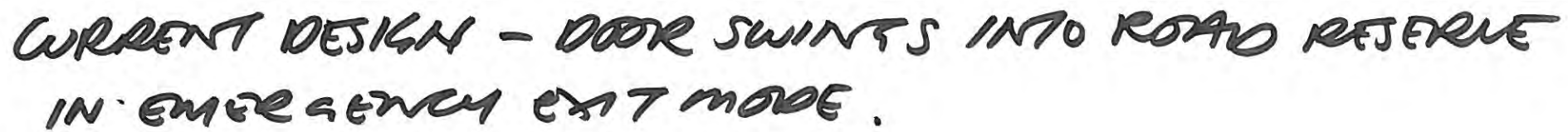
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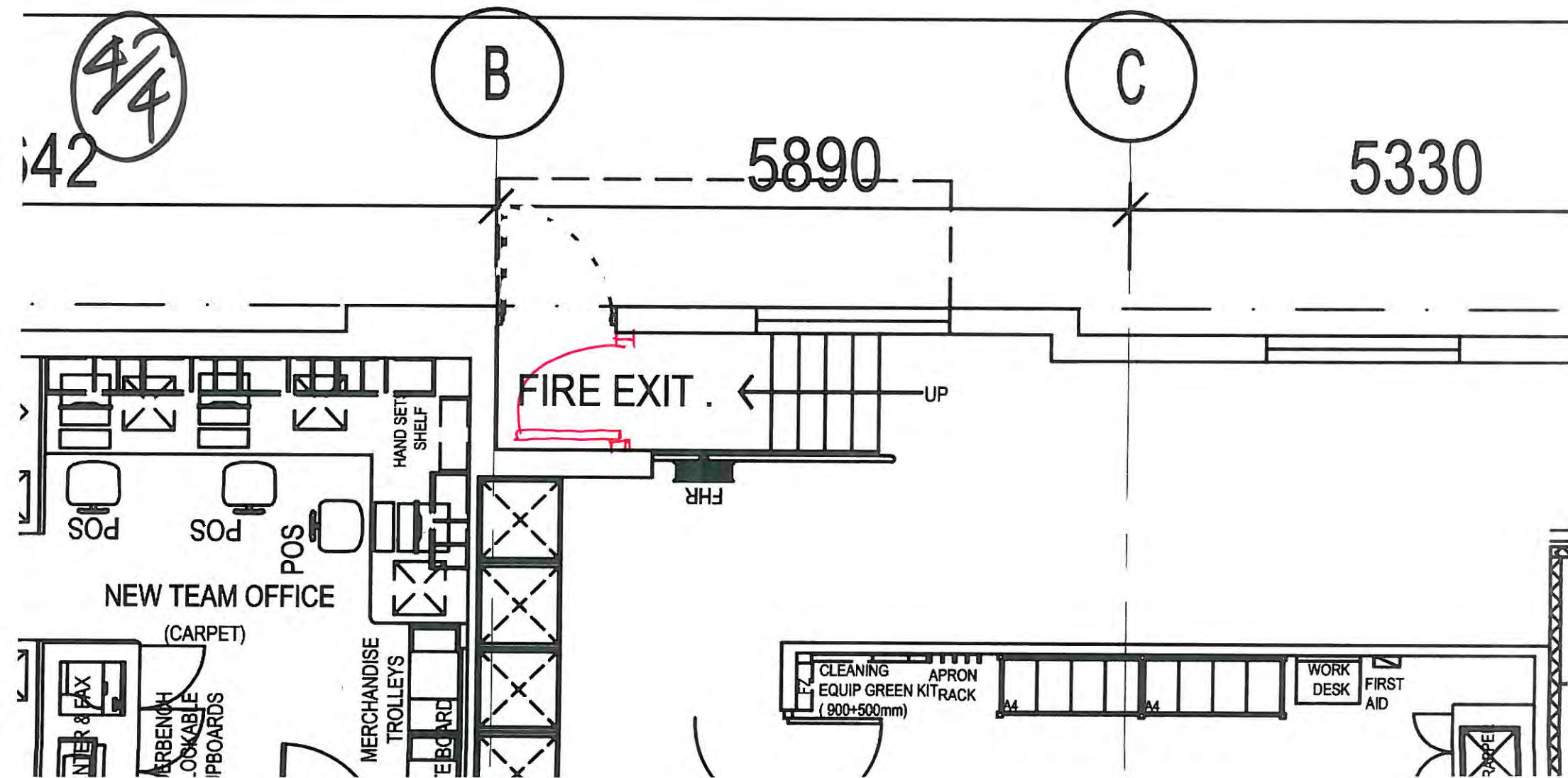


CURRENT DESIGN - DOOR SWINGS INTO ROAD
RESERVE IN EMERGENCY EXIT MODE.



PROPOSED ALTERNATIVE: THE DOOR WILL BE RELOCATED TO WITHIN AN ALCOVE IF REQUIRED TO OBTAIN A BUILDING LICENSE - THIS DOES NOT CONSTITUTE A CHANGE TO THE ELEVATIONS. THIS COULD BE CONDITIONED IN DA.





PROPOSED ALTERNATIVE: THE DOOR WILL BE RELOCATED TO BE WITHIN AN ALCOVE IF REQUIRED TO OBTAIN A BUILDING LICENSE - THIS DOES NOT CONSTITUTE A CHANGE TO THE ELEVATIONS. THIS COULD BE CONDITIONED IN THE DA.

4.2 MIXED USE & COMMERCIAL CENTRE DESIGN GUIDELINES

INTRODUCTION

Where this Policy is inconsistent with the provisions of a specific Policy or Guidelines applying to a particular site or area (eg Inglewood Town Centre Design Guidelines), the provisions of that specific Policy or Guidelines shall prevail.

Objectives

- To create vibrant and active mixed use centres by locating facilities such as housing, employment places and retail activities together;
- To create main street frontages to existing box style developments;
- To create a high level of pedestrian amenity through the provision of continuous streetscapes, interactive frontages and weather shelter;
- To promote a high quality built form that creates a distinctive urban form and enables safety and security through passive surveillance; and
- To create public and private spaces that are safe, attractive and surrounded by active vibrant uses that will become the focal / meeting point of the centres.

Guideline Area

This policy applies to development in the following zones:

- Local Centres;
- District Centres;
- Regional Centres;
- Business;
- Mixed Use
- Hotel; and
- Service Station.

DESIGN GUIDELINES

Built Form & Design

Heights

Objective

To ensure that building height and scale is appropriate to its site and context.

- New buildings shall generally be between 2 and 3 storeys;
- Higher buildings may be permitted where adjoining buildings are taller; and
- Higher buildings on landmark sites / corner sites and sites larger than 5000m² may be permitted subject to the following:

Not have a significant detrimental impact on the amenity of the area; and

Living areas on the affected site are afforded at least three hours of solar access between the hours of 9 am and 3 pm on the shortest day of the year.

Setbacks

Objective

To strengthen the continuity of the streetscapes and provide continual weather protection for pedestrians

Street Setbacks

- Buildings shall have a nil setback to both primary and secondary streets;
- Where adjoining sites are zoned residential, street setbacks shall be stepped back from the residential site to match the setback of the residential building;
- Where adjoining buildings have greater street setbacks a stepping back of the building may be appropriate; and
- Existing “Box Style” developments shall have at least one nil setback to a ‘Main Street’ frontage.

Side and Rear Setbacks

- Buildings shall be built from side boundary to side boundary;
- Where adjoining sites are zoned residential, side/rear setbacks shall be calculated as per the Residential Design Codes of Western Australia; and
- For mixed use buildings setbacks for the residential component shall be calculated as per the Residential Design Codes of Western Australia.

Corner Sites

Objective

To ensure that buildings give additional prominence to the street corner by using landmark features.

Buildings located on corner sites shall include:

- Architectural roof features that protrude above the normal roof line;
- Increased parapet heights with additional detail, colour and textures; and
- Increase the number of storeys at the street corner.

Multi Storey Car Parks

Objective

To ensure that multi storey car parks are not visible from the street and do not have a detrimental impact on the streetscape.

- Standalone Multi Storey Car Parks shall not be visible from the street and shall be located behind buildings.
- Multi Storey Car Parks included within the main building shall be screened / treated so as to provide a seamless appearance between the car park levels and other levels.

Facades

Objective

To ensure that building facades are architecturally interesting.

- Maximum 75% glazing on any façade; and
- The second level and subsequent levels above, of facades shall be articulated to break-up straight plain facades through the use of at least four of the following:

Openings;

Protruding balconies;

Awnings over windows;

Use of different colours and textures; and

Indentations and extrusions with details to break the building into individual elements.

Parapets

Objective

To ensure that parapets are visually interesting and to avoid flat monotonous lines.

New buildings that contain parapets shall include:

- Indentations;
- additional modulation;
- variation in parapet heights and designs so as to provide additional interest to the street.

Balconies

Objective

To ensure that the bulk of buildings is reduced.

- Balcony balustrades shall be 50% visually permeable.

Roof Features

Objective

To ensure that taller buildings within centres provide landmark features.

- Developments above 6 storeys in height shall include distinguishable roofing to a height of 3 metres and above from the highest point of the wall to which it relates and which is in proportion to the scale of the building.

Colours & Materials

Objective

To ensure the use of appropriate colours and quality materials.

- New colour schemes shall take into consideration the colour scheme of existing buildings and shall not be in sharp contrast;
- Fluorescent and intense colours shall not be used; and
- In traditional shopping areas materials and colours sympathetic with existing buildings shall be used.

Streetscape Relationship

Ground Floor Frontage

Objective

To ensure that tenancies facing the street portray an attractive and inviting frontage.

- Being predominantly clear glazed with a mixture of openings, display windows and shopfronts that allows passive surveillance of the street and the tenancies;
- Minimising the amount of signage on individual windows to no more than 20%; and
- In traditional shopping areas the area of glazing being reduced by using small areas of masonry to give a more vertical emphasis to the tenancies;
- In traditional shopping areas and to assist in defining the street edge and to aid orientation for partially sighted pedestrians, all windows shall have a sill no less than 0.5 metres high.

Entry Points

Objective

To ensure entrances are designed to enable safe and comfortable access and that building entrances are clearly defined.

Entry points shall directly face the street and include at least two of the following:

- Signage above the entry door;
- Indentation of the entry point, where recessed entrances are provided, they should be truncated at an angle to the pedestrian route of no less than 60 degrees;
- Highlighting the entry point through the use of different materials; and
- Increasing the height of the awning above the entry point to no higher than 4.0m above footpath level.

Activity & Uses

Objective

To create an active, vibrant and safe town centre by reinforcing the interface between internal and external uses along the street front and by providing passive surveillance.

- Active and lively street fronts shall be provided that encourage pedestrian activity and vitality of the centre by:

Locating retail and other active commercial uses on the ground floor level; and

Locating office and other non-active uses (residential) on upper levels.

Weather Protection

Objective

To support a comfortable external environment for pedestrians.

- Awnings shall be provided over all footpaths that abut a building, including footpaths that provide access to the rear of buildings;
- Awnings shall be provided above all entrances and exits of a building;
- Awnings shall be constructed using materials that are opaque and non-reflective (no glass);
- New awnings shall line up with existing awnings (where present);
- New awnings shall protrude from the face of the building by a minimum width of 2.0m (where possible);
- Awnings shall be parallel to the footpath; and
- Awnings shall be constructed to comply with the Local Government Miscellaneous Provisions Act 1960 – section 400 (2) and the Building Regulations 1989 Part 9.

Levels

Objective

To ensure that development follows the topography of the land and to ensure that there is equitable access for pedestrians and that excessive differences will not have a negative impact on the amenity of the area.

- On sloping sites new developments shall be stepped so as to avoid large differences between the footpath level and the finished level of the shop front;

- There shall be no difference between the ground floor level and the footpath level of a building to ensure pedestrian access; and
- Filling up to 500mm shall be permitted to enable flat level sites.

Fencing & Gates

Objective

To provide an open, accessible and attractive urban environment.

- Fencing between the building and the front and secondary boundary shall not be permitted;
- Fencing behind the building line shall generally not be permitted where it obstructs access to public parking areas;
- Where required, gates & fences shall be open style to 1.8m; and
- No barbed wire or electric fencing shall be permitted.

Landscaping

Objective

To improve the visual appeal of development, screen service areas and provide shade and green relief in built up areas.

- A landscaping plan shall be submitted for all new development applications and be in accordance with the City's Landscaping Policy.
- Planters and window boxes are acceptable where the footpath is sufficiently wide enough to accommodate such features; and

Access & Parking

Parking

- All parking is to be in accordance with the City's Parking Policy.

Vehicle Access

Objective

To ensure that vehicle access ways are safe and easily traversed.

- Vehicle access to sites fronting major roads shall be from side streets or rights of ways where available;
- All vehicle movements shall be able to enter and exit the site in a forward gear; and
- All parking areas to comply with the Australian Standard 2890.1 in relation to turning circles, gradients within the site.

Pedestrian Access

Objective

To create a pedestrian network that is safe and direct.

- Pedestrian access, in the form of a footpath, shall be provided from the parking area to the entry point of the proposed development and along all street frontages; and
- For developments with parking at the rear pedestrian access between the street and car parking area shall be provided.
- Pedestrian routes shall as far as possible be on publicly owned land, and preferably be within the road reserve as part of the street network.
- Development shall provide pedestrian routes with protection from summer sun and winter rain in accordance with the Area Specific Guidelines.
- Pedestrian routes shall be aligned primarily along existing building fronts and thereafter along proposed new development fronts.
- Pedestrian routes shall be as direct and level as possible.
- Dead ends and/or closed view corridors shall be avoided.

Crossovers

Objective

To limit the number of crossovers to reduce the impact on pedestrians and traffic.

- A maximum of two crossovers shall be permitted for sites, one for entry and one for exiting.

Design & Location of Car Parking Spaces

Objective

To ensure that car parking areas do not disrupt the continuity of commercial frontages or otherwise detract from the amenity of the streetscape.

- Parking areas shall generally not be visible from the street and located behind the building line;
- Car parking areas within the front setback area shall be softened by landscaping along street frontages in accordance with the City's Landscaping Policy;
- Multi storey car parking shall be screened from the street by dense landscaping; and
- Parking bays shall be designed in accordance with the relevant Australian Standard and shall have 1 tree per 6 parking bays, as required by the City's Landscaping Policy.

Bicycle Parking Facilities

- The provision of bicycle parking facilities in accordance with the City's Bicycle Parking Policy.

Service Access and Facilities

Objective

To ensure there is sufficient space for the storage of waste and other materials and sufficient space for the delivery of goods.

- The provision of service access to all commercial premises shall be provided for loading and unloading goods.
- Bin storage areas shall be provided in accordance with the City's Bin Storage Areas Policy.

Lighting, Safety & Security

Lighting

Objective

To ensure that developments support proper and attractive illumination of public and private spaces for security and safety.

Lighting shall be provided in the following areas to increase safety and security:

- Under all awnings;
- In all parking areas;
- Service areas;
- Of all footpaths;
- Of all entry points; and
- Additional lighting of key elements and features of the building and landscaping is encouraged to add vitality.

Closed Circuit Television (CCTV)

Objective

To provide for the future installation of CCTV for all Night Clubs, Hotels and Taverns.

- All Night Clubs, Hotels and Taverns shall provide Closed Circuit Television Cameras;
- Cameras shall be placed as to ensure that all entries are covered by cameras;
- Locations shall be cognisant of night lighting levels with additional lighting provided if necessary; and
- Any CCTV infrastructure sharing between the City and property owners shall be subject to legislative requirements and management agreements.

Safety & Surveillance

Objective

To ensure that public and private areas are either visible and safe or screened and illuminated in such a way as to ensure a high quality safe and comfortable outdoor environment prevails.

The following design features shall be avoided to improve safety and reduce graffiti:

- Entrapment areas, blind corners and narrow pathways;
- Long expanses of blank walls (treatment with anti graffiti paint required where permitted);
- Dead ends and hidden recesses shall be avoided;
- Landscaping and other elements shall not create a visual barrier between 0.5 and 2.0m above finished floor levels or ground level as applicable;
- Rear loading shall be secure at night and preferably enclosed to reduce light and noise spill during night loading;

- Loading bay access lanes and other areas that may be dead ends at night shall be secured; and
- Rear parking and pick-up/delivery areas shall be under passive surveillance from active indoor areas.

Roller Shutter Doors

Objective

To ensure that ground floor areas provide an attractive frontage to the street and other visible spaces whilst providing security.

- Solid roller shutter doors shall not be permitted on any façade facing the street; and
- Roller doors of see through acrylic material are acceptable on shop fronts providing that at least 75% of the roller door is transparent and the material maintains a high level of transparency once installed.

Screening

Objective

To ensure that air conditioners and other services do not detract from the streetscape.

- Air conditioning units, ducts and other services shall be screened from view and should be located away from the street front.

Shopping Trolleys

Objective

To ensure that shopping trolleys are contained within the boundary of shopping centres and do not cause any detrimental impact to the amenity of surround areas.

- All developments that utilise shopping trolleys shall prepare a Shopping Trolley Management Plan to the satisfaction of the Manager Community Safety; and
- The Shopping Trolley Management Plan is to address such issues, but not limited to, collection of trolleys from surrounding areas and trolley storage.

Other Considerations

Signage

- Advertising Signs shall be in accordance with the City's Advertising Signs Policy

Bin Storage Area

- A refuse storage area is required for all developments in accordance with the City's Bin Storage Areas Policy

Sound Attenuation

Objective

To ensure that noise from non-residential uses does not adversely affect the amenity of residential development.

- All mixed-use developments containing residential uses shall submit an acoustic report prepared by a qualified acoustic (noise) consultant.
- Developments shall:
 - Ensure noise sensitive areas (such as bedrooms) are located away from noise sources;
 - Use 10mm glazing or double glazing where windows face a noise source;
 - Use of appropriate materials between floors, walls, ceilings and doors to minimise noise; and
 - Endeavour to comply with the Environmental Protection (Noise) Regulations 1997.

Note: For further information regarding sound attenuation, it is recommended that applicants refer to Australian Standard AS-NZS2107: 2000 - Acoustics - Recommended Design Sound Levels and Reverberation Times for Building Interiors.

Adaptability

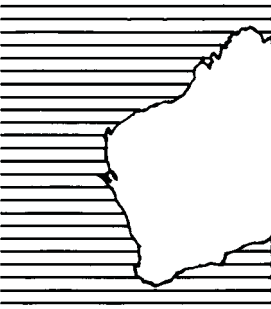
Objective

To ensure that developments continue to be appropriate over time for a range of uses.

- Large developments shall be designed to allow for easy conversion into individual tenancies each with their own street front access; and
- Column grids and wall spacings shall reflect intervals that facilitate a range of use-types. Ideally these should be spaced between 4m and 7m apart.

VARIATIONS

Variations to this policy will be assessed against the objectives of this policy.



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PLANNING AND DEVELOPMENT ACT 2005

STATE PLANNING POLICY 4.2

ACTIVITY CENTRES FOR PERTH AND PEEL

PLANNING AND DEVELOPMENT ACT 2005**STATE PLANNING POLICY 4.2****ACTIVITY CENTRES FOR PERTH AND PEEL****CONTENTS**

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PLANNING AND DEVELOPMENT ACT 2005

STATE PLANNING POLICY 4.2

ACTIVITY CENTRES FOR PERTH AND PEEL

1. CITATION

This policy is *State Planning Policy 4.2 Activity Centres for Perth and Peel*, made under Part 3 of the *Planning and Development Act 2005*. It replaces *State Planning Policy 4.2 Metropolitan Centres Policy Statement for the Perth Metropolitan Region*.

2. INTRODUCTION AND BACKGROUND

The Perth and Peel regional planning framework seeks to:

- reduce the overall need to travel;
- support the use of public transport, cycling and walking for access to services, facilities and employment; and
- promote a more energy efficient urban form¹.

The planned network of activity centres in *Directions 2031* aims to provide an even distribution of jobs, services and amenities throughout Perth and Peel.

The main purpose of this policy is to specify broad planning requirements for the planning and development of new activity centres and the redevelopment and renewal of existing centres in Perth and Peel. It is mainly concerned with the distribution, function, broad land use and urban design criteria of activity centres, and with coordinating their land use and infrastructure planning.

Other purposes of the policy include the integration of activity centres with public transport; ensuring they contain a range of activities to promote community benefits through infrastructure efficiency and economic benefits of business clusters; and lower transport energy use and associated carbon emissions.

The policy also reflects the Western Australian Planning Commission's (WAPC) intention to encourage and consolidate residential and commercial development in activity centres so that they contribute to a balanced network.

What are activity centres?

Activity centres are community focal points. They include activities such as commercial, retail, higher-density housing, entertainment, tourism, civic/community, higher education, and medical services. Activity centres vary in size and diversity and are designed to be well-served by public transport.

What types of activity centres does this policy cover?

This policy covers the following types of activity centres (see **Table 3**):

Perth Capital City

Strategic metropolitan centres

Secondary centres

Specialised centres

District centres

Neighbourhood centres (supplemented by local centres)

Directions 2031 recognises the need for a primary centre tier in the activity centre hierarchy. While there are no centres that currently perform this primary centre function, it is also acknowledged that some of the strategic metropolitan centres will develop and justifiably emerge as primary centres in the future.

This policy makes limited reference to industrial centres or the Metropolitan Attractors outlined in *Directions 2031*. Only recommended forms of retail and commercial development within industrial zones are noted.

¹ Principle agreed by the Local Government and Planning Ministers' Council 27 March 2008

3. APPLICATION OF THE POLICY

This policy applies throughout the Perth and Peel regions to guide the preparation and review of local planning strategies, schemes and structure plans; and development control. Activity centre structure plans should be prepared also using the *Structure Plan Preparation Guidelines*.

The policy should be read in conjunction with other aspects of the State Planning Framework, particularly *Directions 2031*; *State Planning Policy 3 Urban Growth and Settlements*; *State Planning Policy 3.1 Residential Design Codes* (Multi Unit Housing Code provisions); *Liveable Neighbourhoods* (element 7); and *Development Control Policy 1.6 Planning to Support Transit Use and Transit Oriented Development*.

Figure 1 highlights the Activity Centres Policy position in Western Australia's planning framework. The planning framework comprises:

- Regional Planning Framework – includes statutory region schemes, State planning policies and operational (development control) policies, and non-statutory regional strategies and structure plans that are prepared and administered by the WAPC. Regional strategies provide the broad framework for planning at the regional level and the strategic context for statutory region and local planning schemes.
- Local Planning Framework – includes local planning strategies and schemes prepared by local governments. Local planning strategies interpret State planning policies at the local level and provide the rationale for the zones, reservations and planning controls in the local planning scheme. Local planning schemes provide the statutory mechanisms to implement local planning strategies through zonings, reservations, structure plans, detailed area plans and development control.

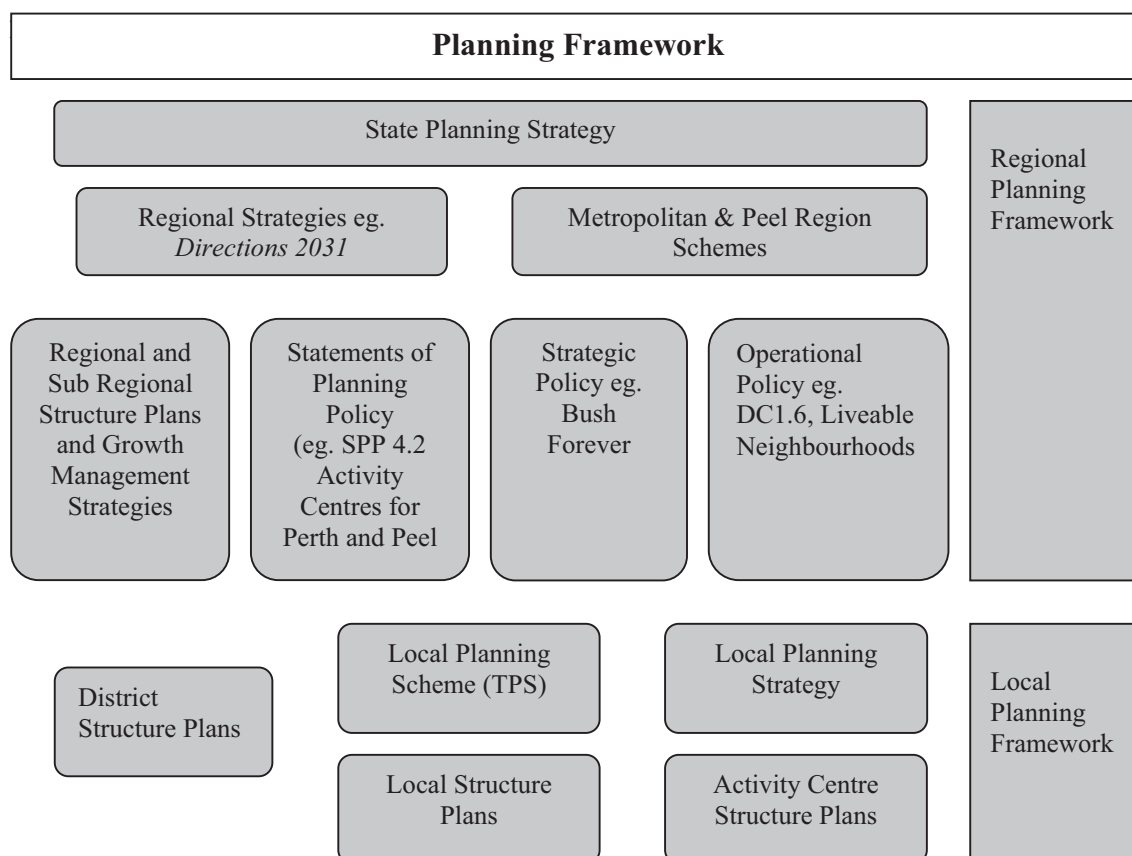


Figure 1: Planning Framework

4. POLICY OBJECTIVES

Activity Centre Hierarchy	1. Distribute activity centres to meet different levels of community need and enable employment, goods and services to be accessed efficiently and equitably by the community.
Activity	2. Apply the activity centre hierarchy as part of a long-term and integrated approach by public authorities and private stakeholders to the development of economic and social infrastructure.
Movement	3. Plan activity centres to support a wide range of retail and commercial premises and promote a competitive retail and commercial market.
Urban Form	4. Increase the range of employment in activity centres and contribute to the achievement of sub-regional employment self-sufficiency targets.
Out-of-centre development	5. Increase the density and diversity of housing in and around activity centres ² to improve land efficiency, housing variety and support centre facilities.
	6. Ensure activity centres provide sufficient development intensity and land use mix to support <i>high-frequency</i> public transport.
	7. Maximise access to activity centres by walking, cycling and public transport while reducing private car trips.
	8. Plan activity centre development around a legible street network and quality public spaces. ³
	9. Concentrate activities, particularly those that generate high numbers of trips, within activity centres.

5. POLICY PROVISIONS

To meet the policy objectives, this policy makes the following provisions:

5.1 Activity Centre Hierarchy

(1) Existing and planned activity centres of district centre level and above are listed in **Table 2**. New activity centres may be endorsed by the WAPC, subject to this Policy.

(2) The responsible authority should not support activity centre structure plans or development proposals that are likely to undermine the established and planned activity centre hierarchy. Activity centre structure plans and developments should be consistent with the centre's classification in the hierarchy. The responsible authority should consider the main role/function and typical characteristics for each centre type outlined in **Table 3**.

(3) The hierarchy provides a strategic planning framework to guide public authorities in the preparation of long-term capital investment programs and to promote more private investment, particularly at strategic metropolitan centres.

5.1.1 Specialised centres

(1) The primary functions of the specialised centres are outlined in **Table 1**. These are the principal specialised centres, although other smaller-scale centres exist with like characteristics. Specialised centres focus on regionally significant economic or institutional activities that generate many work and visitor trips, which therefore require a high level of transport accessibility.

Table 1: Primary functions of specialised centres	
Specialised centre	Primary function
Curtin/Bentley	Education/Technology campus
Murdoch	Health/Education/Research
UWA-QEII	Health/Education/Research
Perth Airport	Aviation and logistic services
Jandakot Airport	Aviation and logistic services

(2) Specialised centres provide opportunities for the development of complementary activities, particularly knowledge-based businesses. A range of land uses that complement the primary function of these centres will be encouraged on a scale that will not detract from other centres in the hierarchy. It is noted that Perth and Jandakot airports are subject to Commonwealth legislation and are, therefore, outside the State and local government jurisdictions.

5.1.2 Neighbourhood and local centres

(1) Neighbourhood centres are important local community focal points that help to provide for the main daily to weekly household shopping and community needs. They are also a focus for medium-density housing. There are also many smaller local centres such as delicatessens and convenience stores that provide for the day-to-day needs of local communities.

² Apart from Perth and Jandakot airports.

³ A street system designed to provide a sense of direction and connection, giving clear signals regarding the spatial layout and geography of an area. (after *West Leederville Planning and Urban Design Study* - Town of Cambridge 2009)

(2) Neighbourhood and local centres play an important role in providing walkable access to services and facilities for communities. These centres should be recognised in local planning strategies, and also in structure plans for new urban areas.

5.2 Activity

5.2.1 Diversity and intensity of activity

(1) Retail, commercial, health, education, entertainment, cultural, recreational and community facilities and higher-density housing should be concentrated in centres in a compact urban form. Diversity of land uses promotes a more equitable distribution of services, facilities and employment and an overall reduction in travel demand.

(2) This policy encourages higher-order activity centres (strategic metropolitan, secondary and district) to develop in a manner that does not result in a predominantly single-purpose centre.

(3) Within larger centres, retail and commercial land uses should be distributed to enable development opportunities on various land parcels in a compact urban form.

(4) Land uses that generate activity outside normal business hours (eg. hospitality and entertainment, community facilities, gymnasiums) should be located in activity centres to generate additional evening and weekend activity and to take advantage of shared use of facilities such as car parking and public transport. Lower intensity uses such as showrooms should be located outside the core of activity centres.

(5) The responsible authority should encourage the inclusion of a *mix of land uses* in activity centre structure plans and, where appropriate, *major developments*. It should consider the diversity performance target (see **Table 3**) as a guide, having regard to factors such as the extent of land in common ownership, the proposed scale of development and the extent to which the activity centre or its catchment has already developed.

5.2.2 Residential density

(1) Commercial and residential growth should be optimised through appropriately-scaled buildings and higher-density development in *walkable catchments* of centres.

(2) Higher-density housing should be incorporated within and immediately adjacent to activity centres to establish a sense of community and increase activity outside normal business hours. Performance targets for residential density are in **Table 3**.

(3) Housing supply in specialised centres (apart from Perth and Jandakot airports) should be assessed on a case-by-case basis.

5.2.3 Employment

(1) Employment self sufficiency targets for each sub-region are outlined in *Directions 2031*. Activity centres are priority locations for employment generating activities and should contribute towards the achievement of these targets. Local planning strategies and district structure plans should define employment locations and job targets for activity centres, consistent with sub-regional targets.

(2) Focusing non-retail employment in centres can provide opportunities for clusters of compatible businesses which can lead to greater productivity through information and technology exchange, and more efficient use of infrastructure and services.

(3) Planning decision-making should facilitate:

- employment opportunities in activity centres in higher-order centres by maximising the density and range of activities to improve access to jobs;
- smaller-scale offices and commercial tenancies, particularly in neighbourhood and district centres, to facilitate the transition of home-based businesses and the growth of small business;
- low-impact service industries locating in centres close to residential areas;
- education and training, health and other specialist facilities in activity centres;
- co-locating retail, residential, commercial, entertainment and other compatible urban uses with tertiary education, health and other suitable specialised centres; and
- horizontal and vertical integration of compatible land uses in activity centres.

5.2.4 Offices

(1) Major offices should be located in the Perth Capital City and in strategic metropolitan, secondary and specialised centres (where appropriate). State and local governments and other public authorities should, wherever possible, locate offices within higher-order activity centres. Office development in district centres should complement the function of the centre while neighbourhood centres may include small-scale offices.

(2) Offices, unless incidental to or servicing industrial developments, should not be located on land zoned for industry under the region or local planning schemes.

5.3 Movement

5.3.1 Prioritising public transport and other modes

(1) Increasing demands for access, particularly to the Perth Capital City, strategic metropolitan, secondary and specialised centres, may have adverse environmental and quality of life impacts due to increased peak period traffic congestion. Future demands for access and movement cannot be met efficiently if there is a continued reliance on private cars and only a limited mode shift towards public transport, walking and cycling.

TABLE 2: ACTIVITY CENTRES HIERARCHY

ACTIVITY CENTRES HIERARCHY			SPECIALISED CENTRES
* emerging centres			Curtin/Bentley
CAPITAL CITY			Murdoch
Perth	Northbridge		UWA - QEII
West Perth	East Perth		Perth Airport
PRIMARY CENTRES			Jandakot Airport
STRATEGIC METROPOLITAN CENTRES			
Rockingham	Joondalup		
Armadale	Midland		
Morley	Cannington		
Fremantle	Stirling		
Mandurah	Yanchep*		
SECONDARY CENTRES			
Alkimos*	Two Rocks North*		
Belmont	Maddington		
Booragoon	Mirraboooka		
Victoria Park	Pinjarra		
Claremont	Subiaco		
Cockburn	Wanneroo		
Ellenbrook	Warwick		
Karrinyup	Whitfords		
Kwinana	Clarkson		
Leederville			
DISTRICT CENTRES			
Central sub-region	North-west sub-region	South-west sub-region	
Ashfield	Alexander Heights	Baldivis	
Cottesloe	Butler (Brighton)*	Cockburn Coast*	
Highgate	Currambine	Karnup*	
Wembley/Jolimont	Girrawheen	Secret Harbour	
Mount Hawthorn	Greenwood	Spearwood	
North Fremantle	Madeley	Warnbro	
Oats Street	Neerabup	Wandi*	
South Perth (Peninsula)	Sorrento		
West Leederville	Woodvale		
East Victoria Park	Eglinton*	South-east sub-region	
Livingston	Yanchep district structure plan: centres 'C', 'F' and 'K'*	Byford	
Bassendean		Forrest Lakes	
Inglewood	North east sub-region	Gosnells	
Bentley	Forrestfield	Kelmscott	
Bull Creek	Kalamunda	Wungong	
Burswood	Mundaring	Mundijong*	
Canning Bridge	Albion*	Thornlie	
Dianella		North Forrestdale*	
Dog Swamp		Peel sub-region	
Kardinya		Falcon	
Fitzgerald Street		Halls Head	
Floreat		Lakelands	
Glendalough		Waroona	
Main Street		Ravenswood (Riverfront)*	
Melville			
Northlands			
Maylands			
Mount Lawley			
Noranda			
Petra Street			
Riseley Street			
Riverton			
Scarborough			
Southlands			
Stirling Central			
NEIGHBOURHOOD CENTRES			
LOCAL CENTRES (Any centre with a <i>shop-retail</i> floorspace under 1500m ² NLA)			

*denotes emerging centre



ACTIVITY CENTRES HIERARCHY

CAPITAL CITY

Perth
Northbridge
East Perth
West Perth

STRATEGIC METROPOLITAN CENTRES

Armadale	Mandurah	Rockingham
Cannington	Midland	Stirling
Fremantle	Marley	Yanchep
Joondalup		

SECONDARY CENTRES

Albion	Karinyup	Subiaco
Belmont	Kwinana	Two Rocks North
Booragoon	Leederville	Victoria Park
Clarkson	Maddington	Wanneroo
Claremont	Mirrabooka	Warwick
Cockburn	Pinjana	Whitford
Ellenbrook		

DISTRICT CENTRES

1. Albion	37. Livingston
2. Alexander Heights	38. Madeley
3. Ashfield	39. Main Street
4. Baldivis	40. Maylands
5. Bassendean	41. Melville
6. Bentley	42. Mount Hawthorn
7. Bullcreek	43. Mount Lawley
8. Burswood	44. Mundaring
9. Butler (Brighton)	45. Mundijong
10. Byford	46. Neerabup (Banksia Grove)
11. Canning Bridge	47. North Forrestdale (Newhaven)
12. Cockburn Coast	48. Noranda
13. Cottesloe	49. North Fremantle
14. Currebina	50. Northlands
15. Dianella	51. Oats Street
16. Dog Swamp	52. Petra Street
17. East Victoria Park	53. Ravenswood (Riverfront)
18. Eglinton	54. Ruseley Street
19. Falcon	55. Riverton
20. Fitzgerald Street	56. Scarborough
21. Floreat	57. Secret Harbour
22. Forest Lakes	58. Sorrento
23. Forrestfield	59. South Perth
24. Girrawheen	60. Southlands
25. Glendalough	61. Spearwood
26. Gosnells	62. Stirling Central
27. Greenwood	63. Thornlie
28. Halls Head	64. Wandl
29. Highgate	65. Wandro
30. Inglewood	66. Warsona
31. Innomont/Wembury	67. West Leederville
32. Kalamunda	68. Woodvale
33. Kardinya	69. Wungong
34. Karnup	70. Yanchep Centre "C"
35. Kelmscott	71. Yanchep Centre "F"
36. Lakelands	72. Yanchep Centre "K"

SPECIALISED CENTRES

Bentley/Curtin	UWA-CBE
Murdoch	Perth Airport
Jandakot Airport	

LEGEND



TABLE 3: ACTIVITY CENTRE FUNCTIONS, TYPICAL CHARACTERISTICS AND PERFORMANCE TARGETS

Typical characteristics	Perth Capital City	Strategic metropolitan centres	Secondary centres	District centres	Neighbourhood centres
Main role/function	Perth Capital City is the largest of the activity centres, providing the most intensely concentrated development in the region. It has the greatest range of high order services and jobs, and the largest commercial component of any activity centre.	Strategic metropolitan centres are the main regional activity centres. They are multipurpose centres that provide a diversity of uses. These centres provide the full range of economic and community services necessary for the communities in their catchments.	Secondary centres share similar characteristics with strategic metropolitan centres but serve smaller catchments and offer a more limited range of services, facilities and employment opportunities. They perform an important role in the city's economy, and provide essential services to their catchments.	District centres have a greater focus on servicing the daily and weekly needs of residents. Their relatively smaller scale catchment enables them to have a greater local community focus and provide services, facilities and job opportunities that reflect the particular needs of their catchments.	Neighbourhood centres provide for daily and weekly household shopping needs, community facilities and a small range of other convenience services.
Transport connectivity and accessibility	Focus of regional road and rail infrastructure as well as radial bus network.	Important focus for passenger rail and high frequency bus networks.	Important focus for passenger rail and/or high frequency bus network.	Focal point for bus network.	Stopping / transfer point for bus network.
Typical retail types	<ul style="list-style-type: none"> As per strategic metropolitan centres 	<ul style="list-style-type: none"> Department store/s Discount department stores Supermarkets Full range of speciality shops 	<ul style="list-style-type: none"> Department store/s Discount department store/s Supermarkets Speciality shops 	<ul style="list-style-type: none"> Discount department stores Supermarkets Convenience goods Small scale comparison shopping Personal services Some speciality shops 	<ul style="list-style-type: none"> Supermarket/s Personal services Convenience shops
Typical Office development	<ul style="list-style-type: none"> Major offices Commonwealth and state government agencies 	<ul style="list-style-type: none"> Major offices State government agencies 	<ul style="list-style-type: none"> Major offices Professional and service businesses 	<ul style="list-style-type: none"> District level office development Local professional services 	<ul style="list-style-type: none"> Local professional services

TABLE 3: ACTIVITY CENTRE FUNCTIONS, TYPICAL CHARACTERISTICS AND PERFORMANCE TARGETS

Typical characteristics	Perth Capital City	Strategic metropolitan centres	Secondary centres		District centres		Neighbourhood centres	
Future indicative service population (trade) area ⁴	Greater metropolitan region	150,000–300,000 persons	Up to 150,000 persons		20,000–50,000 persons		2000–15,000 persons (about 1 km radius)	
Walkable Catchment for residential density target	N/A	800m	400m		400m		200m	
Residential density target per <i>gross hectare</i> ⁵	N/A	Minimum	Desirable	Minimum	Desirable	Minimum	Desirable	Desirable
		30	45	25	35	20	30	25

Table 3: Diversity performance target - *mix of land uses*⁶

	Centre size - <i>Shop-retail</i> floor space component	<i>Mix of land uses</i> floorspace as a proportion of the centre's total floor space ⁷
Perth Capital City		N/A
Strategic metropolitan centres, secondary and district centres	above 100 000m ²	50 %
	above 50 000m ²	40 %
	above 20 000m ²	30 %
	above 10 000m ²	20 %
	less than 10 000m ²	N/A
Neighbourhood centres		N/A

⁴ Service population or retail trade areas for (residential-associated) centres are indicative only and often overlap.⁵ Typically, the average R Code (or net density) equivalent is two to three times the number of dwellings per *gross hectare*.⁶ “*Mix of land uses*” includes office, civic, business, health, community, entertainment cultural uses and showrooms: see definition in **Appendix 1**.⁷ Total shop-retail and *mix of land uses* floor space.

(2) Activity centres should be accessible by cars and freight vehicles, and particularly by public transport, walking and cycling. It is intended that this policy will guide the planning and provision of public transport infrastructure.

(3) Activity centres should be planned in line with transit-oriented development principles⁸ to make it convenient and practicable for residents, employees and visitors to travel by public transport instead of by private car. These principles are elaborated in *Development Control Policy 1.6 Planning to Support Transit Use and Transit-Oriented Development*.

(4) *High trip-generating activities* (see **Appendix 1**) should be located to maximise opportunities to use public transport and to reduce the need for travel between places of residence, employment and recreation. The primary entrance to such activities in an activity centre of a district level and above should be within 400m of a *high-frequency public transport service* (defined in **Appendix 1**).

(5) Where agreed by the Public Transport Authority and relevant local government, contributions for the provision or improvement of capital works for public transport facilities and ongoing service provision, and for additional public realm enhancements to directly benefit cyclists and pedestrians, may be provided in lieu of a proportion of the car parking bays that would otherwise be required by the development.

5.3.2 Traffic and parking

General requirements

(1) The siting and planning of activity centres and management of traffic should:

- take account of the current and planned road capacity servicing the locality;
- ensure that vehicular access to arterial roads do not compromise their safe operation or desired transport function;
- ensure loading/unloading facilities and associated vehicle manoeuvring areas are designed so as to optimise public safety and convenience;
- balance regional traffic requirements for travel to, through (where appropriate) and around a centre with local traffic access needs; and
- sustain high levels of pedestrian movement and an external street-based retail and business environment by providing suitable traffic volumes and permeability within and around the activity centre.⁹

(2) The planning of activity centres should also:

- take account of the need for access and parking priority accorded to different users and modes including public transport, freight/delivery, people with a disability, bicycles, pedestrians and private cars, and balance competing user needs such as workers and visitors;
- promote an efficient supply of car parking by a suitable allocation of on-street, off-street public and shared parking including cash-in-lieu and reciprocal / shared use arrangements;
- prioritise access by different users and modes. eg. central locations for short-stay parking with commuter and other long-stay parking near the edge of centres;
- enable most parking in higher-order centres to be supplied in the form of public or common-user facilities rather than reserved for a class of users. eg. customers of a particular site or business; and
- identify necessary improvements to public transport, walking and cycling infrastructure and capital and recurrent service funding needs.

(3) For land within the boundary of an activity centre, the responsible authority should as a rule, set upper limits to car parking in view of opportunities for reciprocal and shared parking, availability of on-street or other public parking and the need for land efficiency.

(4) As a guide, two bays per 100m² for showrooms and offices and 4-5 bays per 100m² for shops. Minimums may be required, however, there should be flexibility for developers to provide less or no parking on-site and contribute cash-in-lieu towards facilities and services for common-use parking, public transport and alternative modes.

(5) The responsible authority should ensure safe and convenient access for pedestrians and cyclists (including end-of-trip facilities) and people with a disability. These include weather-protected car bays for workers and visitors with a disability. Typical supply is:

Table 4: Typical car parking supply

Motorcycles and bicycles in secure facilities	5-10% of all bays
People with a disability	Relevant Australian Standard
Parents with small children and prams	1 in every 15 bays

⁸ Transit oriented development refers to locating moderate to high-intensity retail, commercial, mixed use, community and residential development close to train stations and/or *high-frequency* bus routes to encourage public transport use over private vehicles.

⁹ See also Austroads *Guide to Traffic Management - Part 7: Traffic Management in Activity Centres*

(6) Parking facilities should be located, scaled, designed (eg, screened by buildings), and landscaped so as to:

- not visually dominate frontages to streets or other public spaces, or
- minimise disruption to the continuity of the urban form and pedestrian amenity within the *walkable catchment*.

Strategic metropolitan and specialised centres

(7) The responsible authority should:

- provide guidance for the location and management of parking supply to prioritise access between different user groups and specify targets (eg. short stay turnover, supply and management of service/delivery parking, compliance and an enforcement regime for public parking);
- base parking supply and management standards on reciprocal use and other efficiency opportunities, especially common-user parking facilities;
- ensure that the access, circulation and parking needs for all users including cyclists, motor cyclists, disability parking, service/delivery vehicles, public transport and essential services are catered for; and
- require application of a regulatory and parking fee system that supports the efficient supply and use of parking and alternatives to private car use.

5.4 Urban form

(1) District centres and higher-order centres should incorporate a network of streets and public spaces as principal elements.

(2) The following should be considered:

- a well-formed structure typically consists of small, walkable blocks that improve accessibility within a centre;
- buildings need to address streets¹⁰ and public spaces to promote vitality and encourage natural surveillance;
- activity centres should contain a mix of uses along street frontages, and arrange key retail and other attractors to maximise pedestrian flows along streets;
- new activity centre development or redevelopment should include ‘sleeving’¹¹ of large-scale retail and car parks, more externally-oriented or “active” building frontages¹² and fewer blank walls; and
- ‘town squares’, public and civic spaces and parks need to be attractive, well located spaces that provide a quality meeting place for the community as an integrated component of the centre.

5.5 Resource conservation

(1) The planning of activity centres should contribute to the conservation of resources, in particular a reduced consumption of energy and water.

(2) Building orientation and design should maximise opportunities for passive solar and natural ventilation and the use of renewable sources of energy such as solar panels and wind turbines.

(3) The Model Centre Framework (**Appendix 2**) provides further design guidelines for the application of sustainable development principles such as maximising renewable energy use and water conservation.

5.6 Out of centre development

(1) Health, welfare, community services, entertainment, recreation, commercial and cultural facilities (**Appendix 1**) likely to attract a significant number of employees or users and/or generate significant vehicle trips should generally be located in, or adjacent to, activity centres.

(2) Where such uses cannot be accommodated within, or adjacent to, activity centres development should be restricted to established Mixed Business or equivalent zones with good access to public transport, rather than being dispersed.

5.6.1 Bulky goods retailing and mixed business

(1) The responsible authority should ensure that *shop-retail* uses are located in a pedestrian friendly urban environment. In general, bulky goods retailing is unsuited to the *walkable catchment* or the core of activity centres given their size and car-parking requirements, low employment densities and need for freight vehicle access.

¹⁰ Developments fronting a street (or private road) in a manner whereby pedestrian access to the majority of individual businesses can be achieved directly from the street, and/or where customer car parks on private property generally do not separate the street boundary from the front of a building.

¹¹ The technique of enclosing much of the perimeter of a large bulky building with smaller retail or commercial tenancies that incorporate active facades to the adjacent street or public space - see Model Centre Framework (**Appendix 2**).

¹² The visual effect provided by a building, such as a shop or office, whose ground floor use is directly accessible and can be seen from the street or public space which it faces; the opposite effect to a blank wall.

(2) Bulky goods are displayed and sold from retail showrooms that typically comprise extensive display and storage areas with direct vehicle access and car parking. Bulky goods retailing¹³ does not include the sale of food, clothing or personal effects goods.

(3) The responsible authority should promote clusters of bulky goods retail adjacent to, or in close proximity to activity centres and the regional road and public transport networks. This should maximise the use of infrastructure, including the shared use of car parking; limit the number of car trips; and economically support other activity centre business.

(4) The encroachment of bulky goods retail into residential and industrial zones should be avoided. Furthermore, locating such development in an ad hoc manner or as ribbon development along regional roads is discouraged. Bulky goods retail should be developed with access and urban design controls so as not to interfere with traffic flow and safety, or detract from the amenity of public transport or the locality.

(5) Local governments should review the land use permissibility of bulky goods retail to reduce its potential dispersal throughout industrial zones. Such development should be directed to selected Mixed Business or equivalent zones with suitable road and public transport access. Local planning schemes and planning decision-making for bulky goods retail should include consideration of land requirements based on demonstrated future floorspace needs and the need to retain affordable industrial land.

(6) The preferred sequence of suitable locations is:

1. Edge-of-centre sites integrated with, but not within, the *walkable catchment* or core activity centre precincts.
2. Where it is demonstrated that sufficient suitable sites in or adjacent to activity centres are not available, out-of-centre mixed business or equivalent zones integrated with established and well-located bulky-goods nodes.
3. In limited circumstances where it is demonstrated that sufficient suitable sites in or adjacent to activity centres or within or integrated with existing bulky-goods nodes are not available, other out-of-centre mixed business or equivalent zones.

5.6.2 Commercial uses in industrial zones

Shops and office development should only be permitted on land zoned industrial under region and local planning schemes where:

- shops provide a local convenience service predominantly for people employed in the locality and are confined to a local centre; and
- offices are ancillary to the predominant industrial use of the premises or are confined to a local or small-scale centre that services industrial developments.

6. Implementation

(1) Key requirements to implement the policy are outlined in **Figure 2**, and will involve:

1. Outlining the activity centre hierarchy in regional and sub-regional strategies.
2. Region planning schemes identifying Perth Central Area and zoning the strategic metropolitan centres.
3. Preparation and review of local planning strategies.
4. Amendment of local planning schemes.
5. Preparation of activity centre structure plans and district and local structure plans.
6. Application of development control provisions.
7. Retail needs assessment and/or retail sustainability assessment.

(2) The responsible authority should not support activity centre or other structure plans, scheme amendments or development proposals that are likely to:

- undermine the activity centre hierarchy or the policy objectives;
- result in a deterioration in the level of service to the local community or undermine public investments in infrastructure and services; or
- unreasonably affect the amenity of the locality through traffic or other impacts.

(3) Unacceptable impact¹⁴ may include a physical or financial cause that would result in an adverse effect on the extent and adequacy of facilities and services available to the local community that would not be made good by the proposed development itself.

6.1 Regional planning

(1) Sub-regional structure plans (growth management strategies) and district structure plans will indicate the location and general spatial extent of activity centres, consistent with the activity centre hierarchy.

¹³ See Definition of *Bulky goods retail/showrooms* in **Appendix 1**

¹⁴ Refer to **Section 6.5** - Retail Sustainability Assessment

(2) New activity centres identified through these plans may be endorsed by the WAPC, subject to this Policy.

(3) Perth Capital City and strategic metropolitan centres should be zoned *City Centre* under the region planning schemes.

6.2 Local planning strategies

6.2.1 Role

(1) Local planning strategies should reflect the policy provisions including the activity centres hierarchy. These strategies will be used as the basis for preparing and amending local planning schemes, and for preparing and assessing activity centre structure plans, district and local structure plans and development applications.

(2) New activity centres identified through local planning strategies may be endorsed by the WAPC, subject to this Policy.

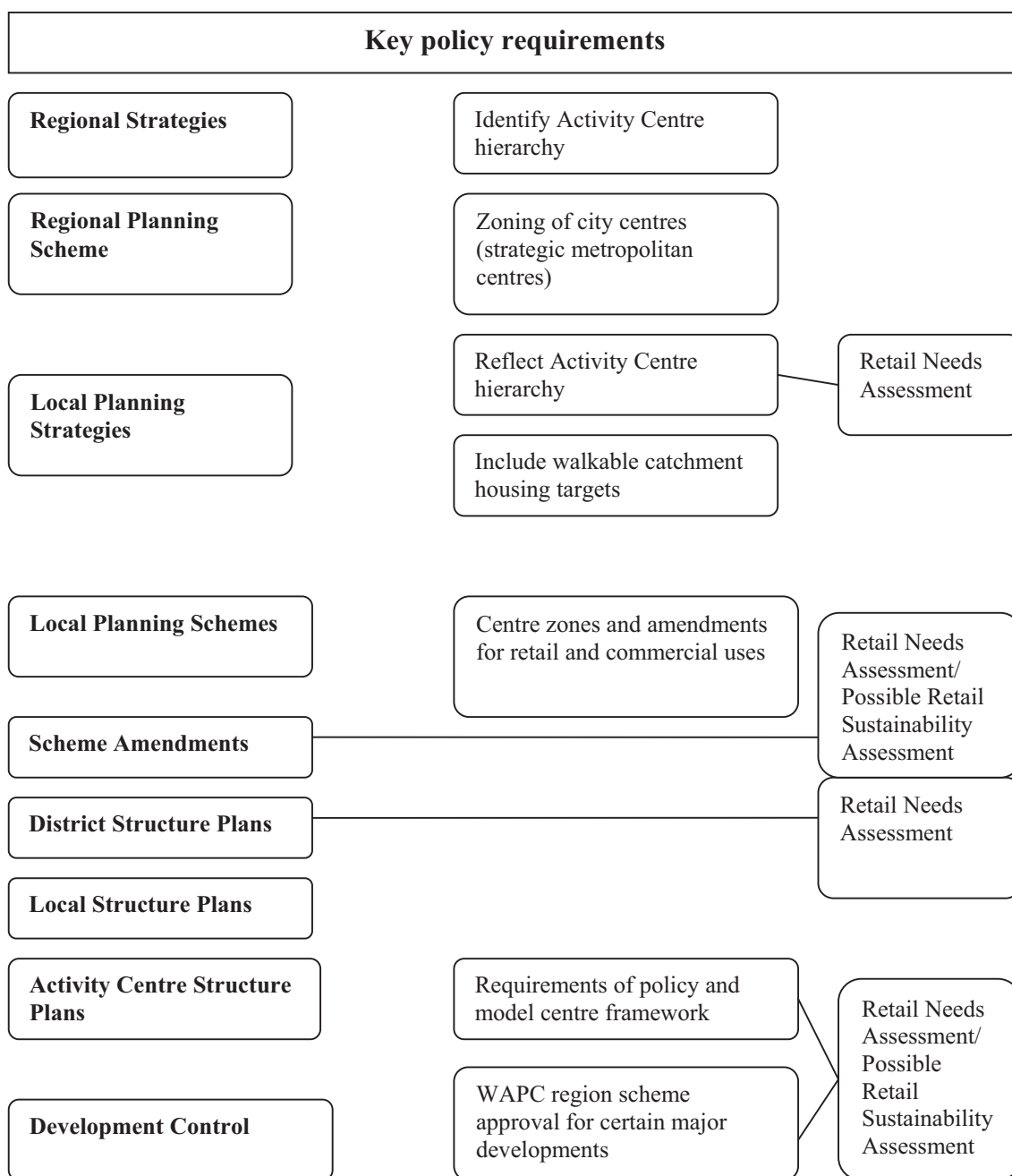


Figure 2: Key policy requirements for implementation

(3) Local planning strategies should guide the long-term distribution of retail and commercial floorspace and housing supply via a network of centres that:

- capitalise on opportunities to revitalise activity centres in established urban areas, as a catalyst for urban renewal in the surrounding catchment;
- provide sufficient development opportunities to enable a diverse supply of commercial and residential floorspace to meet projected community needs;
- cater for a full range of needs from shopping, commercial and community services from local convenience to higher-order comparison retail/goods and services;
- mitigate the potential for an over-concentration of shopping floorspace in large activity centres at the expense of a more equitable level of service to communities; and
- promote the walkable neighbourhoods principle of access to employment, retail and community facilities by distributing activity centres to improve access by foot or bicycle, rather than having to depend on access by car in urban areas.

6.2.2 Retail needs assessment

(1) Local planning strategies provide an information base to support planning decision-making by including an assessment of projected retail needs of communities in a local government area and its surrounds. They should take account of the impacts of the strategy proposals on adjacent local government areas and existing or planned centres.

(2) The local planning strategy should show the estimated retail need and indicative distribution of floorspace across the activity centres in the local government area, consistent with the activity centre hierarchy.

(2) Retail needs assessments are also intended to guide district and activity centre structure plans, and generally include:

- the projected population and its socio-economic characteristics;
- household expenditure and required retail floorspace;
- changing shopping patterns and trends; and
- the needs of different retail sectors.

6.2.3 Housing density targets

(1) Activity centres should be coded under the *Residential Design Codes*, applying *activity centre* and built form-based controls to enable housing development that complements the desired scale and intensity of other development in the centre.

(2) Local planning strategies and schemes and activity centre structure plans should optimise housing potential in *walkable catchments* and meet density targets (**Table 3**).

6.3 Local planning schemes

(1) Activity centres should be zoned under local planning schemes consistent with the region planning scheme and the activity centre hierarchy. The zoning should reflect the objective of providing flexibility and promoting a mix of activities.

(2) Standard zones in **Table 5** (from the Model Scheme Text Guidelines) should be applied in conjunction with special control areas or development areas where appropriate.

Table 5: Zoning classifications of centres

Strategic metropolitan centre	Strategic regional centre zone
Secondary centre	Regional centre zone
District centre	District centre zone
Neighbourhood centre	Local centre zone
Service industry, showrooms, trade and professional services ¹⁵	Mixed business zone

6.3.1 Defining activity centre boundaries

(1) Local planning strategies, schemes and district and local structure plans should identify the indicative boundaries of activity centres in both established and new urban areas. The extent of each activity centre should be identified by a boundary in activity centre structure plans as agreed with the responsible authority for the purpose of:

- identifying the extent of applicability of this policy;
- estimating the growth potential and land use mix of an activity centre; and
- managing the interface between centre-scaled development and adjacent land.

(2) The centre boundary may be defined by factors such as:

- existing zoning in MRS or local planning scheme;
- topographical features;
- major infrastructure elements;
- walkable catchment to major public transport stops; and
- use of rear boundaries are an interface or transition for land use change.

¹⁵ In particular circumstances, which, due to their scale, character and land requirements, cannot conveniently or economically be accommodated within Centre zones.

(3) The resulting centre boundary must contain sufficient land to deliver an appropriate degree of land use diversity for the relevant type and scale of centre.

(4) Unduly elongated centre form is not supported and ribbon commercial development should be discouraged to avoid adverse impacts on the safe and efficient flow of traffic on major through-traffic routes. The concept of activity (urban) corridors was introduced in *Network City* and will be explored further by way of pilot projects identified in *Directions 2031* but is not to be interpreted as extended ribbon commercial development.

6.4 Activity centre structure plans

(1) Activity centre structure plans need to be prepared for strategic metropolitan, secondary, district and specialised centres, but not for neighbourhood or local centres.

(2) Activity centre structure plans should be endorsed prior to a *major development* being approved to ensure a centre's development is integrated, cohesive and accessible. In exceptional circumstances (in the absence of an endorsed activity centre structure plan), any *major development* must satisfy relevant requirements of the Model Centre Framework.

(3) The *Structure Plan Preparation Guidelines* which outlines the process for the preparation of activity centre structure plans should be considered in conjunction with this policy, including the Model Centre Framework and any other applicable regulations.

(4) An existing endorsed structure plan will remain effective in the interim until an activity centre structure plan is endorsed in accordance with this policy.

6.4.1 Activity centre structure plan requirement

(1) **Table 6** outlines when an activity centre structure plan is required and the responsible authority that will endorse it.

(2) Due to the importance of strategic metropolitan centres, activity centre structure plans are expected to be prepared and adopted within three years of the policy being finalised. Their classification under the activity centre hierarchy may be reviewed in line with this requirement.

Table 6: Activity centre structure plan requirement

Centre plan required	Perth Capital City	Strategic metropolitan centres	Secondary centres	Specialised centres	District centres	Neighbourhood centres
Approval required	N/A ¹⁶	WAPC	WAPC	WAPC ¹⁷	WAPC (if floorspace exceeds 20,000 m ² shop-retail nla) ¹⁸ Otherwise: Local Government	Local Government may require a detailed area plan

Nla: net lettable area

6.4.2 Responsibility for preparation

(1) Local governments and, where appropriate, landowners, can prepare activity centre structure plans for strategic metropolitan, secondary, district and specialised centres.

(2) While not subject to the centre plan provisions of the policy, the planning and development of neighbourhood centres should be guided by detailed area plans where required by a local planning scheme or structure plan. In new urban areas such plans should demonstrate how the centre satisfies *Liveable Neighbourhoods* (Element 7).

6.4.3 Contents and performance indicators

(1) Activity centre structure plans should encompass the whole of a centre as defined by the boundaries (refer **Section 6.3.1**).

(2) Activity centre structure plans should demonstrate how the proposed development of the centre meets the requirements of the policy and the Model Centre Framework (**Appendix 2**). It should also be demonstrated how the activity centre structure plan satisfies *Liveable Neighbourhoods* (Element 7), particularly for new urban areas.

(3) **Table 7** outlines the contents required in activity centre structure plans and should be read with the Model Centre Framework, which provides more detailed guidance. The responsible authority should use the centre performance indicators to assess the activity centre structure plan based on the level of maturity of the centre.

¹⁶ Not required given that the City of Perth City Planning Scheme and the East Perth Redevelopment Scheme provide an overall planning framework for the Perth Capital City area.

¹⁷ Jandakot and Perth airports are exceptions as they are subject to Commonwealth legislation.

Table 7: Activity centre structure plan contents and performance indicators

Contents required		Performance indicators
Centre context	1. Regional context	1.1 Consistency with the role and typical functions in Table 3 .
	2. Local context	2.1 Responsive to the area's natural, cultural and historical heritage. 2.2 Integration with the surrounding area.
Movement	3. Public transport infrastructure	3.1. Prioritisation of public transport.
	4. Walking and cycling access	4.1. Provision for end-of-trip facilities. 4.2. Improved access and facilities for pedestrians and cyclists.
	5. Traffic assessment	5.1. Improved access by all modes, including freight vehicles.
	6. Freight servicing	
	7. Centre parking strategy	7.1. Provides for upper limits and common-use of car parking.
Activity	8. Estimated employment	8.1. Number, range and density of jobs.
	9. Floorspace estimate by land use	9.1. The <i>mix of land uses</i> ' floorspace target (Table 2). 9.2. Provision of community, civic and cultural facilities.
	10. Housing density	10.1. Housing density target.
	11. Retail sustainability assessment or retail needs assessment (where required)	11.1. Retail scale justified in context of catchment and centre classification.
Urban form	13. Key nodes, landmarks and view lines	
	14. Street interface	14.1. Ratio of external, street-oriented to internal (mall-based) tenancies. 14.2. Passive surveillance of streets and public spaces. 14.3. Active uses at ground floor.
	15. Public spaces	15.1. Quality of public and open spaces.
	16. Landscaping	
Resource conservation	17. Energy and water conservation	17.1. Demonstrated energy-efficient building orientation and design. 17.2. Provision for water saving and re-use of water in landscaping and buildings.
Implementation	18. Collaboration 19. Staging and monitoring 20. Use of conditions 21. Planning obligations and incentives	18.1 Demonstrated collaboration with local government and with transport and other relevant infrastructure agencies. 18.2 Effective strategy and coordination arrangements for staged implementation of the structure plan.

6.5 Retail sustainability assessments

A Retail Sustainability Assessment (RSA) assesses the potential economic and related effects of a significant retail expansion on the network of activity centres in a locality. It addresses such effects from a local community access or benefit perspective, and is limited to considering potential loss of services, and any associated detriment caused by a proposed development. Competition between businesses of itself is not considered a relevant planning consideration.

6.5.1 Scope and requirements

(1) The RSA shall assess potential effects of the sustainable future provision of shopping by existing and planned activity centres in the locality, taking into account:

- the supportable *shop-retail* floorspace for an appropriate service population, based on the normative primary service (trade) areas in **Table 3**;
- the Commission's *Guidelines for Retail Sustainability Assessments*; and
- an assessment of the costs imposed on public authorities by the proposed development, including the implications for and optimal use of public infrastructure and services provided or planned in the locality.

(2) The RSA should consider overall costs and benefits of the proposal taking into account the objectives of this policy and the Commission's *Guidelines for Retail Sustainability Assessments*. Findings should be expressed in terms of any potential impacts on each affected activity centre.

(3) The methodology, assumptions and data used in such analysis must be specified and be appropriate, transparent and verifiable.

6.5.2 When required and exemptions

(1) *Major developments* and scheme amendments or structure plans that provide for *major development* are to include a RSA. Furthermore, any proposal that would result in the total *shop-retail* floorspace of a neighbourhood centre exceeding 6000 m² nla, or expanding by more than 3000 m² *shop-retail nla* also requires a RSA.

(2) The responsible authority may waive this requirement where the proposed *shop-retail* floorspace is substantially within the walkable catchment of a passenger rail station, in view of the scale and likely impact of the proposal.

(3) Where an endorsed local planning (commercial) strategy, district, local or activity centre structure plan includes an indicative amount of *shop-retail* floorspace derived from a retail needs assessment, a RSA is only required where a significant increase to this *shop-retail* floorspace is proposed.

(4) *Major developments* and scheme amendments or structure plans that provide for *major development* in the Perth Capital City or strategic metropolitan centres do not require a RSA.

6.6 Development control

6.6.1 General requirements

(1) Activity centre structure plans should be prepared prior to approval of any *major development* within an activity centre.

(2) Developments should:

- comply with the endorsed activity centre structure plan or local planning (commercial) strategy; and
- be located in an appropriate level centre of the activity centre hierarchy.

(3) The shopping component of larger activity centres should, where possible, be staged to take into account actual and projected growth of the number of people living and working in its trade area.

(4) Development proponents should demonstrate consistency with this policy, including relevant aspects of the Model Centre Framework (**Appendix 2**).

(5) In dealing with any development application the responsible authority will consider the region planning scheme; any operative or proposed local planning strategy or scheme; state planning policy; and any relevant endorsed policy, strategy or plan.

(6) In granting an approval to an application the responsible authority may impose reasonable conditions to achieve the objectives of the above planning instruments or for relevant planning purposes. These conditions may include:

- modifying the floorspace provision or design and arrangement of the proposal;
- the responsible authority or another agency undertaking related works or reasonable financial contributions to such works ; and
- ceding of land required to achieve the objectives or provisions of the above planning instruments, where the land requirement is related to the needs created by the proposal.

6.6.2 Proposed delegation under region planning schemes

(1) Local governments will be responsible for approval of development provided that the following classes of development will be referred to the WAPC for determination in accordance with the relevant notice of delegation under the region planning scheme:

- Development that may have significant regional implications.
- *Major development*, which either the local government or the WAPC (after consulting the responsible local government) considers appropriate to a higher level in the activity centres hierarchy, based on the main role/function and other criteria in **Table 3**.
- Developments wholly or partly on zoned land in specialised centres; and
- All developments wholly or partly on reserved land in specialised centres (apart from Jandakot and Perth Airports), except for *permitted development*.

APPENDIX 1: INTERPRETATIONS

Unless otherwise noted, terms used in this policy have common meanings and include those listed in the *Planning and Development Act 2005* and the *Town Planning Amendment Regulations 1999*.

Bulky goods retail or showroom

Large premises used to display, sell by wholesale or retail, or hire:

- automotive parts and accessories
- camping and recreation equipment
- electrical light fittings
- animal and pet supplies
- floor coverings
- furnishings, bedding and manchester
- furniture
- goods of a bulky nature that require a large area for handling, display or storage; or direct vehicle access to the site of the premises by the public for the purpose of loading goods into a vehicle after purchase or hire.
- home entertainment goods
- household appliances
- office equipment supplies
- party supplies
- swimming pools and supplies
- hardware
- garden supplies

Gross hectare

The area of zoned land under the region planning scheme. ie. excluding the area reserved for parks and recreation, railways, primary and other regional roads and public purposes.

High-frequency public transport

A public transport route that runs a service at least every 15 minutes during week day peak periods.

High trip generating land uses

Land use	High
	>100 vehicle trips in peak hour
Educational establishment	>100 students
Restaurant, tavern, night club, reception area etc.	>1000 persons (seats)
	or
	> 2000m ² gross floor area
Fast food outlet	>500m ² gross floor area
Shop	>1000m ² gross floor area
Non-food retail	>2500m ² gross floor area
Offices	>5000m ² gross floor area

See Volume 5 Part b of *Transport Assessment Guidelines* for derivation of values.

Major development

Development of any building or extension/s to an existing building where the building or extensions are used or proposed to be used for *shop-retail* purposes and where the shop-retail nla of the:

- proposed building is more than 10000m²; or
- extension/s is more than 5000 m².

Mix of land uses

Floorspace within the boundaries of an activity centre that is used or proposed for activities within the following land use categories:

- Office/business: administrative, clerical, professional and medical offices;
- Health/welfare/community services: government and non-government activities that provide services such as hospitals, schools, community services and religious activities;
- Entertainment/recreation/culture (excludes outdoor areas): sports centres, gyms, museums, amusements, gambling services and hotels; and
- Bulky goods retail/showroom.

Net lettable area (nla)

The area of all floors in the internal finished surfaces of permanent walls but excluding:

- all stairs, toilets, cleaners cupboards, lift shafts and motor rooms, escalators, tea rooms, and plant rooms, and other service areas;
- lobbies between lifts facing other lifts serving the same floor;
- areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building; and
- areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building.

Permitted development

Refer Planning Bulletin 94

Shop/retail (shopping or shop)

The land use activities included in “Planning land use category 5: Shop/retail” as defined by the Commission's Perth Land Use and Employment Survey (as amended from time to time). (Planning land use categories are broad descriptors of land use activities).

Structure Plan Preparation Guidelines

Means guidelines on the preparation of structure plans as published by the Commission from time to time, in accordance with the applicable regulations.

Walkable catchment

Derived from application of the ‘ped-shed’ technique¹⁹ to the existing or proposed street network in the boundaries of the centre plan. ie. The:

- extent of the walkable catchment is either 200m, 400m or 800m depending on centre type (outlined in **Table 3**); and
- Walkable catchment is measured from rail stations, major bus transfer stations or stops located on high-frequency bus routes.

APPENDIX 2: MODEL CENTRE FRAMEWORK**CONTENTS****1.0 Introduction**

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- 7.1 Collaboration
- 7.2 Staging and monitoring
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- 7.4 Planning obligations and incentives
- 7.5 Activity centre structure plan requirements

8.0 Activity centre structure planning checklist

¹⁹ Refer Appendix 3 of *Liveable Neighbourhoods*

1.0 Introduction

1.1 About this framework

The Model Centre Framework deals with the principles of design and key considerations related to planning for activity centres in Perth and Peel. The aim of the framework is to provide guidance on the preparation of activity centre structure plans and support *State Planning Policy 4.2: Activity Centres for Perth and Peel* (Activity Centres Policy).

The framework is to be considered when preparing and assessing activity centre structure plans. **Section 6.4** of the Activity Centres Policy outlines the required contents and performance indicators to be used to assess activity centre structure plans. In exceptional circumstances (in the absence of an endorsed activity centre structure plan), any *major development* should still satisfy the relevant requirements of the Model Centre Framework. The activity centre structure plan requirements are summarised in a checklist at the end of the document.

An activity centre structure plan sets out the spatial plan and strategy to achieve a compact, pedestrian-friendly, mixed-use activity centre that will offer a range of lifestyle choices, reduce car dependency and limit environmental impact.

Figure 1 outlines the key documents that need to be considered in the preparation of an activity centre structure plan, including the *Structure Plan Preparation Guidelines*.

It is not possible for this document to cover all the issues involved in planning for activity centres. Guidance on transit orientated design²⁰, transport planning and management²¹ and crime prevention²² for example, should be considered when preparing an activity centre structure plan and related development applications. Footnotes and suggestions for further reading are provided where topics may warrant further investigation.

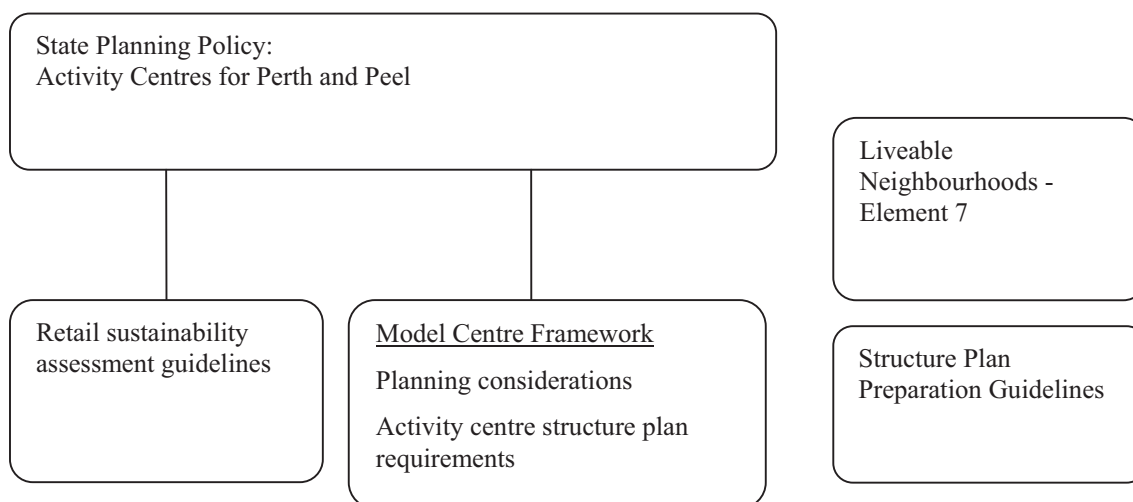


Figure 1: Activity centre structure plan key documents

1.2 How to use this framework

The following elements are to be addressed in the Activity centre structure planning process:

- Centre context
- Movement
- Activity
- Urban form
- Resource conservation
- Implementation.

Activity centre structure plans are required for strategic metropolitan centres, secondary centres, district centres and specialised centres. Activity centre structure plans should include the above elements, providing for each:

- an analysis of existing conditions
- opportunities and constraints
- a description of the alternative approaches considered
- a description of the proposed approach, supported by maps, diagrams, sketches and photographs.

²⁰ Development Control Policy 1.6: Planning to Support Transit Use and Transit Oriented Development (January 2006)

²¹ Austroads *Guide to Traffic Management - Part 7: Traffic Management in Activity Centres*

²² Planning bulletin 79: Design Out Crime Planning Guidelines (June 2006)

2.0 Centre context

Activity centres should be developed and redeveloped in a manner that is sensitive to the needs, assets, and deficiencies of the surrounding community while respecting local historical patterns, precedents, and context.

Activity centres are an integral part of the broader urban and suburban environment and cannot be considered in isolation. Depending on their scale and purpose activity centres can serve local communities through to entire metropolitan areas. Understanding the physical, social and economic context is vital to forming a mutually supportive relationship with the surrounding hinterland, which in turn, contributes to a centre's success.

The first section in an activity centre structure plan should set out the regional and local context. The existing situation should be outlined and any deficiencies in the activity centre network or infrastructure provision should be recorded.

2.1 Regional context

Analysis of the broader context of an activity centre is important to determine the relationship between a centre and other employment, service, recreation and high-frequency public transport locations. Analysing the regional context will also provide an understanding of any potential impact a centre may have on the activity centre hierarchy.

A regional context plan helps to demonstrate an appropriate level of understanding of how a centre will respond to its regional context before the design process begins.



Planning considerations

Statutory framework

Providing an overview of the planning framework within which a centre structure plan will operate is vital for identifying relevant aspects of state, regional, sub-regional and local policies. This will provide a measure of centre performance against key policy objectives.

Centre hierarchy

The activity centre hierarchy defines a centre's anticipated role, function and transport accessibility. This will inform the level and type of development a centre should accommodate.

Catchment area

It is necessary to consider the service population area that it is intended to serve²³ and from where it attracts visitors and customers.

Neighbouring attractors

Identifying places of importance in the vicinity can help optimise a centre's performance. Establishing supply of and demand for commercial and civic functions in the surrounding area can supplement what a centre already offers and inform the viability of future services.

²³ Table 3 in the Policy indicates the relevant indicative service population for each centre type.

Strategic transport routes	Examining the strategic transport network will inform how a centre connects to other places. Analysis of key transport routes (road, rail, or cycle) and where these intersect a centre can suggest how to optimise its layout.
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2.2 Local context

Detailed analysis of an activity centre and its immediate hinterland provides an understanding of the people who live around, work within and visit the centre. This will inform how well the centre meets the commercial, social and community needs of its catchment area, where improvement can be made, and how it may adapt over time.

Planning considerations

Local policy context	Provides the local activity centre structure planning context in terms of the local planning strategy, scheme and structure plans and measures the centre's performance against key policy objectives and targets.
Centre boundary	Defining the area over which an activity centre structure plan operates is essential. Centre boundaries must match the intended role and function, accommodate sufficient growth, and deliver appropriate land use diversity.
Demographic profile	Understanding the key economic, employment and social trends ²⁴ within a centre's catchment area will inform future planning proposals and growth predictions.
Defining characteristics	Natural, historical, and cultural features all contribute to the identity of a place and should be considered in an activity centre structure plan. A plan should also capitalise on the unique elements of place such as topographical features, view lines, and focal points to reinforce place identity.

2.3 Activity centre structure plan requirements

1. Classify the centre and assess its current performance against the activity centres hierarchy and the functions and performance targets in **Table 2** of the Policy.
2. Document and map the centre's regional context, recording the centre's strengths, weaknesses, opportunities and constraints.
3. Clearly define and map the existing centre boundary and any proposed extension.
4. Document and map the centre's demographic profile and defining characteristics.
5. Conduct a baseline assessment of land and its use within the centre's boundary and *walkable catchment*²⁵.
6. Document and map transport links and accessibility nodes within the centre boundary and its surrounds. Note local street hierarchy, bus services and stops, rail facilities, and pedestrian/ cycle access and provision.
7. Review relevant state and local planning policy, guidance, and best practice noting key objectives and targets relating to the centre.

3.0 Movement

SPP 4.2 Objective: *Maximise access to activity centres by walking, cycling and public transport while reducing private car trips.*

The physical organisation of an activity centre must be supported by a balanced network of transport alternatives in particular walking, cycling, and public transport. Greater emphasis should be placed on establishing and maintaining a well-connected street network that is integrated with the surrounding area. In the case of existing centres, this could mean introducing new streets to improve connectivity or sharing street space between different modes rather than focusing on car movement.

3.1 Regional Perspective

An activity centre has the capacity to reduce the overall amount of car travel if it is conveniently accessible by high-frequency public transport and the regional road network (for distribution and servicing). A centre's location in relation to strategic transport routes will dictate ease of access, how people arrive, and even influence user perception of place.

Planning considerations:

Strategic road hierarchy	The Metropolitan Road Hierarchy ²⁶ categorises roads according to function and capacity. A centre's position in relation to strategic roads will determine how it is serviced and its ability to capitalise
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²⁴ Data sources include the Census, and the local housing and commercial strategy.

²⁵ See **Table 3** of the Activity Centres Policy.

²⁶ Main Roads Western Australia manages the primary road network for the Perth and Peel region.

	on the 'movement economy' of passing trade. Centres are best located off, or visible from arterial roads.
Points of arrival	Key places of entry such as train stations, major intersections, and bus interchanges act like a centre's 'front door'. These gateways can influence how people interpret a centre and its function. Sites suitable for 'landmark' development should be identified to reinforce entryways. In order to attract people and businesses gateways should be welcoming, appropriately scaled and easily recognisable.
Key sites	Local authorities should maximise the use of the most accessible sites within an activity centre by (re)locating anchor retail, intensive employment, or major people attractors there.

3.2 Public transport

Attractive, efficient and convenient public transport access will reduce private car dependency and lead to a more efficient use of land within a centre to the benefit of businesses and the community. The quality of the public transport infrastructure plays an important role in the attractiveness of this travel mode over others.



Activity centres can be served by a range of different public transport modes. Good public transport patronage needs to be 'earned' by investing in an attractive and safe environment for users, meeting resident and worker travel demand, and providing direct access to a diverse range of uses.

Planning considerations:

Partnerships	Collaboration between the Public Transport Authority, developers and local governments is essential to providing effective and convenient public transport servicing.
Network provision	Frequent services that meet travel demand and connect to major destinations are necessary for providing a quality transit system that attracts use. Reasonable waiting times and comprehensive services to cater for off-peak and weekend travel are key to ensure a viable alternative to the private car.
Waiting areas	Safe, high-quality stops and interchange facilities create a positive perception of public transport. Infrastructure should match the scale and frequency of use, and planning should ensure facilities are well-designed, highly visible and easy to access.
Interchange	Convenient and safe interchange is essential to integration between different modes of transport. Activity centre structure plans should promote more sustainable travel choices, by ensuring that interchange points relate well to travel generating uses and cater for smooth transition between travel modes at transport hubs.

3.3 Pedestrian movement and amenity

Walking is one of the most sustainable methods of travel and is the primary mode of transport within an activity centre; offering the greatest potential to replace short car trips at the local level particularly within the *walkable catchment*. The ability of an activity centre to deliver a concentrated focus of people relies on it having an efficient urban structure that locates groups of activities within walking distance of each other.

As such the quality of the walk becomes important, as does the choice and directness of the pedestrian routes. The planning and development of activity centres should therefore place greater emphasis on walking.



Pedestrian movement is a sign that a centre engenders human interaction. More building floorspace and activities at ground floor level is likely to mean more pedestrians and more human interaction.



Activated laneways provide direct pedestrian connections through the centre as well as supporting a variety of small scale uses.

Planning considerations:

Desire lines

Pedestrians typically prefer to take the most direct route between attractions. Directness and a choice of routes between places are more likely to be delivered by a fine-grained network of streets and paths. Activity centre structure plans should ensure the pedestrian network reflects the main desire lines within the centre and allow for priority measures at road crossings.

Network provision

Priority should be given to pedestrians over traffic in centres. It is necessary to ensure walking routes are safe, networked, well-signposted, and connected to key destinations²⁷. Activity centre structure plans should dedicate more road space to pedestrians by providing a coherent network of wide footpaths, pedestrianised zones and mid-block links (laneways and arcades) to encourage walking.

Legibility

A legible layout is one where people can form a clear, accurate image of the place. This is discussed further in 'Public Spaces' in the chapter *Urban Form*.

²⁷ Walk WA: A Walking Strategy for WA 2007-2020 (Department of Sport and Recreation, 2007)

3.4 Cycling

The planning and development of activity centres should also make greater provision to encourage cycling for centre employees and visitors²⁸.



Cycling is an under-exploited and healthy mode of transport. It is inexpensive, reliable and convenient, particularly for shorter trips.

Planning considerations:

Network provision

To promote cycling as a viable mode of transport provision should be made for a comprehensive network²⁹ that connects the centre safely and conveniently to other local destinations. This includes dedicated or shared paths and the reallocation of road space to provide more space for cyclists, such as cycle lanes or bus lanes where cyclists are permitted.

End of trip facilities

Facilities should be provided to cater for and promote cycling within commercial and community developments such as showers, change rooms and lockers.

Cycle parking

Standards to ensure the supply of adequate cycle parking for public and private use should be adopted and mandated as part of the development control process.

3.5 Vehicle movement and access

Despite a need to reduce the current level of car use, activity centres still need to provide vehicle access for operational (service and delivery) and mobility purposes. A balanced approach to vehicle movement and access requires:

- a greater sharing of road space between different modes of travel;
- a permeable road network that provides greater choice of movement; lower traffic speeds through control mechanisms;
- fewer and safer points of conflict between vehicles and pedestrians; and
- specific measures at intersections that provide greater priority to pedestrians, cyclists and public transport.



Rokeby Road, Subiaco is an example of a successful retail based street where traffic behaviour and speed is controlled through the use of signposted limits, narrow travel lanes and medians, on-street parking, in-street bus standing and pedestrian plateaus with a unique paved surface.

²⁸ Development Control Policy 1.5: Bicycle planning (July 1998)

²⁹ Perth Bicycle Network Plan

Planning considerations:

Traffic volumes	Traffic side effects such as noise, fumes and safety can have an adverse affect on centre amenity. A balance between providing vehicular access and minimising traffic impact is needed. A traffic assessment ³⁰ will help define the key vehicular routes within a centre and identify capacity or safety issues that need to be addressed.
Traffic management	Management can contribute to planning objectives by supporting linked and discouraging single occupancy trips, reducing vehicle speeds, and improving the attractiveness of the centre.
Priority access	Centre structure plans should identify key drop off points, taxi ranks, and parking ³¹ locations to support universal access and public transport.
Freight	Design for deliveries by identifying appropriate access routes and key freight docks.

3.6 Parking

The availability of car parking has a major influence on how people choose to travel to activity centres. Levels of parking can be more significant than public transport provision in determining means of travel.

Car parking also takes up large amounts of space, and potentially causes visual blight, reduced densities and physical separation of centres from the surrounding community. Reducing the amount of parking in activity centres is also essential, as part of a package of planning and transport measures, to promote sustainable travel choices.



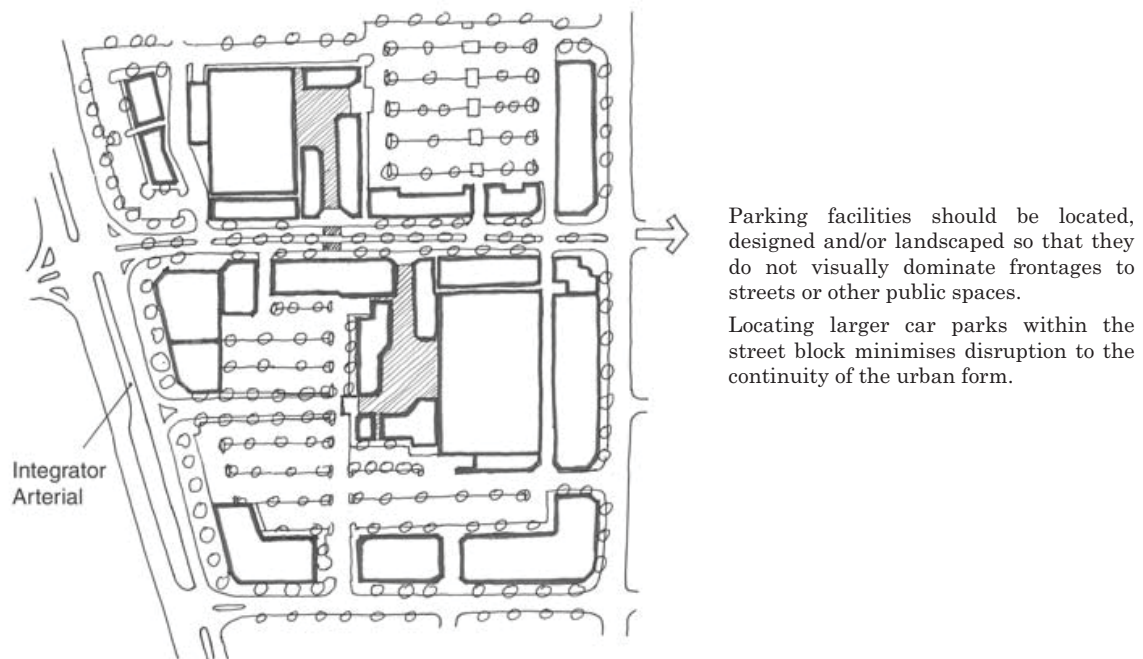
The use of on-street bays with appropriate time control provides a very efficient form of parking with minimal disruption to the continuity of the urban form

Planning considerations:

Use allocation	Minimise the amount of off-street parking, particularly for centres that are readily accessible by walking, cycling or public transport. Centre structure plans should adopt a parking strategy that enforces <i>upper</i> limits on parking for broad classes of development and provides spaces in accordance with universal access principles, as well as on-street parking.
Design	Parking should be well-integrated with the urban form, and not detract from pedestrian amenity in the <i>walkable catchment</i> . Off-street parking in larger activity centres should be considered for future conversion to decked parking or more intensive development containing parking and other uses.
Short stay	Centre structure plans should give priority to the provision of short-stay parking that serves the centre as a whole, rather than be dedicated to serving individual developments.

³⁰ Development Control Policy 1.7: General Road Planning (June 1998) Guidelines: Transport Assessment Guidelines for Developments (August 2006)

³¹ Disability standards are detailed in the Building Code of Australia



3.7 Activity centre structure plan requirements

1. Identify gaps and deficiencies in the strategic transport network affecting the provision, efficiency and choice of access to the centre;
2. Define initiatives in consultation with transport agencies to improve access by all modes, particularly sustainable modes by (for example) service improvement, new/enhanced provision, priority measures, and congestion relief;
3. Map the main points of arrival and key sites within the centre boundary and assess their suitability in terms of centre function and role, legibility and accessibility;
4. Focus travel-intensive uses (i.e. offices, anchor retail, and commercial leisure) on sites which are (or will be) highly accessible by sustainable transport;
5. Audit the public transport facilities within the centre boundary noting any deficiencies and hindrances in the service and infrastructure provision. Define initiatives in consultation with the PTA to address the shortfall in local public transport facilities;
6. Audit the pedestrian and cycle facilities within the centre boundary noting gaps, deficiencies and hindrances in the service and infrastructure provision:
 - (a) Define clear initiatives to address the shortfall in pedestrian and cycle facilities;
 - (b) Define cycle parking and end of trip standards for broad classes of development; and
 - (c) Promote linked sustainable journeys by providing for pedestrian, cycle and bus interchange at high-frequency transport hubs.
7. Conduct a traffic assessment of the local street network to identify where capacity stress/surplus occurs. Use the findings and the contextual data collected to:
 - (i) Design streets to meet the required level of use and access (including priority access where appropriate) and form a well-connected and legible network that includes safe and efficient pedestrian routes to public transport hubs.
 - (ii) Inform traffic management proposals such as vehicle speed and access restraint, reduced severance/noise/pollution, and increased safety.
 - (iii) Locate access to major development sites that avoids detriment to road capacity and safety.
 - (iv) Identify suitable routes for delivery and service access.
8. Locate heavy freight generating uses such as distribution and warehousing away from congested central areas and preferably near the strategic road network;
9. Undertake an audit of the existing parking supply occupancy rates and patterns of use, and use the findings to identify opportunities for more efficient use; and
10. Adopt a strategy that provides for *upper* parking limits, parking standards for people with a disability and a management plan.

4.0 Activity

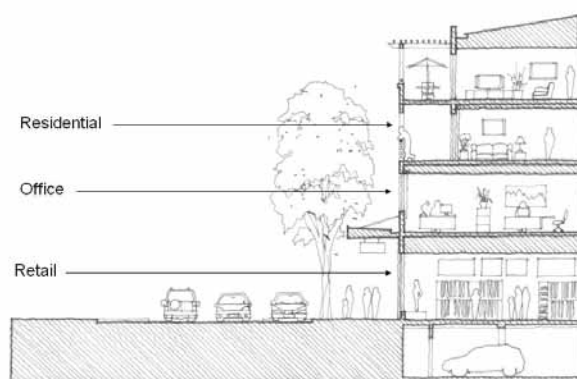
SPP 4.2 objectives:

- *Ensure activity centres provide sufficient development intensity and land use mix to support high frequency public transport.*
- *Plan activity centres to support a wide range of retail and commercial premises and promote a competitive retail and commercial market.*
- *Increase the range of employment in activity centres and contribute to the achievement of sub-regional employment self-sufficiency targets.*
- *Increase the density and diversity of housing in and around activity centres to improve land efficiency, housing variety and support centre facilities.*

By shaping the pattern of development and influencing the location, scale, density, design and mix of land uses, activity centre structure plans can help reduce the need to travel, encourage social interaction and make it safer and easier for people to access jobs, shopping, leisure facilities and services by public transport, walking, and cycling.

4.1 Land uses and diversity

Activity centres should have an appropriate mix of uses to encourage vibrant, diverse, interactive, and safe activity centres that are lively during the day and night and reduce the overall need to travel. The diversity and the mix of land uses will vary from centre to centre. Diversifying complementary land use in conventional retail-dominated and specialised (typically single use) centres is part of the challenge for integrating activity centres into the broader (sub)urban environment.



Vertical integration of compatible land uses.



Planning considerations:

Identifying need

The need for additional floorspace will be assessed through a retail sustainability assessment or a retail needs assessment where appropriate³².

Character areas

Character areas (or precincts) are useful for organising land uses and buildings, and aiding legibility. They contain a mix of uses that are complementary and may comprise a street, block or an entire centre. This avoids any adverse effects on amenity (noise, pollution, traffic etc) created by placing conflicting uses in close proximity.

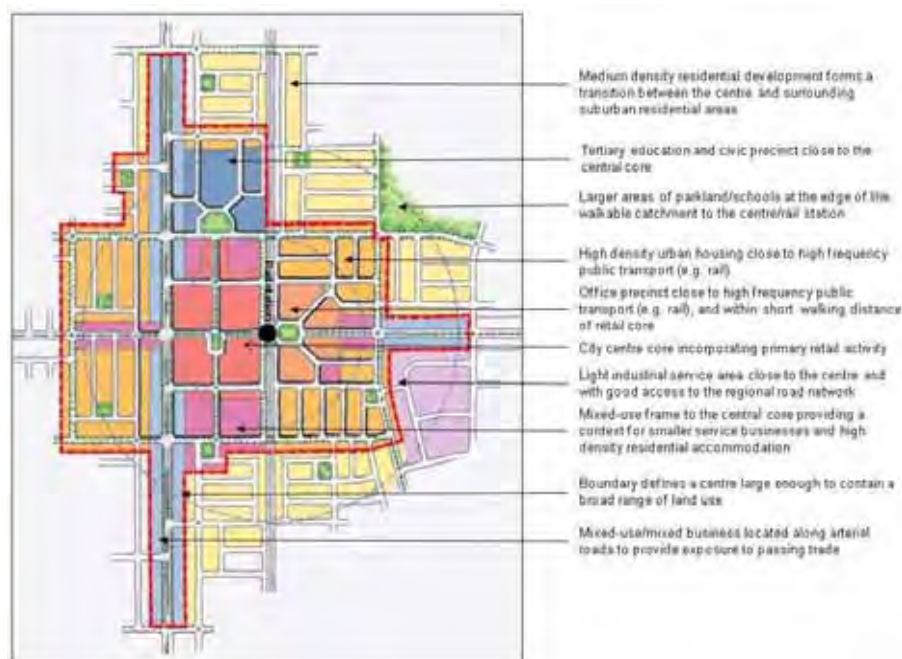
Use mix

Encouraging a diverse range of activities means a centre will be 'in use' for a longer portion of the day. Vibrant centres use land more efficiently (by promoting linked trips), facilitate social interaction and enhance safety with natural surveillance³³. Activity centre structure plans should promote vibrancy by prescribing a vertical and horizontal mix of compatible uses, and by placing active uses at ground level to activate the public realm³⁴.

³² Refer to Section 6 of the policy and the Retail Sustainability Guidelines.

³³ Refers to the presence of passers-by and/or the overlooking of spaces and buildings by windows.

³⁴ See the *Urban Form* chapter for more detail.



An example of a centre plan with a defined centre boundary and a number of different activity precincts.

4.2 Employment

Structure plans should promote activity centres as employment hubs. A greater proportion of metropolitan employment should be focused in activity centres³⁵ to provide opportunities for: attracting and retaining staff; businesses to establish knowledge-sharing and service clusters; more efficient use of infrastructure; and the population density to support public transport services.



Planning considerations:

Compatibility

While Activity centre structure plans should be flexible in the types of employment they allow, some are more conducive to (sub)urban environments than others, for example office, professional and other service-sector businesses.

Siting

Employment intensive uses are major generators of travel. Activity centre structure plans should locate large businesses or employment clusters on the most accessible (key) sites, particularly those within easy walking distance (400 metres maximum) of public transport hubs.

Working practices

Activity centre structure plans should cater for small-scale and home-based businesses and live-work housing whenever possible.

³⁵ See Section 5.2.3 of the Policy

4.3 Dwellings

Residential development within the *walkable catchment* of activity centres is necessary to build a sense of community, stimulate pedestrian movement, and encourage passive surveillance 'eyes on the street' outside normal business hours. It also provides walkable access to jobs, shopping, leisure and services, improving social inclusion and promoting more sustainable patterns of development.



Higher-density buildings in activity centres should be well designed and provide the high level of amenity associated with urban living.

Planning considerations:

Dwelling Type

Centre living can appeal to households beyond the nuclear family so provision of a range of residential dwellings in a centre helps to address the housing needs of a diverse community. Activity centre structure plans should mandate diversity in housing type (accommodating singles to families) and access to housing (elderly, disabled and affordable). Housing in upper storeys of mixed use developments is encouraged to maximise efficient use of land.

4.4 Retailing

While the principal aim of the activity centres policy is to encourage greater land use diversity, retailing will often remain an important function. To promote the principles of connectivity and flexibility, centres need to be planned and designed in a manner that can accommodate different retail formats and allow them to change and adapt over time.

Planning considerations:

Anchor stores

Department stores or supermarkets are major generators of travel and should be located in the most accessible areas, particularly those within easy walking distance (400 metres maximum) of public transport hubs (see key sites).

Foot fall

Pedestrian routes connecting key sites within an activity centre will attract the highest foot fall and should maximise the extent of direct (street-facing) retail frontage.

4.5 Activity centre structure plan requirements:

1. Review the existing land use patterns within the centre boundary and identify any complementing use clusters and define these as discrete character areas;
2. Record the existing uses and document any gaps in the land use mix. Identify the requirements to address the diversity performance target;
3. Assess existing community, civic and cultural facilities within the centre boundary. Make allowance for their provision relative to the scale and type of centre;
4. Where required by the activity centres policy, conduct a retail sustainability assessment or retail needs assessment;
5. Maximise pedestrian benefit by locating new retail along accessible streets and areas that can support high foot fall.
6. Identify employment sectors (retail and non-retail) and formats (i.e. live-work) and estimate the number and types of jobs provided by the centre;
7. Assess the housing densities required within the *walkable catchment* to meet the residential density targets in the Policy; and

5.0 Urban form

SPP 4.2 objectives: Plan activity centre development around a legible street network and quality public spaces.

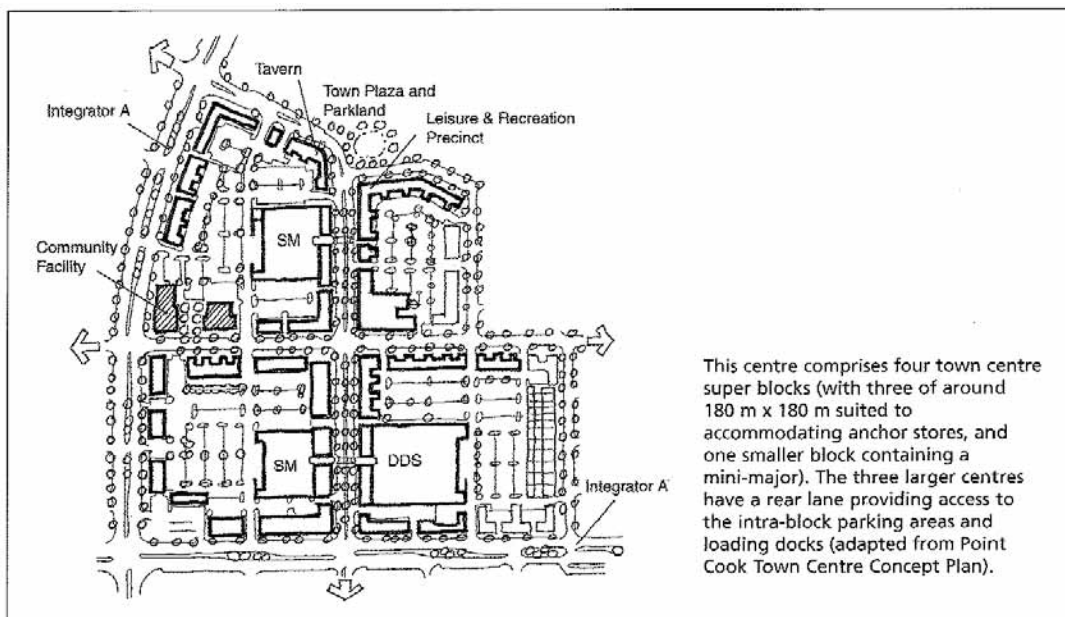
Activity centre built form should incorporate height at key points while respecting human scale and solar access, within a layout of strong, legible public streets and spaces that preserve natural assets and enhance the structure of the activity centre. The urban form of an activity centre gives shape and expression to the activities within the centre as well as to the role and scale of the centre as a whole.

Urban form also gives definition and character to the outdoor spaces, both public and private, and has a distinct influence on the degree of amenity enjoyed by building occupants. In short, urban form is the most recognisable physical attribute of an activity centre.

5.1 Urban structure and built form

The physical layout influences how people travel to and through a centre. Physical layout also influences how land uses adapt to form character areas (or precincts) or accommodate new uses.

The nature and design of buildings must reflect the location and role of the centre in terms of height, scale, orientation, material and texture. Buildings also have a bearing on the attractiveness and comfort of the street environment. They frame the internal landscape and views, and provide weather protection for pedestrian comfort.



Example of a street-based activity centre structured as four street blocks.



An example of how a well-located and configured lot can enable its use to evolve from residential to home-based business use, and then to full commercial use

Planning considerations:

Urban structure	Streets connect key land uses to the surrounding community ³⁶ . A well-formed structure typically consists of small (70x120-240 metre) walkable blocks as they offer more choice of access than larger impermeable blocks ³⁷ .
Retain and reuse	Keeping existing buildings can reinforce the unique qualities of a place. It is therefore important that key buildings, even if not heritage listed, be preserved and integrated into new development when possible.
Building envelope	The nature and design of buildings should complement the local aesthetic and environment as they frame the public realm and forge view lines. The desire to optimise floorspace should be balanced against height, bulk and proportion controls.
Occupant amenity	Centre development should minimise adverse amenity effects on neighbouring uses caused by over-shadowing, noise, odours, and over-looking. Activity centre structure plans should also set controls to ensure good amenity through minimum open space standards, safeguarding important views, and securing universal access.
Adaptability	Develop buildings with long life spans and built-in flexibility to allow for changes of use with time. This will result in a better capacity for the centre to incrementally evolve and adapt to changing economic and social conditions.

5.2 Street interface

The interest of an urban street is derived from the windows, doorways, people coming and going, vistas, and architectural detail, texture, and colour. Furthermore, the importance of these attributes is most significant at the ground floor level of a building where the relationship between a building and pedestrians is most important.



An example of how the upper levels of larger buildings can be setback to enable the lower levels to establish a street wall of a scale that complements the character of the place.

Planning considerations:

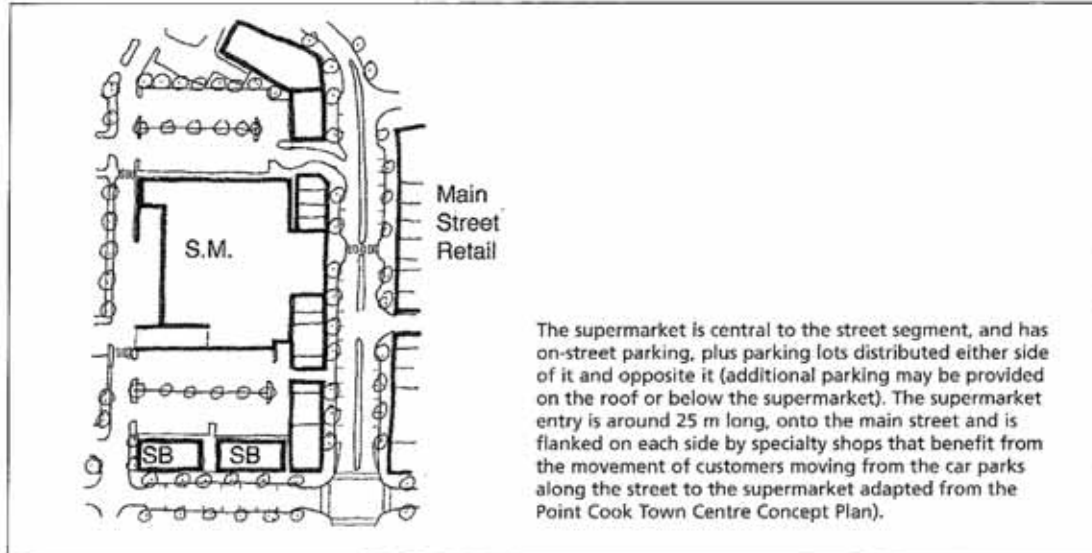
Scale	Efficient use of space within the centre boundary will avoid unnecessarily large separations between buildings and uses. Buildings should abut and address streets and public spaces. The alignment, orientation, and set back of buildings are to complement and reflect street function and widths to allow for density whilst maintaining human scale.
Building articulation	Buildings should incorporate contrasts and expression to avoid visual monotony and create interest, particularly at the public interface. This includes variations in depth, height, colour, texture or materials as well as the presence and number of openings (windows and door).

³⁶ Areas within the walkable catchment).

³⁷ Ian Bentley et al "Responsive Environments", Architectural Press (1985): Chapter 1.

Active fronts

At ground level buildings should contain activities that contribute (either passively or actively) to the public realm. Traditional shopping centres struggle to deliver sufficient street-based activity, and hybrids only manage when the enclosed mall is a small portion of the total centre. The opportunity to sleeve large scale retail and/or introduce outwards facing uses to avoid blank walls is encouraged. Building fronts should also offer weather protection through the provision of awnings and eaves.



An example of a supermarket—conventionally an internalised box—addressing the street, “sleeved” with other uses, and given an extra storey in height to establish an active and attractive street edge.



An example of good “active” building frontage with full-height display windows at street level and doors opening directly onto the street.

5.3 Public spaces

Urban living places more emphasis on public spaces and facilities, bringing into focus the quality of these spaces and facilities. The public realm provides an opportunity to influence the character and function of a centre through the provision of piazzas, squares, and parks as well as streets.



An example of an environmental asset—in this case, a river—incorporated efficiently into the urban environment without compromising the function of the centre.



Larger spaces are valuable as community meeting places; provide an opportunity for public art; and allow people to better orientate and navigate themselves.

Planning considerations:

Landscaping

Durability of landscape elements³⁸: Paving materials and street furniture should be of high quality, and easy to maintain. Trees and other plants should be easy to care for and add to the local biodiversity. Vegetation should be retained where possible. New planting should preferably use species native to the area and be compatible with the existing vegetation.

³⁸ Visual Landscape Planning in WA. (WAPC, 2007)

Way-finding	Physical form and activity patterns influence how people orientate and navigate a centre. Appropriate street scale and connections, character areas, view lines, and integrated, human scale signage are some useful aids. Visual cues such as landmarks (points of reference usually distinctive buildings or statues) and nodes (focal places such as road intersections) also aid legibility.
Microclimate	The siting and layout of public spaces will affect their comfort and use. Careful consideration should be given to microclimatic affects. Activity centre structure plans should set design controls that protect against excessive heat and prevailing winds, capitalise on cooling summer breezes and winter sun, and minimise the urban heat island effect.
Amenity	Streetscape amenities such as benches, bins, planters, trees, street lights, kiosks, fountains and public art enliven and support public spaces. Consideration should be given to the unification and suitability of these elements within a centre. Also, lighting can affect the character; harsh light seems inhuman, while too little light can make a place feel unsafe. Mechanical plant and service areas should be sited and designed to avoid visual and acoustic impacts on streets, public spaces and dwellings.

5.4 Activity centre structure plan requirements

1. Map existing block structure, building bulk/scale/layout, ownership patterns, anchor tenants, land use synergies (forming character areas) and any vacant or under-utilised land;
2. Review existing building stock and identify heritage structures or currently disused/underused buildings and allocate their reuse/intensification;
3. Allocate and map locations within the centre boundary that are suitable for accommodating optimised building envelopes;
4. Define design controls that allocate maximum (and minimum) building heights and setbacks to safeguard an attractive and appropriate scale to streets and public spaces, and solar access;
5. Define design controls to optimise building densities within the centre boundary, subject to other built form and environmental objectives;
6. Define controls to minimise environmental impacts of development including: minimum standards to safeguard occupant amenity including segregation of incompatible uses and protection against potential nuisances;
7. Define land use and design controls that provide for active uses (e.g. retail, service, hospitality) at ground floor and maximise building articulation, including the use of glazing and entrances to animate spaces and minimise blank facades/inactivity;
8. Provide weather protection using awnings, eaves, or street trees;
9. Review the provision and quality of public spaces (parks, plazas, pedestrian malls etc) and rank the spaces according to usage and function, and define and prioritise areas for improvement;
10. Provide a landscape strategy that provides for biodiversity and urban ecologies and protects against adverse microclimatic effects; and
11. Identify and map the key nodes, landmarks, and view lines. Identify opportunities to enhance legibility such as creating new/improving old links, and defining new landmarks.

6.0 Resource conservation

Activity centre structure plans should ensure environmentally sustainable outcomes by incorporating innovative design, construction and management principles. Sustainable development principles aim to curb wasteful use of resources and infrastructure through more efficient use of urban land. The design of activity centres can help deliver more sustainable development by supplying higher densities and reducing the consumption of energy, water and other resources.

6.1 Energy

The overall consumption of energy in the urban system can be reduced by decreasing the demand for car travel, and by designing buildings that heat up in winter and stay cool in the summer without recourse to mechanical heating and air-conditioning. Renewable sources of energy, such as solar panels and wind turbines can reduce the carbon footprint of development. Within an urban context there is also potential to gain significant efficiencies in energy consumption through economies of scale.

Planning considerations:

Thermal mass	The ability of construction materials to absorb, store, and later transmit heat helps buildings to avoid extremes in temperature. Generally heavyweight materials have high thermal mass thus ensuring buildings can maintain a moderate internal temperature year-round.
Renewables	Activity centre structure plans should strive for innovation in energy conservation through design and building orientation, and advocate the installation and use of renewable energy infrastructure such as solar, or wind. Local governments may identify developer incentives to include green energy sources.

District-wide source

Consider the benefits of district-wide sustainable energy sources such as geothermal or combined heat and power processes. These technologies are not yet main-stream and so require economies of scale to make them viable.



Examples of design solutions for reducing energy consumption through the use of passive shading controls, or through the use of active systems such as photo-voltaic arrays incorporated into car parking shade structures (which could be used to charge electric vehicles in the future).

6.2 Water

Changes in climate patterns have seen many areas of the state, including Perth and Peel, receive less rainfall, which will increase stress on the sources of water supply.

Planning considerations:**Waterwise plants**

While landscaping helps soften the public environment and provide respite consideration must be given to the type of plants used. Landscaped areas should be designed for high water efficiency through use of 'waterwise' planting.

Stormwater management

Investigate opportunities to apply Water Sensitive Urban Design principles to manage stormwater from roads and open space, and to incorporate other integrated water systems³⁹.

Efficiency measures

Water conservation may extend to buildings through water-saving installation and management measures. Structure plans may set design controls for water-efficient development including targets to collect and re-use rainwater.

6.3 Materials and waste

Materials used in construction, and the energy used to make and transport them, can be conserved by the re-use of existing buildings and materials, wherever possible, as well as the use of recyclable materials or building materials from renewable sources.

Planning considerations:**Cut and fill**

Where practical, activity centre structure plans should preserve natural land contours to minimise the need for cut and fill practices in the layout of new roads and development.

Construction materials

Reclaimed or recycled materials can lead to cost savings while reducing landfill. Materials used in construction should be locally sourced, selected for low environmental impact and reclaimed/recycled where possible.

6.4 Activity centre structure plan requirements

- 1 Establish guidelines for new development to ensure that energy-saving design and technology is incorporated through passive solar building orientation and roof designs that facilitate use of photo-voltaic panels, natural ventilation and wind turbines;
2. Mandate the use of waterwise plants and trees in all centre landscape plans;
3. Establish targets for stormwater and greywater use.

7.0 Implementation

This chapter offers suggestions for the types of strategic actions and statutory planning tools to support the timely delivery of an activity centre structure plan.

7.1 Collaboration

Collaboration between local and state government agencies and landowners is essential in developing an activity centre plan. The working relationships established during the plan development stage should continue during implementation to maintain a shared responsibility for delivering the plan.

³⁹ Planning bulletin 92: Urban Water Management (Oct 2008).

For instance, some activity centres span local government area boundaries. Opportunities may include establishing capital works priorities to support centre development.

Activity centre structure plans should provide land for utility services, community facilities and institutional uses and promote maximum use of public infrastructure. Local governments and proponents need to consult with public authorities to ensure:

- Activity centre proposals are factored into public authorities' service plans;
- Infrastructure implications are identified, and planned centre development properly integrates the planning requirements of public authorities; and
- Any necessary land or servicing agreements or developer contribution mechanisms underpinning implementation of a proposed development are considered at the appropriate stage of the planning and approval process.

7.2 Staging and monitoring

A clearly defined staging strategy will facilitate delivery of the plan by identifying specific tasks and responsibilities that are matched to a manageable and realistic timeframe.

Local authorities or landowners should prepare a work program that considers the influences of land ownership, funding/investment availability and delivery partnerships.

The tasks should be prioritised as short, medium and long-term initiatives according to need and deliverability while remaining flexible to account for market influences. Possible funding sources should be identified early in the process to ensure financing is staged according to the plan delivery timeframe.

Centre structure plans should be reviewed regularly to ensure their objectives are being met and remain viable. Local governments should periodically assess the impact of policies and development applications on centre development, vitality and viability.

7.3 Use of conditions

Local governments should make use of planning conditions to implement activity centre structure plans and proactively manage the impacts of development. Where justified, planning conditions may be used, for example, to ensure compliance with design standards and controls; diversify use mix; and impose reasonable financial contributions.

7.4 Planning obligations and incentives

Obligations secured through the development control process can prescribe the nature of development (as with an affordable housing provision), or secure a development contribution (in kind or as a financial sum) towards the reasonable costs of shared public infrastructure or to mitigate any adverse affects or externalities. In accordance with the usual regulatory controls, acceptable obligations are fairly and reasonably related in scale and kind to the proposed development.

Activity centre structure plans should clearly indicate the likely nature and scope of any obligations that may be sought towards public infrastructure and amenities as part of development in particular areas or on key sites.

Local governments should allow a flexible approach to activity centre structure planning to foster innovation in the market response to activity centre structure plans. Options to allow plot ratio, density or height variations in exchange for greater use mix or enhanced public amenity, for example, should be explored.

Activity centre structure plans should clearly indicate the likely nature and scope of any incentives as part of development in particular areas or on key sites.

7.5 Activity centre structure plan requirements

1. Document the collaboration with local government and with transport and relevant infrastructure agencies.
2. Outline the proposed strategy and coordination arrangements for staged implementation of the structure plan.

8.0 Activity centre structure planning checklist

This checklist should be used when preparing and assessing activity centre structure plans.

An Activity Centre Structure Plan should be endorsed prior to a *major development* being approved. In exceptional circumstances (eg. in the absence of an endorsed activity centre structure plan), any *major development* should satisfy the relevant requirements of this checklist.

Model Centre Framework contents		Activity Centre Structure Plan Requirements	Centre plans			Major development
			Compliance y/n	More info		
2. Centre context	Regional context	2.3 (1)	<input type="checkbox"/>	<input type="checkbox"/>		
		2.3 (2)	<input type="checkbox"/>	<input type="checkbox"/>		
	Local context	2.3 (3)	<input type="checkbox"/>	<input type="checkbox"/>		
		2.3 (4)	<input type="checkbox"/>	<input type="checkbox"/>		
		2.3 (5)	<input type="checkbox"/>	<input type="checkbox"/>		
		2.3 (6)	<input type="checkbox"/>	<input type="checkbox"/>		
		2.3 (7)	<input type="checkbox"/>	<input type="checkbox"/>		
3. Movement	Regional perspective	3.7 (1)	<input type="checkbox"/>	<input type="checkbox"/>		
		3.7 (2)	<input type="checkbox"/>	<input type="checkbox"/>		
		3.7 (3)	<input type="checkbox"/>	<input type="checkbox"/>		
	Public transport	3.7 (4)	<input type="checkbox"/>	<input type="checkbox"/>		
		3.7 (5)	<input type="checkbox"/>	<input type="checkbox"/>		
	Pedestrian movement and cycling	3.7 (6)	<input type="checkbox"/>	<input type="checkbox"/>		
	Vehicle movement and access	3.7 (7)	<input type="checkbox"/>	<input type="checkbox"/>		
		3.7 (8)	<input type="checkbox"/>	<input type="checkbox"/>		
	Parking	3.7 (9)	<input type="checkbox"/>	<input type="checkbox"/>		
		3.7 (10)	<input type="checkbox"/>	<input type="checkbox"/>		
4. Activity	Land uses and diversity	4.5.(1)	<input type="checkbox"/>	<input type="checkbox"/>		
		4.5.(2)	<input type="checkbox"/>	<input type="checkbox"/>		
		4.5.(3)	<input type="checkbox"/>	<input type="checkbox"/>		
	Retailing	4.5.(4)	<input type="checkbox"/>	<input type="checkbox"/>		
		4.5.(5)	<input type="checkbox"/>	<input type="checkbox"/>		
	Employment	4.5.(6)	<input type="checkbox"/>	<input type="checkbox"/>		
	Dwellings	4.5.(7)	<input type="checkbox"/>	<input type="checkbox"/>		
5. Urban form	Urban Structure and built form	5.4 (1)	<input type="checkbox"/>	<input type="checkbox"/>		
		5.4 (2)	<input type="checkbox"/>	<input type="checkbox"/>		
		5.4 (3)	<input type="checkbox"/>	<input type="checkbox"/>		
		5.4 (4)	<input type="checkbox"/>	<input type="checkbox"/>		
		5.4 (5)	<input type="checkbox"/>	<input type="checkbox"/>		
		5.4 (6)	<input type="checkbox"/>	<input type="checkbox"/>		
	Street interface	5.4 (7)	<input type="checkbox"/>	<input type="checkbox"/>		
	Public spaces	5.4 (8)	<input type="checkbox"/>	<input type="checkbox"/>		
		5.4 (9)	<input type="checkbox"/>	<input type="checkbox"/>		
	Landscaping	5.4 (10)	<input type="checkbox"/>	<input type="checkbox"/>		
	Key nodes, landmarks and view lines	5.4 (11)	<input type="checkbox"/>	<input type="checkbox"/>		
6. Resource conservation	Energy and water conservation	6.4 (1)	<input type="checkbox"/>	<input type="checkbox"/>		
		6.4 (2)	<input type="checkbox"/>	<input type="checkbox"/>		
		6.4 (3)	<input type="checkbox"/>	<input type="checkbox"/>		
7. Implementation	Collaborative working	7.5 (1)	<input type="checkbox"/>	<input type="checkbox"/>		
	Staging and monitoring	7.5 (2)	<input type="checkbox"/>	<input type="checkbox"/>		
	Effective use of conditions					
	Planning obligations and incentives					

3.1 CHARACTER RETENTION GUIDELINES MT LAWLEY, MENORA & INGLEWOOD

1.0 INTRODUCTION

Where there is an inconsistency between the provisions of these Guidelines and other Policies the provisions of these Guidelines shall prevail.

1.1 Objectives

The purpose of these Guidelines is to ensure that the heritage character of Mt Lawley, Menora and Inglewood is retained and protected, as well as being reflected in new development.

The retention of the heritage buildings, gardens and streetscapes is important, as these are the features that give the area its special heritage character. Some buildings in the area are included on the State Register of Heritage Places, the City of Stirling's Heritage List and Municipal Inventory, but many more contribute to the character of the area. New buildings, where they occur, should be designed to fit into the existing streetscape, and be designed in a similar style, scale and proportions as the existing heritage buildings.

Given the above, the key objectives of these Guidelines are to:-

- Ensure the retention of buildings within the Heritage Protection Areas dating from the early 1900s to the 1950s where the architectural style of the building is generally intact;
- Ensure that new buildings, alterations and additions to existing buildings, carports, garages and front fences are in keeping with the heritage character of the area, respects the scale and proportions of surrounding buildings, and are designed to fit into the existing streetscape;
- Maintain and improve existing street trees, grass verges and front gardens;
- Retain mature trees wherever possible; and
- Provide a framework for the assessment of development applications in line with the above points.

1.2 Guideline Area

These Guidelines apply to the Heritage Protection Area Special Control Area which is comprised of heritage protection areas for Mount Lawley, Menora and Inglewood, as outlined in Figure 1.



Figure 1 – Heritage Protection Area Special Control Area

1.3 How To Use These Guidelines

1.3.1 Before Using the Guidelines

Before using the guidelines it is advisable to become familiar with the area. Driving or walking through Mt. Lawley, Menora and Inglewood looking at the buildings, gardens, streetscapes and parks is the best introduction to understanding the heritage value of the area.

1.3.2 Using the Guidelines

Part 2 of these guidelines provides a brief analysis of each Heritage Protection Area focussing on aspects that give the area its special heritage character. This considers the area as a whole, including the characteristics of the streetscape and the features typical of the buildings in the area. This aims to provide a context for new development as well as informing applicants of why there is a need to ensure that the development complements the existing buildings and character in the area.

The Guidelines apply to all types of development within the Mt Lawley, Menora and Inglewood Heritage Protection Areas, including the conservation of existing buildings, additions to existing buildings, new development, fences, carports and garages. These guidelines provide principles

and specific recommendations for detailed design, focussing on key elements such as the built form and streetscape.

All new development must meet the objectives of the relevant section.

The City's Approvals Business Unit will use the guidelines to assist in determining whether your proposed development is in keeping with the heritage character of the area.

1.4 Relationship to Other Planning Documents

In preparing your development proposals, these guidelines should be read in conjunction with other planning documents including:

- City of Stirling Local Planning Scheme
- Residential Design Codes of Western Australia
- City of Stirling Heritage List
- The City of Stirling planning policies, specifically including those relating to residential development (eg; Residential Building Height and Development Abutting Rights of Way), and the Inglewood Town Centre Design Guidelines.

Where any conflict exists between these guidelines and the Acceptable Development standards of the *Residential Design Codes*, the provisions of these guidelines shall prevail with due regard given to the Performance Criteria of the *Residential Design Codes*.

The words and expressions used in the Guidelines are to have the same meaning as those given in Local Planning Scheme No.3.

2.1.2 History of Mt. Lawley

The eastern part of Mount Lawley was subdivided and settled in several stages from 1896 when Gold Estates of Australia first offered for sale lots in the area from First to Third Avenues and from Guildford Road to John Street.

Mount Lawley was named after Sir Arthur Lawley, Governor of Western Australia from April 1901 to August 1902. It is believed that Lawley allowed his name to be used on condition that the area contained no public houses. The name was initially applied to Estate 1, subdivided in 1902 and extending from Walcott Street to Regent Street and from the river to Clifton Crescent.

The area was extended in 1912 with the subdivision of Estate 2 between Clifton Crescent and Alexander Drive. The release of the subdivision coincided with the government takeover of the tramway service in the area. The subdivisions were carried out by Samuel Copley, a real estate speculator, and Albany banker John Robinson. Many of the street names in Estate 2 include the suffix 'royd' which was the maiden name of the wife of Samuel Copley.

The road layouts of Estates 1 and 2 differed from the adjacent subdivisions where streets were laid in a regular grid. The layout of Estate 1 followed the contours of the land with the result that roads such as Clifton, Lawley and Queens Crescents and Farnley and Clotilde Streets curved with the gradient of the land and added diversity to the general subdivision pattern.

2.1.3 Significance

Mt. Lawley (Estates 1 & 2) is an area of **exceptional** significance.

Mount Lawley Estates 1 and 2 provide a rare example in Perth of a substantially intact residential area from the first decades of the twentieth century. The area is characterised by an innovative street layout based on the natural topography of the area, together with a traditional streetscape featuring verges, footpaths and regular planting of street trees. There is a predominance of large homes from the early twentieth century and inter-war period, many of high architectural quality, in established landscaped gardens. A canopy of mature trees in back gardens gives an established quality to the area.

The area has aesthetic, historic, social and scientific significance for the following reasons:

- Road and subdivision pattern;
- Excellent examples of housing from the early 1900s including examples of Federation Bungalow, Queen Anne, Arts and Crafts and Californian Bungalow architectural styles;
- Street design including the general street layout including grass verges and street trees;
- Garden layout, design and quality.

Mt. Lawley (East) is an area of **considerable** significance.

Mt. Lawley (East) is a good example in Perth of a substantially intact residential area characterised by large and medium sized homes from the early twentieth century and inter-war period, many of high architectural quality, in established landscaped gardens.

The area has aesthetic, historic and social significance for the following reasons:

- Typical example of rectangular grid road and subdivision pattern;
- Good examples of housing from the early 1900s and inter-war period including some very good examples of Federation Bungalow and Californian Bungalow style houses;
- Street design including the general street layout including grass verges and street trees;
- Garden layout, design and quality.

2.1.4 Mt. Lawley Streetscapes

Mt. Lawley is laid out on a rectangular grid with lots of approximately equal size in individual streets, but with some variation across the area. Traditional lot sizes vary throughout the area, however the majority are between 650 and 750 square metres with street frontages between 13.0 and 15.0 metres. There are some smaller lots of approximately 500 square metres in area closer to the railway. There are back lanes in some locations in Mount Lawley Estate No.1 and generally in Mount Lawley (East).

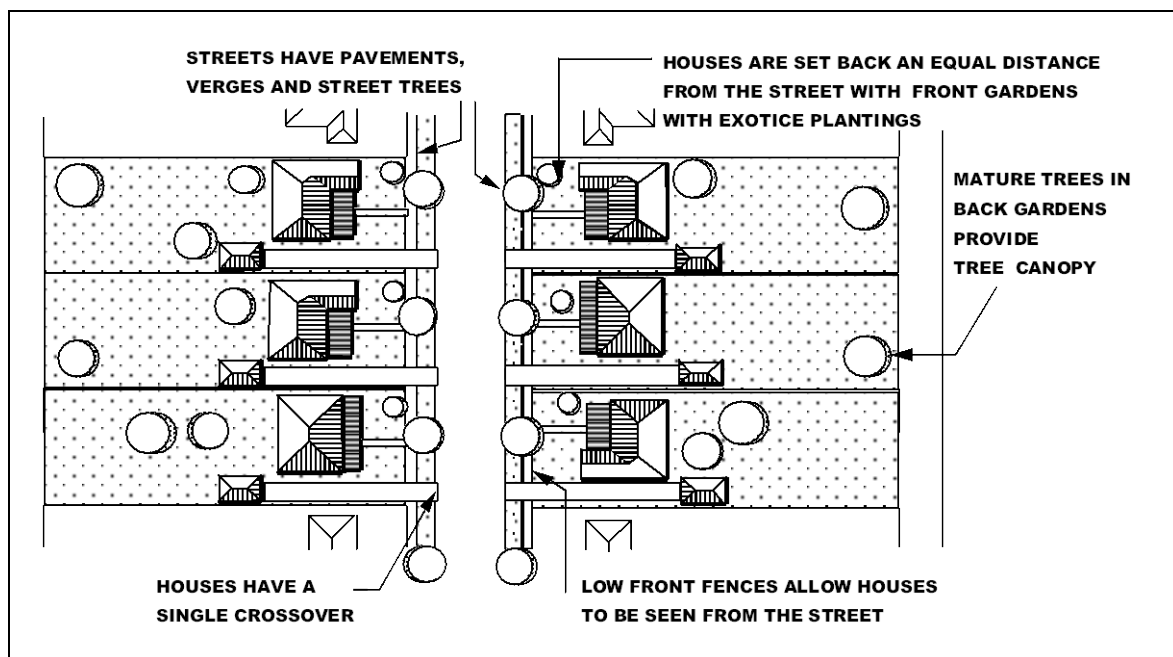


Figure 3 – Mt Lawley Streets

The area comprises predominantly single houses with one house to each block. Houses are generally single storey, located towards the front of the lot and with the front door facing the street. Houses are set back an equal distance from the front boundary from 5 to 9 metres in individual streets. Houses have front gardens with exotic plantings that reflect the period of construction (refer **Figure 3**).

Most houses have low (0.9 to 1.2m) front fences in a range of styles including timber pickets, woven wire and low masonry fences. Mature trees, particularly in back gardens, provide an attractive tree canopy throughout the area.

Streets have pavements and grass verges on both sides and various exotic species of street trees planted at regular intervals. Pavements are concrete slabs. Generally there is one single width crossover per lot. There are some areas of public open space in the area. Generally they comprise grassed area surrounded by mature trees. The main commercial area is located on Beaufort Street.

There are a number of areas where the character of the traditional streetscape has been altered by the amalgamation or subdivision of lots for unit development. These developments are considered 'intrusive' or 'neutral' places.

2.1.5 Traditional Mt. Lawley Houses

Traditional houses in Mt. Lawley were constructed predominantly in the period 1910 to 1950. Most houses are single storey and are generally constructed of red brickwork that in many instances is partly rendered. There are some weatherboard and iron houses remaining, including a group in Coode Street.

Houses are generally modest in scale and proportion and typical of middle class housing of their era. However wall heights are generally higher than contemporary standards with wall plates at around 3.5 metres above ground.

Styles are predominantly Federation Bungalows, Federation Queen Anne with some examples of Federation Arts & Crafts, Californian Bungalow, Mediterranean and Spanish Mission styles particularly in the more recently developed north western part of the area. Following is an outline of the main architectural styles found in Mount Lawley.

Federation Bungalow - c.1890-c.1915

The Federation Bungalow architectural style, which began to appear towards the end of the Federation era, is one of the most prevalent architectural styles in the Mt. Lawley area. It has its origins in the single-storey vernacular houses, with commodious verandahs, that were found in colonial countries such as India, and is considered to be a transition between the more decorative Federation Queen Anne style and the later, more assertive Inter-War Californian Bungalow style of residential architecture.

Stylistically, the Federation Bungalow style was strongly influenced by the Arts and Crafts movement and the concepts of the 'simple life' found in the West Coast of the United States during the late nineteenth and early twentieth centuries. It was widely regarded as a style suited for the Australian 'bush architecture' due to its spacious verandahs and simple construction that provided for laid back lifestyles and easy accessibility to the outdoors.

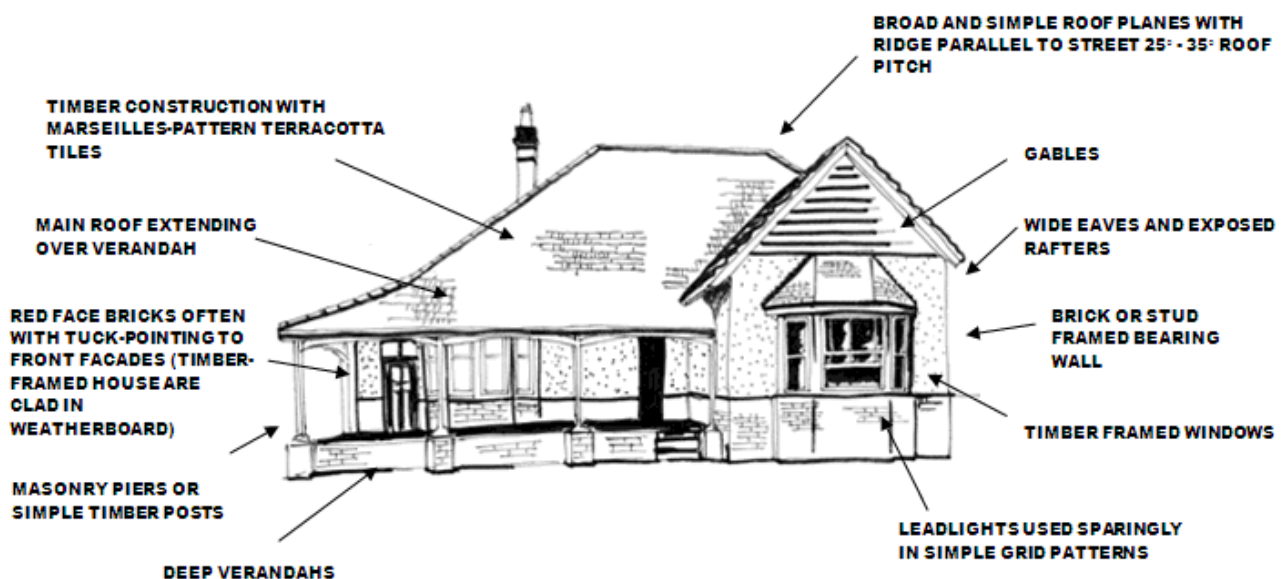


Figure 4 – Example of Federation Bungalow

Federation Queen Anne - c.1890-c.1915

Federation Queen Anne was the dominant Australian domestic style during the late nineteenth and early twentieth centuries. This style also appeared in rows of shops in the new suburbs being established during this time. Found throughout the Mt. Lawley area, it was a style influenced by a combination of traditional English architecture and the more extravagant American Queen Anne. Increasingly, decorative elements (both internally and externally) influenced by Art Nouveau, began to emerge after the turn of the century and became additional identifying features of the style.

Federation Queen Anne residences are often set in attractive gardens, with a variety of exotic plants and are picturesque and asymmetrical in appearance. Usually, one room projects forward of the front façade and the verandah then extends across the remaining frontage (refer **Figure 5**).



Figure 5 – Example of Federation Queen Anne

Federation Arts and Crafts - c.1890-c.1915

The Arts and Crafts movement emerged in the nineteenth-century in England, where proponents such as William Morris looked towards recapturing the handicraft methods used in a rural pre-industrial age. In the United States, Gustav Stickley promoted the 'Craftsman' image in architecture, interior design and furniture.

The Arts and Crafts movement was concerned with the integration of art into everyday life and the 'truthful use of materials and the honest expression of function', which resulted in informal, domestic scaled buildings with a comfortable familiarity.

In Australia, the Federation Arts and Crafts style of architecture drew from these overseas models and the residences built in this style display characteristics that are unassuming and homely (refer **Figure 6**).



Figure 6 – Example of Federation Arts & Crafts

Inter-War California Bungalow - c.1915-c.1940

The bungalow became popular in the United States at the beginning of the twentieth century. Expressed in 'earthy' materials, these homes were low-slung and planned for a casual lifestyle, especially in the temperate climate of California.

Australian architects were designing individual interpretations of the Californian Bungalow, during the early years of the twentieth century and by the early 1920s many builders had embraced the style. In Australia, the Inter-war California Bungalow was generally built in brick with chunky carpentry details, rather than the fully timber construction that characterised the style in the United States. Residences built in this style are usually free-standing, single storey set on suburban blocks with informal lawns and gardens, often using natural materials and finishes. Examples are shown in **Figure 7** below and in **Figure 15**.



Figure 7 – Example of Inter–War California Bungalow

2.2 MENORA HERITAGE PROTECTION AREA

2.2.1 Description of the Area

The Menora Heritage Protection Area is bounded by the rear boundaries of lots on the south eastern side of Adair Parade, Bradford Street, Tweed Crescent, Alexander Drive and Walcott Street (refer **Figure 8**).

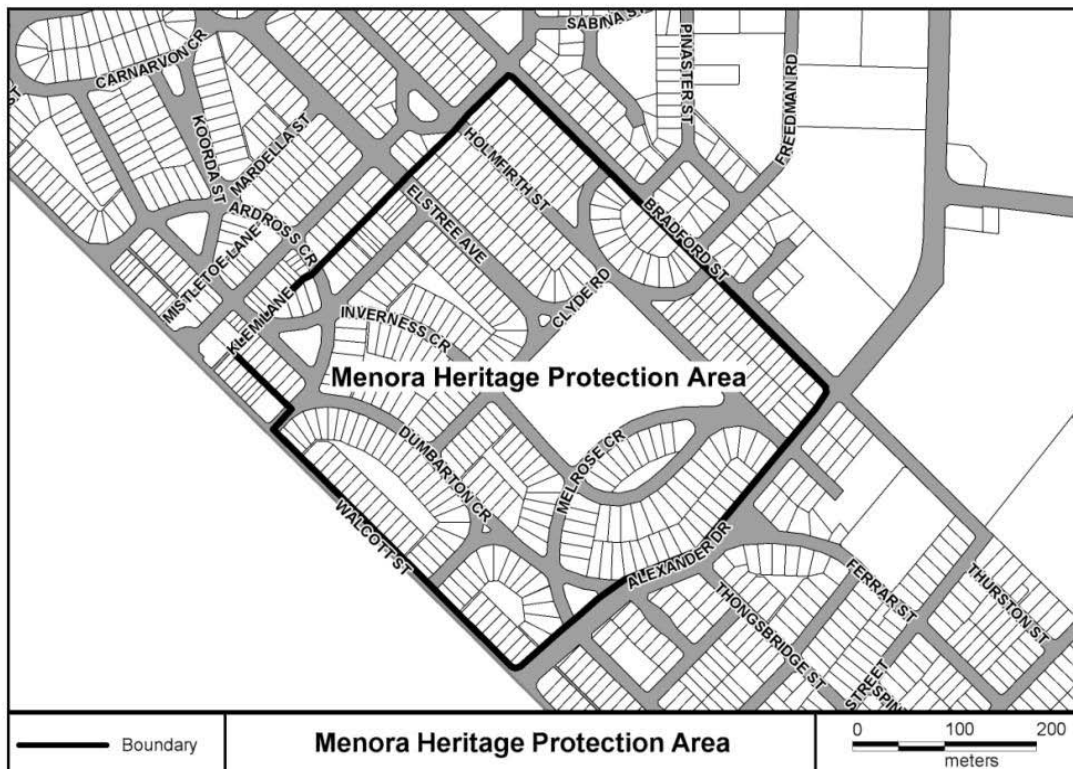


Figure 8 – Menora Heritage Protection Area

2.2.2 History of Menora

Menora was subdivided and settled in the inter and immediate post war periods. Prior to that time the area was characterised by general agricultural uses and smallholdings.

The planning of Menora, and the adjacent area of Coolbinia, on Garden Suburb principles was related directly to the influence of W.E. Bold, the Town Clerk of the City of Perth who actively promoted both the Garden City Movement and the Town Planning Movement generally in Perth both before and after World War I.

The planning of the area was influenced by developments in the field of town planning that occurred predominantly in the 1920s in Perth. During this period there was considerable interest in the Town Planning Movement, which culminated in 1928 with the enactment of the Town Planning Act of 1928. The first town planning scheme for Mount Lawley was published in 1937 and included

provisions such as the restriction of the construction of flats to parts of Walcott Street and Adair Parade.

Although subdivided earlier, settlement in this area continued into the 1950s and 60s with some more recent development occurring. Menora was officially named in the 1950s, after the Jewish nine-branched candlestick.

2.2.3 Significance

Menora is an area of **exceptional** significance

Menora is a very significant, substantially intact residential area planned on Garden Suburb planning principles. It is characterised by landscaped parks and streets with open grassed verges and mature trees. The curved road layout provides attractive vistas to parks and streets. The area is characterised by large homes from the 1930s, 1940s and 1950s, many of high architectural quality, set in attractive established gardens which are generally landscaped to compliment the design of the house. There are a number of fine examples of a range of architectural styles including Inter-War Californian Bungalow and Functionalist and houses with elements of Spanish Mission styles.

The area has aesthetic, historic and social significance for the following reasons:

- Distinctive road and subdivision pattern;
- Excellent examples of housing generally from the 1930s, 1940s and 1950s including examples of Inter-War Californian Bungalow, Functionalist, Spanish Mission and Mediterranean styles;
- Street design including general street layout, landscaped public open spaces, wide verges and street trees;
- Garden layout, design and quality;
- Good example of the implementation of Garden Suburb planning principles in Perth; and
- Historic associations with the Jewish community in Perth.

2.2.4 Menora Streetscapes

The road pattern in Menora varies markedly from the pattern of the adjacent Mount Lawley area, which is based on a rectangular grid. The road pattern of Menora is based on Garden Suburb town planning principles and comprises a series of crescents incorporating a series of small parks. The basis of these principles is that the suburb is designed as a whole community with a focus around a shopping or community centre and where residential lots are designed with access to areas of public open space. Street blocks are subdivided into a series of residential lots with approximately equal street frontages. Residential lots are around 840 to 1000 square metres in area with some variation and irregularity in block size as a result of the circular street pattern. The area contains some internal park areas at the backs of houses which is characteristic of Garden Suburb planning and rare, but not unique, in the context of metropolitan Perth. The subdivision

pattern remains substantially as originally planned with no amalgamation or subdivision of original lots (refer **Figure 9**).

The area comprises mainly single and double storey residences with the traditional pattern of one house to each lot. Houses are set back an equal distance from the street however setbacks vary throughout the area and are quite large in some cases. Generally the area is characterised by low masonry fences or an absence of front fences and the front garden extending to the pavement or into the street verge with no pavements in a few cases. Public and private landscape areas are integral to the character of the area. Front gardens are generally informal in design with a predominance of exotic plantings and lawn. Street trees are planted at regular intervals throughout the area. Houses were generally constructed with a single crossover and provision for parking one car. Over time larger double carports and garages have been introduced. Generally these can be accommodated without appearing intrusive as the lot frontages are wide.

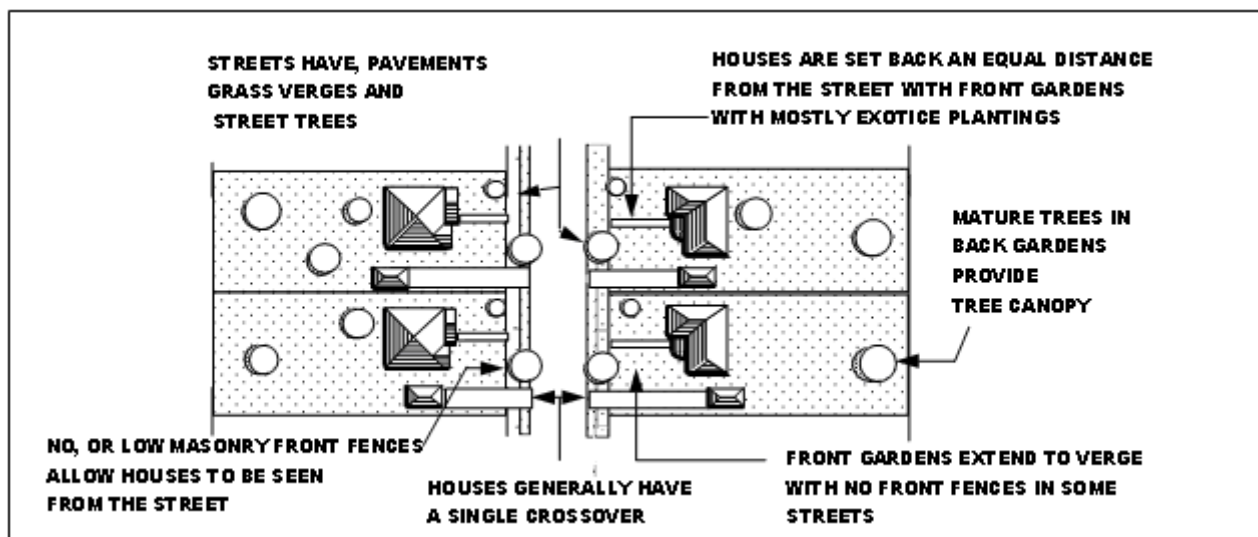


Figure 9 – Layout of Menora Streets

2.2.5 Traditional Menora Houses

Houses in Menora were constructed predominantly in the period 1930s, 1940s and 1950s. Generally houses are single storey, although there are some larger two-storey homes throughout the area, and architectural styles reflect the period of construction. Examples of housing styles include Inter-War Spanish Mission, Functionalist and Californian Bungalow. There are a number of fine residences in the Inter-War Functionalist style which are rare in the context of metropolitan Perth.

Inter-War California Bungalow - c.1915-c.1940

The bungalow became popular in the United States at the beginning of the twentieth century. Expressed in 'earthy' materials, these homes were low-slung and planned for a casual lifestyle, especially in the temperate climate of California.

Australian architects were designing individual interpretations of the Californian Bungalow, during the early years of the twentieth century and by the early 1920s many builders had embraced the style.

In Australia, the Inter-war California Bungalow was generally built in brick with chunky carpentry details, rather than the fully timber construction that characterised the style in the United States. Residences built in this style are usually free-standing, single storey set on suburban blocks with informal lawns and gardens, often using natural materials and finishes. Please refer to **Figures 7 & 15** for examples of an Inter-War California Bungalow.

Inter-War Spanish Mission - c.1915-c.1940

The Inter-War Spanish Mission was introduced to Australia in the 1920s and draws on architectural styles influenced by Spanish colonial architects in both California and Florida.

The style is reminiscent of the Spanish Romanesque and Baroque styles. Residences built in this style are usually asymmetrical in appearance and feature external walls with light coloured, stucco or rendered surfaces with finishes that mimic textured handcrafted surfaces typical of the adobe construction of the Spanish missions. They are usually free standing and set in landscaped settings with exotic flora that has extensive use of palms (refer **Figure 10**).

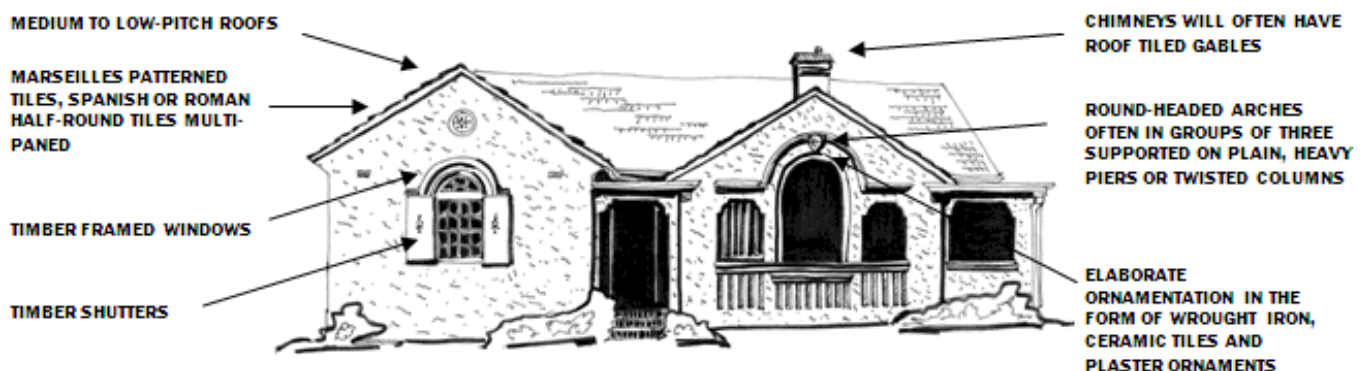


Figure 10 – Example of Inter-War Spanish Mission

Inter-War Functionalist - c.1915-c.1940

The Inter-War Functionalist style was a popular European style during the 1920s and 1930s that completely separated itself from styles of the past and instead focused on the ideas of “functionalism” and “clean lines”. It was popularised through the influences of the modern movement and has been applied in Australia to a range of buildings such as homes, commercial buildings and cinemas.

The style is typically characterised by simple, geometric shapes, light colours, large glass areas with openings often occurring in horizontal bands giving a building a “streamline effect” (refer **Figure 11**).

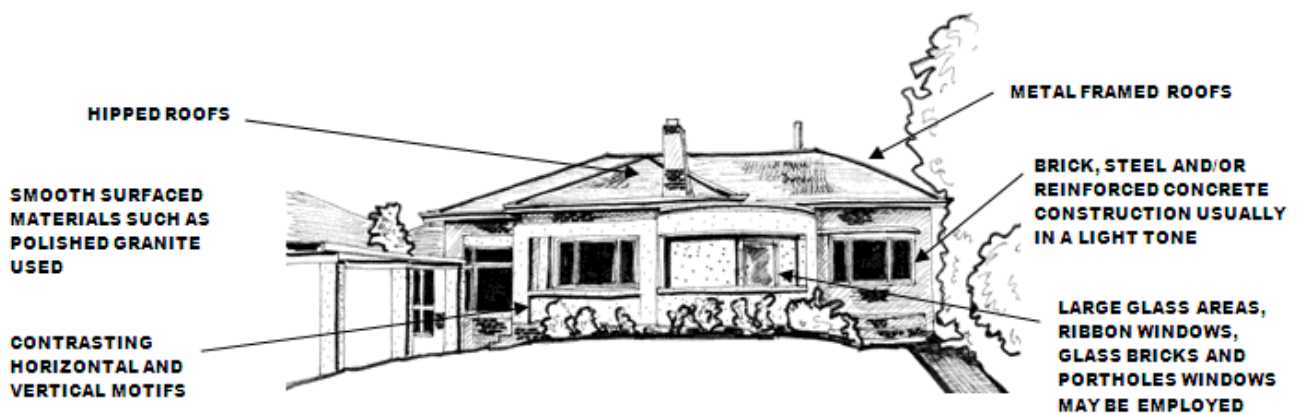


Figure 11 – Example of Inter-War Functionalist

Austerity Cottage - Late 1940s and 1950s

In the immediate Post-World War II period, new construction was impeded by financial limitations, material shortages and building restrictions, which governed the size and also the style of housing. Materials such as timber, bricks, tiles and glass remained in short supply for a number of years. However, Australians were encouraged to have large families to populate the country, and this, together with the steady flow of immigrants, resulted in a great demand for housing.

The lack of materials and rising costs resulted in a reduction in ornamentation, the simplification of elements such as chimneys and the reductions of verandahs to small porches.

Many of the houses in the Menora area that were constructed after the Second World War continued to exhibit characteristics of the inter war styles prevalent in the area, albeit in a more simplified form.

The 'Post War Austerity' was defined as one common architectural form of the time. In the eastern states of Australia this was a basic fibro clad bungalow with a touch of streamlined modernism. In Western Australia the same style was constructed in brick and is found in the areas of Inglewood and Menora that were first developed in the late 1940s and during the 1950s.

Residences built in this style are usually free-standing, single storey set on suburban blocks, generally with no front fence, but occasionally with a very low one, and a front lawn with few plantings (refer **Figure 12**).

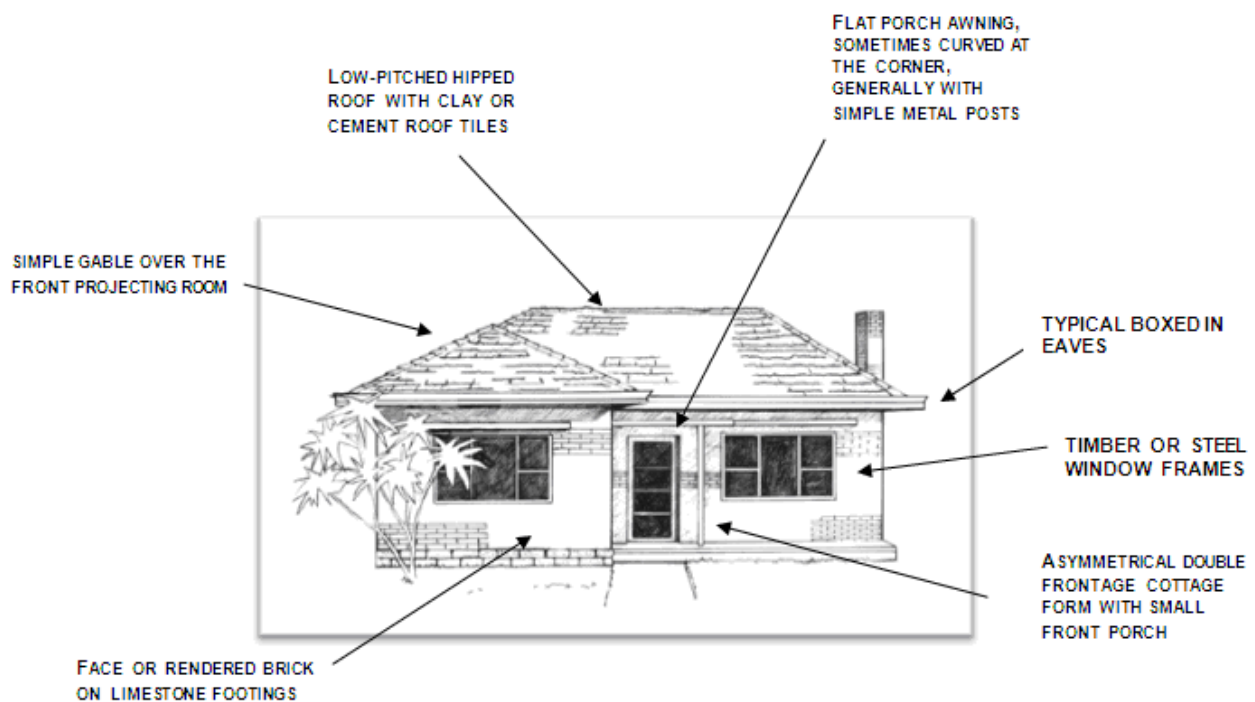


Figure 12 – Example of an Austerity Cottage

2.3 INGLEWOOD HERITAGE PROTECTION AREA

2.3.1 Description of the Area

The Inglewood Heritage Protection Area is bounded by Central Avenue, Carrington Street, Oxford Street, York Street, the City of Stirling boundary, Walter Road West, Dundas Road and Hamer Parade (refer **Figure 13**).



Figure 13 – Inglewood Heritage Protection Area

2.3.2 History of Inglewood

The subdivision and settlement of Inglewood occurred in several stages from the 1890s. There had been speculative investment in land in the area from the construction of the railway in the 1880s. Proximity to the city and to the railway made the area attractive to city workers at the time of the growth of commerce and trade that followed the gold boom period.

The area was settled gradually from the 1890s with the area closest to Railway Parade settled first. Areas to the north closest to Walter Road were only settled in the 1950s. The style of houses varies over the area reflecting the changing styles in residential homes from the early 1900s to the 1950s.

2.3.3 Significance

Inglewood is an area of **considerable** significance.

The area is a good example of a highly intact residential area close to the city characterised by typical homes occupied by the working people of Perth from the early 1900s to the 1950s. The area has aesthetic, historic and social significance for the following reasons:

- Typical example of the rectangular grid road and subdivision pattern;
- Good examples of housing from the early 1900s and inter-war period, including some very good examples of Federation Bungalow and Californian Bungalow styles;
- Street design including street layout, grass verges and street trees; and
- Garden layout, design and quality.

2.3.4 Inglewood Streetscapes

Inglewood is laid out on a rectangular grid with lots of approximately equal size in individual streets, but with some variation across the area. Traditional lot sizes vary throughout the area, however the majority are between 650 and 750 square metres with street frontages between 13.0 and 15.0 metres.

The area comprises predominantly single residential buildings with one house to each block. Houses are generally single storey, located towards the front of the lot and with the front door facing the street. Houses are set back an equal distance from the front boundary from 5 to 9 metres in individual streets. Houses have front gardens with exotic plantings that reflect the period of construction. Most houses have low (0.9 to 1.2 metres) front fences in a range of styles including timber pickets, woven wire and low masonry fences. Mature trees, particularly in back gardens, provide an attractive tree canopy throughout the area (refer **Figure 14**).

Streets have pavements and grass verges on both sides and street trees planted at regular intervals. There is a variety of exotic species of street trees. Pavements are concrete slabs. Generally there is one single width crossover per lot.

There are some areas of public open space in the area. Generally they comprise grassed areas surrounded by mature trees. The main commercial area is located on Beaufort Street.

There are a number of areas where the character of the traditional streetscape has been altered by the amalgamation or subdivision of lots for unit development which do not follow established set backs, etc. These developments are considered 'intrusive' or 'neutral' places.

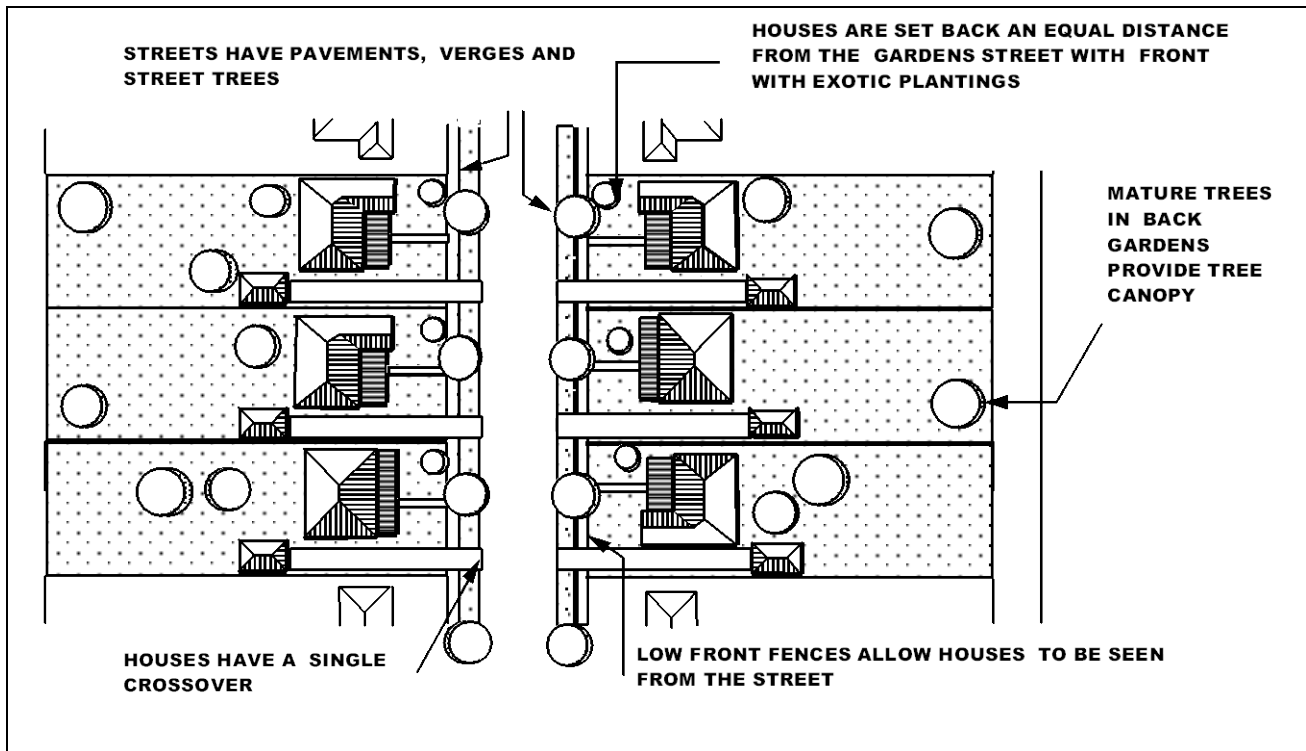


Figure 14 – Layout of Inglewood Streets

2.3.5 Traditional Inglewood Houses

Traditional houses in Inglewood were constructed predominantly in the period 1910 into the 1950s. All houses are single storey and are generally constructed of red brickwork which in many instances is partly rendered. There are some weatherboard and iron houses remaining.

Houses are generally modest in scale and proportion and typical of middle class housing of their era. However wall heights are generally higher than contemporary standards with wall plates at around 3.5 metres above ground. Styles are predominantly Federation and Californian Bungalow with some examples of Mediterranean and Spanish Mission styles particularly in the more recently developed north western part of the area.

Federation Bungalow - c.1890-c.1915

The Federation Bungalow architectural style, which began to appear towards the end of the Federation era, is one of the styles found in the Inglewood area. It has its origins in the single-storey vernacular houses, with commodious verandahs, that were found in colonial countries such as India, and is considered to be a transition between the more decorative Federation Queen Anne style and the later, more assertive Inter-War Californian Bungalow style of residential architecture.

Stylistically, the Federation Bungalow style was strongly influenced by the Arts and Crafts movement and the concepts of the 'simple life' found in the West Coast of the United States during the late nineteenth and early twentieth centuries. It was widely regarded as a style suited for the Australian 'bush architecture' due to its spacious verandahs and simple construction that provided for laid back lifestyles and easy accessibility to the outdoors. Please refer to **Figure 4** for an example of a Federation Bungalow.

Inter-War California Bungalow - c.1915-c.1940

The bungalow became popular in the United States at the beginning of the twentieth century. Expressed in 'earthy' materials, these homes were low-slung and planned for a casual lifestyle, especially in the temperate climate of California.

Australian architects were designing individual interpretations of the Californian Bungalow, during the early years of the twentieth century and by the early 1920s many builders had embraced the style. In Australia, the Inter-war California Bungalow was generally built in brick with chunky carpentry details, rather than the fully timber construction that characterised the style in the United States. Residences built in this style are usually free-standing, single storey set on suburban blocks with informal lawns and gardens, often using natural materials and finishes. Examples are shown below and in **Figure 7**.



Figure 15 – Example of an Inter-War California Bungalow

Austerity Cottage - Late 1940s and 1950s

In the immediate Post-World War 2 period, new construction was impeded by financial limitations, material shortages and building restrictions, which governed the size and also the style of housing. Materials such as timber, bricks, tiles and glass remained in short supply for a number of years. However, Australians were encouraged to have large families to populate the country, and this, together with the steady flow of immigrants, resulted in a great demand for housing.

The lack of materials and rising costs resulted in a reduction in ornamentation, the simplification of elements such as chimneys and the reductions of verandahs to small porches.

Many of the houses in the Inglewood area that were constructed after the Second World War continued to exhibit characteristics of the inter war styles prevalent in the area, albeit in a more simplified form.

The 'Post War Austerity' was defined as one common architectural form of the time. In the eastern states of Australia this was a basic fibro clad bungalow with a touch of streamlined modernism. In Western Australia the same style was constructed in brick and is found in the areas of Inglewood and Menora that were first developed in the late 1940s and during the 1950s.

Residences built in this style are usually free-standing, single storey set on suburban blocks, generally with no front fence, but occasionally with a very low one, and a front lawn with few plantings.

Please refer to **Figure 12** for an example of the Austerity Cottage style.

PART 3 - DEMOLITION OF BUILDINGS

Objective

- Retain and conserve traditional buildings within the Heritage Protection Areas, particularly those buildings dating from the early 1900s to the 1950s.

From time to time it is acknowledged that applications will be received proposing to demolish buildings within the Heritage Protection Areas. Applicants wishing to demolish a building within the Heritage Protection Area are required to lodge an application for planning approval under Part 8 of Local Planning Scheme No. 3. In addition, the application should include a written justification for the proposed demolition addressing the points below, as well as any further justification that may be relevant:

- a) Provide evidence that the building was constructed from 1960 onward;
- b) Detail why the building is no longer an intact example of its architectural style, addressing its form, scale, materials and detailing;
- c) Detail (with written documented evidence provided by an independent expert) why the building is structurally unsafe and irredeemable, and the conservation of the building is not viable (NB; property owners are responsible for the maintenance of their asset, and allowing a property to fall into disrepair will not facilitate an approval for demolition). Only where the building has been identified as an 'intrusive' or 'neutral' place (buildings of more recent design), consideration can be given to varying this requirement;

Prior to the approval of any proposed demolition in a Heritage Protection Area, the City may require a heritage assessment by a heritage/architectural professional to be carried out. This assessment will assist the City in determining if an application and the written justification provided by the applicant is accurate and in accordance with the objectives of these guidelines.

3.1. PARTIAL DEMOLITION OF A BUILDING

Demolition of a minor portion of an traditional building may be considered in the case of a planning application for an addition to that building. The proposal must meet the objectives of section 4.1 '*Conservation of, and Additions to, Traditional Houses*' or section 6.1 '*Commercial & Mixed-Use Development*' of these guidelines. Demolition of large portions of a traditional building, or removal of original features from the front façade to facilitate a new addition will not be considered.

A partial demolition proposal must show the extent of the roof and wall fabric that is being retained.

It should be noted that a practising structural engineer's plan, specification and detail is required to be submitted to the City with the Building Permit to demonstrate how the structural integrity of the existing structure is to be maintained during building and demolition works.

The details are to include and not limited to:

- a) Methodology statement of work sequence;
- b) Details of proposed connection to the new work;
- c) Detail of any support of existing floor, walls and roof structures required;
- d) Details of any foundation support required.

PART 4 – RESIDENTIAL DEVELOPMENT PROVISIONS

4.1 CONSERVATION OF, AND ADDITIONS TO, TRADITIONAL HOUSES

Objectives

- Retain the traditional house with minimum alterations;
- Conservation works should retain and enhance the original character of the house; and
- New additions to traditional houses must reflect the heritage character of the area and the style of the traditional house.

4.1.1 Partial Demolition of a Building

- a) For all applications proposing conservation and / or additions impacting on original wall and / or roof material the criteria under *3.1 Partial Demolition of a Building* needs to be considered, and if applicable those provisions are to be satisfied.

4.1.2 Streetscape

4.1.2.1 Street Setbacks

- a) No additions and / or alterations to the traditional house shall occur within the front setback area, unless restoring an original feature in the original architectural style (eg; a verandah);
- b) Any additions to the side shall be setback a minimum of 2 metres from the predominant building line (as determined by the City) of the front of the traditional house (Refer **Figure 16**); and
- c) Second storey additions shall be located to the rear of the traditional house ridgeline (refer **Figure 17 & 18**).

4.1.2.2 Levels

The natural ground level of the site shall be retained.

4.1.2.3 Fences & Gardens

Please refer to section 4.5 *Fences & Gardens* of these guidelines.

4.1.2.4 Carports & Garages

Please refer to section 4.4 *Carports & Garages* of these guidelines.

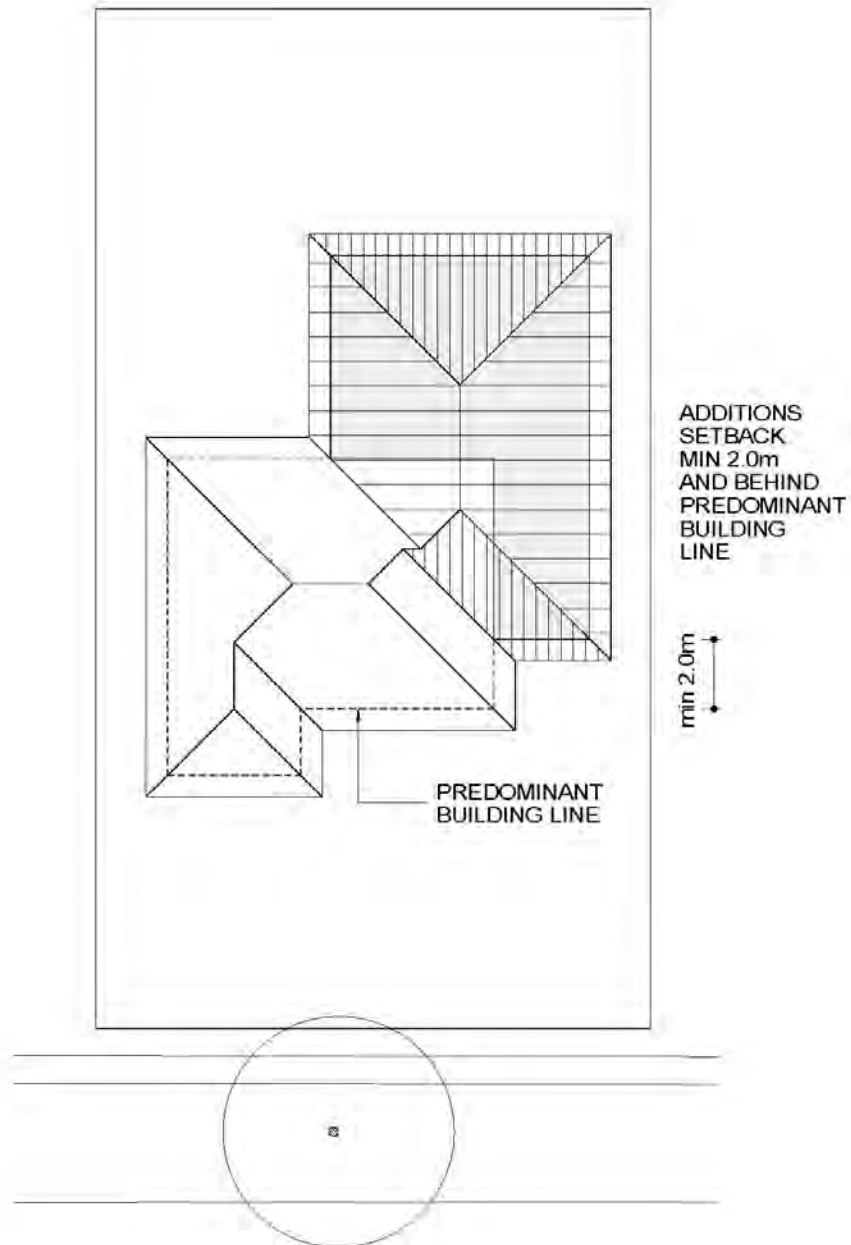


Figure 16 – Additions to Traditional House

4.1.3 Built Form & Design

4.1.3.1 Design

- Additions shall reflect the architectural style, form, colour and materials of the traditional house.
- Additions not visible from the street need not so strictly adhere to the original architectural style of the traditional house, but shall be in keeping with, and respectful to, the form, scale, bulk and materials of the traditional house and surrounding development.
- In regard to two storey additions, the visual bulk of the building should be minimised through articulation of larger wall lengths, and the stepping back of upper storey walls (Refer **Figure 23**).
- Where a wall is permitted to be located on the boundary, that wall shall be constructed as a traditional parapet wall (Refer **Figure 17**).

4.1.3.2 Building Height

- The wall heights of single-storey additions shall match the traditional house; and
- The ridge and wall heights of second-storey additions shall be in accordance with the City's Residential Building Heights Policy. Consideration may be given to nominal height increases, but only where such increases facilitate traditional ceiling heights.

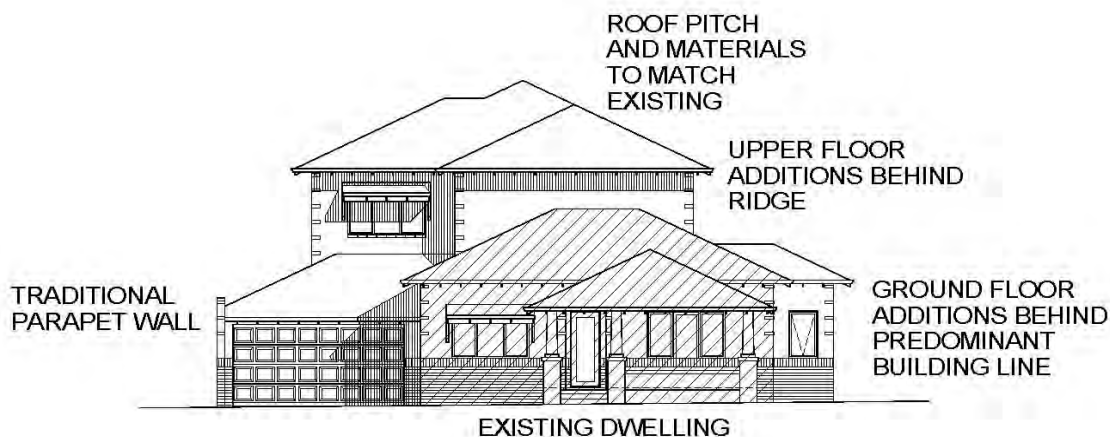


Figure 17 – Second Storey Addition to a Traditional House

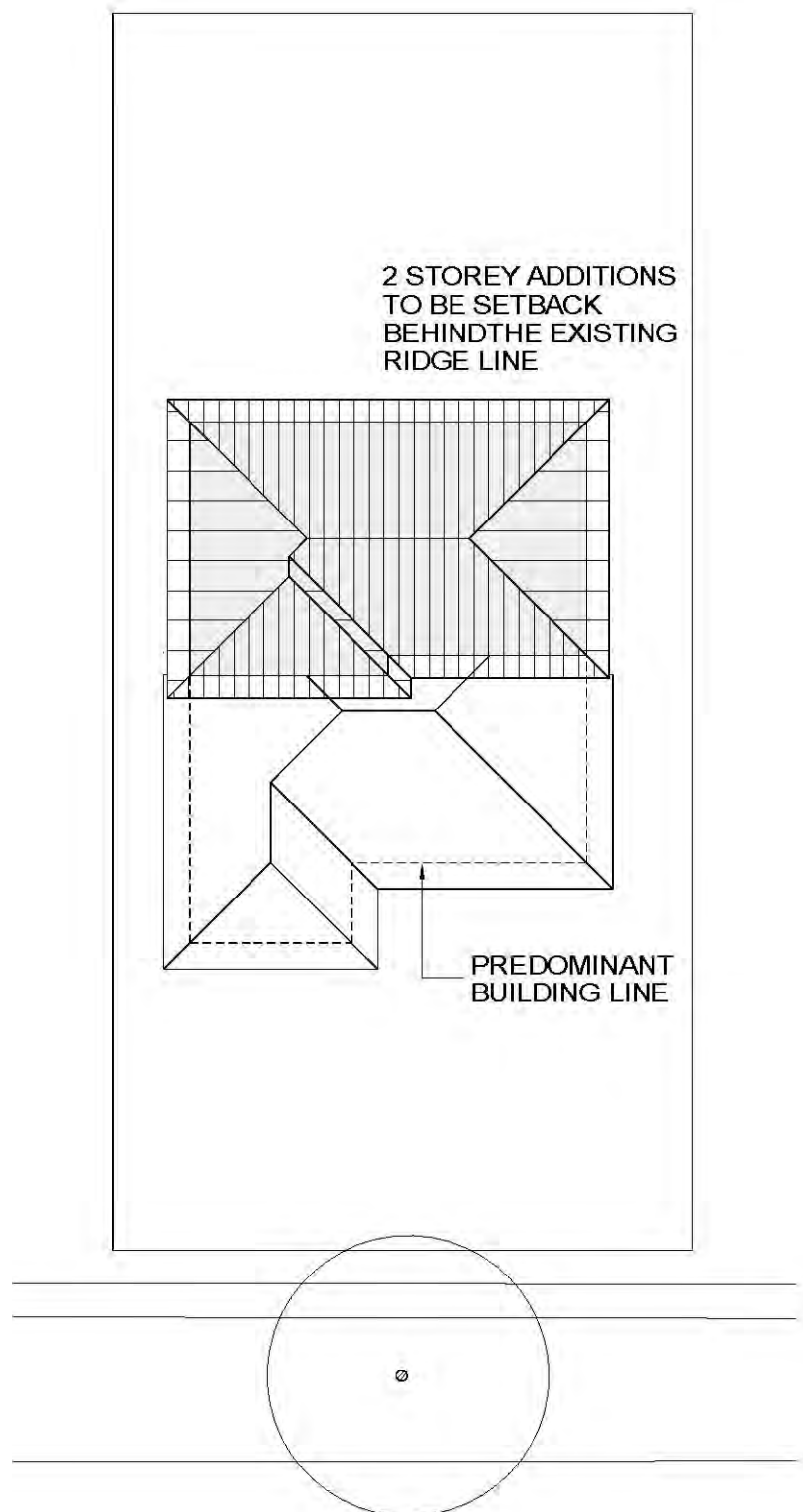


Figure 18 – Plan Showing Second Storey Addition to Traditional House

4.1.3.3 Roof Pitch

- a) New roofing shall be as per the original roof pitch of the traditional house (refer **Figure 19**);
- b) A skillion roof is not permitted.

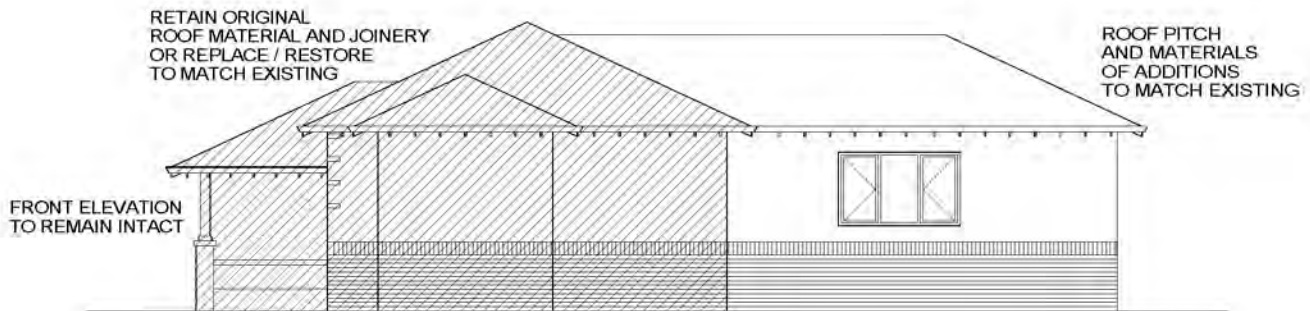


Figure 19 - Roof Pitch

4.1.3.4 Eaves

- a) Eaves shall overhang by a minimum of 300mm;
- b) The eaves line of the extension shall not be lower than the eaves line of the traditional house; and
- c) Eaves shall not be boxed and shall have exposed rafters except where boxed eaves are a feature of the architectural style of the traditional house – for example ‘Austerity Cottage’.

4.1.3.5 Verandahs

- a) Where a verandah is being re-instated, the verandah form, scale and features (eg posts) should be consistent with the architectural style of the traditional house, refer *Part 2 – Residential Character Analysis* of these guidelines.

4.1.3.6 Openings

- a) Windows shall have a vertical emphasis. That is, the height of the window pane should be visibly greater than its width (Refer **Figure 20**); and
- b) Windows to the front facades of a second storey addition shall reflect the configuration and grouping of the traditional house windows facing the street; and
- c) Window frames in non-masonry walls shall be recessed; and
- d) Window frames shall be constructed in timber (preferred) or wide-profile aluminium or steel. Window frame colours shall be white or cream. Other colours may be considered acceptable where evidence is provided demonstrating the proposed colour scheme is reflective of the traditional house’s existing or the original colour palette (i.e. paint scrapes).

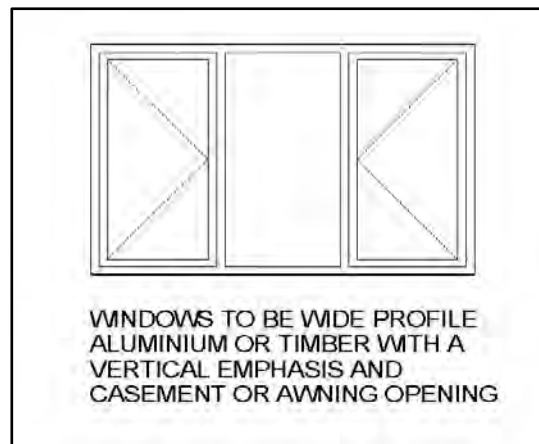


Figure 20 - Window Design

4.1.3.7 Materials & Details

- The original materials of the traditional house shall be conserved as far as practically possible;
- Where original materials have previously been removed, restoration to original is required;
- Restoration of the traditional house shall be based on original drawings and photographs where possible;
- Where replacement of materials such as the roof and joinery is necessary they shall be replaced with materials to match the existing;
- New walls and roofing shall match the colours and materials of the traditional house. Recycled or handmade bricks are preferred; and
- Brick or rendered brick verandah posts and balustrading may be appropriate in some instances where it meets the objectives of these guidelines.

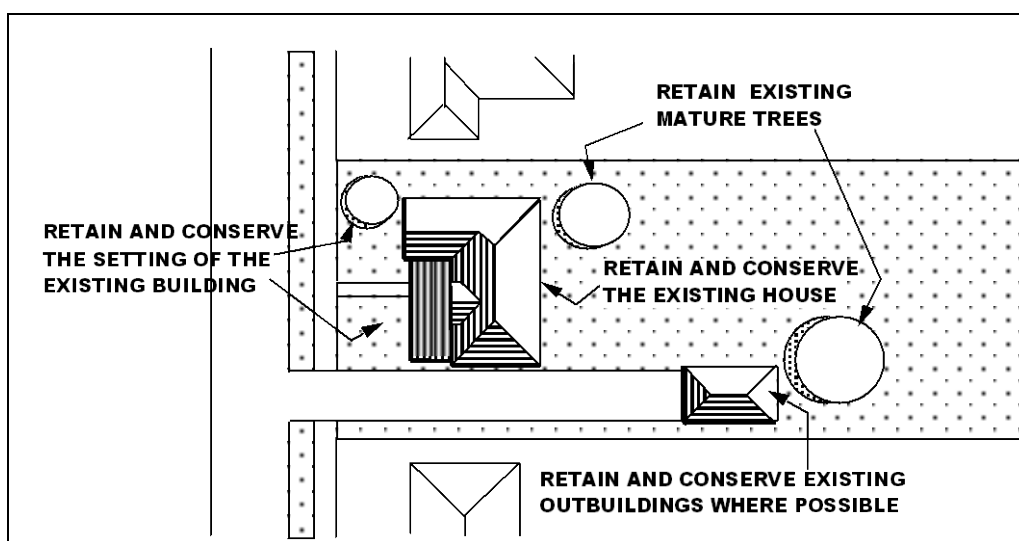


Figure 21 - Streetscape

4.2 NEW SINGLE HOUSES

These provisions are applicable to new single houses and associated structures such as carports and garages.

Objectives

- Ensure that new buildings reflect the traditional style, scale and form of traditional houses and the street pattern, in terms of design, setbacks and orientation;
- Retain the appearance of a single-storey built form from the street; and
- Retain natural levels of the site.

4.2.1 Streetscape

4.2.1.1 Street Setbacks

- a) The ground floor of new buildings shall follow the established street setback, for both primary and secondary streets irrespective of the relevant R Code street setback (refer **Figure 22**);
- b) Where the street pattern varies, the ground floor of new buildings shall be setback from the street mid-way between that of the traditional houses on either side;
- c) Second storeys shall be setback a minimum of 4 metres from the face of the predominant building line (as determined by the City) wall immediately below; and
- d) A reduction in the front setback to enable a garage or carport to be located to the side or rear of the property may be considered, but only where this will preserve the streetscape value of the area and where the required setback is reduced by a maximum of 1 metre.

4.2.1.2 Orientation

- a) New buildings and entry doors shall face the street. Entry doors located at the side of the house may be considered, but only where this is consistent with the character of the street, and the entry doors are still visible from the street and accessed via a porch or verandah.

4.2.1.3 Levels

- a) The natural ground level of the site shall be retained; and
- b) Any required retaining shall comprise brick-up or similar retaining under the building.

4.2.1.4 Fences & Gardens

Please refer to section 4.5 *Fences & Gardens* of these guidelines.

4.2.1.5 Carports & Garages

Please refer to section 4.4 *Carports & Garages* of these guidelines.

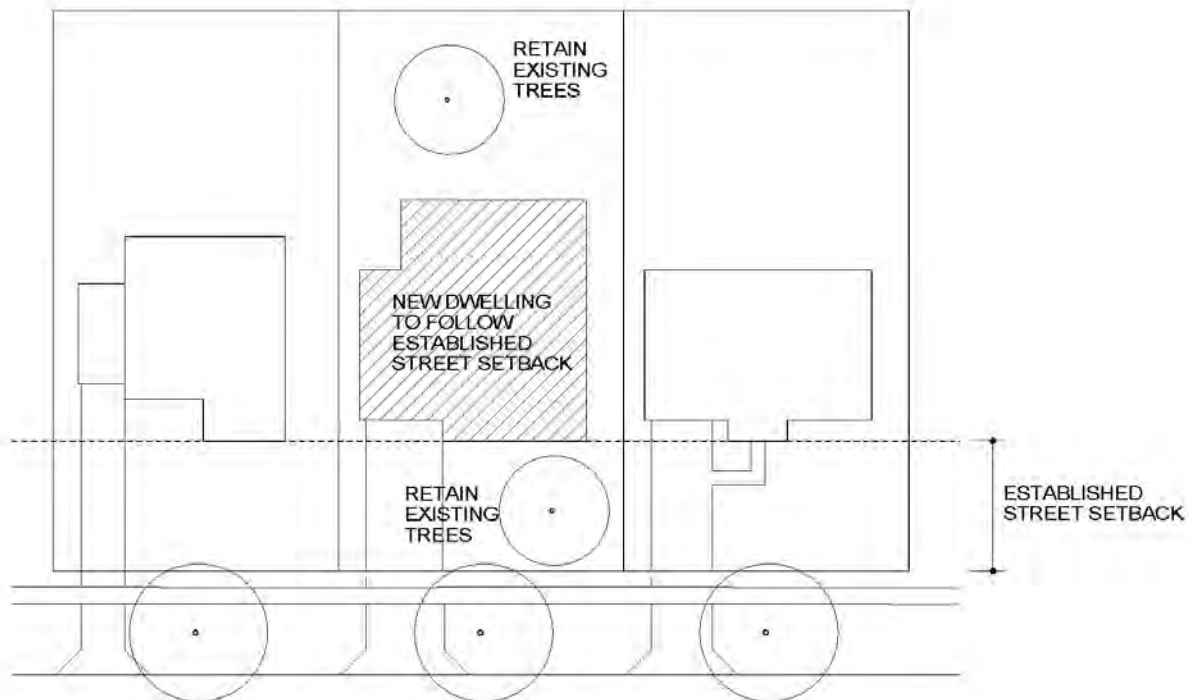


Figure 22 - Streetscape

4.2.2 Built Form & Design

4.2.2.1 Design

- New buildings shall be traditional in design and reflect the heritage style and scale of traditional houses within the streetscape. Refer *Part 2 – Residential Character Analysis* of these guidelines.
- In regard to two storey buildings, the visual bulk of the building should be minimised through articulation of larger wall lengths, and the stepping back of upper storey walls (Refer **Figure 23**).
- Where a wall is permitted to be located on the boundary, that wall shall be constructed as a traditional parapet wall (Refer **Figure 17**).

4.2.2.2 Building Height

- The building height of new dwellings shall be in accordance with the City's Residential Building Heights Policy. Consideration may be given to nominal height increases, but only where such increases facilitate traditional ceiling heights;
- New buildings shall respect the scale and proportions of traditional houses within the streetscape; and
- Ground floor wall plate heights shall be a minimum of 3 metres (measured from natural ground level to plate height).

4.2.2.3 Roof Pitch

- a) Roof pitches shall be a minimum of 25 degrees, to a maximum of 35 degrees;
- b) Verandahs may have a lower pitch where this reflects the existing style in the streetscape;
- c) Roofs may be hipped or gabled. Gables shall have traditional timber detailing (e.g. battens) and treatment;
- d) Barrel vault, curvilinear and low skillion roofs shall not be permitted; and
- e) Dormer windows are not permitted.

4.2.2.4 Eaves

- a) Eaves shall overhang by a minimum of 300mm; and
- b) Eaves shall not be boxed and shall have exposed rafters except where boxed eaves are a feature of the architectural style in the streetscape.

4.2.2.5 Verandahs

- a) Verandahs fronting the street shall be a minimum of one-third the width of front elevation; and
- b) Verandahs shall have a minimum depth of 2 metres.

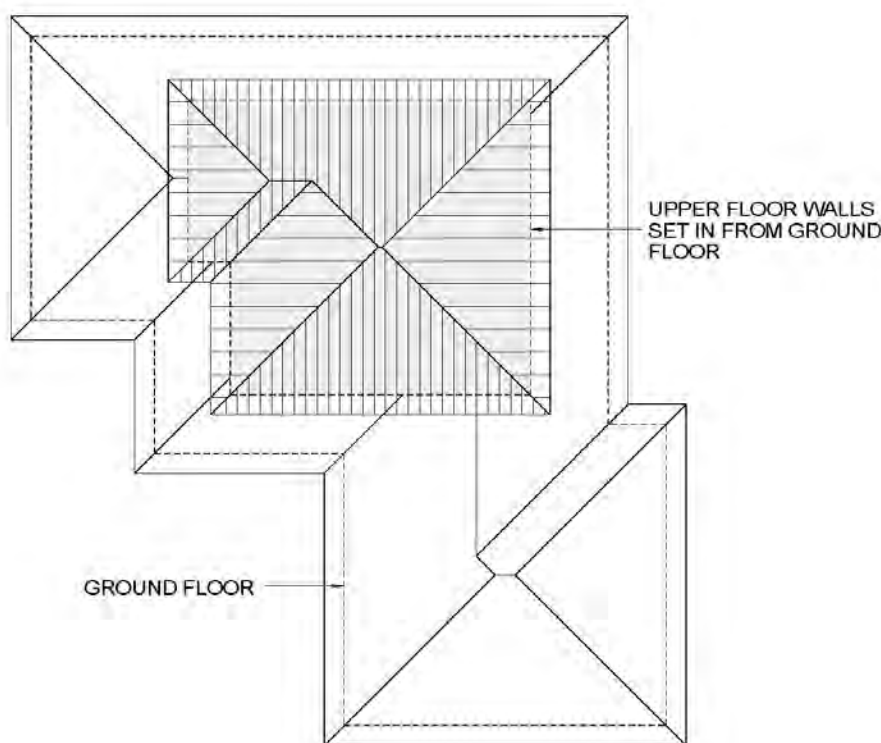


Figure 23 – Upper Storey setbacks

4.2.2.6 Openings

- a) Windows shall have a vertical emphasis. That is, the height of the window pane should be visibly greater than its width; and
- b) Window frames shall be constructed in timber (preferred) or wide-profile aluminium or steel. Window frame colours shall be white or cream (refer **Figure 20**).
- c) Window frames in non-masonry walls shall be recessed.
- d) Dormer windows are not permitted.

4.2.2.7 Materials & Details

- a) Traditional materials of face brick and / or render shall be used for the solid wall surface of the façade. The proportions and detailing of these should reflect the traditional houses in the streetscape (refer *Part 2 – Residential Character Analysis* of these guidelines);
- b) Bricks shall be in the red colour range. Recycled or handmade bricks are preferred. Mortar shall be in traditional colours;
- c) Render shall be in a traditional finish and colour, and consistent with the traditional houses in the streetscape;
- d) Where limestone is used, it shall be located at the base of the building, and shall not exceed more than 20% of the solid wall surface of the façade (NB; limestone in this instance refers to the use of stone or limestone cladding – limestone coloured bricks are not permitted);
- e) Roofs shall be constructed with tiles in red or terracotta hues. Corrugated iron or pre-finished roof sheeting in red, orange, terracotta, or zincalume may be considered only where it is in keeping with the architectural style of the dwelling, surrounding roofing materials, and the objectives of these guidelines; and
- f) Balustrades, verandah posts and the like, shall be constructed in timber or painted metal. Brick or rendered brick verandah posts and balustrading may be appropriate in some instances where it meets the objectives of these guidelines.

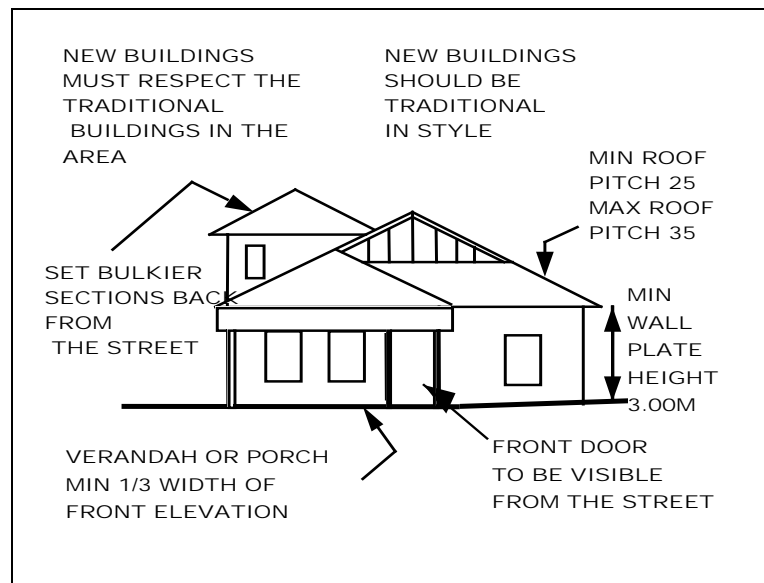


Figure 24 – New Single Houses

4.3 INFILL DEVELOPMENT

These provisions are applicable to developments involving grouped and / or multiple dwellings, and dwellings constructed to the rear of a traditional house.

Objectives

- Ensure the retention of the traditional house when more than one dwelling is permitted on the site; and
- Ensure infill development reflects the style, scale and form of traditional houses within the streetscape.

4.3.1 Streetscape

- a) Where a traditional house is to be retained, the provisions of section 4.1 *“Conservation of and Additions to Traditional Houses”* of these guidelines shall apply to any works proposed to the traditional house;
- b) Where new dwellings are proposed, the provisions of section 4.2 *“New Single House”* of these guidelines shall apply; and
- c) In addition, the principles as detailed in the text and diagrams below shall apply.

4.3.1.1 Orientation

- a) A maximum of one dwelling shall directly front the original lot frontage. That is, new dwellings shall be located one behind another, rather than side by side (Refer **Figure 25**).

4.3.2 Built Form & Design

- a) Where a traditional house is to be retained, the provisions of section 4.1 *“Conservation of and Additions to Traditional Houses”* of these guidelines shall apply to any works proposed to the traditional house;
- b) Where new dwellings are proposed, the provisions of section 4.2 *“New Single House”* of these guidelines shall apply; and
- c) In addition, the principles as detailed in the text and diagrams below shall apply.

4.3.2.1 Design

- a) New dwellings shall be traditional in design and reflect the heritage style, form and scale of the traditional house, and other traditional houses within the streetscape.
- b) In regard to two storey buildings, the visual bulk of the building should be minimised through articulation of larger wall lengths, and the stepping back of upper storey walls (Refer **Figure 23**).
- c) Where a wall is permitted to be located on the boundary, that wall shall be constructed as a traditional parapet wall (Refer **Figure 17**).

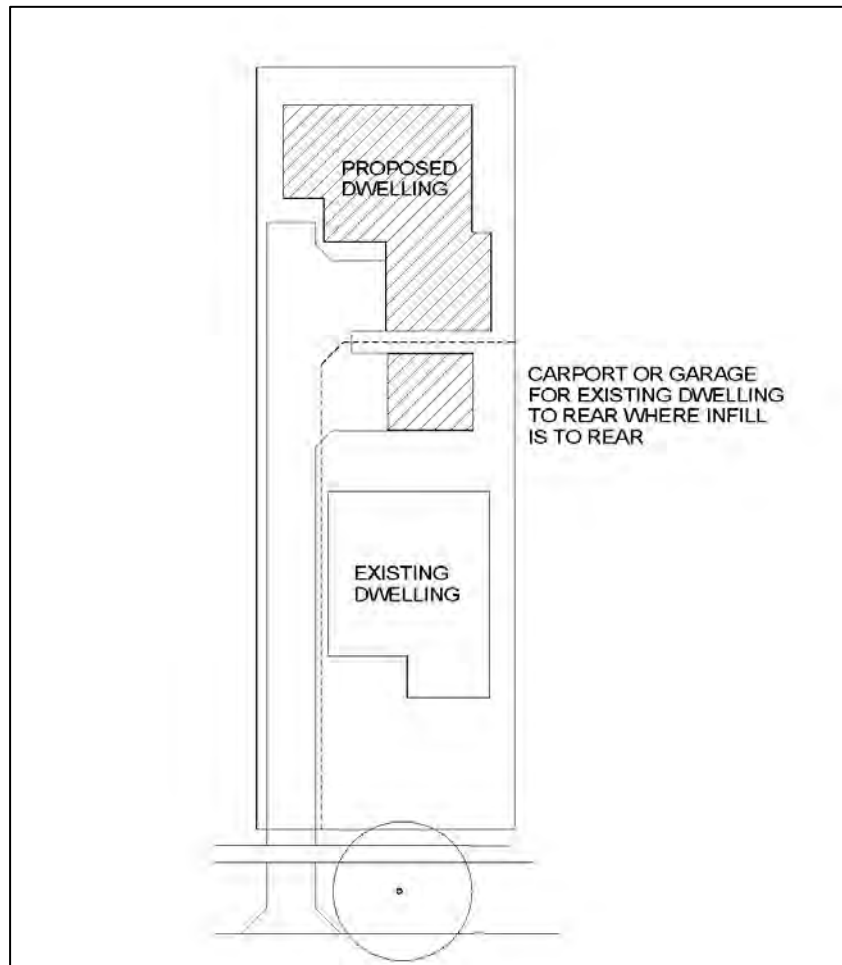


Figure 25 – Example of Infill Development

4.3.2.2 Building Height

- a) The wall height of the new dwelling shall not be lower than the wall height of the traditional house at a minimum of 3 metres above natural ground level, where the new dwelling is immediately fronting a street.

4.3.2.3 Roof Pitch

- a) The roof pitch and roofing materials of the new dwelling shall match the roof pitch and roofing materials of the traditional house.

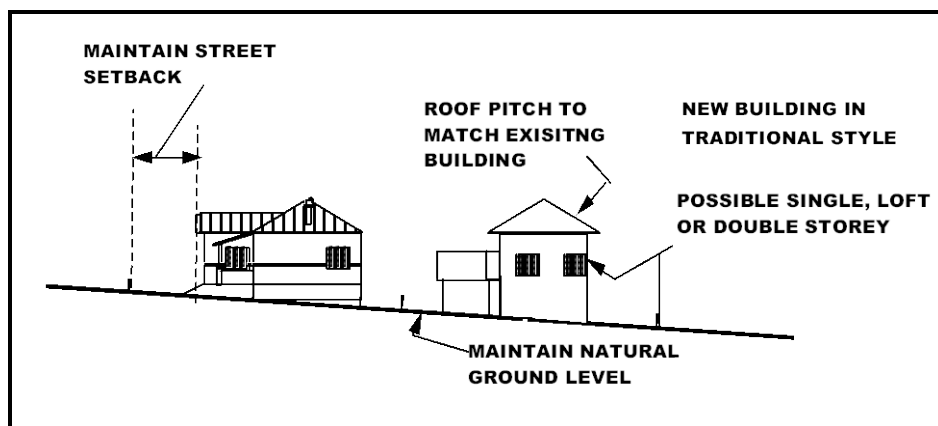


Figure 26 – Example of Infill Development

4.3.2.4 Infill Development abutting a Rights of Way

- a) New dwellings abutting a Rights of Way (ROW) will generally be required to orient to and use the ROW for primary access. Setbacks to the ROW to be in accordance with the setback requirements of the City's Local Planning Policy Development Abutting Rights of Way.

4.3.2.5 Carports & Garages

- a) New carports and garages for a traditional house should be incorporated into the design of the infill development to the rear of the traditional house where possible.
- b) Please refer to the section *4.4 Carports & Garages* of these guidelines.

4.4 CARPORTS AND GARAGES

Objectives

- Prevent carports, garages, and parking areas from dominating the streetscape;
- Ensure that the appearance of carports, garages and parking areas are in keeping with, and respectful to, the houses to which they belong;
- Reduce the impact of vehicle access and parking on the existing streetscape by ensuring that any new vehicular access is obtained from the rear of the property, where possible; and
- Reduce the impact of parking structures on the existing streetscape by ensuring that such structures are located at the rear and side of properties.

4.4.1 Vehicle Access

- a) Vehicle access and parking shall be from the rear access lane (right-of-way) where possible.

4.4.1.1 Location and Setbacks

- a) Carports and garages shall be located to the rear of dwellings, or alternatively, to the side of dwellings setback behind the predominant building line;
- b) Garages shall be setback a minimum of 0.5 metres behind the predominant building line;
- c) Garages shall not be located in front setback areas;
- d) Carports may be considered in front setback areas, but only where no alternative locations exist, a minimum setback of 1.5 metres from the primary street is maintained, and where the proposal meets the objectives of these guidelines. Such carports shall not be fitted with any style of roller or tilt-up panel door; and
- e) Carports and garages should be set back from the side boundary where possible.

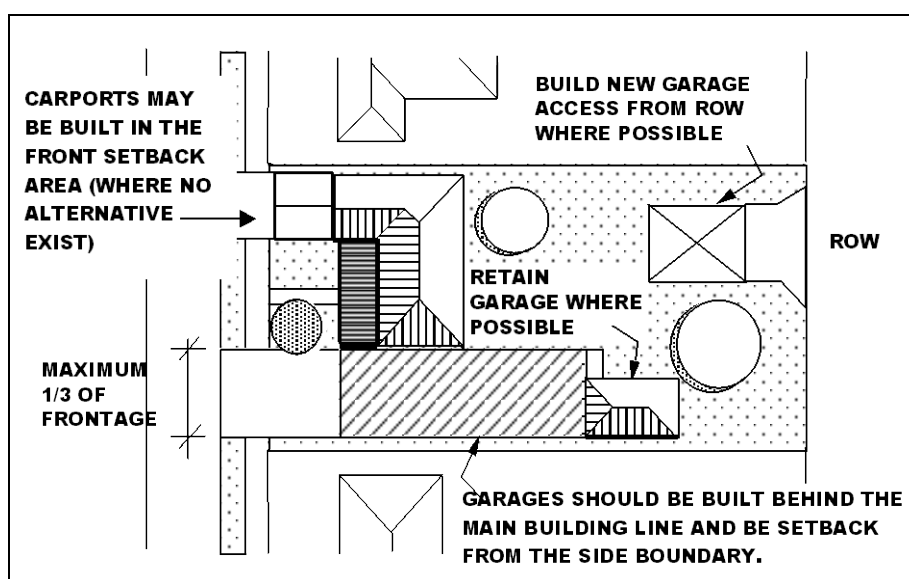


Figure 27 – Location of Carports and Garages

4.4.2 Design

- Carports and garages shall be of the same style, design and materials, roof pitch (to a minimum of 25 degrees) and form to the traditional house to which it belongs;
- Where carports are considered appropriate in front setback areas (refer above), carports shall be open in style and allow an unobstructed view of the dwelling from the street;
- Carports and garages shall have a maximum width of 5.5 metres (internal) or one-third the frontage of the dwelling (whichever is the lesser);
- Carports and garages shall have a maximum plate height of 2.7 metres; and
- Where a wall is permitted to be located on the boundary, that wall shall be constructed as a traditional parapet wall (Refer **Figure 17**).

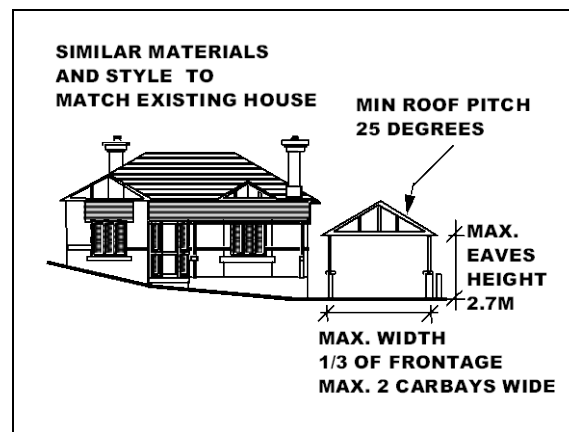


Figure 28 – Built Form of Carports and Garages

4.4.3 Crossovers and Verges

- A maximum of one crossover per lot per street frontage shall be permitted;
- Crossovers shall be restricted to a maximum of one-third the width of the front boundary;
- In the case of infill development, the crossover to the street shall be shared between dwellings; and
- No verges shall be paved or densely landscaped. Natural low ground-cover is considered to be the only appropriate verge treatment. Mulch alone will not be permitted.

4.5 FENCES AND GARDENS

Objectives

- Recognise the important contribution that fences and gardens make to the streetscape;
- Retain and maintain open front gardens;
- Ensure the retention and conservation of traditional fences where these occur;
- Ensure new fences are compatible with the style and character of the area; and
- Ensure new fences reflect the style and character of the house to which they belong.

4.5.1 Fencing Characteristics and Design Standards

4.5.1.1 Mount Lawley

Low or open-style front fencing is the predominant fencing characteristic of the Mount Lawley Heritage Protection Area (Refer *Part 2 Residential Character Analysis – Mount Lawley Heritage Protection Area - Mount Lawley Streetscapes*).

Fencing is to comply with the following provisions:

- a) Fencing shall be compatible with the style and character of the house in terms of design and detail;
- b) Solid fences or screen walls forward of the predominant building line shall not exceed 750mm in height;
- c) Open-style fences forward of the predominant building line may be constructed to 1200mm high above natural ground level;
- d) The height of any open-style fencing may be increased to a maximum of 1800mm above natural ground level, but only where the fencing is constructed in high quality materials, such as wrought-iron infill (rather than timber picket infill) (refer **Figure 29**).

4.5.1.2 Menora

Open front gardens with low masonry fences or an absence of fences is the predominant fencing characteristic of the Menora Heritage Protection Area (Refer *Part 2 Residential Character Analysis – Menora Heritage Protection Area - Menora Streetscapes*).

Fencing is to comply with the following provisions:

- a) Fencing forward of the predominant building line will not be permitted, unless it is a characteristic of the immediate traditional streetscape. Masonry fencing to a maximum height of 750mm will be considered in these instances;
- b) Fencing shall be compatible with the style and character of the house in terms of design and detail.

4.5.1.3 Inglewood

Low front fencing is the predominant fencing characteristic of the Inglewood Heritage Protection Area (Refer *Part 2 Residential Character Analysis – Inglewood Heritage Protection Area - Inglewood Streetscapes*).

Fencing is to comply with the following provisions:

- Fencing shall be compatible with the style and character of the house in terms of design and detail;
- Solid fences or screen walls forward of the predominant building line shall not exceed 750mm in height;
- Open-style fences forward of the predominant building line may be constructed to 1200mm high above natural ground level;
- Fencing above 1200mm in height forward of the building is not permitted.

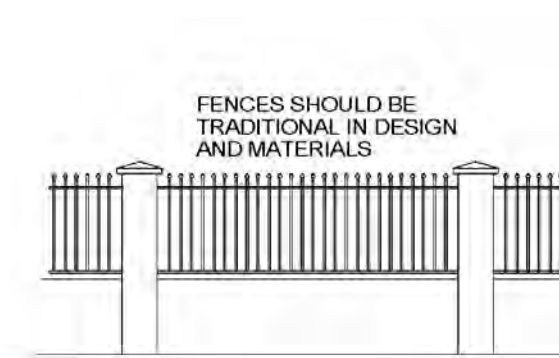


Figure 29 - Example of Open-Style Fencing

4.5.2 Garden Design

- Existing front gardens, mature trees, and street trees shall be retained and maintained;
- Where trees are to be removed, the applicant shall demonstrate justification for removal, and satisfy the City that alternative measures such as pruning are impractical; and
- Where mature trees are to be removed, the applicant should plant and maintain suitable replacements elsewhere on the site.

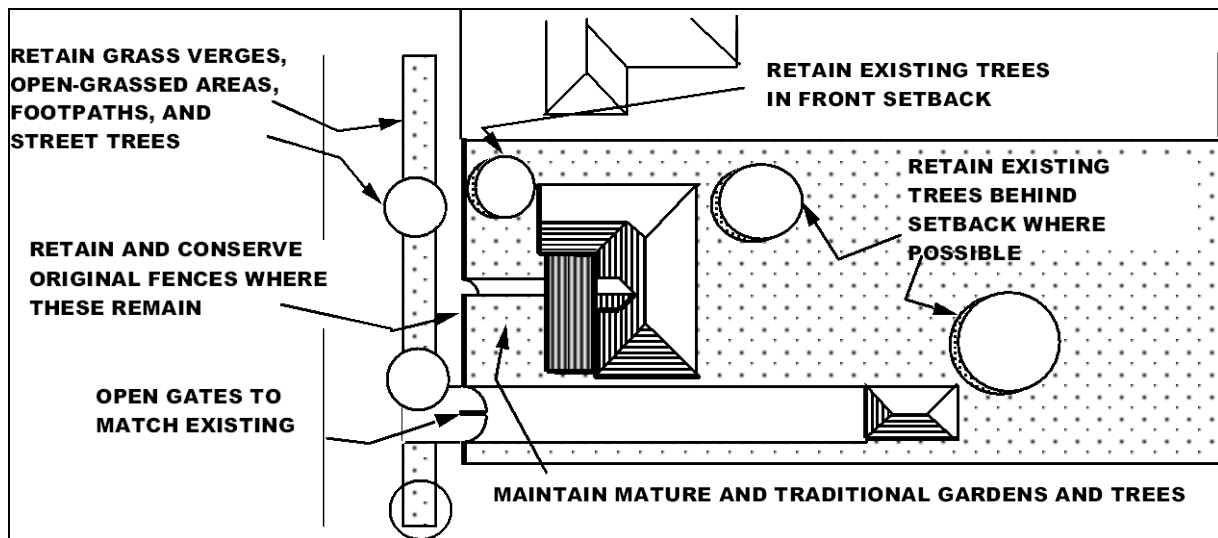


Figure 30 – Example of Traditional Garden Design

PART 5 – COMMERCIAL CHARACTER ANALYSIS

5.1. Two Storey Commercial

There are a number of prominent early two storey commercial or mixed-use developments within the Heritage Protection Areas. Whilst representing a variety of architectural styles, these sites are generally consistent in being key landmarks for the area located along the main commercial spine of Beaufort Street, and generally with more distinctive detailing than their modest single storey counter-parts.

The majority of the early two storey commercial buildings are located at the southern end of Beaufort Street, close to Walcott Street, as this was the earliest commercial strip to develop in the locality, encouraged by the construction of the tramline from the Barrack Street jetty to Walcott Street, completed in 1902. They reflect two key periods of commercial development in the locality – 1905 to 1914 and 1935 to 1940.

Key sites include:

- The Astor Theatre (1914, substantially remodeled in 1939), at the north-western corner of Beaufort and Walcott Streets, Mount Lawley;
- Beaucott Building (1905, 1937), at the north-eastern corner of Beaufort and Walcott Streets, Mount Lawley;
- The Commonwealth Bank building (1938), 672a Beaufort Street, Mount Lawley;
- Mount Lawley News (1910), 668 Beaufort Street, Mount Lawley;
- Civic Theatre (fmr) (1936), at the corner of Beaufort Street and Dundas Road, Inglewood.

Additionally, there are two early two-storey hotels located within the Heritage Protection Areas – both on Beaufort Street:

- The Inglewood Hotel (1935-36), at the corner of Fifth Avenue, Mount Lawley;
- The Civic Hotel (1940), at the corner of Wood Street, Inglewood.

The early two storey commercial buildings exhibit attributes from a variety of architectural styles including Federation Free Classical (Mount Lawley News), Inter-War Functionalist (Beaucott Building, Civic Hotel), Inter-War Art Deco (Astor Theatre, Commonwealth Bank) and Inter-War Spanish Mission (Inglewood Hotel).

The Inter-War Functionalist style is also evident in the Mount Lawley Bowling Club (fmr Mt Lawley Tennis Club, 1936) at the corner of Storches Street and Rookwood Street. The style's influence can also be seen on the predominantly Inter-War Spanish Mission style Inglewood Hotel.

The influence of the Inter-War Art Deco style can also be seen on the Civic Theatre (fmr), particularly in the clock and base to the corner spire (though the spire itself is atypical of this style).

Inter-War Functionalist (c.1915 – c.1940)

The Inter-War Functionalist style had its background in European modernism of the 1920s and 1930s. Modernism is the general name given to the trend that embraced functionalism, technology and the elimination of applied historical ornamentation. The influence of Le Corbusier, Eric Mendelsohn, W M Dudok and the Bauhaus was important.

Australia was slow to embrace these ideas, with the better inter-war examples being by younger architects who had travelled to Europe and witnessed the new 'international style' first hand. They designed streamlined, horizontal architecture, often in factories, schools and hospitals. In Mount Lawley and Inglewood, the style is most evident in the Beaucott Building, and can also be seen in the Bowling Club and Civic Hotel.

The style was, for the time, radical and progressive, with its simple geometric shapes, light colours and large areas of glass.

Common features of the Inter-War Functionalist style include:

- Asymmetrical massing;
- Simple geometric shapes;
- Long horizontal balconies or spandrel;
- Metal framed corner or ribbon windows;
- Roof concealed by parapet;
- Rounded corner;
- Plain surfaces – light toned cement or face brick.

Inter-War Art Deco (c.1915 – c.1940)

The Inter-War Art Deco style also celebrated the exciting, dynamic aspects of the machine age, but in a way that appealed to a larger group of people, with the use of graphic decorative elements and modern, eye-catching materials.

The Inter-War Art Deco style came to be favoured for two distinctively twentieth century building types: the cinema and the skyscraper. In Australia, the style was also frequently used in commercial and residential interiors and shop fronts. In Mount Lawley, the style can be seen in commercial buildings and the Astor Cinema.

Common features of the Inter-War Art Deco style include:

- Suggestion of vertical or horizontal motion;
- Stepped skyline or silhouette;
- Decorative elements concentrated on the upper part of the building;
- Three dimensional quality in massing and detailing;
- Vertical and horizontal fins;
- Parallel line, zigzag or chevron motifs;
- Geometric curves, stylised effects;
- Chrome plated steel used for shop fronts and commercial interiors;
- Metal framed windows;
- Use of stylised typefaces.

5.2 Single Storey Shop

Early single storey shops, dating from the late nineteenth and early twentieth century, are predominantly located along the main commercial strip of Beaufort Street running through the Mt Lawley and Inglewood Heritage Protection Areas.

Beaufort Street was the main thoroughfare to the rapidly developing residential areas of Mt Lawley and later Inglewood. Commercial development spread northward along the street, encouraged by the construction of the tramline from the Barrack Street jetty to Walcott Street, completed in 1902.

Single storey shops of this era are generally consistent in their style, being modest single storey buildings with simple detail to parapet walls, and awnings over the footpath.

Common features include:

- Single storey;
- Often in small groups of two to four shops built at the same time;
- Recessed entry door, usually centrally located;
- Rendered brick parapet wall to street facades generally with vertical piers separating each individual shop and simple articulation;
- Flat awning projecting over the footpath;
- Large windows;
- Corrugated metal roof hidden behind parapet.

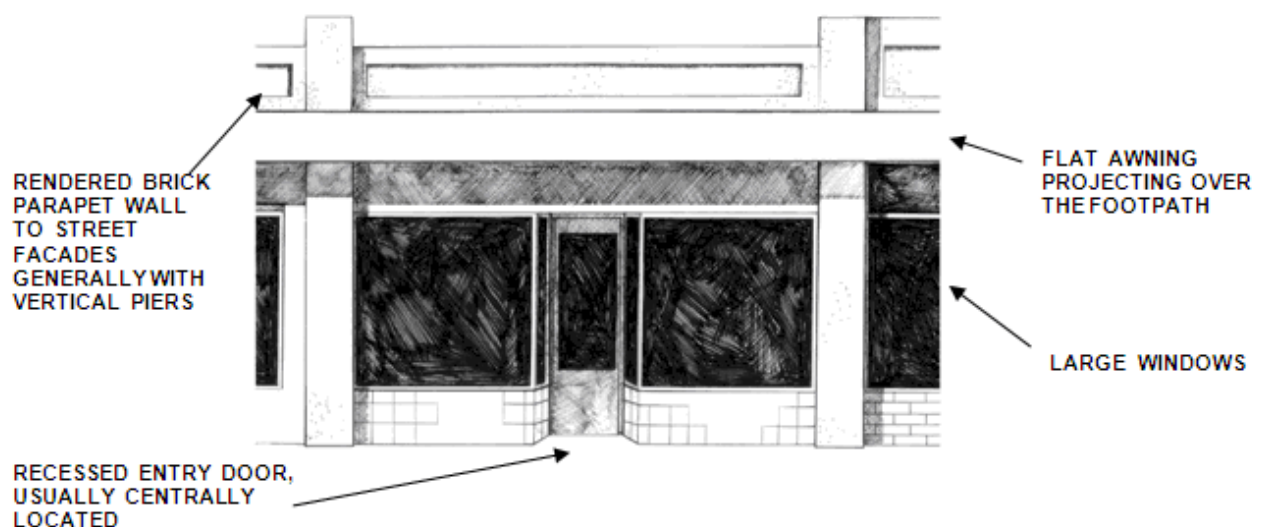


Figure 31 – Single Storey Shop

5.3 The Corner Store

Corner stores, strategically located within the heart of a community, have traditionally catered for the necessities of life – a loaf of bread, the newspaper, perhaps a few purchases – as well as being an important meeting place for the local community.

Historic corner stores dating from the late nineteenth and early twentieth century are scattered throughout the Mt Lawley and Inglewood Heritage Protection Areas, though the majority are located along Beaufort Street. They form an important part of the built heritage and contribute to the distinctive feel of a street, providing familiar landmarks and a sense of the past. The physical features, and particularly the external appearance, of many have changed very little since they first opened their doors.

Corner stores of this era are generally consistent in their style, being modest single storey buildings with corner truncations and simple detail to pilastered parapet walls.

Common features include:

- Single storey;
- Corner truncation with entry door;
- Parapet wall to street facades, sometimes stepping down away from the corner, generally with vertical piers and simple articulation;
- Rendered brick facades;
- Flat awning projecting over the footpath;
- Large windows (some have in more recent times been bricked in);
- Corrugated metal roof hidden behind parapet.

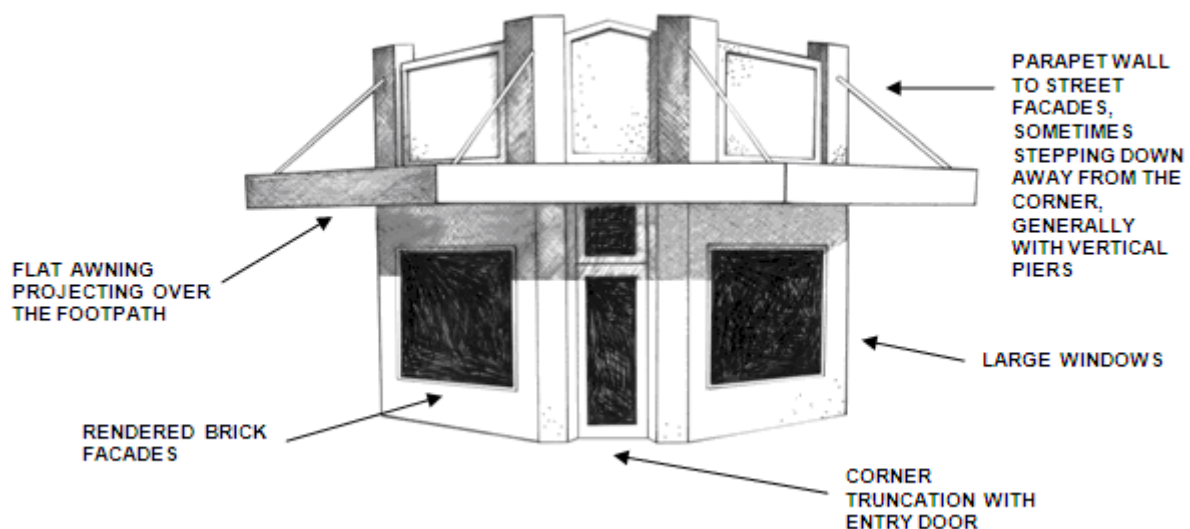


Figure 32 – Corner Shop

PART 6 – COMMERCIAL DEVELOPMENT PROVISIONS

6.1 COMMERCIAL & MIXED – USE DEVELOPMENT

Objectives

- Ensure the conservation and retention of traditional buildings, particularly traditional shops and commercial buildings, including those described in Part 5;
- Ensure new commercial and mixed-use development consistent with ‘main street’, mixed-use design principles, and consistent with the heritage character of the locality; and
- Ensure refurbishment of more recent development in a manner in keeping with traditional commercial buildings.

6.1.2 Streetscape

6.1.2.1 Ground Floor Setbacks

- a) Additions to traditional buildings, and new commercial and mixed-use buildings shall have nil front setbacks to any street frontage (Note: some properties may be subject to regional road widening).
- b) Where a site has frontage to a primary and secondary street, a minor setback will be considered for alfresco dining on the secondary street. Such setback areas shall be designed to match the existing footpath in terms of levels and paving treatment; and
- c) Continuous awnings or verandahs of traditional scale, form and design shall be provided over the street, and be functional to provide appropriate weather protection.

6.1.2.2 Upper Floor Setbacks

- a) Upper floor additions to traditional buildings shall be setback a minimum of 3 metres from the predominant building line of the original building’s street facade;
- b) Nil setbacks for upper floors of new commercial and mixed-use buildings may be considered subject to compliance with the objectives of this section provided these floors are no higher than three storeys.

6.1.2.3 Orientation

- a) New buildings shall address the street;
- b) Main entrances to buildings shall face the street, and in the case of corner sites shall face the corner, and shall be maintained in operation; and
- c) On-site car parking shall be located to the rear of buildings.

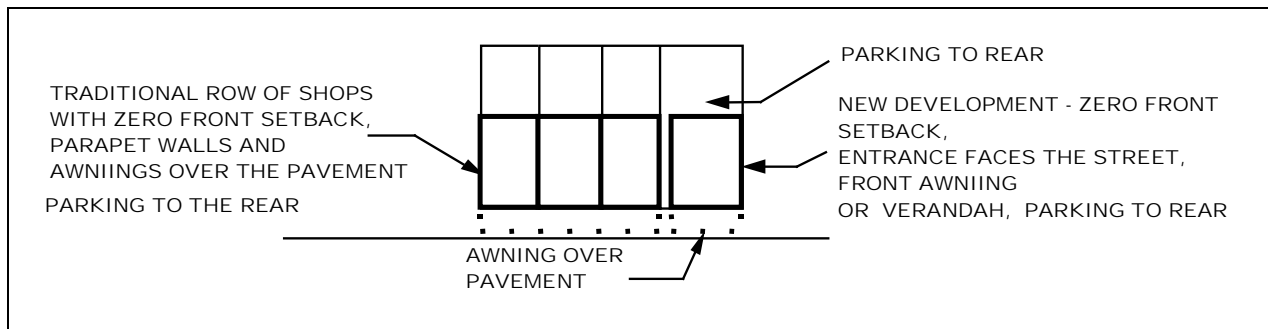


Figure 33 – Example of Traditional Commercial Layout

6.1.3 Traditional Houses Used for Non-Residential Uses

- Traditional houses used for non-residential purposes shall maintain a residential-style appearance, with parking areas located to the rear of buildings and signage integrated into the design of the building;
- No additions to the traditional house shall occur within the front setback area, unless restoring an original feature in the original architectural style (eg; a verandah);
- The provisions of section 4.1 *“Conservation of, and Additions to, Traditional Houses”* of these guidelines shall apply to any works proposed to the traditional house.

6.1.4 Built Form & Design

6.1.4.1 Design

- New commercial and mixed-use buildings shall be of traditional style and reflect the design, colours, and materials of traditional buildings within the streetscape;
- New commercial and mixed-use buildings shall have similar facade treatments and architectural detailing / articulation as traditional buildings;
- New commercial and mixed-use buildings shall have similar sill and awning heights to traditional buildings;
- Window frames shall be constructed in timber (preferred) or wide-profile metal. Shop fronts shall reflect traditional shop fronts with narrower timber or metal framing; and
- Refer to the City’s Local Planning Policy Inglewood Town Centre Design Guidelines and the Mixed-Use & Commercial Centre Design Guidelines for additional requirements.



Figure 34 – Example of New and Existing Development

6.1.5 Signage

- a) Signage shall not cover any architectural features or detailing of a building, and should not dominate the shopfront or building frontage. Signage is to be positioned and designed to fit within spaces created by architectural elements on the building in particular the awnings and pediments;
- b) Multi-tenancy developments should provide a coordinated signage strategy as part of the development application; and
- c) Signage within the Mount Lawley, Menora and Inglewood Heritage Protection Areas:
 - (i) is subject to the signage provisions of Local Planning Scheme No. 3; and
 - (ii) shall be subject to the provisions relating to signage in Local Planning Policy Inglewood Town Centre Design Guidelines (notwithstanding that the area to which it applies does not include the heritage protection areas) and if there is inconsistency between the provisions of the Local Planning Scheme No. 3 and those of the Inglewood Town Centre Design Guidelines, the latter prevail.

PART 7 - DEVELOPMENT ON RESERVES AND PRIVATE INSTITUTIONS ZONES

Objectives

- Ensure that any new development does not adversely affect the heritage character and amenity of surrounding properties; and
- Ensure that any new development be of similar scale, form and bulk of surrounding properties, and is respectful to the heritage character of the locality.

7.1 Built Form & Design

- a) New buildings shall be respectful to the design, form, and scale of traditional buildings within the streetscape; and
- b) New buildings shall have similar facade treatments/detail as traditional buildings, and incorporate architectural detailing that respects the traditional buildings.

7.2 Streetscape Relationship

7.2.1 Setbacks

- a) Where adjoining sites are zoned Residential, new development shall be setback from the street to match the setback of the traditional buildings within the streetscape;
- b) Where adjoining buildings on either side of new development have varying setbacks from the street, new development may incorporate a 'stepped' setback from the street (in order to align with the existing buildings on both sides);
- c) Where adjoining sites are zoned Residential, new development shall be setback from those common boundaries (side and rear) in accordance with the Residential Design Codes; and
- d) Where adjoining sites are zoned non-residential, the side and rear setbacks of new development shall match those of the adjoining lots.

VARIATIONS

Variations to these Guidelines will only be considered where the applicant has demonstrated, via a written submission and supporting documentation, that the requested variation complies with the objectives of these Guidelines.

Office Use Only:

Policy Adoption and Amendment History:

Reviewed / Modified	Date	Resolution Number
Adopted	16 October 2012	1012/035
Amended	11 December 2012	1212/005

6.2 BICYCLE PARKING

Introduction

Where this Policy is inconsistent with the provisions of a specific Policy or Guidelines applying to a particular site or area (eg Heritage Protection Area Guidelines), the provisions of that specific Policy or Guidelines shall prevail.

Objectives

- To facilitate the development of adequate bicycle parking facilities;
- To ensure the provision of end of journey facilities; and
- To encourage the use of bicycles for all types of journeys.

Applications Subject of this Policy

This policy applies to the following:

- All non residential development in excess of 400m² gross floor area (new or existing); and
- Multiple dwelling residential developments involving 5 or more units.

Submission Requirements

Plan highlighting the location and number of bicycle parking bays and end of trip facilities.

Development Provisions

Bicycle Parking Ratios

All developments with 400m² or more of gross floor area shall be provided bicycle parking bays in accordance with the following ratios.

ACTIVITY / USE	No. BIKE PARKING SPACES FOR EMPLOYEES / RESIDENTS / STUDENTS	No. BIKE PARKING SPACES FOR CUSTOMERS / VISITORS
All other uses	1 space per 400m ² of the gross floor area (GFA)	N/A
Convenience Store	As above	1 space per 50m ² of GFA
Shop 0 – 5000m ² 5000m ² – 10,000m ² 10,000m ² plus	As above	1 space per 200m ² of GFA 1 space per 300m ² of GFA 1 space per 400m ² of GFA
Educational Establishment Pre-primary Primary Secondary Tertiary / Technical	N/A 1 space per 5 students (over year 4) 1 space per 5 students 1 space per 20 students	N/A
Residential - Multiple Dwelling	1 space per dwelling for residents (may be located within required storeroom provided sufficient space is available)	N/A

End of Journey Facilities

End of Journey facilities support the use of bicycle transport by allowing cyclists the opportunity to shower and change at the beginning or end of their journey to and from work. The following facilities shall be provided for all developments that are required to provide 10 or more bicycle parking spaces:

- There shall be a minimum of one female and one male shower, located in separate changing rooms (The changing rooms shall be secure facilities capable of being locked);
- Additional shower facilities shall be provided at rate of 1 female and 1 male shower for every additional 10 bicycle parking spaces, to a maximum of five male and five female showers per building; and
- A locker shall be provided for every bicycle parking space provided (only if 10 or more spaces provided). Lockers shall be well ventilated and be of a size sufficient to allow the storage of cycle attire and equipment.

Location of Bicycle Parking Facilities

All bicycle parking spaces and end of trip facilities shall comply with the following:

- Bicycle Parking Facilities shall be located at ground floor level and not require access via steps;
- Parking facilities shall be located as close as possible to main entrance points;
- Parking facilities shall be located in an area that allows informal surveillance of the facility to occur where ever possible; and
- Parking facilities shall be located away from areas of high pedestrian activity in order to minimise inconvenience or danger to pedestrians.

6.7 PARKING & ACCESS

1.0 Introduction

Where this policy is inconsistent with the provisions of a local planning policy applying to a particular site or area, the provisions of that local planning policy shall prevail to the extent of the inconsistency.

2.0 Objectives

- a) To facilitate the development of adequate parking facilities;
- b) To ensure safe, convenient and efficient access for pedestrians, cyclists and motorists;
- c) To ensure that a major parking problem is unlikely to occur;
- d) To ensure that car parking areas and accessways do not have a detrimental impact on the character and amenity of an area; and
- e) To ensure that an oversupply of parking does not occur that discourages alternative forms of transport and is detrimental to the urban design and character of the locality.

3.0 Applications Subject of this Policy

All development on either zoned land or reserved land is subject to this policy.

4.0 Definitions

Gross Floor Area (GFA): means the total floor area within the building measured from the outside of main faces of external walls (including the portion of any common or party wall forming part of the building) exclusive of parking facilities sited within the building.

Public Floorspace: means any floor area of a building openly accessible to the public excluding private storage areas, kitchens, staff areas and the like.

Gross Leasable Area (GLA): means in relation to a building, the area of all floors capable of being occupied by a tenant for its exclusive use measured from the internal finished surface of external building walls, but excluding features such as balconies and verandahs and, if there are two or more occupants or tenants, excluding common use areas, service areas, and non-exclusive public spaces and thoroughfares.

Alfresco Area: means an area with direct access from a restaurant, hotel or the like which is not permanently enclosed, may include a covered roof, and is utilised for the consumption of food or beverages.

Reciprocal Parking: refers to parking facilities serving separate uses or a mixed-use development (i.e. a development comprising of both residential and non-residential uses), but not shared concurrently between the uses.

Redundant Crossover: means a crossover which no longer provides vehicular access to a site or is no longer adjoined to a driveway or access way on a site.

Residential Development: refers to development of single house/s, grouped dwellings, multiple dwellings, aged persons dwellings, single bedroom units and residential buildings as defined in the Residential Design Codes of Western Australia.

Mixed Use Development: means a development comprising of both residential and non-residential uses.

End-of-Journey Facilities: means facilities which support the use of bicycle transport by allowing cyclists the opportunity to shower and change at the beginning or end of their journey to and from work. The facilities include separate male and female changing rooms and shower facilities and lockers for the storage of clothing and other personal items.

District Distributor Road: means as defined in the functional road hierarchy published by Main Roads WA.

Local Road: means as defined in the functional road hierarchy published by Main Roads WA.

Australian Standard: means a document having that title and reference number published by Standards Australia Limited.

Austrroads 2009: means the publication titled Guide to Road Design Part 4 published by the Association of Australia and New Zealand Road Transport and Traffic Authorities.

Service Access: means vehicular access for non-residential uses to provide a function which includes but is not limited the loading and un-loading of goods, deliveries, dispatch and the like.

5.0 Parking Ratios

5.1 Provision of Car Parking

The number of car parking bays required to be provided for the uses and activities referred to in Table 1: Car Parking Ratios shall be in accordance with the car parking ratios in Table 1 unless otherwise approved by Council.

Table 1: Car Parking Ratios

ACTIVITY / USE	CAR PARKING RATIO
Alfresco Area	1 bay per 14m ² of alfresco area
Bank	1 bay per 20m ² of GFA
Bed & Breakfast	2 bays per dwelling, plus one bay per bedroom (used for accommodation)
Boarding House	1 bay per bed or 1 bay per unit as the case may be
Child Care Premises	1 bay per staff member and 1 bay per 7 children
Club Premises	1 bay per 9m ² of public floorspace

Consulting Rooms and Medical Centres	6 bays for 1 health consultant 10 bays for 2 health consultants 2 additional bays for each health consultant in excess of 2 health consultants; and Where a medical centre includes a chemist as an ancillary service, the number of parking bays to be provided for the purpose of that chemist shall be calculated at the rate of 1 bay per 25m ² of GFA.
Educational Establishment Pre-primary Primary Secondary Tertiary / Technical	1 bay per staff member; 1.25 bays per classroom; 3 bays per classroom; 1.25 bays per classroom, plus one bay per 3.5 students.
Garden Centre	1 bay per 50m ² of nursery area
Hardware Showroom	1 bay per 20m ² GFA
Hospital	1 bay per bed
Hotel/Motel	1 bay per bedroom; and 1 bay per 3m ² of public floorspace (including dining areas and function rooms)
Industry – Extractive^(a) Industry – General^(a) Industry – Light^(a) Industry – Noxious^(a)	1 bay per 50m ² of GFA
Industry - Service^(a)	1 bay per 50m ² of GFA (industry component) 8 bays per 100m ² of GLA (retail component)
Motor Vehicle, Boat or Caravan Sales	1 bay per 100m ² of open display area and one bay per staff member
Motor Vehicle Repair	1 bay per 40m ² of GFA
Nursing Home	1 bay per three beds
Office	1 bay per 30m ² of GFA
Place of Worship	1 bay per 4m ² of public floorspace and 1 bay per staff member
Public Amusement Cinema/Theatre	1 bay per 3m ² of auditorium area;
Recreation Private Bowling Alley Health Studio Indoor Cricket Skating Rink Sports Hall Squash Court Swimming Pool	2.5 bays per lane 1 bay per 9m ² of public floorspace; 16 bays per court; 1 bay per 20m ² of GFA 1 bay per 20m ² of GFA 2 bays per court; and 1 bay per 4 people accommodated.
Residential	As per the Residential Design Codes of Western Australia.
Restaurant, Fast Food Outlet , Reception Centre	1 bay per 7m ² of gross floor area

Service Station	3 bays per working bays
Shop/Personal Services 0 - 5000m ² 5001 – 10,000m ² 10,001m ² plus	8 bays per 100m ² of gross leasable area (GLA) 400 bays plus 7 bays per- 100m ² of GLA in excess of 5001m ² 750 bays plus 6 bays per- 100m ² of GLA in excess of 10001m ²
Showroom	1 bay per 30m ² of GFA
Tavern	1 bay per 3m ² of public floorspace (including dining areas and function rooms)
Veterinary Centre Practitioners	6 bays for one practitioner 10 bays for two practitioners 2 additional bays for each practitioner in excess of 2 practitioners
Warehouse^(a)	1 bay per 50m ² of GFA

- a) The parking ratio for an office which is incidental to the activity or use referred to in Table 1, where the area of the office is less than 60m², is the same ratio as the activity or use to which it relates.

5.1.1 Uses Not Listed

Where an activity or use is not listed in Table 1, the parking ratio will be determined by Council having regard to the objectives of this policy, similar uses, surrounding uses and off-site parking availability.

5.1.2 Rounding of Parking Bays Required

All parking requirements are to be calculated by rounding to the nearest whole number.

5.2 Reduction of the Required Number of Car Parking Bays

With respect to non-residential development, the following clauses specify criteria for consideration by Council in permitting reductions to the number of car parking bays required by applying the car parking ratios in Table 1. Reductions may be granted cumulatively under clauses 5.2.1, but the maximum variation that will be permitted is 65% of the required number of bays under clause 5.1.

5.2.1 Parking Reduction

The required number of car parking bays derived by the application of the parking ratios for non-residential development in Table 1 may be reduced where the performance criteria in Table 2 are satisfied. The reductions in parking as outlined in Table 2 are not applicable where under Local Planning Scheme No.3 and /or a specific local planning policy specifies a parking ratio different to Table 1 or a modified overall parking requirement.

Table 2: Proposed Car Parking Reductions

Reduction %	Performance Criteria
20% or 10%	The proposed development is within 400 metres ^(b) of a rail station shown in Figure 1; or The proposed development is within 800 metres ^(b) of a rail station shown in Figure 1.
15%	The proposed development is within 200 metres ^(b) of a stop on a high

or 10%	frequency bus route or a bus station shown in Figure 1; or The proposed development is within 400 metres ^(b) of a stop on a high frequency bus route or a bus station shown in Figure 1.
20% or 10%	The proposed development is within 50 metres ^(b) of an existing public car parking area as shown in Figure 2; or The proposed development is within 400 metres ^(b) of an existing public car parking area as shown in Figure 2.
5% or 10%	The proposed development is to provided 5 bicycle bays greater than required (as per specifications in 6.2 Bicycle Parking); or Where the above concession is sought and 'end-of-journey' facilities are provided ^(c) (as per specifications in 6.2 Bicycle Parking);
10%	The proposed development is within a Local Centre, District Centre, Regional Centre, Mixed Use or Business Zone.
10%	Where the building/place is listed on the City's Heritage List, Municipal Inventory or the State Register of Heritage Places (subject to the building being appropriately conserved).

- b) Distance is calculated via constructed footpaths or along road reserves (where no footpaths exist) and not "as the crow flies".
- c) Granted if additional bicycle bays take the total number of bays to 10 or more requiring end-of-journey facilities to be provided.

Any additional reductions to those specified in the above Table will require Council's approval, having due regard to the circumstances of a particular case, any justification submitted by the applicant and the likely impact on the amenity of the surrounding area and residents.

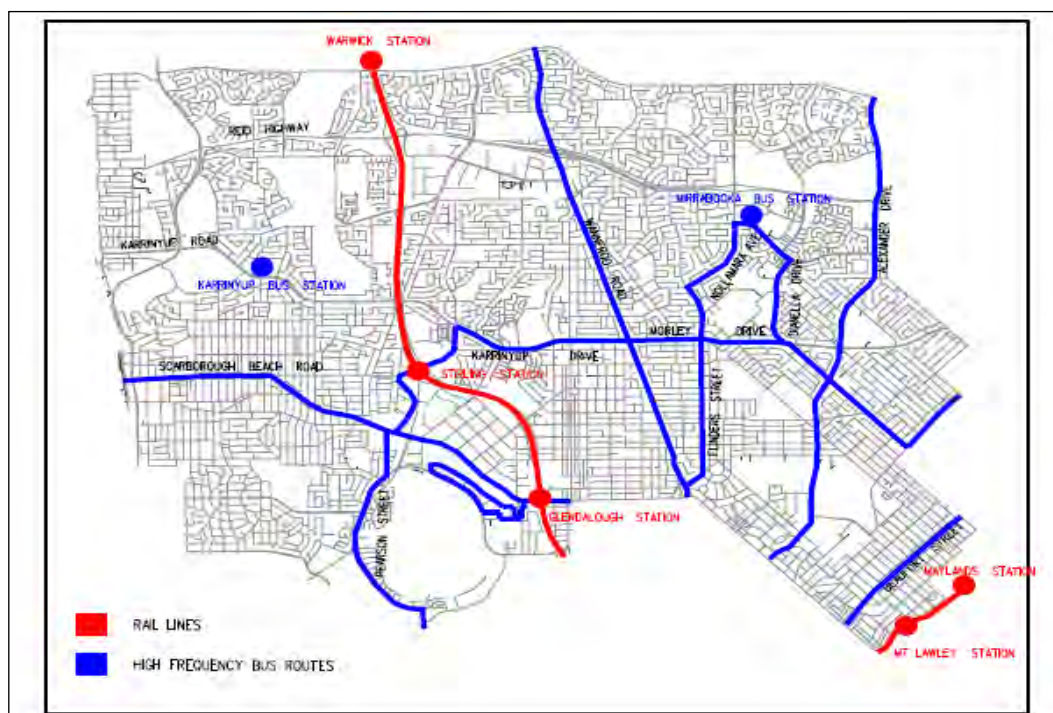


Figure 1 – High Frequency Bus Routes and Train Lines

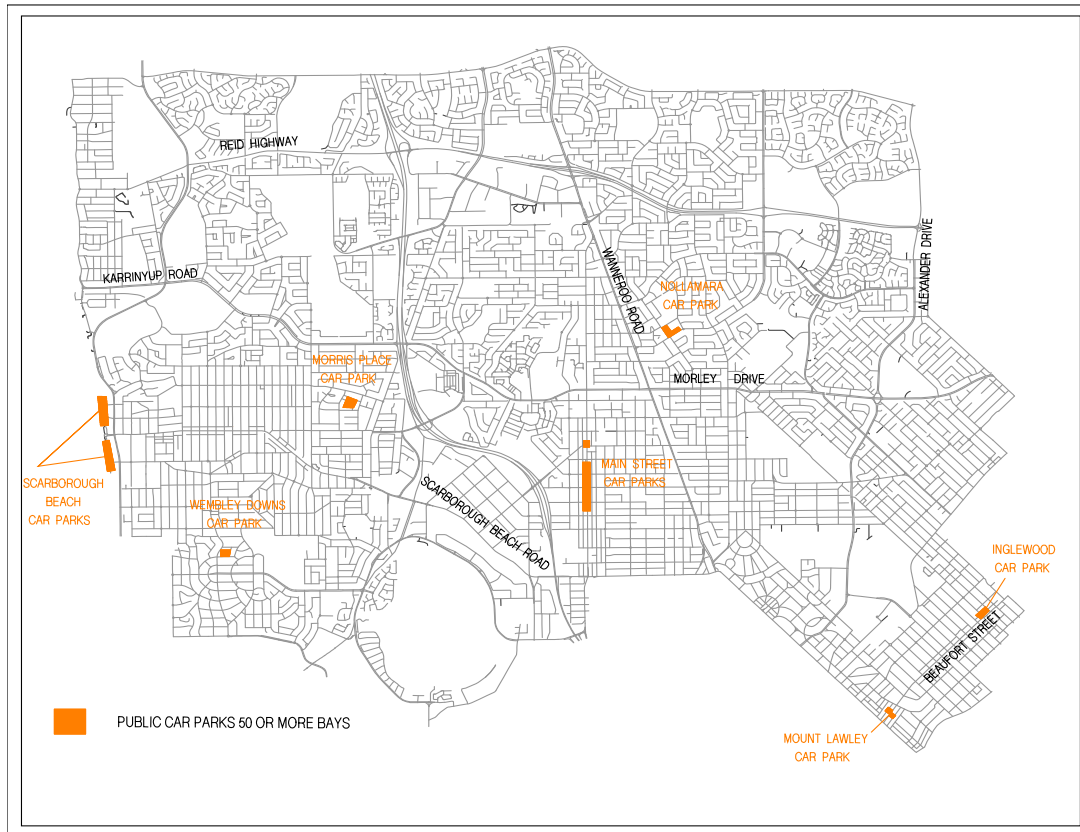


Figure 2 – Public Car Parking Areas

5.2.1.1 Cumulative Reduction in Car Parking Bays

Reductions may be granted cumulatively under clause 5.2.1, but the maximum variation that will be permitted is 65% of the required number of bays as calculated under clause 5.1.

5.2.2 Reciprocal parking

Reciprocal parking arrangements, up to the full parking requirement specified in Table 1: Car Parking Ratios of this policy, may be considered acceptable where Council is satisfied that:

- Demand for parking by the various uses proposed will not unreasonably coincide;
- The parking facilities serving the proposed uses will be located on the one lot, or if located on a separate lot, the parking arrangements are permanent (e.g. through an easement, amalgamation, legal agreement, restrictive covenant or any other formal arrangement acceptable to Council);
- Parking demand both in the immediate and long term can be satisfied; and
- No substantial conflict will exist in the peak hours of operation of the uses for which the reciprocal parking arrangements are proposed.

5.2.3 Cash in Lieu

Cash-in-lieu of parking shall be considered only where non-residential developments are unable to meet the Scheme parking requirements (i.e. they have a shortfall of parking). This provision is not replacing the developer's responsibility to provide sufficient on-site parking, but rather as a mechanism to enable desirable developments, for which the full amount of parking cannot be provided on site but can be provided elsewhere, to proceed. In determining whether to accept cash in lieu of parking, the following will be considered / required:

- a) The actual provision of an adequate supply of parking;
- b) An identified location (on or off-street) within close vicinity of the subject site for the provision of additional bays exists (either proposed or already constructed);
- c) Contributions will be calculated per bay based on the estimated average cost of providing a public parking bay (including turning areas) in that locality at current market costs for both the land component (to be determined by an independent valuer, at the applicant's cost) and construction (to be determined by the City's Engineering Design Unit). Where opportunities exist for both on-street and off-street parking to be provided by the City, an averaged cost shall be applied, unless otherwise approved by Council;
- d) Payment by installments may be considered for ten or more bays;
- e) Monies thus collected will be placed in a Special Parking Fund which may only be used by the City for:
 - Acquisition of land for parking in the municipal district;
 - Construction of public parking, both on-street and in a parking station;
 - Improvements to existing parking stations and on-street parking;
 - Servicing of loans obtained to provide parking;
 - Maintenance of public parking areas and bays; or
 - Public transport infrastructure, where Council considers that such expenditure would result in a reduced demand for parking in that area.

Whilst the City will make every effort to ensure the expenditure of cash in lieu occurs within the appropriate location to meet the parking shortfall, the collection of sufficient funds to complete works may take time to accumulate. Consequently, the City makes no commitment in accepting cash-in-lieu of parking to expend that money within a particular time-frame.

6.0 Submission Requirements - Transport Analysis

The City requires the submission of a transport analysis for certain developments as outlined below or where deemed necessary by Council.

Brief Transport Analysis

A brief Transport Analysis (non-technical report) is required to be submitted for Child Care Centres, Education Establishments and non-residential developments fronting a District Distributor Road or above and in instances where a proposal seeks reciprocal parking or cash in lieu of parking bays. The Transport Statement shall include but not limited to:

- a) Description of the development;
- b) Vehicle access and parking arrangement;
- c) Provision for service vehicles;
- d) Hours of operation;
- e) Estimate of daily traffic volumes and type of vehicles (staff & customers);
- f) Location of nearest bus stops train stations and level of accessibility;
- g) Pedestrian access / facilities (footpaths);
- h) Cycle access / facilities (bike paths); and
- i) Survey of existing car parking usage in the locality

Full Transport Analysis

A full Transport Analysis (technical report) is required to be submitted for developments requiring or proposing more than 50 parking spaces (after factoring in any reductions) and shall include but not limited to:

- a) Assessment of impact of vehicular movements upon surrounding roads and intersections;
- b) Description of the development;
- c) Assessment of the likely parking demand;
- d) Consideration of nearby developments including those with valid approvals which are yet to be constructed;
- e) Assessment of accessibility to the site by non-car modes;
- f) Assessment of the impact of the development traffic on existing pedestrians, cyclists and public transport users; and
- g) Assessment of the potential impact on the amenity of the surrounding area.

7.0 Residential Parking Layout, Design and Access

7.1 Residential Parking Layout and Design

All car parking and manoeuvring areas for residential developments are to be designed in accordance with the Residential Design Codes of Western Australia and the provisions set out hereunder:

- a) Parking for all residential developments shall be paved and drained to the satisfaction of the Council and maintained thereafter;
- b) Parking areas shall be designed so as to enable vehicles to return to the street in forward gear where it is considered that reversing onto the road will pose a traffic hazard;
- c) Car parking areas for single, grouped or multiple dwelling developments or developments with more than one driveway should be brick-paved or be of alternative finishes, such as concrete that are suitably treated with a decorative type finish to the City's satisfaction;
- d) Any parking bays provided in the road reserve do not contribute towards the number of on-site bays required; and

- e) Where a loss of off-site parking occurs due to new vehicular access arrangements, the applicant must either pay cash in lieu for the loss in parking or provide the loss of parking on-site or at an appropriate location off-site.

7.2 Residential Access

Access to residential parking areas shall be provided in accordance with the provisions set out hereunder:

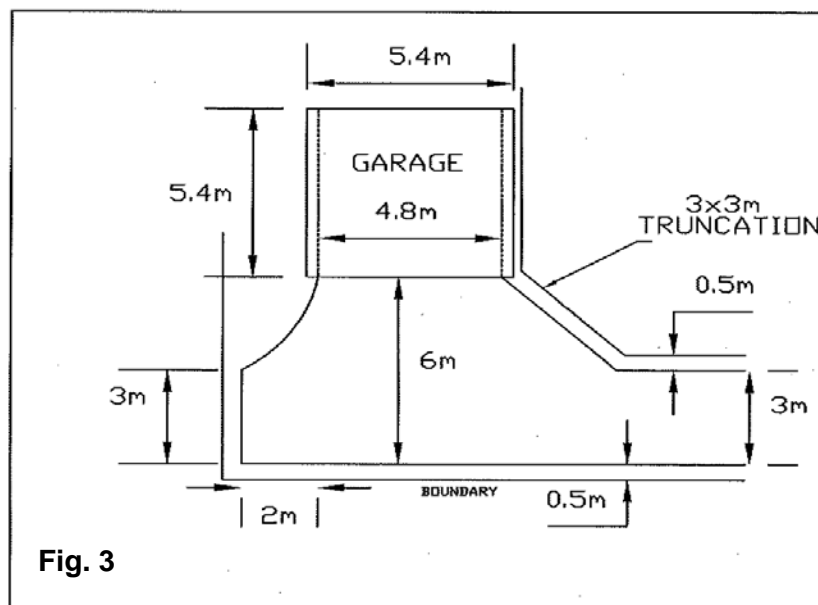
7.2.1 Driveways and Crossovers

Driveways and Crossovers (where applicable) shall;

- a) Be no closer than 0.5m to side boundary and street poles;
- b) Be no closer than 1.0m from the nearest point of a street tree;
- c) Be aligned at right angles to the street: and parallel in width;
- d) Be designed for vehicles to enter the street in forward gear where it is considered that reversing onto the road will propose a traffic hazard;
- e) Be no wider than the width of the garage or carport opening in which it services;
- f) For multiple and grouped dwellings, be designed to allow vehicles to pass in opposite directions where a change of direction occurs along an access; and
- g) Where a lot has access to both a Distributor Road and a Local Road, all access must be from the local road unless it can be demonstrated that access can be safely accommodated from the Distributor Road.

7.2.1.1 Turning Circles (manoeuvring)

- a) A manoeuvring depth of 6.0 metres is required for single vehicle garages or multiple vehicle garages containing internal walls and/or obstructions between vehicles.
- b) A manoeuvring depth of 5.8 metres may be considered for multiple vehicle garages with no internal walls and/or obstructions between vehicles.



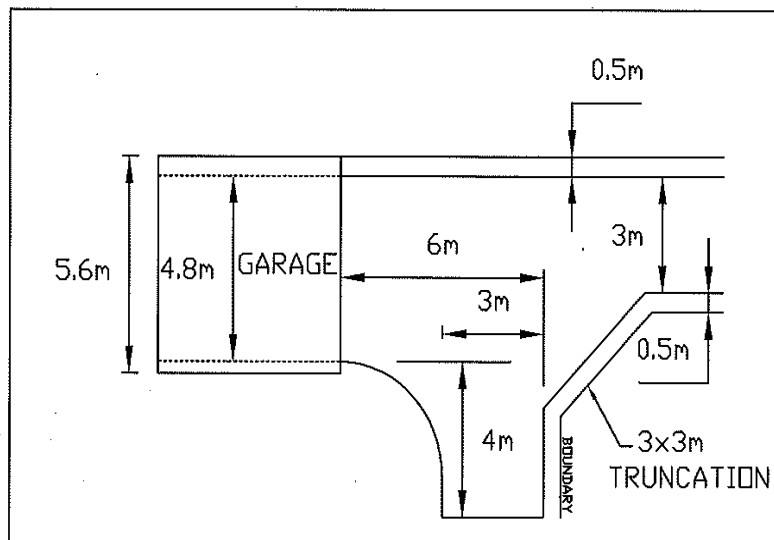


Fig. 4

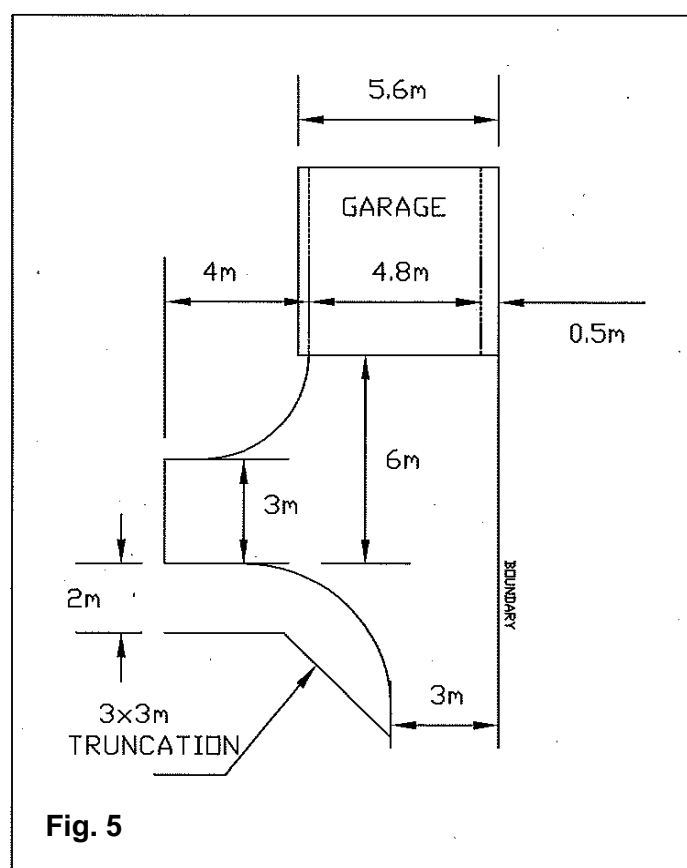


Fig. 5

Figures 3, 4 and 5 – Examples of acceptable turning circles

7.2.2 Driveway Taper

- A maximum internal driveway taper of 1:5 is permitted; and
- A decrease in the internal driveway tapers must comply with the “Standard single turn swept path templates” as detailed in Australian Standard AS 2890.1.

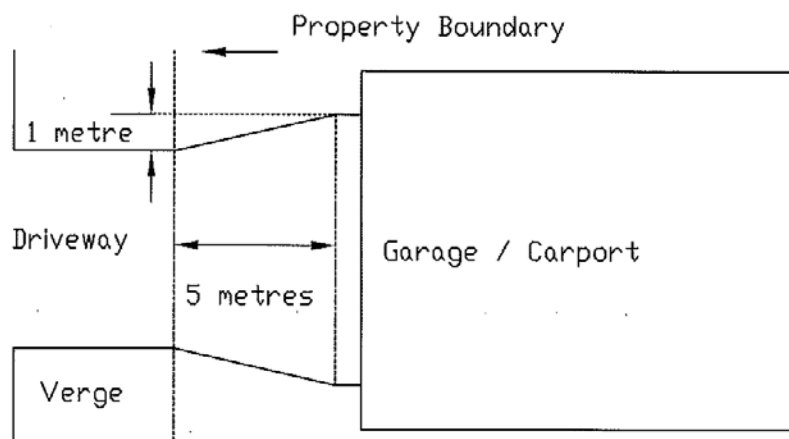


Figure 4 – Driveway Taper

7.2.3 Driveway Gradients

Driveway gradients shall comply with Australian Standard AS 2890.1. A longitudinal section may be required to demonstrate compliance with Australian Standard AS 2890.1.

7.2.4 Removal of Redundant Crossovers

Any redundant crossover is to be removed and verge and kerb reinstated to the City’s requirements

7.2.5 Verge Levels

Existing verge levels are not to be modified unless determined necessary by the City due to topography considerations.

8.0 Non-Residential Parking Layout, Design and Access

8.1 Non-Residential Parking Layout and Design

All car parking and maneuvering areas for non-residential developments are to be designed in accordance with the Australian Standards AS 2890.1 and the provisions set out hereunder:

- Parking areas shall be sealed, drained and marked to the satisfaction of the Council and maintained thereafter;

- b) Parking areas shall be designed so as to enable all vehicles to return to the street in forward gear;
- c) Disabled parking bays as required under the provisions of the Building Codes of Australia may be included in the number of bays calculated in accordance within Table 1. The provision of disabled parking bay/s should not reduce the number of parking bays being able to be provided on site as required by this policy;
- d) Disabled parking bays are required to provide a shared area in accordance with Australian Standard AS 2890.6;
- e) Entry and exit points and vehicle circulation patterns are to be clearly indicated
- f) Parking bays shall not be provided in tandem;
- g) Car stacking systems or other such systems may be supported subject to the submission of a parking management plan detailing the operation of the system to the satisfaction of Council
- h) Parking areas developed for the following uses shall accommodate for a 12.5m turning radius (single truck) as per Austroads 2009, Table 5.1:
 - a) Garden Centre
 - b) Hardware Showroom
 - c) Industry – Extractive
 - d) Industry – General
 - e) Industry – Light
 - f) Industry – Noxious
 - g) Industry – Rural
 - h) Industry - Service
 - i) Media Establishment
 - j) Motor Vehicle Repair
 - k) Motor Vehicle, Boat or Caravan Sales
 - l) Salvage Yard
 - m) Service Station
 - n) Showroom
 - o) Storage (outdoor)
 - p) Transport Depot
 - q) Warehouse
 - r) Wrecking

8.2 Non-Residential Access

Access to non residential parking areas shall be provided in accordance with the provisions set out hereunder:

8.2.1 Access ways and Crossovers

Access ways and crossovers (where applicable) shall;

- a) Be provided at a rate of no greater than one per street frontage;
- b) Be no less than 6.0m in width and no greater than 10m in width;
- c) Be no closer than 0.5m to side boundary and street poles;
- d) Be no closer than 1.0m from the nearest point of a street tree;
- e) Be aligned at right angles to the street and parallel in width;
- f) Be designed so as to minimise traffic or pedestrian hazards, conflict with pedestrian/cyclist pathways and interference with public transport facilities;
- g) Be designed are to be designed in accordance with Australian Standard AS 1742;
- h) Be subject to Main Roads WA approval where they connect onto roads under Main Roads WA control such as but not limited to Primary Distributor Roads, roads designated as truck haulage routes and properties that abut traffic lights; and
- i) Be accessed from a local road in cases where a lot has access to both a Distributor road or local road unless it can be demonstrated that access can be accommodated safely

8.2.2 Non residential Service Access

Service Access shall be provided to the rear of a shop, showroom, restaurant, warehouse or other commercial use for the purpose of loading and unloading off goods unless, in the opinion of the Council, the circumstances do not warrant the provision of such access. Where alternative service access is provided, and such access is considered acceptable by the Council, the Council may waive the requirement of this Clause. Service Access shall be provided in accordance with the provisions set out hereunder:

- a) The service access shall be so constructed that vehicles using it may return to a street in forward gear;
- b) If a right of way is located to the rear of the lot, an area shall be paved on the lot so that vehicles when loading or unloading shall not remain on the right of way. The area shall be of such a size that if no alternative route exists, vehicles may turn so as to return to the street in forward gear;
- c) The service access shall not be less than six metres in width. If the size of the lot makes the provision of a six metre wide access way impracticable or unreasonable, the Council may permit an service access of a lesser width, but in no case less than three meters in width;
- d) The service access as required above shall be designed so as to segregate vehicles, both moving and stationary, from parking areas and access ways provided for customer parking; and
- e) Loading/unloading areas should not be located within close proximity to any adjoining residential uses;

8.2.3 Removal of Redundant Crossovers

Any redundant crossover is to be removed and verge and kerb reinstated to the City's requirements.

8.2.4 Verge Levels

Existing verge levels will not be modified unless determined necessary by the City due to topography considerations.

9.0 Landscaping

All landscaping of parking areas is to be in accordance with the City's Landscaping Policy.

10.0 Specific Purpose Bays

The provision of bays marked exclusively for the use of motor cycles, bicycles, delivery and service vehicles, taxis, buses, coaches, courier services, and timed bays where the nature of the development requires specific purpose bays may be required in addition to the requirements of Table 1. Council will determine the number of bays to be marked for specific purpose bays depending on the nature of the development; however, the following rates are to be used as a guide:

- a) In non-residential developments with over 500m² of GFA, at least one bay shall be permanently set aside and marked for the exclusive use of delivery and service, and courier vehicles;
- b) In childcare premises an area shall be provided for the adequate setting down and picking up of children which is separate from the car parking area.;
- c) The provision of bays marked exclusively for use by drivers with disabilities at the rate specified in the Building Code of Australia and relevant Australian Standards shall be required; and
- d) The location of specific purpose bays shall be determined by Council having regard to the nature of the specific purpose bays required.

11.0 Minor Additions and Changes of Use within the Scarborough Special Control Area.

When considering an application for a minor addition or a change of use within the Scarborough Special Control Area (as defined under Clause 6.9 of Local Planning Scheme No.3), parking bays in addition to those already existing on-site will not be required where the application meets all of the following:

- a) The addition is non-residential;
- b) The change of use is to a non-residential use, or occurs upon a site which is zoned mixed use;
- c) The addition and/or the change of use would not require more than 3 additional parking bays;

- d) The addition does not increase the non-residential floorspace of a building by more than 50m²; and
- e) The applicant satisfies Council that the addition will not substantially increase the intensity of the use of the site.

12.0 Variations

Applications seeking variations to this Policy shall be determined by Council in accordance with the objectives of this Policy and, in doing so, Council may seek the comments of adjoining or nearby neighbours.

Office Use Only:

Policy Adoption and Amendment History:

Reviewed / Modified	Date	Resolution Number
Adopted	10 July 2012	0710/005



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6.9 STREET ADDRESSING

Objectives

- To allocate street addresses that are clear, logical and unambiguous; and
- To ensure the correct street addressing and clear identification of all properties within the City.

Applications Subject of this Policy

This policy is applicable to all green title and strata title lots.

Development Provisions

This Policy explains the methods and procedures used by the City for the allocation of street numbers and for changes to street addresses.

Correct Street Address

- The main access from a street to a dwelling/building for visitors determines the correct street address of a property. The letterbox must be located on the front boundary of the property, close to the main access with the street number clearly displayed. Other properties and commercial properties without a letterbox must have the street number clearly displayed and visible from the street. This is in accordance with the DOLA guidelines and the requirements of the Fire & Emergency Services Authority of WA.
- The minimum dimensions for each number on a letterbox are 75mm high by 35mm wide. This is in accordance with Australian Standard AS1744 – SERIES B.
- Displaying street numbers on the dwelling/building and the painting of reflective numbers on the kerb are encouraged. Kerb numbers should be in accordance with Council Policy J801108 and the Australian Standard AS1744 – SERIES E.

Correct Suburb Name

The street address allocated to a property also determines the correct suburb name. In some instances, corner lots are on the border of two suburbs. If they are redeveloped towards the other street then they will have a different address and possibly different suburb name. If in doubt about the suburb name for a particular property, please contact the City of Stirling Planning Services.

Numbering for New Subdivisions

Start Point for Numbering

Street numbering will commence at the "start point" of the road. In determining where this start point is, the following methods will be used:

- The start point for a road is based on a hierarchy system, that is:
- For roads running between two other roads the start point is at the intersection adjoining the road of greater importance. For roads of equal importance, the start point is the end closest to the GPO Perth.
- The start point of loop roads may be at either end, where both ends begin from the same road. Otherwise the start point is at the end adjoining the road of greater importance.

- The start point of all cul-de-sacs is the entrance to the road.

Numbering Patterns

- Numbers will be consecutive and where a street number has been allocated to a property, then that number must be used. Odd and even numbers cannot be used on the same side of a street. Odd numbers will be allocated to the left hand side of a street commencing from the start point, and even numbers will be allocated to properties on the right hand of a street. Cul-de-sac will be numbered in the same way to the head of the cul-de-sac. The use of a building name as a street address is not permitted.
- Every lot will be allocated a street number, including padmounts, reserves and drain reserves. Normally one street number will be allocated per lot, but if possible, extra numbers will be set aside to allow for the development potential of a lot.
- Where a lot has two street frontages, then that property will be allocated a street number for both streets. The City will initially use the street number adjacent to the boundary with the smallest frontage (Note - Where a lot has two street frontages and it is redeveloped towards the other street then there is a possibility that this new property may be in a different suburb.)
- In determining the flow of numbers, attention will be paid to the road design and other traffic management devices (i.e. traffic islands and brick paving). All numbering must be sequential ranging from the lowest to the highest (i.e. 1,3,5,7,7A not 1,5,3,7,7A etc).
- If a new subdivision is being developed in stages and if the first portion occurs in the middle section of what will eventually be a continuous road, an estimate will be made of the total number of lots likely to be created along the entire road. As a general rule one street number for approximately every 12-16 metres of road frontage will be allocated.

Allocation of Numbers for Grouped Dwellings and Infill Developments

- Street numbers for subdivisions/amalgamations and vacant strata surveys will be allocated at the Clearance of Conditions Stage. Following an amalgamation, the City reserves the right to retain any street numbers not used, for either the potential redevelopment of the original properties or for possible use on other properties. Surveyors/developers/owners and the W.A. Planning Commission will be advised of the new street addresses via a note on the subdivision clearance letter.
- Street addresses for unit developments will be allocated at the approval stage and the owner/applicant will be advised via a note on the Metropolitan Region Scheme (MRS) Development Approval.
- Grouped dwellings and infill subdivisions may be required to share a street number.
- If a property containing an existing dwelling/building is redeveloped with an additional dwelling/building at the rear and where there is only one street number available, the front dwelling/building will retain the original street number and the new dwelling/building will be allocated the suffix 'A' (eg. 17A). Two new dwellings/buildings will be numbered with suffixes (eg. 17A and 17B respectively).
- Where there is more than one dwelling/building being constructed on a property and where they have individual street frontages, the allocated street numbers will follow the current street numbering pattern and where possible individual street numbers will be allocated. However, if

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there is a lack of spare street numbers they will be allocated numbers with suffixes. Suffixes are considered 'higher' than a number without suffixes (eg 5,7,7A,9).

- Where there is only one street number, developments of up to four units will be numbered with suffixes (eg 17A to 17D). More than four dwellings/buildings will be numbered with a numeric prefix (eg.1/9,2/9,...8/9).

Change of Street Address

- There is a presumption against changing the address of a property, where this results in the need to re-address other properties in the vicinity. The City will only consider altering the address of a property if there are difficulties associated with its identification (ie if the access to the front door of a house on a corner lot faces the other street).
- Requests to change the street address of a property must be submitted on the relevant application form together with the owner's written approval and application fee (\$110 which includes GST).
- The City can not accede to requests for a change in street address based on the following: -
 - the number is considered 'unlucky';
 - religious reasons;
 - to improve the 'feng shui' of the property;
 - personal preferences;
 - the number is not good for business;
 - I can't sell my property; or
 - property value, etc.
- An unused street number which has been set aside for a corner lot can not be re-allocated to the adjoining property as this number may be required for future purposes.
- The City will only consider re-allocating other unused street numbers if the adjacent property can not be further developed.
- Requests for a change of street address which complies with this Policy and which does not affect any other property, can be approved under delegated authority.
- The City will consult with affected owners where a change in street address is being considered.
- Council will consider all requests where objections to the proposal are received from affected owners.

Advice to Owners / Applicants

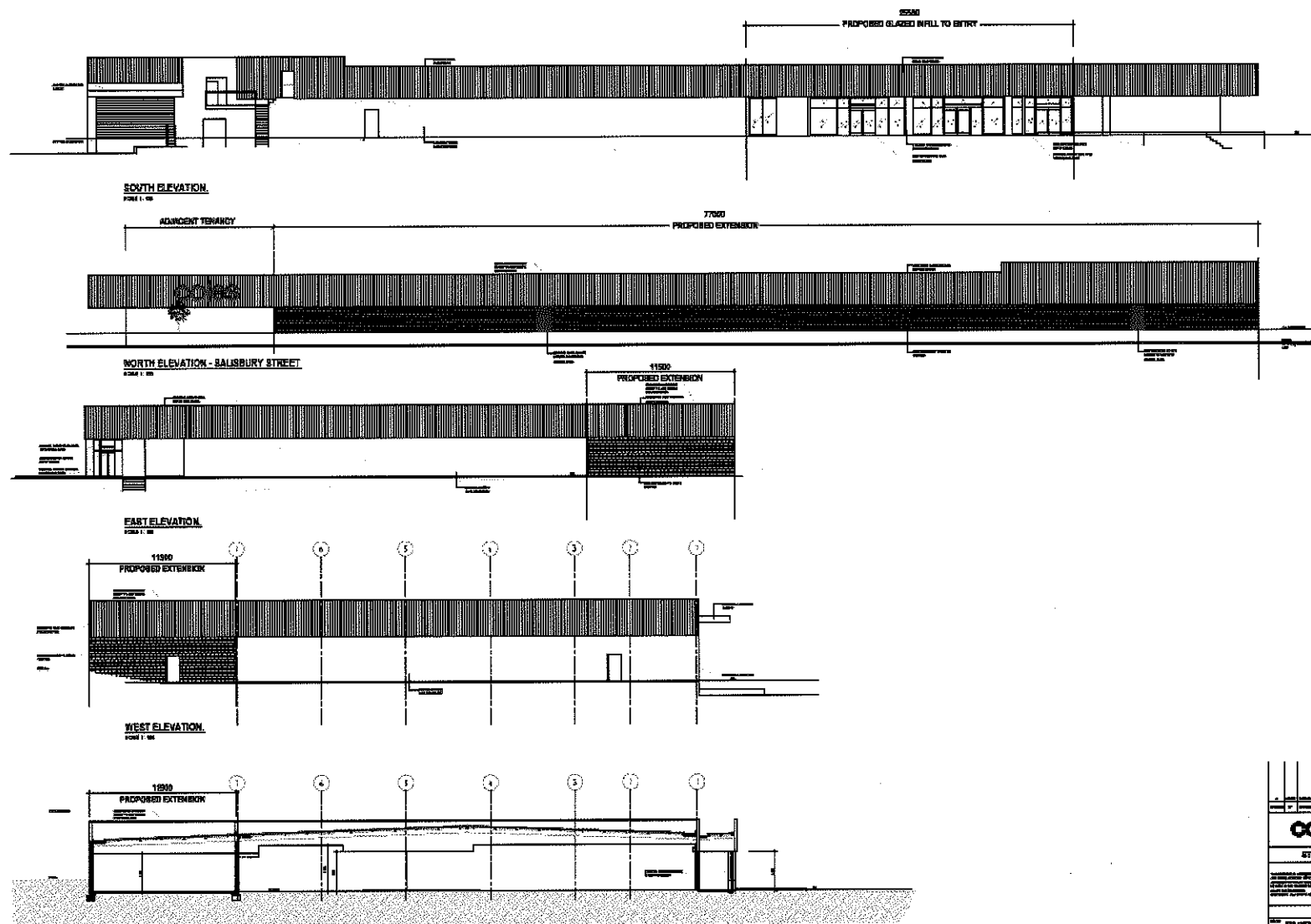
- If an owner's request for a change of address is approved, the City will notify any affected owners and the relevant Government Agencies. These government agencies are: Australian Electoral Commission; Western Australian Electoral Commission; Telstra; AlintaGas; Western Power; Water Corporation; St John Ambulance; Fire & Emergency Services Authority of WA; Australia Post and Department of Land Administration (Property Street Address).
- All other costs associated with a change of street address remain the responsibility of the owner. This includes the replacement and/or relocation of letterboxes, costs of new numbers

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etc, alterations to numbers on buildings, replacing/removing painted kerb side numbers, notifications to other government agencies, business contacts, friends & acquaintances etc as well as alterations to business & personal stationary.

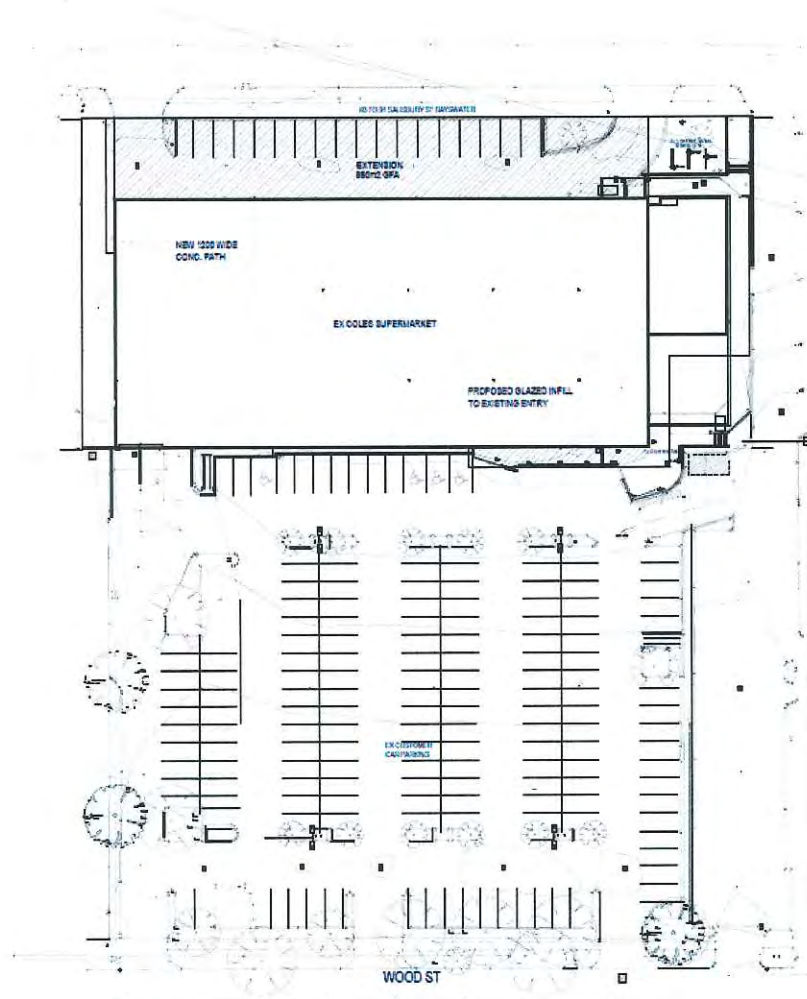


★ *Adjoining property owners invited to comment on the proposal*



The plans upon which comments of adjoining/ nearby land owners and the City of Bayswater are based

coles	
STORE DEVELOPMENT	
FOR THE PURPOSE OF THIS PLAN, THE DEVELOPER HAS REPRESENTED THAT THE PROPOSED DEVELOPMENT IS A REASONABLE AND FEASIBLE DEVELOPMENT OF THE LAND AND THAT THE PROPOSED DEVELOPMENT IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF BAYSWATER.	
PREPARED BY: DESIGN GROUP, N.A. 10000 BAYVIEW BLVD, SUITE 100, BAYVIEW, ONTARIO M2H 3B2 416-291-1111	
PROJECT: 383-DA.03	SHEET: A



SITE PLAN 1/8"

THIS IS A CAD DRAWING DO NOT ALTER
UNLESS IN WRITTEN CIRCUMSTANCES

DRIVING DIMENSIONS SHOWN SYSTEM
DO NOT SCALE - VERIFY
ALL DIMENSIONS ON SITE

STORE DEVELOPMENT	
<small> COLES SUPERMARKET STORE DEVELOPMENT 1. SITE PLAN 2. FLOOR PLAN 3. ELEVATIONS 4. SECTION 5. DETAILS 6. SCHEDULES 7. SPECIFICATIONS 8. BILL OF MATERIALS 9. CONSTRUCTION PROGRAM 10. FINISHES SCHEDULE 11. LIGHTING SCHEDULE 12. MECHANICAL SCHEDULE 13. ELECTRICAL SCHEDULE 14. PAINT SCHEDULE 15. FURNITURE SCHEDULE 16. EQUIPMENT SCHEDULE 17. SIGNAGE SCHEDULE 18. LANDSCAPE SCHEDULE 19. UTILITY SCHEDULE 20. OTHER SCHEDULES </small>	
<small> 1100 AN INGLEWOOD, WA 1100 AN INGLEWOOD, WA 1100 AN INGLEWOOD, WA </small>	
SITE PLAN	
<small> DATE: 1/1/20 DRAWN BY: [Name] CHECKED BY: [Name] </small>	<small> 383-DA-01 1/1 </small>

Schedule of Submissions

	Comments Received
1.	<p>The Salisbury Street setback variation should not be permitted and is proposed. There is plenty of room to extend toward Wood Street in accordance with the regulations.</p> <p>Aesthetically, (as viewed from Salisbury Street) the building is an eyesore and to bring it even closer to the street would be a even greater affront to the residents living close to the market. The opposite should in fact occur. Coles should be made to beautify the streetscape.</p> <p>The addition will exaggerate noise emissions and impact nearby residences.</p> <p>An increase in illegal street parking and abandoned shopping trolleys is likely to occur along Salisbury Street (currently catered for by the car park to be removed).</p>
2.	<p>The addition is not aesthetically appealing.</p> <p>The addition will result in the loss of the car park that acts as a buffer and softens the effect of a long 'industrial type' building. As the result of the removal of the car park and building to the boundary will be akin to living across the road from an industrial park or warehouse.</p> <p>The proposal should at least incorporate room for landscaping abutting Salisbury Street to soften the effect of the wall, alternatively landscaping within the road reserve.</p> <p>The car park is often used by maintenance vehicles for Coles. Removal of the Coles car park abutting Salisbury Street will lead to increased street parking along Salisbury Street to cater for Medical Centre and nearby homes.</p> <p>Bins are stored in the car parking area to be removed. These will require relocation.</p>
3	<p>I do not want to wake up every day to see the back of a building staring back at me. I like the space in the car park as it distances the houses form the wall.</p> <p>The car park is frequently used by shoppers and patrons of the nearby medical centre when other parking areas are full. Children also utilise the space to ride bicycles and skateboards.</p>

	Comments Received
	<p>The extension will restrict access to breezes for nearby properties.</p> <p>There is ample room to extend toward Wood Street. This would result in a better outcome.</p> <p>The addition will devalue my property.</p>
4	<p>Food preparation and storage facilities are to be located directly abutting Salisbury Street, including noise generated plant and equipment and an increase in deliveries. These facilities should be relocated or designed to ensure noise and odours are managed and do not impact nearby residents.</p>
5	<p>I agree with the position of Bayswater City Council.</p>

CITY OF BAYSWATER

Our Ref

DA13/1052

Your Ref

Trent Will

Enquiries

9272 0627

27 June 2013

Chief Executive Officer
City of Stirling
PO Box 1533
OSBORNE PARK WA 6916

Attn: Patricia Hirst, Development Assessment Officer

Dear Sir/Madam,

**PROPOSED EXTENSION TO EXISTING SUPERMARKET
COLES INGLEWOOD - LOT 51, NO. 83 SALISBURY STREET, INGLEWOOD**

I refer to the City of Stirling's letter dated 19 June 2013 in relation to a Development Assessment Panel (DAP) application for proposed extension to existing supermarket at Lot 51, No. 83 Salisbury Street, Inglewood.

The matter was considered at the City of Bayswater Ordinary Council Meeting on 25 June 2013, where Council resolved as follows:

"1. Council does not support the planning application for a proposed extension to existing supermarket at Lot 51, No. 83 Salisbury Street, Inglewood for the following reasons:

- (a) The proposed development is not consistent with the City of Stirling's 'Local Planning Policy 4.2 - Mixed Use and Commercial Centre Design Guidelines and 'Local Planning Policy 6.7 - Parking'.
- (b) The reduced setback to Salisbury Street is considered to be inconsistent with the street setback of adjoining and surrounding residential properties along Salisbury Street.
- (c) The on-site parking provision is considered to be insufficient for the proposed development.
- (d) The proposed development will have an undue impact on the amenity and streetscape of the locality.
- (e) The proposed development is considered to be inconsistent with the orderly and proper planning of the locality.

2. The City advises the City of Stirling of the above non-support for the proposed development."



Civic Centre

61 Broun Avenue
Morley WA 6062

Business Hours
8.30am to 4.30pm
(Galleria office 9.00am to 4.30)

Telephone: (08) 9272 0622
Facsimile: (08) 9272 0665

National Relay Service
Help Desk: 1800 555 660
133 677 (TTY)
1300 555 727 (Speak and Listen)

Postal Address:
PO Box 467 Morley WA 6943

E-mail Address:
mail@bayswater.wa.gov.au
Website: www.bayswater.wa.gov.au
ABN: 61 054 006 131

A copy of the Council minutes and the officer's report are also attached for your perusal, which provides a more detailed explanation of the City's position in relation to this development.

As per your request, please also find attached three (3) development approvals which were issued between 1996 and 2002, when the site was situated within the City of Bayswater municipality.

The City's records indicate that a deed and grant of easement were executed on 24 February 1998, which allows reciprocal rights of access between the hotel and fast food outlet sites (Lots 23, 24 and 200). However, the City was not able to locate any records which indicate an easement or other legal agreement is in place which allows reciprocal access between the Coles Supermarket site and the adjoining sites. It is suggested that the certificates of title are reviewed in this regard.

It would be appreciated if you could advise the City of the outcome of the upcoming DAP meeting.

Should you have any further queries, please do not hesitate to contact Trent Will in the City's Planning and Development Services on 9272 0627.

Yours faithfully



HELEN SMITH
MANAGER PLANNING SERVICES

Encl.

- Approval to commence development dated 10.12.1996 (*Proposed Additions to Chemist*)
- Approval to commence development dated 22.11.2000 (*Proposed Refurbishment and Upgrade of Coles Supermarket*)
- Approval to commence development dated 30.1.2002 (*Signage*)
- Minutes- Ordinary Council Meeting 25.6.2013

Proposed Extension to Existing Supermarket (Coles Inglewood) - within City of Stirling

Location: Lot 51, No. 83 Salisbury Street, Inglewood
Attachments: 1. Location Plan and Site Photograph
2. Plans for Development
Applicant: TPG
Owner: Framington Nominees Pty Ltd
Officer: Director of Planning and Development Services

Application

The City received a request for comment on 19 June 2013 from the City of Stirling with regard to a Development Assessment Panel (DAP) application for a proposed extension to an existing supermarket (Coles Inglewood) at Lot 51, No. 83 Salisbury Street, Inglewood. The City of Stirling has requested the City of Bayswater's comments by 3 July 2013.

The subject site is situated within the City of Stirling and abuts the City of Bayswater municipality boundary on Salisbury Street, Bedford.

The application comprises 880m² additions to the rear of the existing Coles supermarket and a full reconfiguration of the interior of the store. The proposed additions will be located in the place of an existing parking area and will include a nil setback to the Salisbury Street (rear) boundary.

Council consideration is sought in order to provide comments to the City of Stirling. In particular, comments have been requested in regards to the following matters:

- A variation to the street setback requirements under the City of Stirling's Local Planning Policy 4.2 - Mixed Use and Commercial Centre Design Guidelines; and
- A variation to the car parking requirements under the City of Stirling's Local Planning Policy 6.7 - Parking.

The City of Stirling will then prepare a report for the DAP including the City of Bayswater's comments.

Background

City of Stirling District Town Planning Scheme No. 3 Zoning: 'Local Centre', 'Civic'

Use Class: Shop (P)

Lot Area: 10,539m²

Existing Land Use: Shop, Hotel, Fast Food Outlet

Surrounding Land Use: Fast Food Outlet, Shop, Hotel, Local Public Open Space and Residential

Size/Nature of Proposed Development: 880m² Additions and Internal Reconfiguration

CITY OF STIRLING DEVELOPMENT PROVISIONS	REQUIRED	PROVIDED
Setbacks:		
Salisbury Street (NE)	4m	0m*
Parking	208 car bays	159 car bays*

* Assessment undertaken by the City of Stirling

The subject site was situated within the City of Bayswater until 2004 when a municipal boundary realignment was undertaken. The realignment was undertaken primarily due to the car parking area fronting Wood Street being located within the City of Stirling, whilst the supermarket was located within the City of Bayswater.

All surrounding and adjoining residential properties fronting Salisbury Street are within the City of Bayswater's municipal boundaries. The City of Stirling is undertaking separate consultation with the surrounding and adjoining landowners within the City of Bayswater. **Attachment 1** includes a map showing the extent of advertising by the City of Stirling.

It is understood that a reciprocal right of access agreement is in place between the subject site and the adjoining allotments along Beaufort Street, which contains the Civic Hotel and drive-through liquor store and a 'Chicken Treat' fast food outlet.

Comment

The proposed development does not comply with the City of Stirling's 'Local Planning Policy 4.2 - Mixed Use and Commercial Centre Design Guidelines' and 'Local Planning Policy 6.7 - Parking'. The following comments are provided in respect to the proposed development.

Salisbury Street Setback

The City of Stirling 'Local Planning Policy 4.2 - Mixed Use and Commercial Centre Design Guidelines' indicates that where adjoining sites are residential, street setbacks shall be stepped back from the residential site to match the setback of the residential building. The surrounding and adjoining sites along Salisbury Street are zoned 'Medium and High Density Residential R30' under the City's Town Planning Scheme No. 24. The City of Stirling have indicated that a 4m setback for the proposed additions would be permissible, given that this corresponds to the average required setback under an R30 coding.

The existing building wall is approximately 90m long, 4.6m high, and is setback 11.5m from the Salisbury Street boundary.

As part of the proposed development, the wall will be demolished and extended to the north-east such that it abuts the Salisbury Street boundary. The subject wall is 77m in length and 4.6m in height (above natural ground level). As it presents to the street, the lower portion of the wall is proposed to be constructed of red brick, to match the existing building. A white metal fascia will be located above the brick wall, which will also match the existing building.

This portion of Salisbury Street is primarily residential in nature, although it is noted that consulting rooms (medical) are located at No. 90 Salisbury Street. The existing dwelling setbacks to Salisbury Street vary from a minimum of 3m up to 15m and the street contains a mixture of old and contemporary dwellings.

The proposed wall abutting Salisbury Street does not contain windows or openings with the exception of two (2) emergency exits. The subject wall forms the rear of the building as the front entry of the supermarket presents toward Wood Street. Additionally, the subject wall is proposed to abut the boundary continuously for a length of 77m and there is no visual relief or suitable articulation proposed for any portion of the wall. The applicant's plans do not indicate any landscaping or architectural design features to 'soften' the visual impact on the streetscape. Given the above, it is considered that the building will present to the street in a manner which is inconsistent with the surrounding residential buildings. It is considered that the proposed development will have an undue impact on the Salisbury Street streetscape and the amenity of the locality.

Accordingly, the nil setback to Salisbury Street is not supported.

Carparking

As it stands, the existing supermarket complies with the car parking requirements under the City of Stirling's Parking Policy. As part of the proposed extension, the applicant is seeking to remove 21 car bays from the subject site. Combined with the increased parking requirement generated from the additional floor area, the development proposes a parking shortfall of 49 parking bays. It is noted that the City of Stirling's Parking Policy allows a variety of dispensations for sites which are in close proximity to major transport routes (the subject site is within 50m of Beaufort Street).

It is considered that the reduction in parking bays coupled with the increased floor area of the supermarket will place additional parking demand on the existing car parking area fronting Wood Street, the car parking at the adjoining hotel and fast food outlet, and possibly on the surrounding residential streets.

Site inspections during business hours have indicated that the existing rear parking area fronting Salisbury Street is not utilised to its full capacity. However, the car parking area fronting Wood Street is much heavier utilised (up to 130 vehicles on site). As part of the subject development, the subject site will have 159 car bays. However, it is considered that the increased floor area of the supermarket has the potential to attract additional customers and/or staff which may result in parking demand in excess of the 159 bays provided.

Accordingly, it is not considered that adequate car parking is provided on the subject site.

In summary, the proposed development is considered to have an undue impact on the amenity and streetscape of the area. It is therefore recommended that Council do not support the proposal.

Strategic Implications

If the proposal was within the City of Bayswater, the following provisions of the City of Bayswater Strategic Community Plan 2013-2023 would apply:

"Our Built Environment

Aspiration: We have a well connected mix of business, residential and community areas, which are high quality and support our thriving community.

B1 Streetscapes which allow for community interaction in an urban environment.

B3 High quality built form."

Policy Implications

Nil.

Financial Implications

Nil.

Voting Requirements

Simple Majority Required.

COUNCIL RESOLUTION

(COMMITTEE/OFFICER'S RECOMMENDATION)

That:

- 1. Council does not support the planning application for a proposed extension to existing supermarket at Lot 51, No. 83 Salisbury Street, Inglewood for the following reasons:**
 - (a) The proposed development is not consistent with the City of Stirling's 'Local Planning Policy 4.2 - Mixed Use and Commercial Centre Design Guidelines and 'Local Planning Policy 6.7 - Parking'.**
 - (b) The reduced setback to Salisbury Street is considered to be inconsistent with the street setback of adjoining and surrounding residential properties along Salisbury Street.**
 - (c) The on-site parking provision is considered to be insufficient for the proposed development.**
 - (d) The proposed development will have an undue impact on the amenity and streetscape of the locality.**
 - (e) The proposed development is considered to be inconsistent with the orderly and proper planning of the locality.**
- 2. The City advises the City of Stirling of the above non-support for the proposed development.**

CR GRAHAM PITTAWAY MOVED, CR ALAN RADFORD SECONDED

CARRIED UNANIMOUSLY

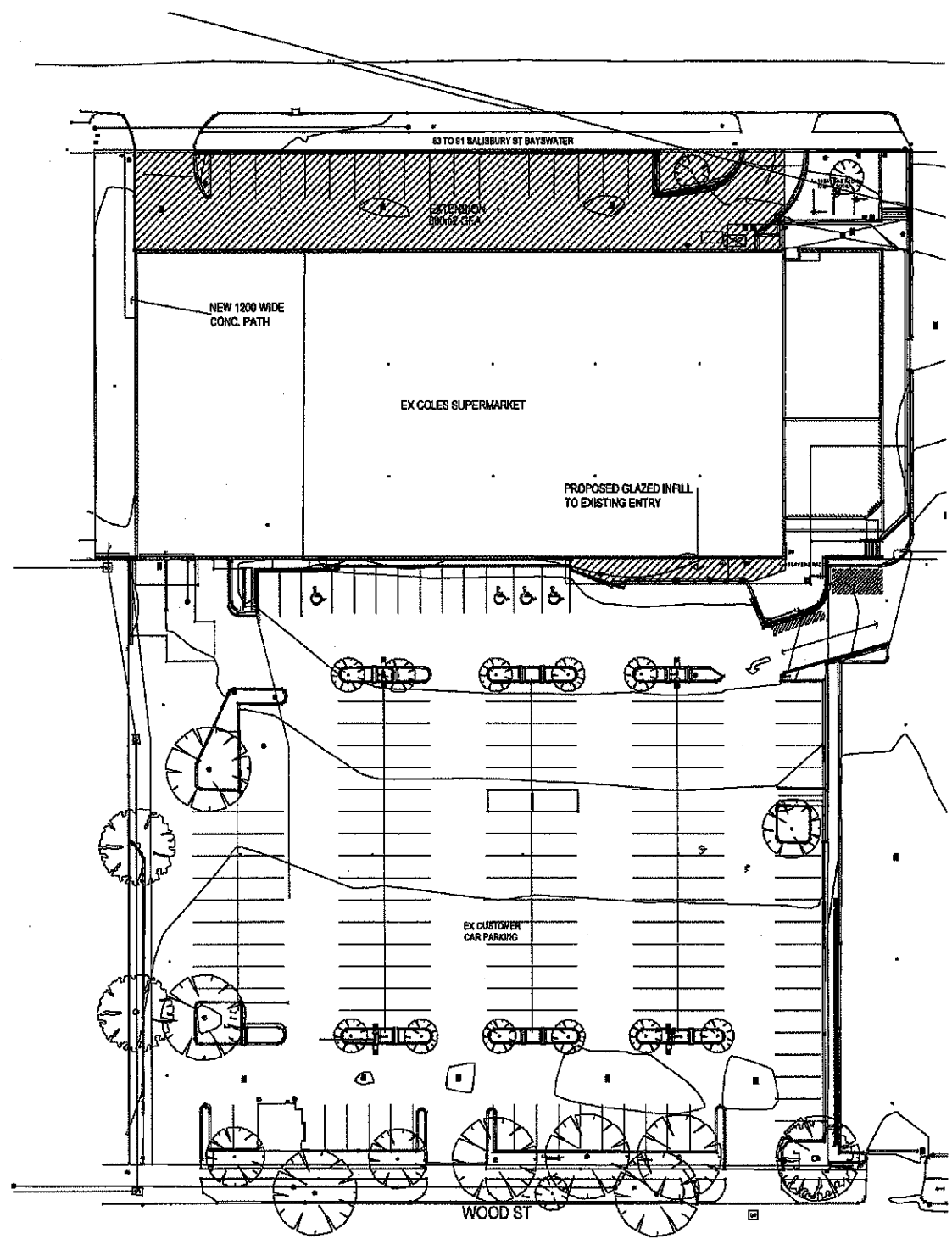
Attachment 1





View from Salisbury Street

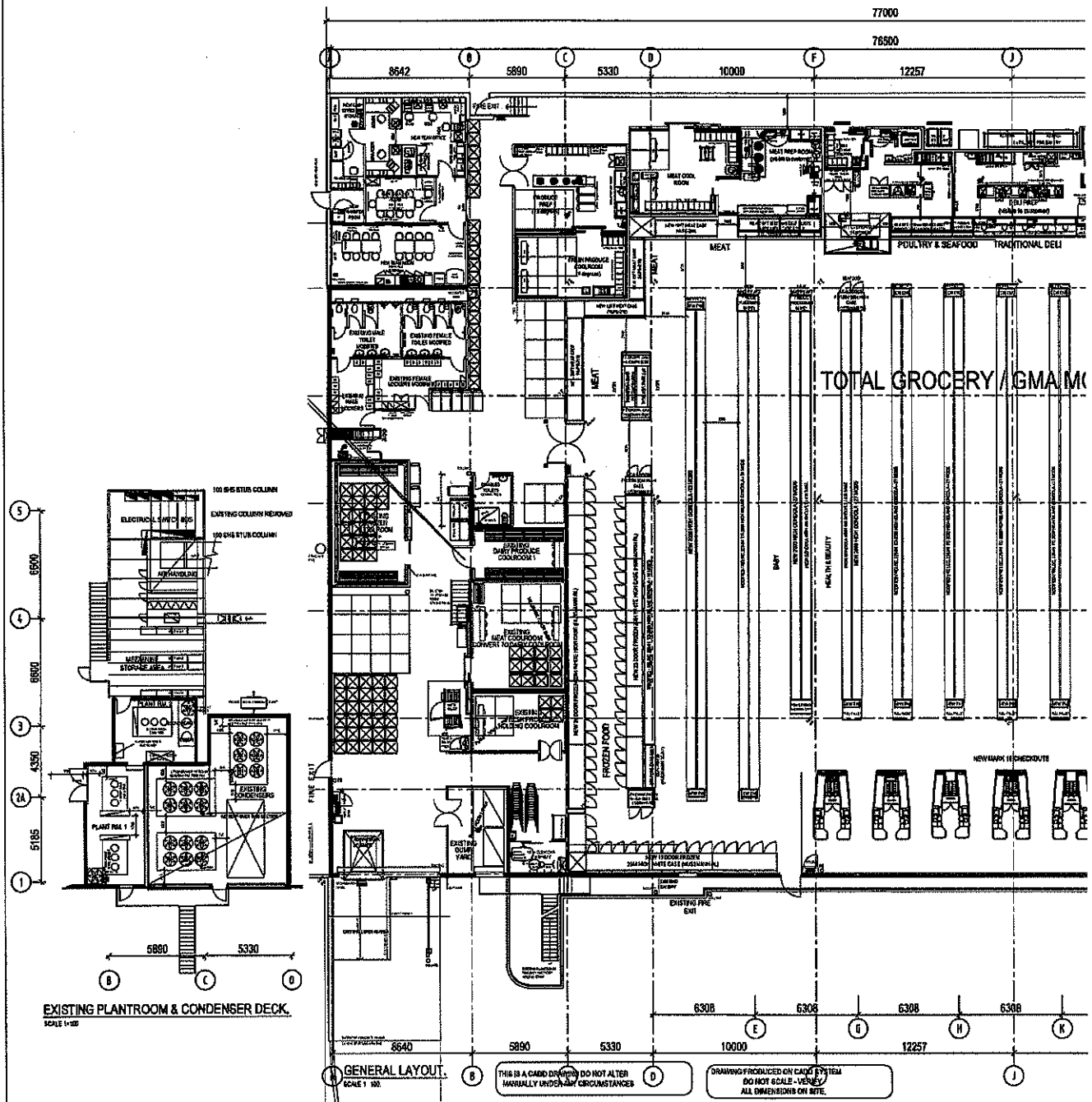
Attachment 2



SITE PLAN, 1:200

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SALISBUR'

CITY OF BAYSWATER

Our Ref

City of Stirling Document Registration

Your Ref

DA13/1052

RP	P
	Act.
ATT.	

No

Action Officer App. Plan.

Enquiries

Trent Will
9272 0670

Note

10 September 2013

City of Stirling

12 SEP 2013

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Chief Executive Officer
City of Stirling
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Postal Address:
PO Box 467 Morley WA 6943

E-mail Address:
mail@bayswater.wa.gov.au
Website: www.bayswater.wa.gov.au
ABN: 61 054 006 131

Attn: Patricia Hirst, Development Assessment Officer

Dear Sir/Madam,

PROPOSED EXTENSION TO EXISTING SUPERMARKET - REVISED PLANS COLES INGLEWOOD - LOT 51, NO. 83 SALISBURY STREET, INGLEWOOD

I refer to the City of Stirling's letter dated 20 August 2013 and revised plans, received via email on 3 September 2013 in relation to a Development Assessment Panel (DAP) application for a proposed extension to existing supermarket at Lot 51, No. 83 Salisbury Street, Inglewood.

Whilst it is noted that the revised plans improve the appearance of the Salisbury Street elevation, the modifications are not considered to adequately address the City of Bayswater Council resolution, made at its Ordinary Meeting on 25 June 2013 as follows:

- "1. Council does not support the planning application for a proposed extension to existing supermarket at Lot 51, No. 83 Salisbury Street, Inglewood for the following reasons:
- (a) The proposed development is not consistent with the City of Stirling's 'Local Planning Policy 4.2 - Mixed Use and Commercial Centre Design Guidelines and 'Local Planning Policy 6.7 - Parking'.
 - (b) The reduced setback to Salisbury Street is considered to be inconsistent with the street setback of adjoining and surrounding residential properties along Salisbury Street.
 - (c) The on-site parking provision is considered to be insufficient for the proposed development.
 - (d) The proposed development will have an undue impact on the amenity and streetscape of the locality.
 - (e) The proposed development is considered to be inconsistent with the orderly and proper planning of the locality.

The Garden City - Quality Lifestyle

2. *The City advises the City of Stirling of the above non-support for the proposed development."*

The revised plans maintain a nil setback to the Salisbury Street boundary and a similar car parking shortfall to that which was previously considered by Council.

It is noted that the revised plans include feature awnings and landscaping within the Salisbury Street road reserve, which is under the jurisdiction of the City of Bayswater. Should the DAP choose to approve the proposal, a separate application is required to be lodged with the City of Bayswater for consideration of the awnings and verge upgrades/landscaping.

It is also noted that at least two (2) objections from surrounding landowners have been received in relation to the revised plans. It is requested that the City of Stirling and/or the DAP give full consideration to these objections.

It would be appreciated if you could advise the City of the outcome of the DAP meeting.

Should you have any further queries regarding the above, please do not hesitate to contact Trent Will in the City's Planning and Development Services on 9272 0670.

Yours faithfully



DES ABEL
DIRECTOR OF PLANNING
AND DEVELOPMENT SERVICES

Attachment 9: Site Photographs



Photographs of the existing awning/ windbreak (non conforming use) to be enclosed and encroaching into the City's Heritage Protection Area Special Control Area.



Existing building as viewed from on site parking area and adjoining lot/s.



Existing loading bay to be retained.



Photographs of the existing on-street parking along abutting Salisbury Street (during business hours).



Photographs of the existing on-site parking area abutting Salisbury Street (to be removed as part of the proposed development).



Existing building as viewed from Salisbury Street



Photographs of the existing on-site parking area abutting Wood Street (to be retained as part of the proposed development).



Salisbury Street Residences abutting the site

Attachment 10: Examples of 'main street' principals (extracted from Liveable Neighbourhoods, Western Australian Planning Commission, 2007)

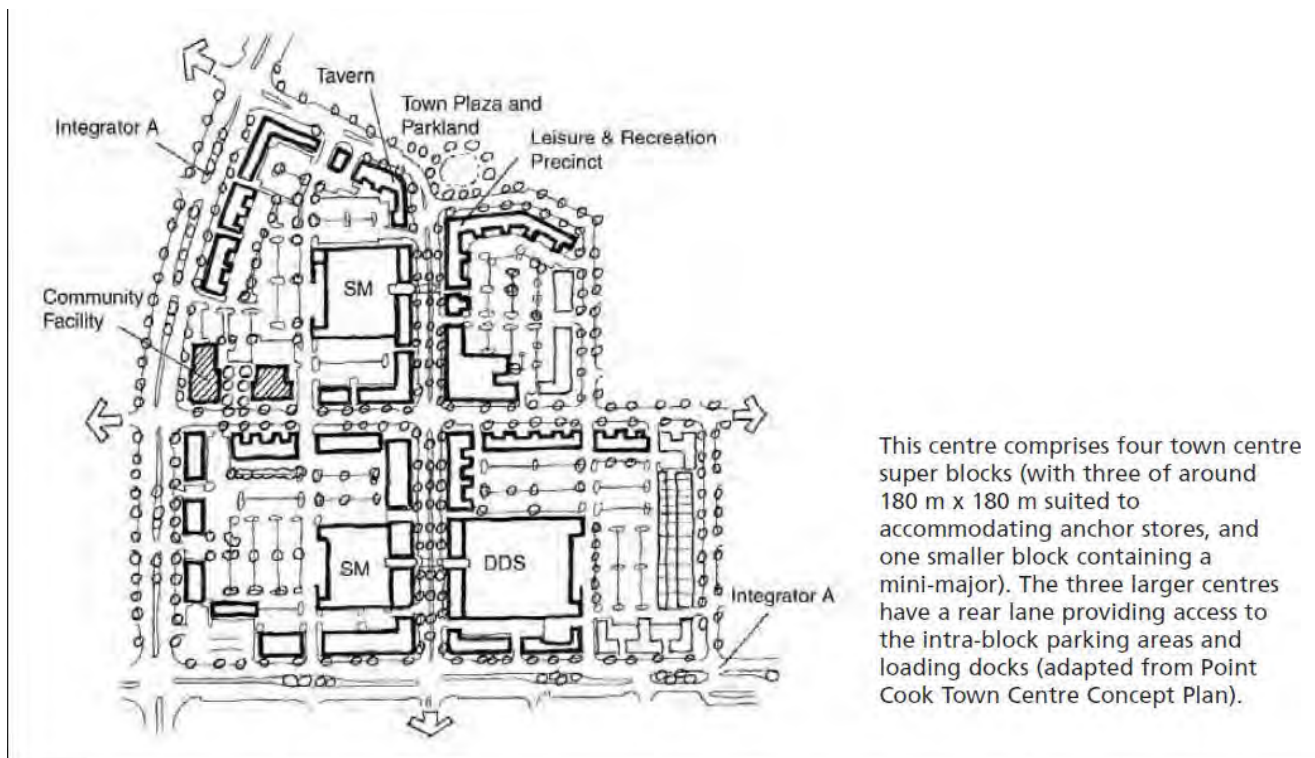
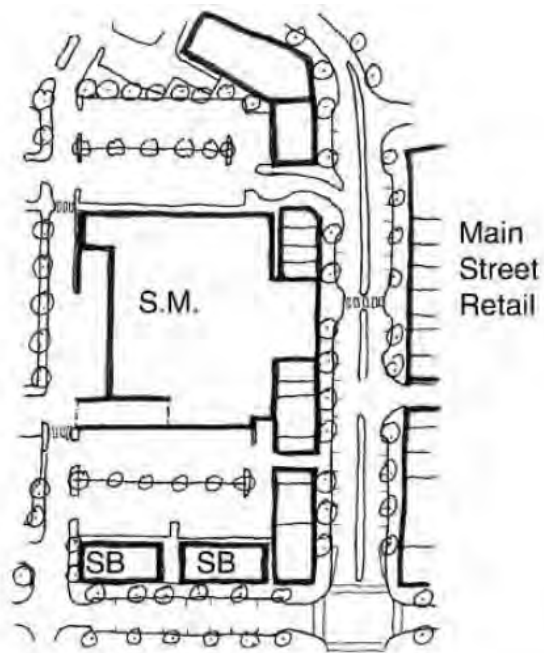


Figure 67: Example of a main street-based town or district centre structured as four street blocks.



The supermarket is central to the street segment, and has on-street parking, plus parking lots distributed either side of it and opposite it (additional parking may be provided on the roof or below the supermarket). The supermarket entry is around 25 m long, onto the main street and is flanked on each side by specialty shops that benefit from the movement of customers moving from the car parks along the street to the supermarket adapted from the Point Cook Town Centre Concept Plan).

Figure 68: Supermarket designed to front onto a main street.

Extracts from Liveable Neighbourhoods

Technical Memorandum

Title	Coles Inglewood Expansion Parking Analysis		
Client	Coles Group Property Developments Ltd	Project No	CEP02198
Date	11 July 2013	Status	Final
Author	Sam Laybutt	Discipline	Traffic and Transport
Reviewer	Ray Cook	Office	Perth

Introduction

Cardno was commissioned by Coles Group Property Developments Ltd to prepare a Transport Assessment for the expansion of the existing Coles Supermarket at Inglewood. The Transport Assessment included an analysis of parking requirements under the *City of Stirling Local Planning Scheme No. 3 Policy Manual – Section 6 – Parking* (Policy Manual) which indicated that, with a cumulative 45% reduction, the requirements would be a total of 174.75 bays.

Subsequent advice received from the City of Stirling has stated that they currently do not accept the full 45% reduction (only 35%) in parking requirements at the proposed development as the public parking noted on the policy is physically located 477m from the site rather than within 400m as shown in the *Policy Manual*. Therefore, in the eyes of the City of Stirling, the proposed parking provision does not meet their revised requirements of 207 bays.

The purpose of this Technical Memorandum is to further substantiate our initial report to present the existing and estimated future parking demand for the proposed development, in order to demonstrate that the proposed parking provision will more than satisfy the estimated parking demand, regardless of the requirements under the *Policy Manual*.

Proposed Development

The proposed development consists of:

- > Increasing the size of the existing Coles supermarket from 2795m² GLA to 3620m² GLA
- > Removal of the 21 space Salisbury Street car park at the rear of the store
- > Minor alterations to the front of the building and the interface with the car park

As a result of the proposed development, 178 car parking bays will be available on site for the use by Coles patrons.

Existing Parking Demand

To understand the existing peak period parking demand a series of parking occupancy surveys were carried out in June 2013. The survey covered the three highest demand periods at the site:

- > Tuesday evening
- > Thursday evening
- > Saturday lunch time

The survey covered all spaces within the existing Wood Street and Salisbury Street car parks.

The results of the occupancy surveys are shown in Figures 1 to 3 and clearly demonstrate that existing parking demand is below the proposed car parking provision of 178 bays. The peak demand recorded in the surveys was 155 bays for a brief period on Tuesday.

Figure 1 Existing Parking Demand – Tuesday Peak Period

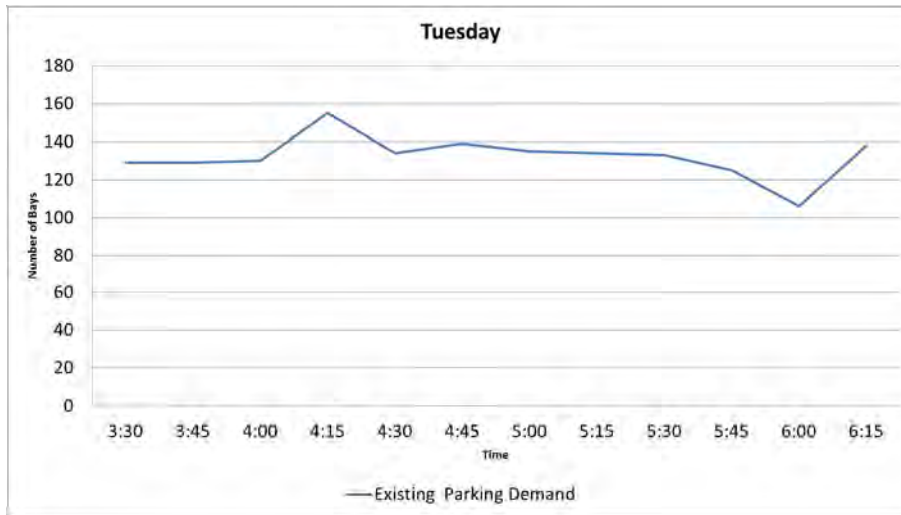


Figure 2 Existing Parking Demand – Thursday Peak Period

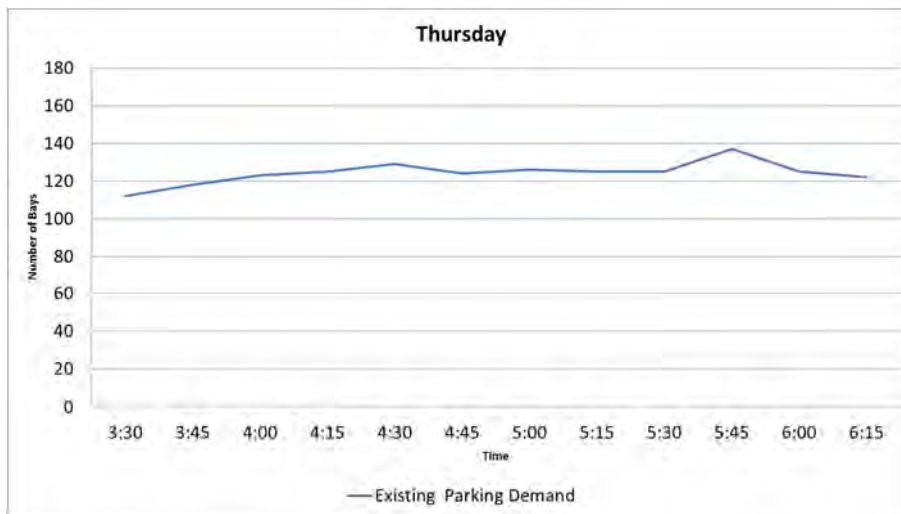
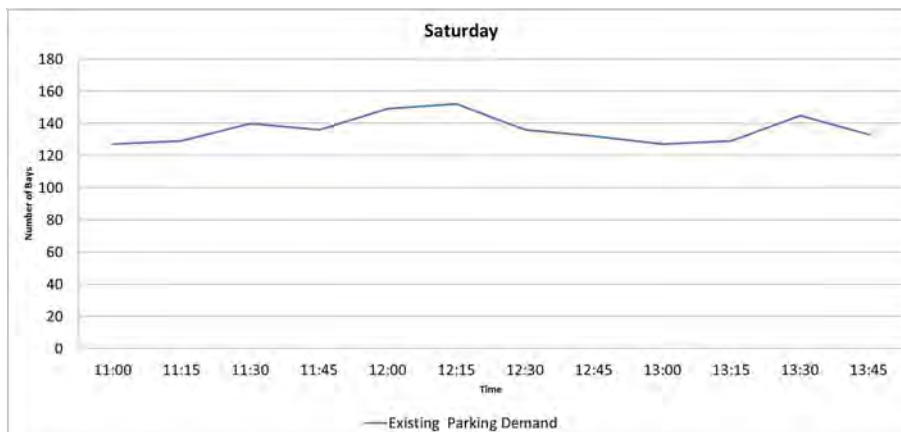


Figure 3 Existing Parking Demand – Saturday Peak Period



Estimated Parking Demand

Forecasts of future patronage at the proposed development have been provided by Coles. These forecasts are based on Coles' extensive experience operating similar supermarkets within Western Australia and across Australia.

For this particular supermarket, Coles has forecast the following changes in patronage as a result of the proposed development:

- > An 8% increase in the number of transactions (i.e. new customers)
- > A 6% increase in the average basket size (i.e. existing customers)

Assuming a worst case scenario where the 8% increase in the number of transactions adheres to the existing parking demand profile, these forecasts correlate to an estimated increase in peak parking demand of 8%.

The resulting estimated future peak parking demands are shown in Table 2 and Figures 4 to 6.

Table 2 Existing and Future Estimated Parking Demand

Demand Scenario	Average Peak Parking Demand (Number of Bays)	Maximum Peak Parking Demand (Number of Bays)
Existing	130	155
Future	141	167
Proposed Parking Provision	178	178
Surplus	37	11

Figure 4 Existing and Estimated Future Parking Demand – Tuesday Peak Period

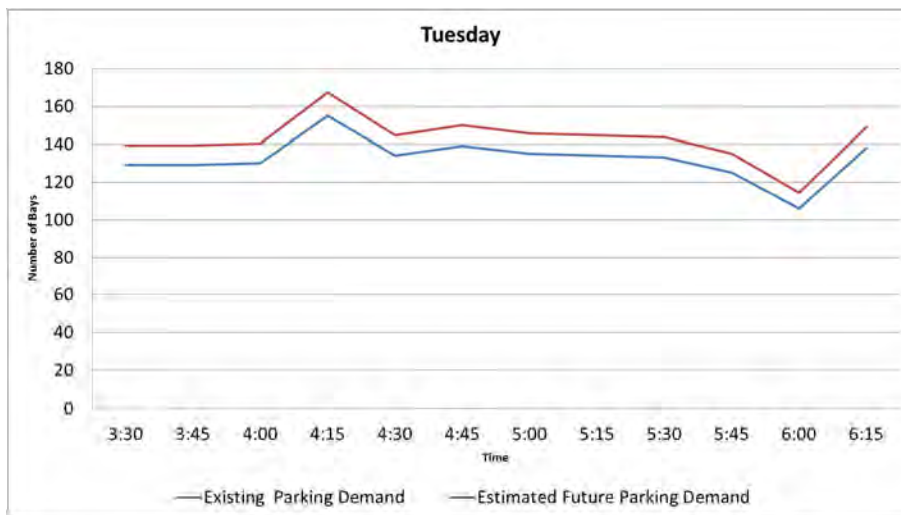
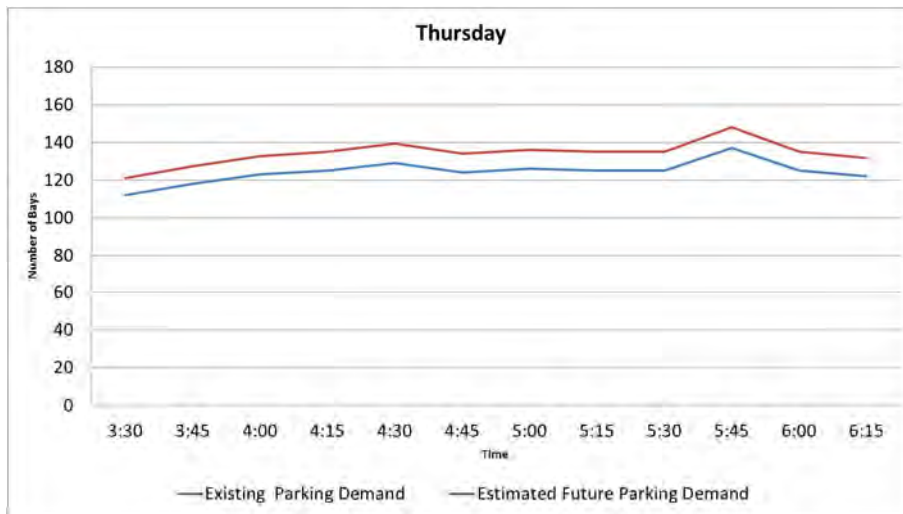
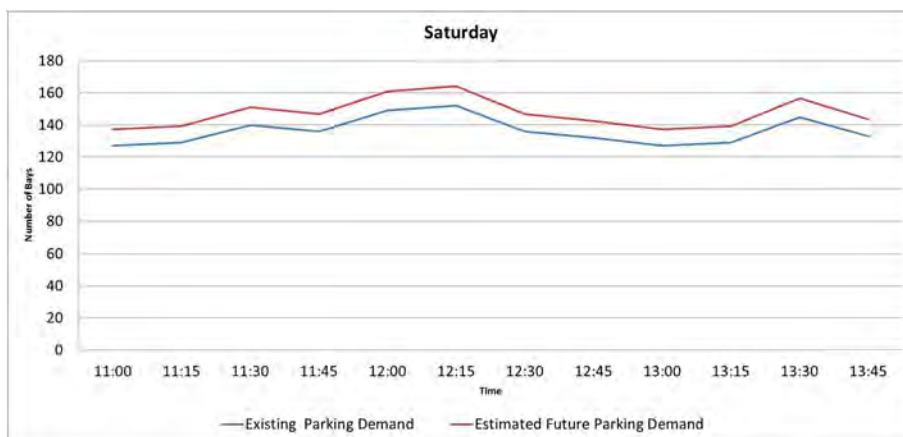
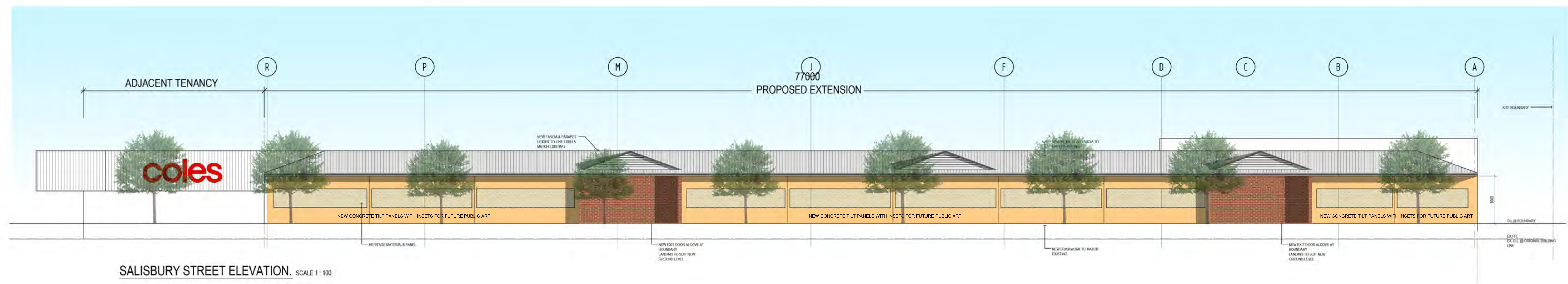


Figure 5 Existing and Estimated Future Parking Demand – Thursday Peak Period**Figure 6 Existing and Estimated Future Parking Demand – Saturday Peak Period**

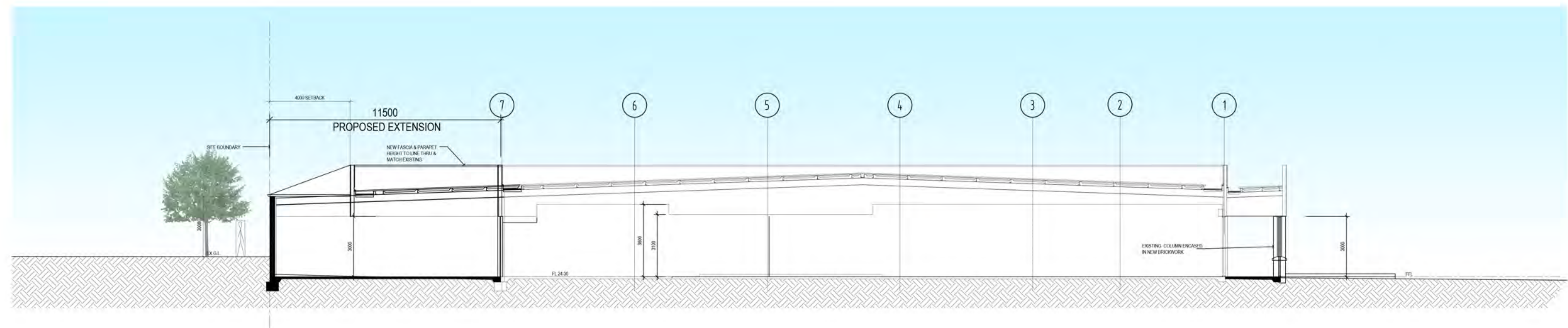
Conclusion

The results of this analysis show that the proposed parking provision results in a surplus of 37 bays when compared to the average peak period parking demand. Furthermore, Figures 4 to 6 show that it is not expected that parking capacity will be exceeded, even for short periods, based on the existing peak period demand profile.

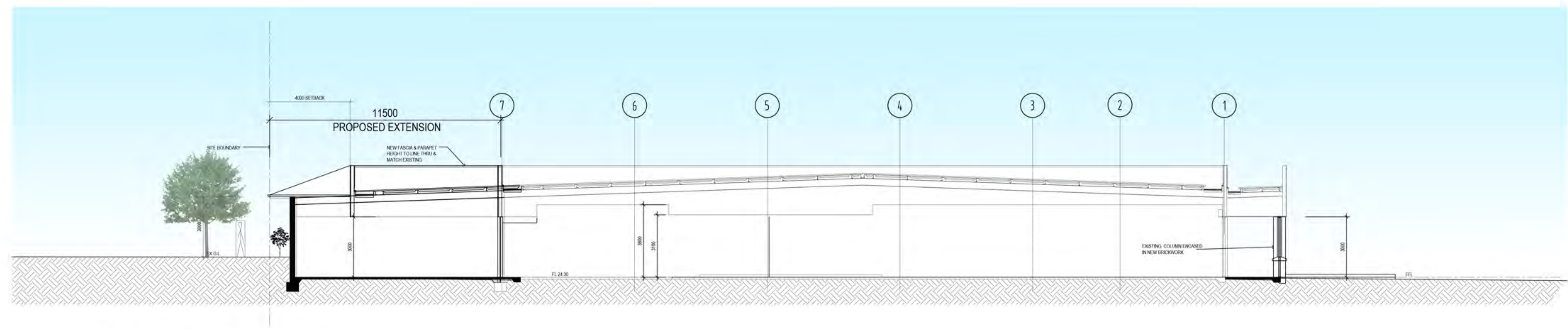
Therefore it is concluded that the proposed parking provision of 178 bays is sufficient to meet the estimated future demand of the proposed development.



SALISBURY STREET ELEVATION. SCALE 1:100



SECTION A - NIL SETBACK SCALE 1:100

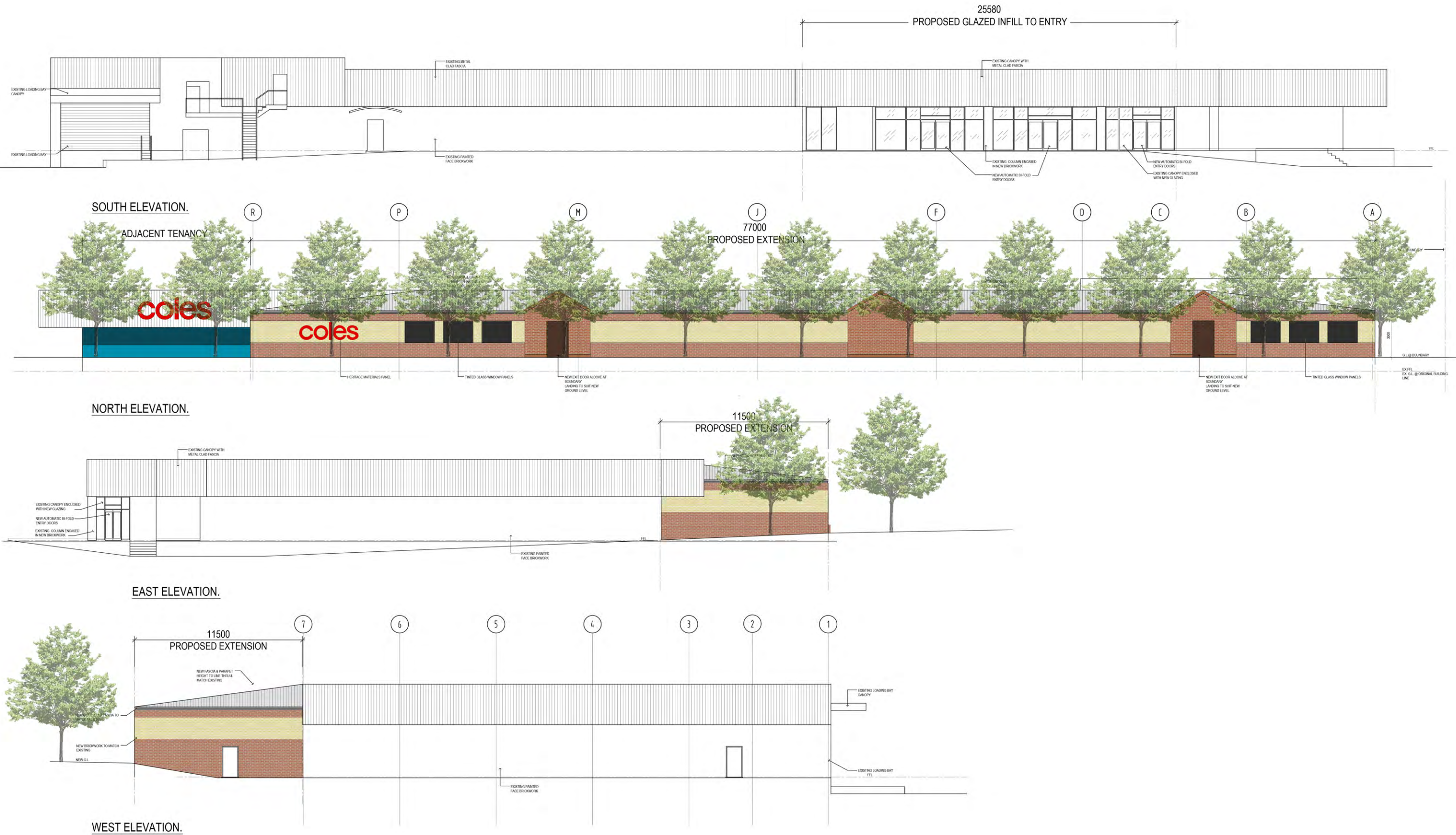


SECTION B - 1000 SETBACK SCALE 1:100

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REVISION	BY	AMENDMENTS
coles		880 TOORAK ROAD, TOORONGA, VICTORIA 3146, PO BOX 995, Glen Iris, Victoria 3146 A.B.N. 45 004 189 756
STORE DEVELOPMENT		
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TITLE PROPOSED ELEVATIONS		
SCALE: 1:100	DRAWING No:	CHECKED:
DATE: 12.07.2013	383 - DA.04	REVISION No:
NAME: E LEDDY		



COLES INGLEWOOD

83-91 SALISBURY ROAD, INGLEWOOD, W.A. 6053.
ELEVATIONS

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DATE: 26/07/13
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JOB NO: 213069
DRAWING NO: A103



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State Administrative Tribunal Reconsideration

Form 1 - Responsible Authority Report

(Regulation 12)

Property Location:	Additions to St Patrick's Anglican Church – Offices & Rectory
Application Details:	Lot 123, House Number 731, Beaufort Street, Mount Lawley
DAP Name:	Metropolitan North-West JDAP
Applicant:	TPG Town Planning & Urban Design
Owner:	Perth Diocesan Trustees
LG Reference:	DA12/2965
Responsible Authority:	City of Stirling
Authorising Officer:	Ross Povey Director Planning and Development
Department of Planning File No:	DP/12/01331
Report Date:	12 September 2013
Attachment(s):	<p>Attachment 1 Development Application Plans</p> <ul style="list-style-type: none">a. Site Feature Survey (Sheet SK01), date stamped 13 December 2012b. Proposed Site Plan – Lower Ground Level (Sheet SK02), date stamped 13 December 2012c. Proposed Site Plan – Upper Ground Level (Sheet SK03), date stamped 17 January 2013d. Streetscape Elevations (Sheet SK04), date stamped 17 January 2013e. Lower Ground Floor Plan (Sheet SK05), date stamped 13 December 2012f. Upper Ground Floor Plan (Sheet SK06) date stamped 13 December 2012g. Beaufort Street & First Avenue Elevations (Sheet SK07) date stamped 13 December 2012h. Rectory Elevation (Sheet SK08) date stamped 17 January 2013i. Perspective (Sheet SK09) date stamped 13 December 2012 <p>Attachment 2 Aerial Location Plan</p> <p>Attachment 3 Metropolitan Region Scheme (MRS) Zoning Map</p> <p>Attachment 4 City of Stirling Local Planning Scheme No. 3</p>

	<p>(LPS3) Zoning Map</p> <p>Attachment 5 City of Stirling Parking & Access Policy (Council Policy 6.7)</p> <p>Attachment 6 Applicant Submission</p> <p>Attachment 7 Department of Planning referral comments</p> <p>Attachment 8 Original Responsible Authority Report (Extract from the Agenda of the Metro North-West JDAP Meeting No. 27, 11 April 2013)</p> <p>Attachment 9 Extract from the Minutes of the Metro North-West JDAP Meeting No. 27, 11 April 2013</p> <p>Attachment 10 Additional Applicant Submission dated 4 September 2013</p>
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Recommendation:

That the Metro North-West Joint Development Assessment Panel, pursuant to section 31 of the *State Administrative Tribunal Act 2004* in respect of SAT application DR 205 of 2013, resolves to:

Reconsider its decision dated 11 April 2013 and **refuse** DAP Application reference DP/12/01331 and accompanying plans in accordance with Clause 10.3.1 of the City of Stirling's Local Planning Scheme No. 3, for the following reasons:

- a) In accordance with clause 4.4.2 of Local Planning Scheme No. 3, the proposed development is not capable of being treated a use not listed as the proposed land use is consistent with the type, class or genus of the definition of Office as provided in the Scheme; and
- b) In accordance with part 4.3 of Local Planning Scheme No. 3, an Office use is not permitted in the Residential zone.

Background:

Insert Property Address:	Lot 123, House Number 731, Beaufort Street, Mount Lawley
Insert Zoning	MRS: Urban
	TPS: Residential R40
Insert Use Class:	Office
Insert Strategy Policy:	Not Applicable
Insert Development Scheme:	Not Applicable
Insert Lot Size:	5,516m ²
Insert Existing Land Use:	Place of Worship
Value of Development:	\$3.1 million

At its meeting of 11 April 2013 the Metropolitan North-West JDAP resolved to refuse the application reference DP/12/01331 and accompanying plans for the following reason:

The proposed development includes an Office use, which in accordance with part 4.3 of Local Planning Scheme No. 3, is not permitted in the Residential zone.

In accordance with Regulation 18 of the DAP Regulations the applicant lodged an application for review with the State Administrative Tribunal (SAT). The application for review seeks approval of the development.

The SAT has invited the Metropolitan North-West JDAP to reconsider its original decision of 11 April 2013. In reconsidering the proposal the JDAP may:

- a. Affirm its decision;
- b. Vary its decision; or
- c. Set aside the decision and substitute a new decision.

Details: outline of development application

The development application for additions to the St Patrick's Anglican Church site at Lot 123, House Number 731 Beaufort Street, Mt Lawley (DA12/2965 refers) is summarised as follows:

- Addition of a new 615sqm Office orientating to Beaufort Street;
- Conversion of the existing 280sqm rectory into office space;
- Construction of a new 135sqm rectory; &
- Construction of a new 23 bay parking area along the west side of the site, with access via First Avenue and a new exit to Beaufort Street.

Legislation & policy:Legislation

- Planning and Development Act 2005
- Metropolitan Region Scheme (MRS)
- Local Planning Scheme No. 3 (LPS3)

State Government Policies

Nil.

Local Policies

The following Local Planning Policies are applicable to the Development Assessment Panel's consideration of the proposed development:

- Council Policy 3.1 – Character Retention Guidelines Mt Lawley, Menora & Inglewood
- Council Policy 6.2 – Bicycle Parking
- Council Policy 6.7 – Parking & Access (Attachment 5)

Consultation:

Public Consultation

The application was advertised for a period of 21 days, in accordance with the City's 'Planning Consultation Procedure' and part 9.4 of Local Planning Scheme No.3. Letters were sent to all owners and occupiers of properties within a 100m radius of the subject site. A sign was also placed on site and the details of the application were listed on the City's website. At the conclusion of the advertising period, four (4) submissions were received, and are summarised in the original report provided to the JDAP, which forms Attachment 8 to this report.

Consultation with other Agencies or Consultants

The City of Stirling consulted with the Department of Planning with regards to the subject application. This is because the subject site abuts an Other Regional Road under the Metropolitan Region Scheme and is also subject to a road widening requirement. The Department of Planning's comments form Attachment 7 to this report.

Applicants' Written Submissions:

As part of the JDAP's consideration of the original application, the applicant maintained that the proposed Office development is permitted by clause 4.3.3 (d), which allows for an "X" use provided that it is incidental to the predominant use of the land. The following justification was provided in support of this position:-

The proposed development includes the construction of a new building and conversion of the existing rectory to be used as an ancillary office and meeting room space. Anglicare WA will primarily use this office space for staff, sector, community and other meetings and events. This facility will be made available to Parish, and Diocesan groups. Other details of the use include:

- *Operating hours - between 7.30am and 6.00pm Monday to Friday with occasional evening meetings.*
- *Staff Numbers - between 40 and 45 staff.*
- *Visitors - There will be a small, varying number of visitors each day to the facility dependent on scheduled meetings and events. Depending on numbers; the facility, existing Rectory, Church Hall or Church Building may be used.*

We recognised that under LSP3, an office is not a permitted use in a residential zone. However, the office use proposed as part of this application will be ancillary and subordinate to the predominant Place of Worship use and as a result it can be considered under clause 4.3.3 of LSP3, which states a change of use of land from one use to another is permitted if “the change is to an incidental use that does not change the predominant use of the land.”

The office use proposed as part of this application will not change the predominant use of the land, which is a Place of Worship, and will be relevantly incidental or ancillary to this Church use of the site, as explored below:

- *The proposed office use is not an independent, dominant use.*
- *The co-location of the Parish of Mount Lawley and some administrative functions Anglicare WA and the Diocese of Perth on this site constitutes a Church use as it deals with the administration of religious activities.*
- *The proposed facility would be available for use by the Parish for activities such as pastoral care and educational activities for congregants.*
- *The office will present and function as “an integral part of the Church uses of the site”.*

In addition to the above, the proposed ancillary office use is in line with the second objective of LPS3 for land in the residential zone, which states that this zone is to “provide for a range of non-residential uses, which are compatible with and complementary to residential development”. It is considered that the presence of the ancillary office will provide activity and passive surveillance to the predominantly surrounding residential area and dormant suburb during daytime hours.

To assist in the JDAP’s reconsideration of the proposal, the applicant has provided the following additional comments:

The proposed development comprises a new building at the Beaufort Street level described as the lower Ground floor and a proposed refurbishment of the existing rectory (house) and a new rectory and car park with 23 car parking bays described as the Upper Ground floor.

The plans for the development show that the Lower Ground floor consists of:

- *General administration areas that will house a number of workstations;*
- *Nine “offices”*
- *Two meeting rooms;*
- *Reception and waiting area;*
- *Photocopy room;*
- *Kitchenette;*
- *Cleaner’s room;*
- *Toilets; and*
- *Stairs and a lift to the courtyard to be created on the Upper ground floor level.*

The plans show that the Upper Ground floor consists of:

- *The existing rectory of 280m² which is to be refurbished to comprise essentially working and meeting room space including a Board Room. These facilities will be primarily used by Anglicare WA for staff training,*

sector meetings, community and other meetings and will be made available to Parish, and Diocesan groups;

- A new rectory is also proposed and is to house a Parish clergyperson and their family. It will be constructed adjacent to the existing Rectory building and will most likely be part of a second stage development.*
- A 23 bay car park will be constructed adjacent to the southern boundary of the land; and*
- A new landscaped courtyard will be constructed between the existing church and the rectory and will be landscaped with tiered Amphitheatre style seating to be used as a performance space by the parish and the community.*

The City of South Perth in considering a similar application by Southcare (OCM 26 August 2008) sought legal clarification in regards to the use of the proposed development. Specifically the question was asked by Council's advisors as to whether the proposed development should be classified as an "office" or as "religious activities" for the purpose of dealing with the application. The comments noted in the minutes of the Meeting include the following:

- It is evident that the building will be used primarily for administrative tasks associated with the delivery of services provided by Southcare;*
- To a lesser extent, the building will be used to provide services on site to Southcare's clients (e.g. face to face counselling and day care activities);*
- The nature and purpose of the activities being undertaken by Southcare does not suggest they are undertaken for the purpose of deriving profit, therefore it is not a business;*
- Notwithstanding that the activities to be undertaken within the proposed building are administrative or clerical in nature, it does not come within the "office" use class as those activities are not undertaken in the course of a business.*

The development proposed by Southcare is identical in function to that proposed by the Anglican Diocese of Perth in the current instance.

Planning assessment:

The development has been assessed against the City of Stirling's Local Planning Scheme No. 3 (LPS3) and the applicable policies contained in the City's Local Planning Scheme No. 3 Policy Manual. It should be noted that LPS3 provides guidance in respect to zoning and objectives of zones, however, more specific development standards are provided in relevant local planning policies.

As part of the original application, the report outlined that the applicant had sought a discretionary decision to be made in respect to a number of matters, including:

- Proposed land use
- Car Parking
- Building Design

For the purpose of this report, the discussion will deal with the proposed land use considerations only. The officer's position with respect to car parking and building design remains as outlined in the original report to the JDAP (Attachment 8 refers).

Proposed Land Use

The table below summarises the zoning permissibility of the proposed uses, as per clause 4.3.2 of the City of Stirling's Local Planning Scheme No. 3 (LPS3), within the Residential zone.

USE	LPS3 ZONING PERMISSIBILITY	
Office	X	Means a use that is not permitted by the Scheme.
Caretaker's Dwelling	D	Means that the use is not permitted unless the Council has exercised its discretion by granting planning approval.

Caretaker's Dwelling

Under LPS3 Caretaker's Dwelling is defined as:-

Means a dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation or plant.

As outlined in the original report, the City has no objections to the ongoing existence of a Caretaker's Dwelling on the subject premises.

Office

Under LPS3 Office is defined as:-

Means premises used for administration, clerical, technical, professional or other business like activities.

In accordance with clause 4.3.2 and Table 1: Zoning Table of LPS3, an Office land use is prohibited in the Residential zone. Additionally, Note 4 of Part 4.3 of LPS3 states:

The Council must refuse to approve any 'X' use of land. Approval to an 'X' use of land may only proceed by way of an amendment to the Scheme.

Notwithstanding the above, clause 4.3.3 (d) does allow for a change of use where the change is to an incidental use, as follows:

A change on the use of land from one use to another is permitted, if –

- c) *The change is to an incidental land use that does not change the predominant use of the land.*

LPS3 defines an Incidental Use as:

Means a use of premises which is ancillary and subordinate to the predominant use.

LPS3 defines a Predominant Use as:

Means the primary use of premises to which all other uses carried out on the premises are subordinate, incidental or ancillary.

The City's position with respect to whether or not the proposal constitutes an incidental use has already been outlined in the original report (refer Attachment 7),

which it is understood that the majority of the JDAP accepted in determining on 11 April 2013 that the application be refused. It is understood that the applicant is now suggesting that the elements of the development to be occupied by Anglicare may be approved as a 'use not listed' under clause 4.4.2. For the purpose of the Section 31 reconsideration, we will therefore confine the contents of this report to whether clause 4.4.2 provides discretion to approve the proposed land use on the subject site.

Clause 4.4.2 of the City's LPS3 provides:

If a person proposes to carry out on land any use that is not specifically mentioned in the Table 1 – Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the Council may –

- a) Determine that the use is consistent with the objectives of the particular zone and is therefore permitted;*
- b) Determine that the use may be consistent with the objectives of the particular zone and thereafter following the advertising procedures of Clause 9.4 in considering an application for planning approval; or*
- c) Determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.*

By virtue of the above, it is clear that what is commonly referred to as a "use not listed" under clause 4.4.2 can only be considered where both of the following criteria are met:

1. Where the use is not specifically mentioned in the Zoning Table; and
2. Where the use cannot reasonably be determined as falling within the type, class or genus of activity of any other use category.

With respect to the first point, it is the City's position that, excluding the 'office' definition, the operations proposed by Anglicare as part of the proposed development can not reasonably constitute any other use defined under the LPS3. The existing land use of the subject site constitutes a Place of Worship, which relies on the occurrence of religious activities. The Anglicare operations, whilst having their origins in the Anglican faith, do not constitute religious activities as it is for the purpose of administration and unrelated to the day to day operations of the church at the site. This position is consistent with the following observation of the State Administrative Tribunal in *Inglewood Church of Christ and City of Stirling* [2005] WASAT 305 at [39]:

The use of land as a "church" would comprise public worship in the tradition of a recognised religion and incidental uses, such as pastoral care, social and educational activities for congregants, and, to an extent, community education and other activities facilitated by the church.

Administration offices can be facilitated within a Place of Worship use class, however those offices must be ancillary to the church use. As outlined in the City's original report (refer Attachment 8), in the case of this application, the proposed offices are not ancillary, incidental or subordinate to the church use at the site.

The office definition contained in LPS3 is "*Means premises used for administration, clerical, technical, professional or other business like activities*". The reference in the definition to "business like activities" leads to the question whether this requires all preceding activities to be related to business activities only. The implication for the

subject development being that a business is one engaged in activities for profit, whereas the operations of Anglicare are, so much as the City is aware, undertaken for charitable purposes only. It is for this reason that it is acknowledged that the proposed land use does not *strictly* fall within the definition of 'office'. Consequently, the first of the 2 requirements of clause 4.4.2 is met. However, it is necessary to consider whether the second requirement is met, namely whether the use cannot reasonably be determined as falling within the type, class or genus of activity of any other use category. It is this question that we now turn to.

Although it has been acknowledged that the land use proposed does not strictly accord with the 'office' definition, it is still necessary to determine whether the proposal falls with the same type, class or genus of this use category. To determine this requires consideration of the purpose of this clause as this is the most important consideration in determining how it was intended to be interpreted (section 18 of the *Interpretation Act 1984*).

In a general sense, the principles to be used in applying the use not listed provisions of planning schemes can be guided by the decision of the previous Town Planning Appeals Tribunal in the matter of *Hillgrove Pty Ltd v Town of Claremont (1996) 18 SR (WA) 376*. In that case, it was identified that the test should relate to the 'real and substantive purpose' of the use. Determining this can be informed by a review of the individual activities, and the processes and transactions that occur, however the critical element lies in the intended purpose of the land use. If the purpose very largely falls within that of a defined use class, then it is appropriate to apply that use class even though the development does not exactly fit the definition in all respects.

Applying this approach to the Anglicare proposal, it is evident that, excluding the business reference, the administrative and clerical activities to be undertaken within the premises would otherwise fall precisely within the 'office' land use definition. The real and substantive purpose of the Anglicare elements of the development is that of an office. As a land use there would be no material distinction between an office use associated with a business, and an office use associated with a not for profit operation. It is therefore concluded that the not for profit nature of Anglicare leads to no material difference in the application of the planning framework that exists under Local Planning Scheme No. 3.

In view of the above, it is evident that the proposed Anglicare operation does fall within the same type, class or genus of an office, and is therefore incapable of approval under the use not listed provisions of clause 4.4.2 of LPS3. The use is an office, which is prohibited in the Residential zone.

As a final consideration, it is noted that even if the JDAP form a different opinion on the application of clause 4.4.2 (a) and (b), part (c) still requires the proposal to be consistent with the objectives of the Residential zone. Clause 4.2.12 of LPS3 specifies that the objectives of the Residential zone are:

- a) *To provide for a residential development at a range of densities with a variety of housing type and size, to meet the current and future needs of the community.*
- b) *To provide for a range of non-residential uses which are compatible with and complementary to residential development.*

As it has demonstrated that the Anglicare proposal is indistinguishable from an office use, it is difficult to see how the proposal could be deemed to be consistent with the

zone's objectives. It has essentially already been determined as part of the gazettal of LPS3 that residential and office uses are not compatible, as office is an 'X' use (not permitted) with the residential zone. To make a decision to the contrary would be wholly inconsistent with the applicable statutory planning framework.

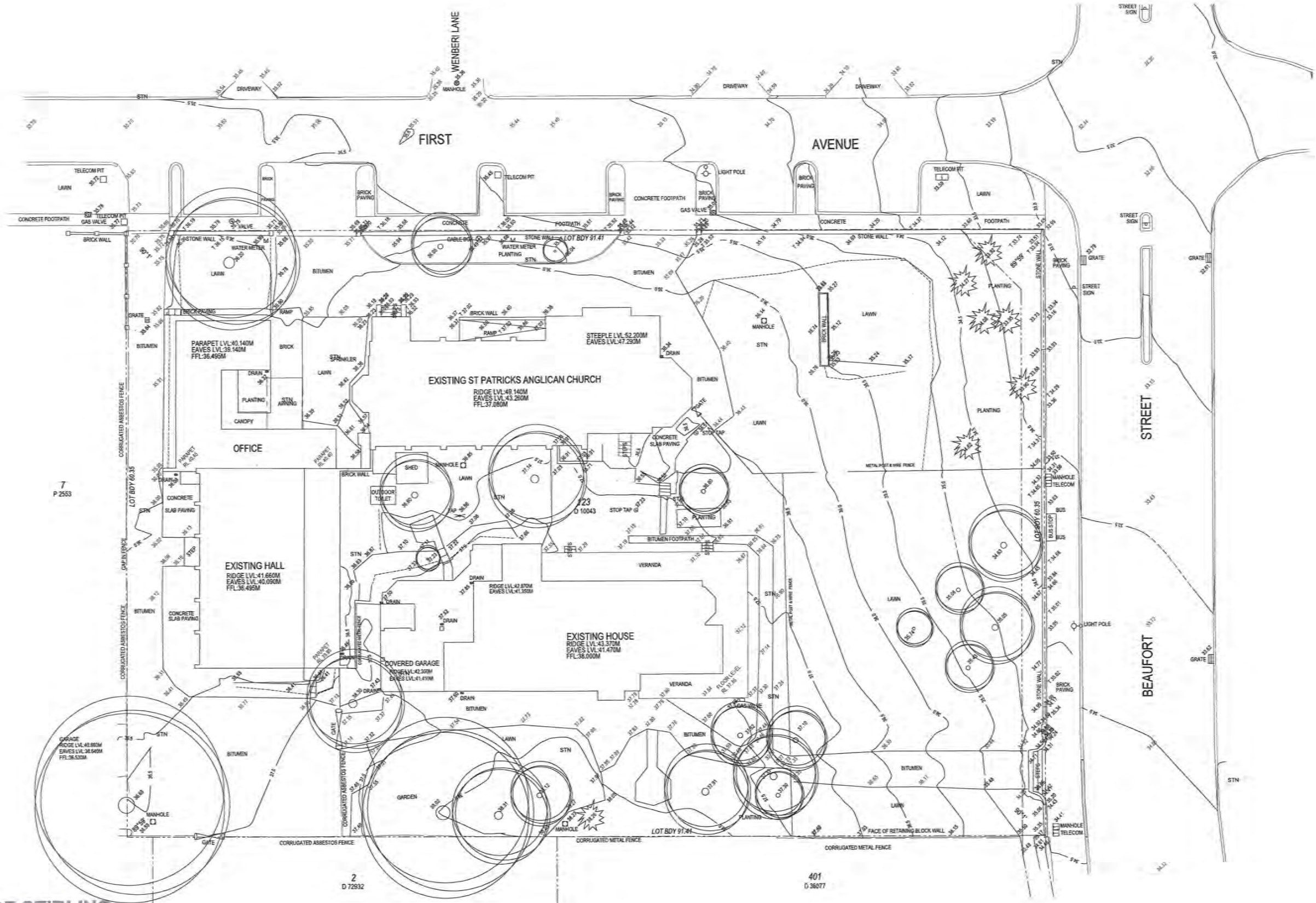
Finally, the City does not regard the approval granted by the City of South Perth for the Southcare development in 2008 as a planning consideration to a determination under LPS3. Therefore, we have no comment to make about that development.

Conclusion:

The proposed development includes a total of 895m² of office space. The land use is correctly regarded as being of the same type, class or genus as the 'office' use class, and can therefore not be treated as a use not listed under clause 4.4.2 of LPS3. As the proposed office land use is not incidental to a predominant use on the site, it is therefore prohibited in the Residential Zone as per clause 4.3.2 of LPS3.

The land use issue constitutes a statutory impediment which prevents approval of the proposed development. It should be noted that any decision in respect of this application needs to be made consistent with the quasi-judicial role of the Joint Development Assessment Panel, and in accordance with the statutory requirements of Local Planning Scheme No. 3.

In view of the above, the North-West JDAP is obliged to reaffirm its original decision and refuse the proposed development.



CITY OF STIRLING
25 CEDRIC STREET STIRLING 6021
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1 DEC 2012

Existing Site/Survey Plan
Anglicare St Patricks Offices
Council First Avenue - Beaufort Street
Schematic Design

TAYLOR ROBINSON

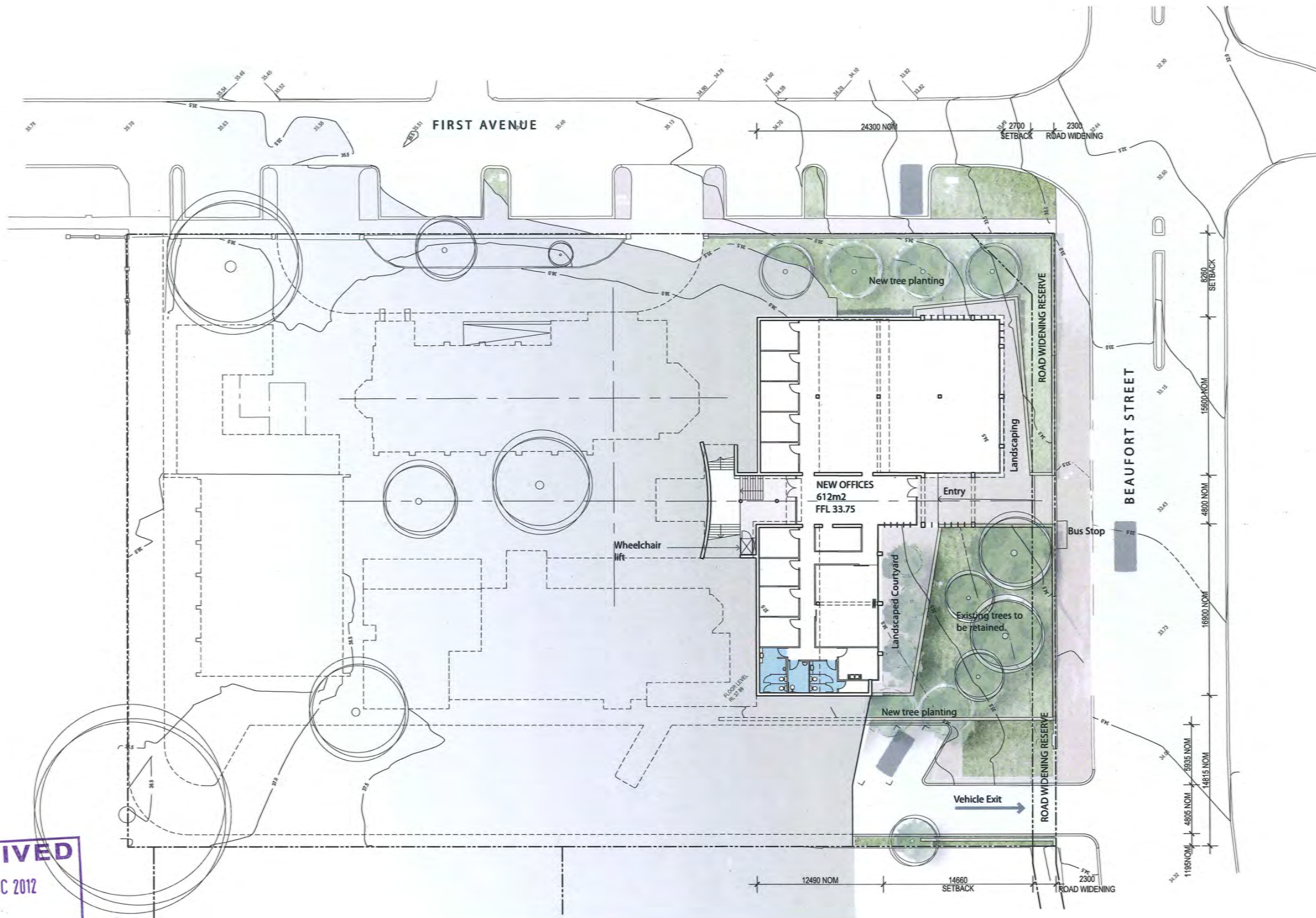
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CITY OF STIRLING
25 CEDRIC STREET, STIRLING 6021



Proposed Site Plan - Lower Ground Level (Beaufort St level)

Anglicare St Patricks Offices
Corner First Avenue + Beaufort Street
Schematic Design

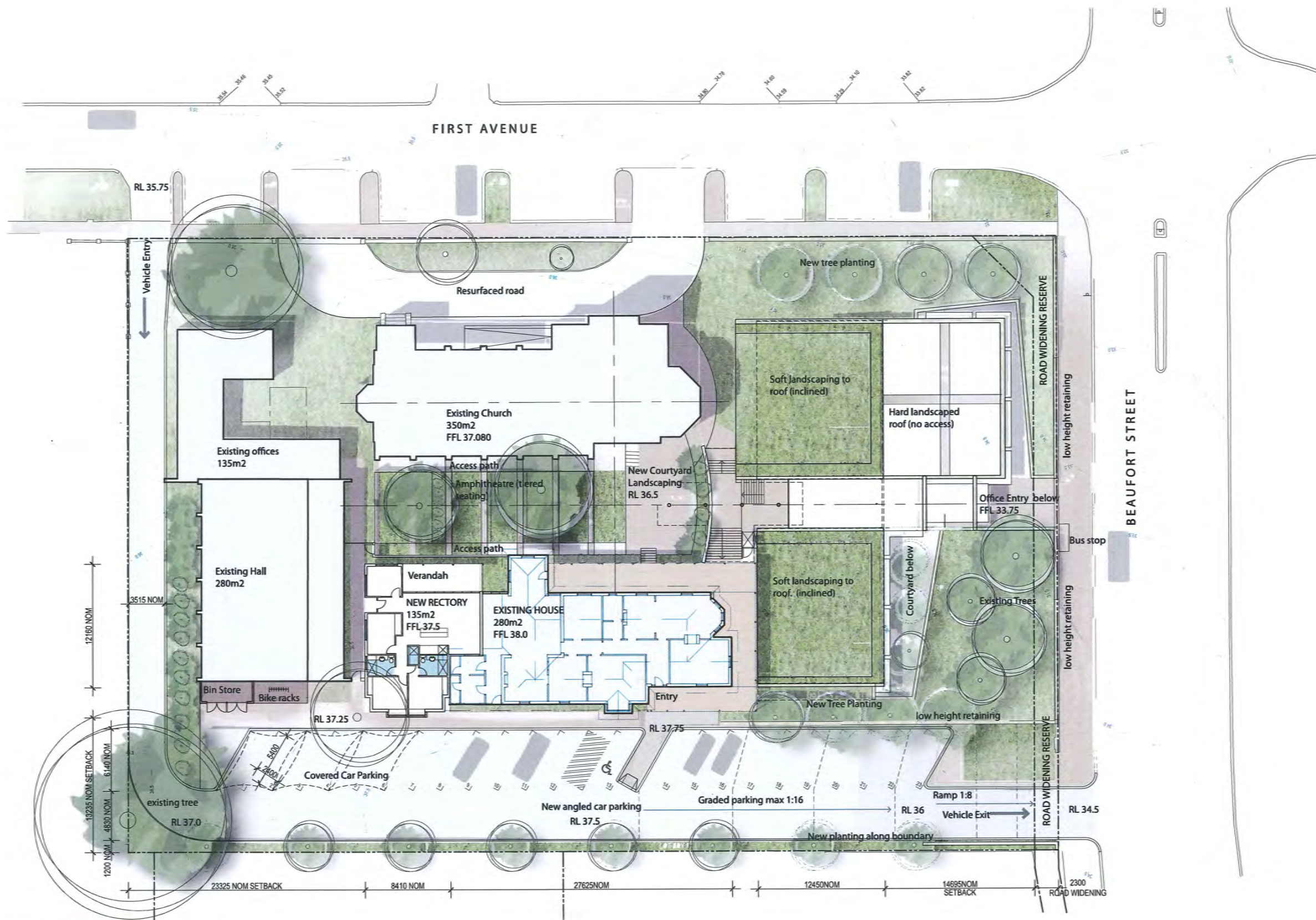
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25 CEDRIC STREET, STIRLING 6021

Proposed Site Plan - Upper Ground Level
Anglicare St Patricks Offices
 Corner First Avenue + Beaufort Street
 Schematic Design

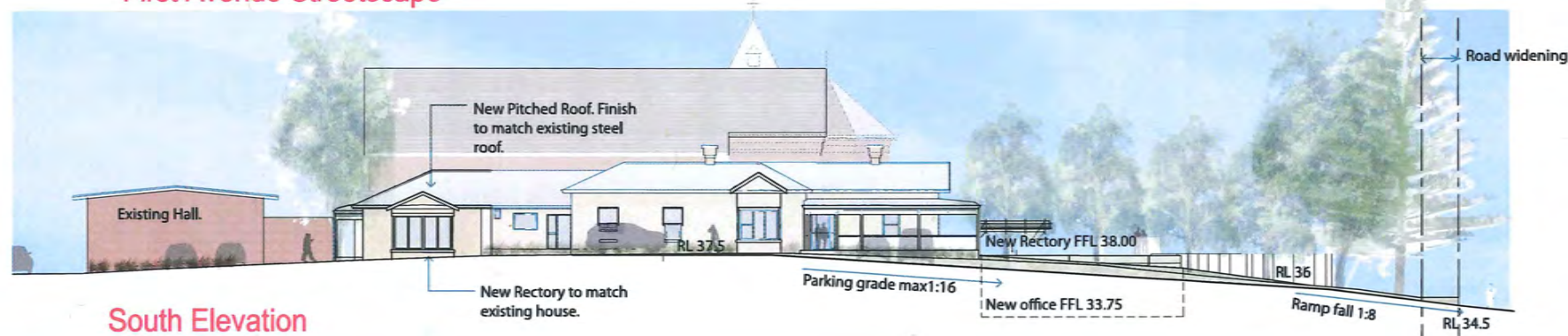
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Streetscape Elevations
Anglicare St Patricks Offices
Corner First Avenue + Beaufort Street
Schematic Design

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Lower Ground floor (Beaufort Street Level)
Anglicare St Patricks Offices
 Corner First Avenue + Beaufort Street
 Schematic Design

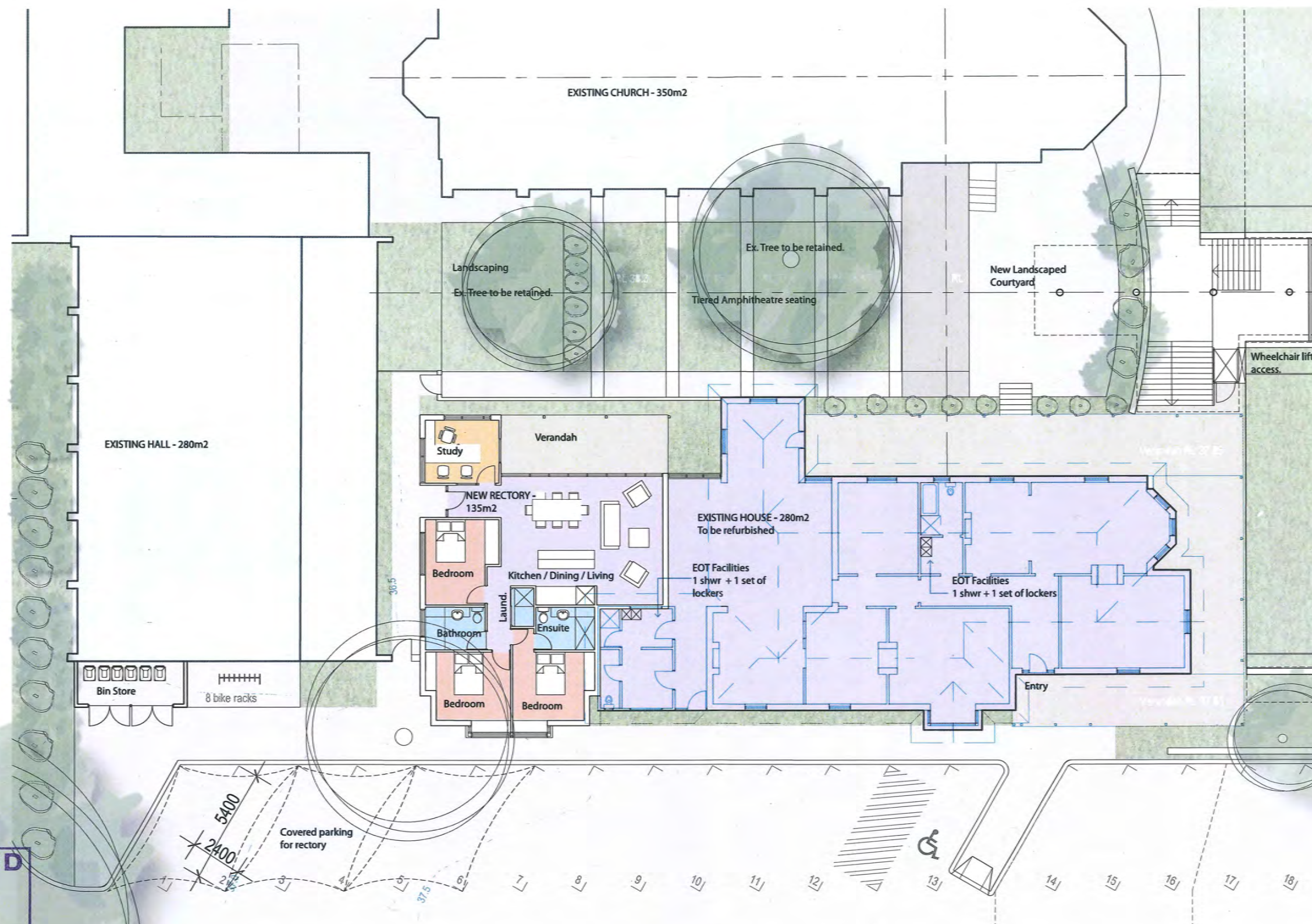
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CITY OF STIRLING
25 CEDRIC STREET, STIRLING 6021

Upper Ground Floor Plan (Existing House + Rectory)

Anglicare St Patricks Offices
Corner First Avenue + Beaufort Street
Schematic Design

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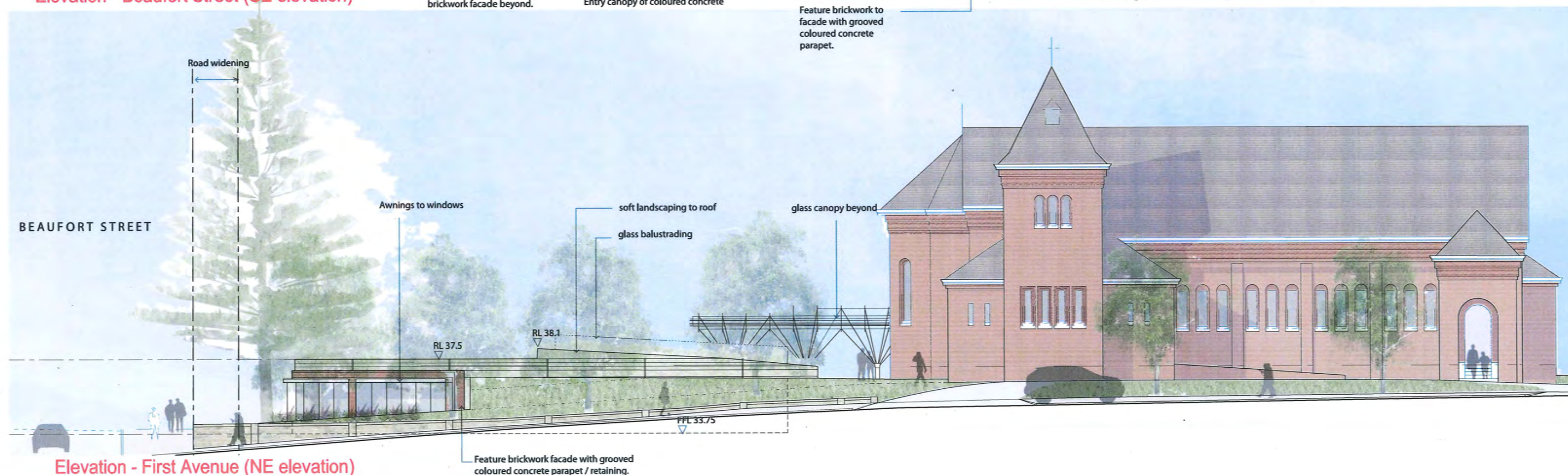


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Elevation - Beaufort Street (SE elevation)



Elevation - First Avenue (NE elevation)

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25 CEDRIC STREET STIRLING 6021

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Beaufort Street + First Avenue Elevations
Anglicare St Patricks Offices
Corner First Avenue + Beaufort Street
Schematic Design

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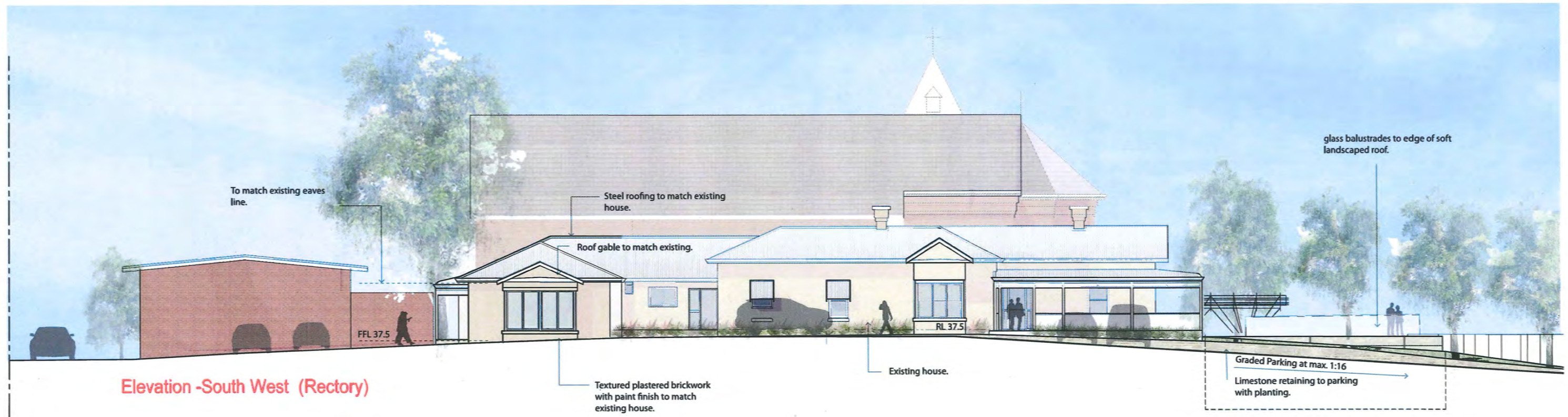
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CITY OF STIRLING

25 CEDRIC STREET, STIRLING 6021

Rectory Elevation
Anglicare St Patricks Offices
 Corner First Avenue + Beaufort Street
 Schematic Design

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CITY OF STIRLING

25 CEDRIC STREET, STIRLING 6021

Perspective
Anglicare St Patricks Offices
 Corner First Avenue + Beaufort Street
 Schematic Design

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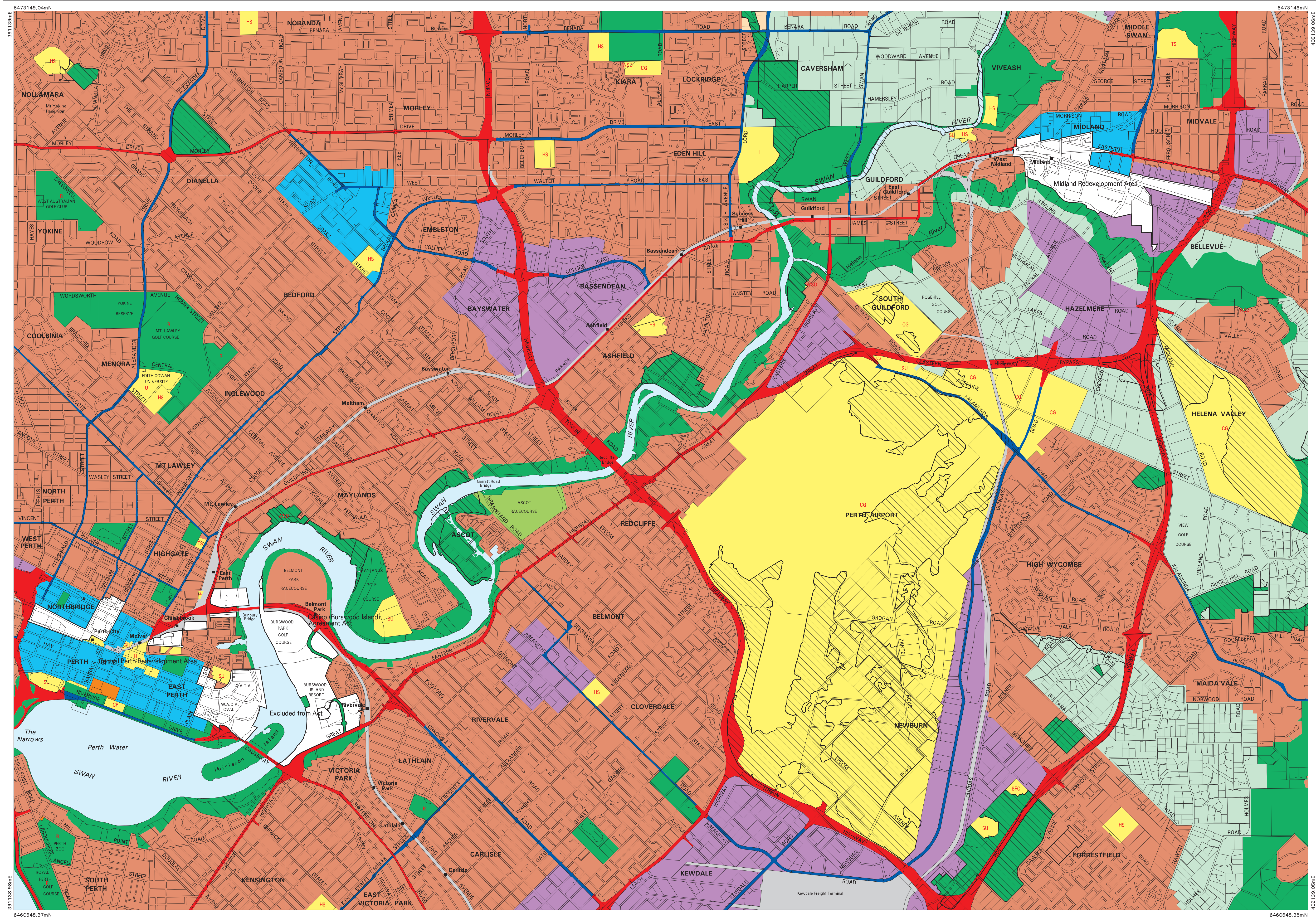
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sk09^a





Legend

Reserved lands

parks and recreation

restricted public access

railways

port installations

State forests

water catchments

civic and cultural

waterways

primary regional roads

other regional roads

public purposes - denoted as follows:

H

 hospital

HS

 high school

TS

 technical school

CP

 car park

U

 university

CG

 Commonwealth Government

SEC

 State Energy Commission

SU

 special uses

WSD

 Water Authority of WA

P

 prison

Zones urban urban deferred central city area industrial special industrial rural rural - water protection private recreation**Notice of delegation** bush forever area**Redevelopment schemes** redevelopment scheme/act area**METROPOLITAN REGION SCHEME**

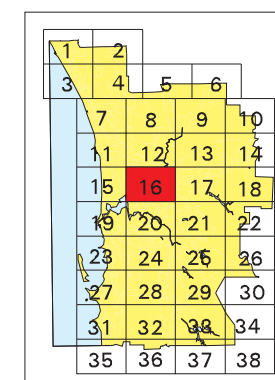
This map has been derived from an electronic version of the scheme held and maintained by the Department of Planning, on behalf of the Western Australian Planning Commission.

This map is one of a set of 38 which depicts the zones and reservations of the Metropolitan Region Scheme as adopted on 30 October 1963. The information shown is correct up to the date shown below as far as the Department and the Commission are aware.

The scheme does not purport to indicate the land use allocation under any local government provision.

Amended to: 23 March 2012

N

METROPOLITAN REGION SCHEME MAP
1:25000 MAP SERIES
MAP SHEET 16



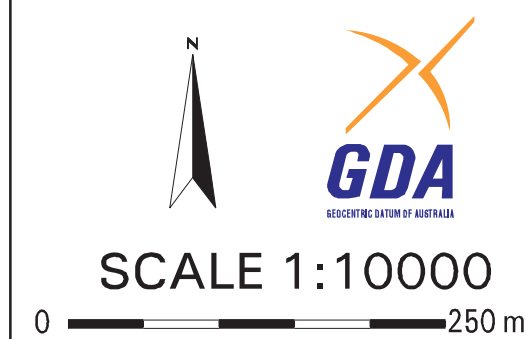
Produced by Mapping and GeoSpatial Data Branch,
Department of Planning.

Whilst all care has been taken to accurately portray the current Scheme provisions, no responsibility shall be taken for any omissions or errors in this documentation.


Consultation with the respective Local Government should be made to view a legal version of the Scheme. Please advise the Department of Planning of any omissions or errors in the document.

Base Information Supplied by the Western
Australian Land Information Authority, GL248-2007-2

CITY OF STIRLING
LOCAL PLANNING SCHEME NO 3
(DISTRICT SCHEME)



MAP OVERVIEW



A map overview showing a grid of 19 numbered cells. Cell 16 is highlighted in red.

1	2	3	4
5	6	7	8
9	10	11	12
13	14	15	16
17	18	19	

Authorised: Victor Chew
Plot date: 01 May 2012
G.Gazette: 06-AUGUST-2010

6.7 PARKING & ACCESS

1.0 Introduction

Where this policy is inconsistent with the provisions of a local planning policy applying to a particular site or area, the provisions of that local planning policy shall prevail to the extent of the inconsistency.

2.0 Objectives

- a) To facilitate the development of adequate parking facilities;
- b) To ensure safe, convenient and efficient access for pedestrians, cyclists and motorists;
- c) To ensure that a major parking problem is unlikely to occur;
- d) To ensure that car parking areas and accessways do not have a detrimental impact on the character and amenity of an area; and
- e) To ensure that an oversupply of parking does not occur that discourages alternative forms of transport and is detrimental to the urban design and character of the locality.

3.0 Applications Subject of this Policy

All development on either zoned land or reserved land is subject to this policy.

4.0 Definitions

Gross Floor Area (GFA): means the total floor area within the building measured from the outside of main faces of external walls (including the portion of any common or party wall forming part of the building) exclusive of parking facilities sited within the building.

Public Floorspace: means any floor area of a building openly accessible to the public excluding private storage areas, kitchens, staff areas and the like.

Gross Leasable Area (GLA): means in relation to a building, the area of all floors capable of being occupied by a tenant for its exclusive use measured from the internal finished surface of external building walls, but excluding features such as balconies and verandahs and, if there are two or more occupants or tenants, excluding common use areas, service areas, and non-exclusive public spaces and thoroughfares.

Alfresco Area: means an area with direct access from a restaurant, hotel or the like which is not permanently enclosed, may include a covered roof, and is utilised for the consumption of food or beverages.

Reciprocal Parking: refers to parking facilities serving separate uses or a mixed-use development (i.e. a development comprising of both residential and non-residential uses), but not shared concurrently between the uses.

Redundant Crossover: means a crossover which no longer provides vehicular access to a site or is no longer adjoined to a driveway or access way on a site.

Residential Development: refers to development of single house/s, grouped dwellings, multiple dwellings, aged persons dwellings, single bedroom units and residential buildings as defined in the Residential Design Codes of Western Australia.

Mixed Use Development: means a development comprising of both residential and non-residential uses.

End-of-Journey Facilities: means facilities which support the use of bicycle transport by allowing cyclists the opportunity to shower and change at the beginning or end of their journey to and from work. The facilities include separate male and female changing rooms and shower facilities and lockers for the storage of clothing and other personal items.

District Distributor Road: means as defined in the functional road hierarchy published by Main Roads WA.

Local Road: means as defined in the functional road hierarchy published by Main Roads WA.

Australian Standard: means a document having that title and reference number published by Standards Australia Limited.

Austroads 2009: means the publication titled Guide to Road Design Part 4 published by the Association of Australia and New Zealand Road Transport and Traffic Authorities.

Service Access: means vehicular access for non-residential uses to provide a function which includes but is not limited the loading and un-loading of goods, deliveries, dispatch and the like.

5.0 Parking Ratios

5.1 Provision of Car Parking

The number of car parking bays required to be provided for the uses and activities referred to in Table 1: Car Parking Ratios shall be in accordance with the car parking ratios in Table 1 unless otherwise approved by Council.

Table 1: Car Parking Ratios

ACTIVITY / USE	CAR PARKING RATIO
Alfresco Area	1 bay per 14m ² of alfresco area
Bank	1 bay per 20m ² of GFA
Bed & Breakfast	2 bays per dwelling, plus one bay per bedroom (used for accommodation)
Boarding House	1 bay per bed or 1 bay per unit as the case may be
Child Care Premises	1 bay per staff member and 1 bay per 7 children
Club Premises	1 bay per 9m ² of public floorspace

Consulting Rooms and Medical Centres	6 bays for 1 health consultant 10 bays for 2 health consultants 2 additional bays for each health consultant in excess of 2 health consultants; and Where a medical centre includes a chemist as an ancillary service, the number of parking bays to be provided for the purpose of that chemist shall be calculated at the rate of 1 bay per 25m ² of GFA.
Educational Establishment Pre-primary Primary Secondary Tertiary / Technical	1 bay per staff member; 1.25 bays per classroom; 3 bays per classroom; 1.25 bays per classroom, plus one bay per 3.5 students.
Garden Centre	1 bay per 50m ² of nursery area
Hardware Showroom	1 bay per 20m ² GFA
Hospital	1 bay per bed
Hotel/Motel	1 bay per bedroom; and 1 bay per 3m ² of public floorspace (including dining areas and function rooms)
Industry – Extractive^(a) Industry – General^(a) Industry – Light^(a) Industry – Noxious^(a)	1 bay per 50m ² of GFA
Industry - Service^(a)	1 bay per 50m ² of GFA (industry component) 8 bays per 100m ² of GLA (retail component)
Motor Vehicle, Boat or Caravan Sales	1 bay per 100m ² of open display area and one bay per staff member
Motor Vehicle Repair	1 bay per 40m ² of GFA
Nursing Home	1 bay per three beds
Office	1 bay per 30m ² of GFA
Place of Worship	1 bay per 4m ² of public floorspace and 1 bay per staff member
Public Amusement Cinema/Theatre	1 bay per 3m ² of auditorium area;
Recreation Private Bowling Alley Health Studio Indoor Cricket Skating Rink Sports Hall Squash Court Swimming Pool	2.5 bays per lane 1 bay per 9m ² of public floorspace; 16 bays per court; 1 bay per 20m ² of GFA 1 bay per 20m ² of GFA 2 bays per court; and 1 bay per 4 people accommodated.
Residential	As per the Residential Design Codes of Western Australia.
Restaurant, Fast Food Outlet , Reception Centre	1 bay per 7m ² of gross floor area

Service Station	3 bays per working bays
Shop/Personal Services 0 - 5000m ² 5001 – 10,000m ² 10,001m ² plus	8 bays per 100m ² of gross leasable area (GLA) 400 bays plus 7 bays per- 100m ² of GLA in excess of 5001m ² 750 bays plus 6 bays per- 100m ² of GLA in excess of 10001m ²
Showroom	1 bay per 30m ² of GFA
Tavern	1 bay per 3m ² of public floorspace (including dining areas and function rooms)
Veterinary Centre Practitioners	6 bays for one practitioner 10 bays for two practitioners 2 additional bays for each practitioner in excess of 2 practitioners
Warehouse^(a)	1 bay per 50m ² of GFA

- a) The parking ratio for an office which is incidental to the activity or use referred to in Table 1, where the area of the office is less than 60m², is the same ratio as the activity or use to which it relates.

5.1.1 Uses Not Listed

Where an activity or use is not listed in Table 1, the parking ratio will be determined by Council having regard to the objectives of this policy, similar uses, surrounding uses and off-site parking availability.

5.1.2 Rounding of Parking Bays Required

All parking requirements are to be calculated by rounding to the nearest whole number.

5.2 Reduction of the Required Number of Car Parking Bays

With respect to non-residential development, the following clauses specify criteria for consideration by Council in permitting reductions to the number of car parking bays required by applying the car parking ratios in Table 1. Reductions may be granted cumulatively under clauses 5.2.1, but the maximum variation that will be permitted is 65% of the required number of bays under clause 5.1.

5.2.1 Parking Reduction

The required number of car parking bays derived by the application of the parking ratios for non-residential development in Table 1 may be reduced where the performance criteria in Table 2 are satisfied. The reductions in parking as outlined in Table 2 are not applicable where under Local Planning Scheme No.3 and /or a specific local planning policy specifies a parking ratio different to Table 1 or a modified overall parking requirement.

Table 2: Proposed Car Parking Reductions

Reduction %	Performance Criteria
20% or 10%	The proposed development is within 400 metres ^(b) of a rail station shown in Figure 1; or The proposed development is within 800 metres ^(b) of a rail station shown in Figure 1.
15%	The proposed development is within 200 metres ^(b) of a stop on a high

or 10%	frequency bus route or a bus station shown in Figure 1; or The proposed development is within 400 metres ^(b) of a stop on a high frequency bus route or a bus station shown in Figure 1.
20% or 10%	The proposed development is within 50 metres ^(b) of an existing public car parking area as shown in Figure 2; or The proposed development is within 400 metres ^(b) of an existing public car parking area as shown in Figure 2.
5% or 10%	The proposed development is to provided 5 bicycle bays greater than required (as per specifications in 6.2 Bicycle Parking); or Where the above concession is sought and 'end-of-journey' facilities are provided ^(c) (as per specifications in 6.2 Bicycle Parking);
10%	The proposed development is within a Local Centre, District Centre, Regional Centre, Mixed Use or Business Zone.
10%	Where the building/place is listed on the City's Heritage List, Municipal Inventory or the State Register of Heritage Places (subject to the building being appropriately conserved).

- b) Distance is calculated via constructed footpaths or along road reserves (where no footpaths exist) and not "as the crow flies".
- c) Granted if additional bicycle bays take the total number of bays to 10 or more requiring end-of-journey facilities to be provided.

Any additional reductions to those specified in the above Table will require Council's approval, having due regard to the circumstances of a particular case, any justification submitted by the applicant and the likely impact on the amenity of the surrounding area and residents.

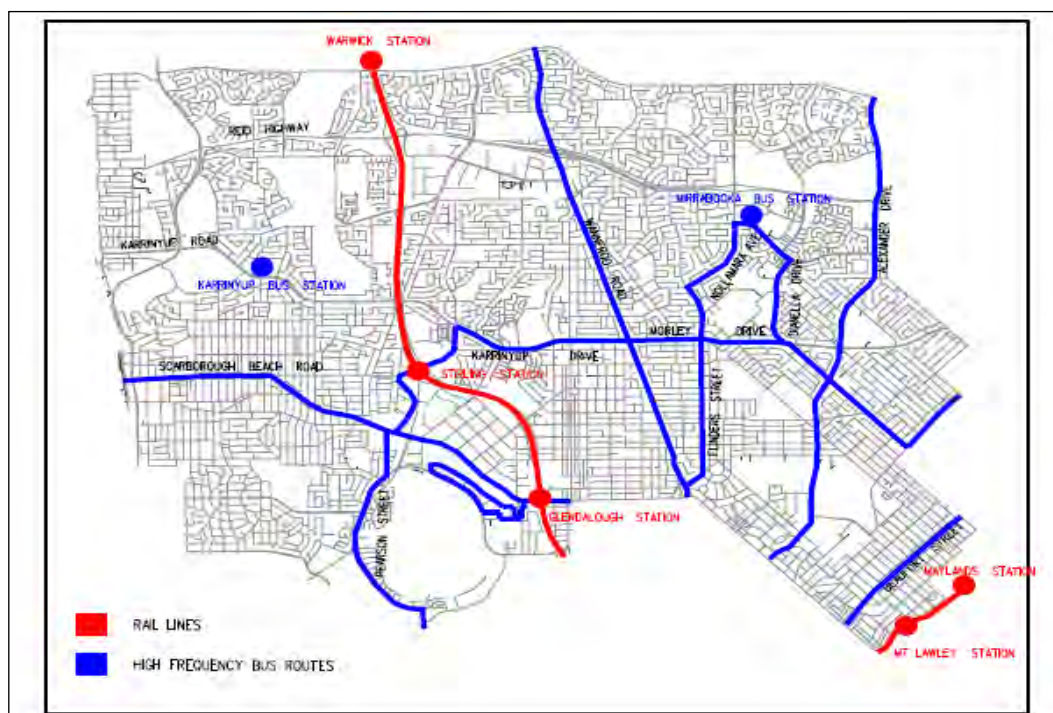


Figure 1 – High Frequency Bus Routes and Train Lines

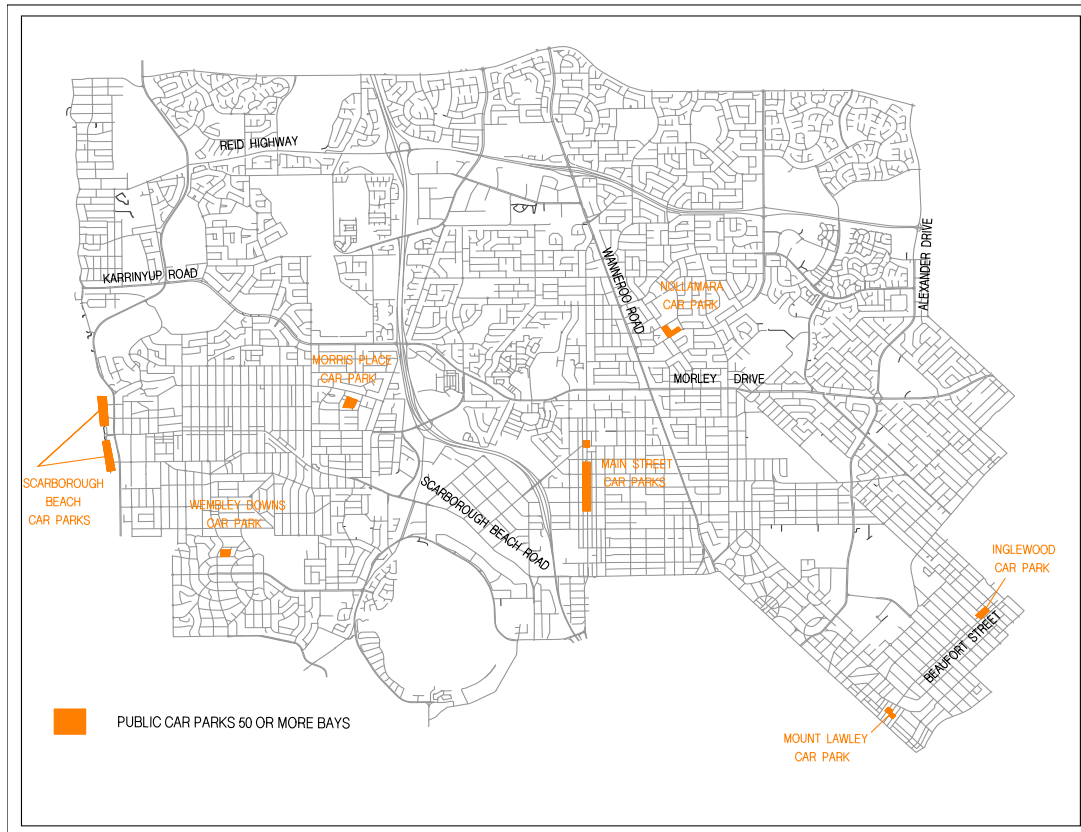


Figure 2 – Public Car Parking Areas

5.2.1.1 Cumulative Reduction in Car Parking Bays

Reductions may be granted cumulatively under clause 5.2.1, but the maximum variation that will be permitted is 65% of the required number of bays as calculated under clause 5.1.

5.2.2 Reciprocal parking

Reciprocal parking arrangements, up to the full parking requirement specified in Table 1: Car Parking Ratios of this policy, may be considered acceptable where Council is satisfied that:

- Demand for parking by the various uses proposed will not unreasonably coincide;
- The parking facilities serving the proposed uses will be located on the one lot, or if located on a separate lot, the parking arrangements are permanent (e.g. through an easement, amalgamation, legal agreement, restrictive covenant or any other formal arrangement acceptable to Council);
- Parking demand both in the immediate and long term can be satisfied; and
- No substantial conflict will exist in the peak hours of operation of the uses for which the reciprocal parking arrangements are proposed.

5.2.3 Cash in Lieu

Cash-in-lieu of parking shall be considered only where non-residential developments are unable to meet the Scheme parking requirements (i.e. they have a shortfall of parking). This provision is not replacing the developer's responsibility to provide sufficient on-site parking, but rather as a mechanism to enable desirable developments, for which the full amount of parking cannot be provided on site but can be provided elsewhere, to proceed. In determining whether to accept cash in lieu of parking, the following will be considered / required:

- a) The actual provision of an adequate supply of parking;
- b) An identified location (on or off-street) within close vicinity of the subject site for the provision of additional bays exists (either proposed or already constructed);
- c) Contributions will be calculated per bay based on the estimated average cost of providing a public parking bay (including turning areas) in that locality at current market costs for both the land component (to be determined by an independent valuer, at the applicant's cost) and construction (to be determined by the City's Engineering Design Unit). Where opportunities exist for both on-street and off-street parking to be provided by the City, an averaged cost shall be applied, unless otherwise approved by Council;
- d) Payment by installments may be considered for ten or more bays;
- e) Monies thus collected will be placed in a Special Parking Fund which may only be used by the City for:
 - Acquisition of land for parking in the municipal district;
 - Construction of public parking, both on-street and in a parking station;
 - Improvements to existing parking stations and on-street parking;
 - Servicing of loans obtained to provide parking;
 - Maintenance of public parking areas and bays; or
 - Public transport infrastructure, where Council considers that such expenditure would result in a reduced demand for parking in that area.

Whilst the City will make every effort to ensure the expenditure of cash in lieu occurs within the appropriate location to meet the parking shortfall, the collection of sufficient funds to complete works may take time to accumulate. Consequently, the City makes no commitment in accepting cash-in-lieu of parking to expend that money within a particular time-frame.

6.0 Submission Requirements - Transport Analysis

The City requires the submission of a transport analysis for certain developments as outlined below or where deemed necessary by Council.

Brief Transport Analysis

A brief Transport Analysis (non-technical report) is required to be submitted for Child Care Centres, Education Establishments and non-residential developments fronting a District Distributor Road or above and in instances where a proposal seeks reciprocal parking or cash in lieu of parking bays. The Transport Statement shall include but not limited to:

- a) Description of the development;
- b) Vehicle access and parking arrangement;
- c) Provision for service vehicles;
- d) Hours of operation;
- e) Estimate of daily traffic volumes and type of vehicles (staff & customers);
- f) Location of nearest bus stops train stations and level of accessibility;
- g) Pedestrian access / facilities (footpaths);
- h) Cycle access / facilities (bike paths); and
- i) Survey of existing car parking usage in the locality

Full Transport Analysis

A full Transport Analysis (technical report) is required to be submitted for developments requiring or proposing more than 50 parking spaces (after factoring in any reductions) and shall include but not limited to:

- a) Assessment of impact of vehicular movements upon surrounding roads and intersections;
- b) Description of the development;
- c) Assessment of the likely parking demand;
- d) Consideration of nearby developments including those with valid approvals which are yet to be constructed;
- e) Assessment of accessibility to the site by non-car modes;
- f) Assessment of the impact of the development traffic on existing pedestrians, cyclists and public transport users; and
- g) Assessment of the potential impact on the amenity of the surrounding area.

7.0 Residential Parking Layout, Design and Access

7.1 Residential Parking Layout and Design

All car parking and manoeuvring areas for residential developments are to be designed in accordance with the Residential Design Codes of Western Australia and the provisions set out hereunder:

- a) Parking for all residential developments shall be paved and drained to the satisfaction of the Council and maintained thereafter;
- b) Parking areas shall be designed so as to enable vehicles to return to the street in forward gear where it is considered that reversing onto the road will pose a traffic hazard;
- c) Car parking areas for single, grouped or multiple dwelling developments or developments with more than one driveway should be brick-paved or be of alternative finishes, such as concrete that are suitably treated with a decorative type finish to the City's satisfaction;
- d) Any parking bays provided in the road reserve do not contribute towards the number of on-site bays required; and

- e) Where a loss of off-site parking occurs due to new vehicular access arrangements, the applicant must either pay cash in lieu for the loss in parking or provide the loss of parking on-site or at an appropriate location off-site.

7.2 Residential Access

Access to residential parking areas shall be provided in accordance with the provisions set out hereunder:

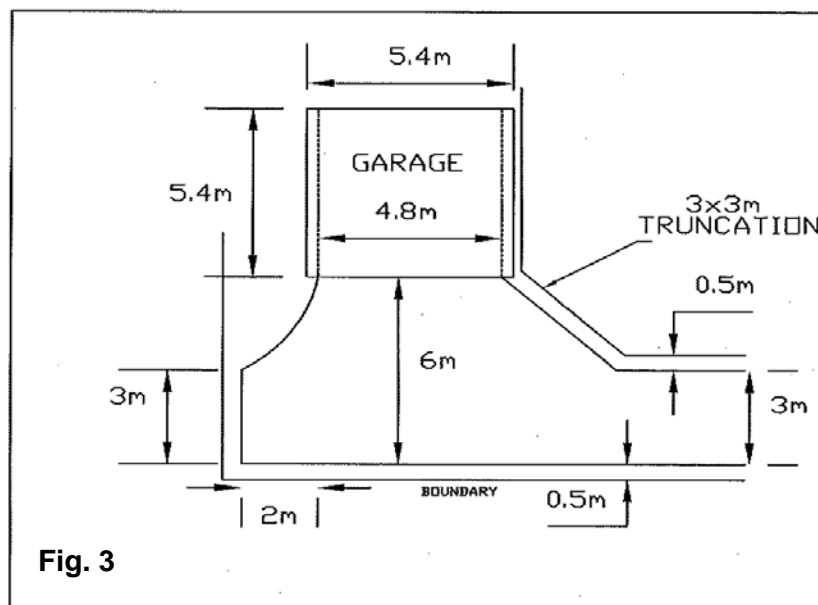
7.2.1 Driveways and Crossovers

Driveways and Crossovers (where applicable) shall;

- a) Be no closer than 0.5m to side boundary and street poles;
- b) Be no closer than 1.0m from the nearest point of a street tree;
- c) Be aligned at right angles to the street: and parallel in width;
- d) Be designed for vehicles to enter the street in forward gear where it is considered that reversing onto the road will propose a traffic hazard;
- e) Be no wider than the width of the garage or carport opening in which it services;
- f) For multiple and grouped dwellings, be designed to allow vehicles to pass in opposite directions where a change of direction occurs along an access; and
- g) Where a lot has access to both a Distributor Road and a Local Road, all access must be from the local road unless it can be demonstrated that access can be safely accommodated from the Distributor Road.

7.2.1.1 Turning Circles (manoeuvring)

- a) A manoeuvring depth of 6.0 metres is required for single vehicle garages or multiple vehicle garages containing internal walls and/or obstructions between vehicles.
- b) A manoeuvring depth of 5.8 metres may be considered for multiple vehicle garages with no internal walls and/or obstructions between vehicles.



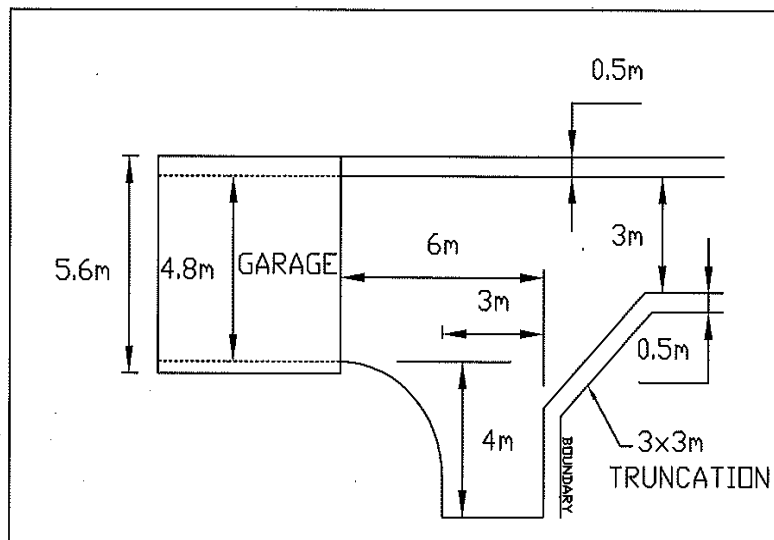


Fig. 4

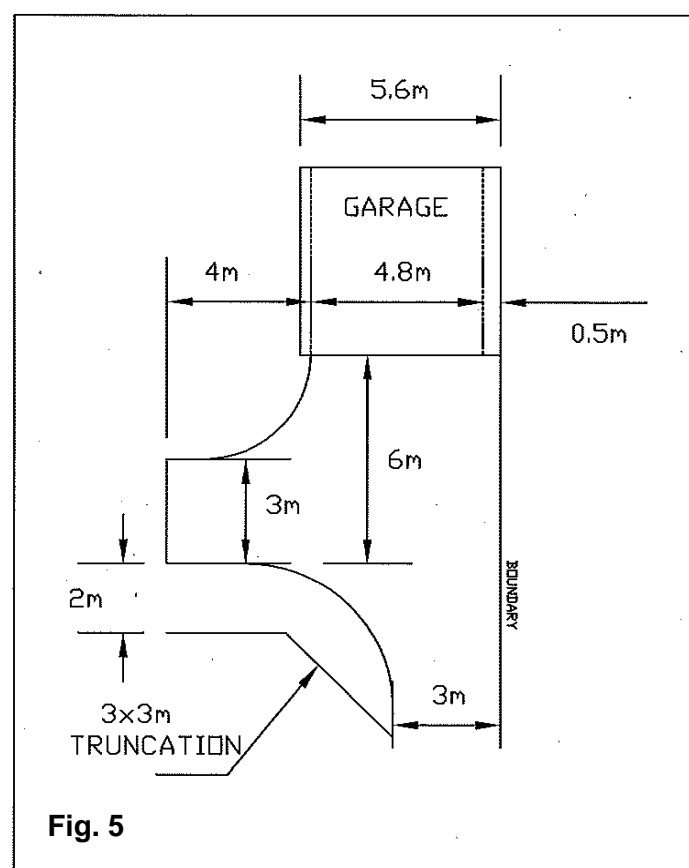


Fig. 5

Figures 3, 4 and 5 – Examples of acceptable turning circles

7.2.2 Driveway Taper

- a) A maximum internal driveway taper of 1:5 is permitted; and
- b) A decrease in the internal driveway tapers must comply with the “Standard single turn swept path templates” as detailed in Australian Standard AS 2890.1.

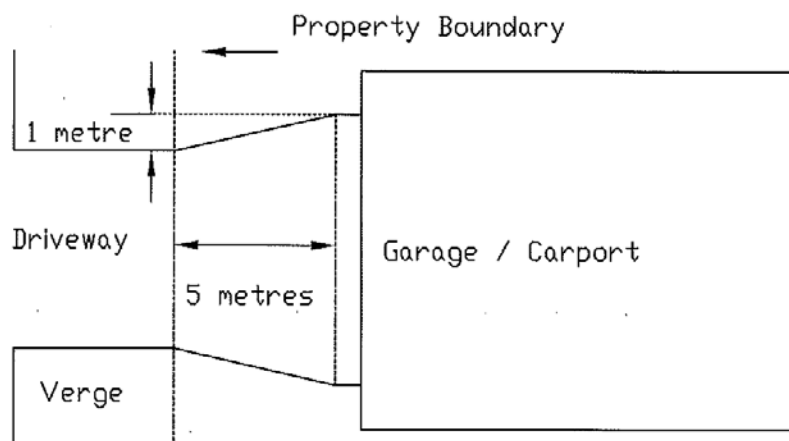


Figure 4 – Driveway Taper

7.2.3 Driveway Gradients

Driveway gradients shall comply with Australian Standard AS 2890.1. A longitudinal section may be required to demonstrate compliance with Australian Standard AS 2890.1.

7.2.4 Removal of Redundant Crossovers

Any redundant crossover is to be removed and verge and kerb reinstated to the City’s requirements

7.2.5 Verge Levels

Existing verge levels are not to be modified unless determined necessary by the City due to topography considerations.

8.0 Non-Residential Parking Layout, Design and Access

8.1 Non-Residential Parking Layout and Design

All car parking and maneuvering areas for non-residential developments are to be designed in accordance with the Australian Standards AS 2890.1 and the provisions set out hereunder:

- a) Parking areas shall be sealed, drained and marked to the satisfaction of the Council and maintained thereafter;

- b) Parking areas shall be designed so as to enable all vehicles to return to the street in forward gear;
- c) Disabled parking bays as required under the provisions of the Building Codes of Australia may be included in the number of bays calculated in accordance within Table 1. The provision of disabled parking bay/s should not reduce the number of parking bays being able to be provided on site as required by this policy;
- d) Disabled parking bays are required to provide a shared area in accordance with Australian Standard AS 2890.6;
- e) Entry and exit points and vehicle circulation patterns are to be clearly indicated
- f) Parking bays shall not be provided in tandem;
- g) Car stacking systems or other such systems may be supported subject to the submission of a parking management plan detailing the operation of the system to the satisfaction of Council
- h) Parking areas developed for the following uses shall accommodate for a 12.5m turning radius (single truck) as per Austroads 2009, Table 5.1:
 - a) Garden Centre
 - b) Hardware Showroom
 - c) Industry – Extractive
 - d) Industry – General
 - e) Industry – Light
 - f) Industry – Noxious
 - g) Industry – Rural
 - h) Industry - Service
 - i) Media Establishment
 - j) Motor Vehicle Repair
 - k) Motor Vehicle, Boat or Caravan Sales
 - l) Salvage Yard
 - m) Service Station
 - n) Showroom
 - o) Storage (outdoor)
 - p) Transport Depot
 - q) Warehouse
 - r) Wrecking

8.2 Non-Residential Access

Access to non residential parking areas shall be provided in accordance with the provisions set out hereunder:

8.2.1 Access ways and Crossovers

Access ways and crossovers (where applicable) shall;

- a) Be provided at a rate of no greater than one per street frontage;
- b) Be no less than 6.0m in width and no greater than 10m in width;
- c) Be no closer than 0.5m to side boundary and street poles;
- d) Be no closer than 1.0m from the nearest point of a street tree;
- e) Be aligned at right angles to the street and parallel in width;
- f) Be designed so as to minimise traffic or pedestrian hazards, conflict with pedestrian/cyclist pathways and interference with public transport facilities;
- g) Be designed are to be designed in accordance with Australian Standard AS 1742;
- h) Be subject to Main Roads WA approval where they connect onto roads under Main Roads WA control such as but not limited to Primary Distributor Roads, roads designated as truck haulage routes and properties that abut traffic lights; and
- i) Be accessed from a local road in cases where a lot has access to both a Distributor road or local road unless it can be demonstrated that access can be accommodated safely

8.2.2 Non residential Service Access

Service Access shall be provided to the rear of a shop, showroom, restaurant, warehouse or other commercial use for the purpose of loading and unloading off goods unless, in the opinion of the Council, the circumstances do not warrant the provision of such access. Where alternative service access is provided, and such access is considered acceptable by the Council, the Council may waive the requirement of this Clause. Service Access shall be provided in accordance with the provisions set out hereunder:

- a) The service access shall be so constructed that vehicles using it may return to a street in forward gear;
- b) If a right of way is located to the rear of the lot, an area shall be paved on the lot so that vehicles when loading or unloading shall not remain on the right of way. The area shall be of such a size that if no alternative route exists, vehicles may turn so as to return to the street in forward gear;
- c) The service access shall not be less than six metres in width. If the size of the lot makes the provision of a six metre wide access way impracticable or unreasonable, the Council may permit an service access of a lesser width, but in no case less than three meters in width;
- d) The service access as required above shall be designed so as to segregate vehicles, both moving and stationary, from parking areas and access ways provided for customer parking; and
- e) Loading/unloading areas should not be located within close proximity to any adjoining residential uses;

8.2.3 Removal of Redundant Crossovers

Any redundant crossover is to be removed and verge and kerb reinstated to the City's requirements.

8.2.4 Verge Levels

Existing verge levels will not be modified unless determined necessary by the City due to topography considerations.

9.0 Landscaping

All landscaping of parking areas is to be in accordance with the City's Landscaping Policy.

10.0 Specific Purpose Bays

The provision of bays marked exclusively for the use of motor cycles, bicycles, delivery and service vehicles, taxis, buses, coaches, courier services, and timed bays where the nature of the development requires specific purpose bays may be required in addition to the requirements of Table 1. Council will determine the number of bays to be marked for specific purpose bays depending on the nature of the development; however, the following rates are to be used as a guide:

- a) In non-residential developments with over 500m² of GFA, at least one bay shall be permanently set aside and marked for the exclusive use of delivery and service, and courier vehicles;
- b) In childcare premises an area shall be provided for the adequate setting down and picking up of children which is separate from the car parking area.;
- c) The provision of bays marked exclusively for use by drivers with disabilities at the rate specified in the Building Code of Australia and relevant Australian Standards shall be required; and
- d) The location of specific purpose bays shall be determined by Council having regard to the nature of the specific purpose bays required.

11.0 Minor Additions and Changes of Use within the Scarborough Special Control Area.

When considering an application for a minor addition or a change of use within the Scarborough Special Control Area (as defined under Clause 6.9 of Local Planning Scheme No.3), parking bays in addition to those already existing on-site will not be required where the application meets all of the following:

- a) The addition is non-residential;
- b) The change of use is to a non-residential use, or occurs upon a site which is zoned mixed use;
- c) The addition and/or the change of use would not require more than 3 additional parking bays;

- d) The addition does not increase the non-residential floorspace of a building by more than 50m²; and
- e) The applicant satisfies Council that the addition will not substantially increase the intensity of the use of the site.

12.0 Variations

Applications seeking variations to this Policy shall be determined by Council in accordance with the objectives of this Policy and, in doing so, Council may seek the comments of adjoining or nearby neighbours.

Office Use Only:

Policy Adoption and Amendment History:

Reviewed / Modified	Date	Resolution Number
Adopted	10 July 2012	0710/005



Policy Manual



PROPOSED OFFICE BUILDING

NO. 731 BEAUFORT STREET,
MOUNT LAWLEY

OUR REF: 712-434
NOVEMBER 2012

DOCUMENT CONTROL

Document ID: PLANNING/PG 2013/712-434/Final Documents/Lodged/Proposed Office Building 123
Beaufort Street 28.11.12.indd

Issue	Date	Status	Prepared by		Approved by	
			Name	Initials	Name	Initials
1	27.11.12	Draft	Susannah Kendall		Nerida Moredoundt	
2	28.11.12	Final	Susannah Kendall/ Chris Harman		David Caddy	

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The graphic features two circles of different sizes, one above the other, both with dashed outlines. Two horizontal lines, also with dashed outlines, extend from the right side of each circle across the page.

PROJECT TEAM

Anglicare WA

Taylor Robinson

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TPG Town Planning, Urban Design and Heritage

Client

Architect

Transport

Planning & Heritage

INTRODUCTION

PURPOSE

This report has been prepared by TPG Town Planning, Urban Design and Heritage (TPG), on behalf of Perth Diocesan Trustees, in support of an application to construct an Office building at No. 731 (Lot 123) Beaufort Street, corner First Avenue, Mount Lawley.

This report presents the details of the site, a detailed description of the proposed development, and addresses the planning, heritage and urban design considerations relevant to the proposal.

PROPOSED DEVELOPMENT

The proposed development has the following main components:

- **Adaptive Reuse of Existing Rectory**

The existing Rectory building will be renovated and used as office and meeting room space. It will be primarily used by Anglicare WA for staff, sector, community and other meetings and events. This facility will be made available to Parish and Diocesan groups.

- **New Ancillary Office Building**

The construction of a new building in the currently unused and overgrown vacant land in front of the existing St Patrick's Anglican Church along Beaufort Street. The ancillary Office will be used for administration associated with Anglicare WA and will be used in conjunction with the refurbished Rectory building.

- **New Rectory**

A new rectory is also proposed. The new rectory will be used to house a Parish clergy person and their family and will be constructed along the western side of the existing Rectory building.

- **Site Improvements**

Formal on-site car parking (23 car bays) will also be provided. Currently no formal car parking arrangement exists on site.

PLANNING FRAMEWORK

The subject site is zoned 'Urban' under the Metropolitan Region Scheme (MRS), and abuts Beaufort Street. The MRS identifies Beaufort Street as an Other Regional Road. The subject lot is subject to road widening for future transport upgrades and accordingly the application requires referral to the Department of Planning for comment, in accordance with the WAPC Instrument of Delegation DEL 2011/02 (refer to Appendix A).

The site is located within the local government municipality of the City of Stirling (the City). Accordingly, it is zoned Residential R40 under the City's Local Planning Scheme No. 3 (LPS3), and is within the City's Inglewood Locality. It is also located within the Mount Lawley (East) area of the City's Mount Lawley Heritage Protection Area.

As the cost of the proposed development falls between \$3 and \$7 it is considered an "opt-in" application, where the applicant may choose to have the application determined by Metropolitan North West Joint Development Assessment Panel (JDAP).

The development proponent has requested that the JDAP determine this application.

SITE DESCRIPTION AND CONTEXT



PLAN 1 – LOCATION PLAN

PROPERTY LOCATION AND TENURE

The site is located at No.731 Beaufort Street, corner First Avenue, Mount Lawley.

The site is 5,516m² in area and is rectangular in shape. Its south-eastern boundary fronts Beaufort Street (approximately 60.35m); its north-eastern boundary fronts First Avenue (91.41m); its south-western boundary (91.41m) abuts a grouped dwelling development; and its north-western boundary (60.35m) abuts a single dwelling.

The following table details the Certificate of Title particulars. The Certificate of Title is shown in Appendix B.

Lot	Volume/ Folio	Diagram No.	Landowner
123	1046/536	10143	The Perth Diocesan Trustees

REFER TO PLAN 1 – LOCATION PLAN



PLAN 2 – SITE PLAN

EXISTING DEVELOPMENT AND CURRENT LAND USE

Three buildings currently occupy the site. The current land use and a description of each building is outlined below:

- **St Patrick's Anglican Church:** The Church is located on high ground along the northern side of the site and is setback approximately 30 metres from Beaufort Street. It has been used as Place of Worship since 1936.
- **The Rectory:** The Rectory is located along the southern side of the site and is setback approximately 28 metres from Beaufort Street. Views to this building are largely obscured by a number of mature trees in the street setback area. The rectory is currently occupied by associates of the Church.
- **Church Hall:** The Church Hall is located along the rear western side of the site and fronts First Avenue. Views to this building are somewhat obscured by a Peppermint tree, which is located in the street setback area. The Hall is used for various church and local activities.

REFER TO PLAN 2 – SITE PLAN

REFER TO FIGURES 1 TO 3 – IMAGES OF THE SUBJECT PLACE



Figure 1 - Church



Figure 2 - Rectory



Figure 3 - Church Hall



Figure 4 - View of subject site, looking across First Avenue



Figure 5 - View of subject site from Beaufort Street



Figure 6 - View of subject site from Beaufort Street

SITE DESCRIPTION

There is a significant rise in the topography of the site from Beaufort Street (low) to the rear north-western boundary (high). The area in front of the Church and Rectory is largely unutilised and comprises a large expanse of grass and some mature trees. A sealed informal car-parking area behind the Church Hall is access via a long driveway, which runs parallel to the rear north-western boundary. A low limestone and red brick retaining wall runs around the Beaufort Street and First Avenue boundaries.

REFER TO FIGURES 4 TO 6 – IMAGES OF THE SUBJECT PLACE AND ITS TOPOGRAPHY

SITE CONTEXT

The site is located along a portion of Beaufort Street, between First Avenue and Regent Street. All original dwellings, with the exception of the Rectory have been demolished along this portion of Beaufort Street and have been replaced by contemporary two-storey dwellings. These contemporary dwellings have a very small street setback and obscure views to the site when travelling north along Beaufort Street.

Further redevelopment has occurred on the portion of Beaufort Street on the northern side of First Avenue. In this location there is a contemporary two-storey group dwelling development, which references the Federation style of architecture. These dwellings are accessed from First Avenue and are concealed from Beaufort Street by a semi permeable fence and a row of mature trees.

Directly opposite the subject place is the Hungarian Community Hall; a block of flats and Copley Park. These large land holdings slope away (down) from Beaufort Street and are largely obscured from Beaufort Street by vegetation and mature trees.

REFER TO FIGURES 7 TO 8 – IMAGES OF THE SURROUNDING DEVELOPMENT



Figure 7 - Streetscape View - south of the Rectory

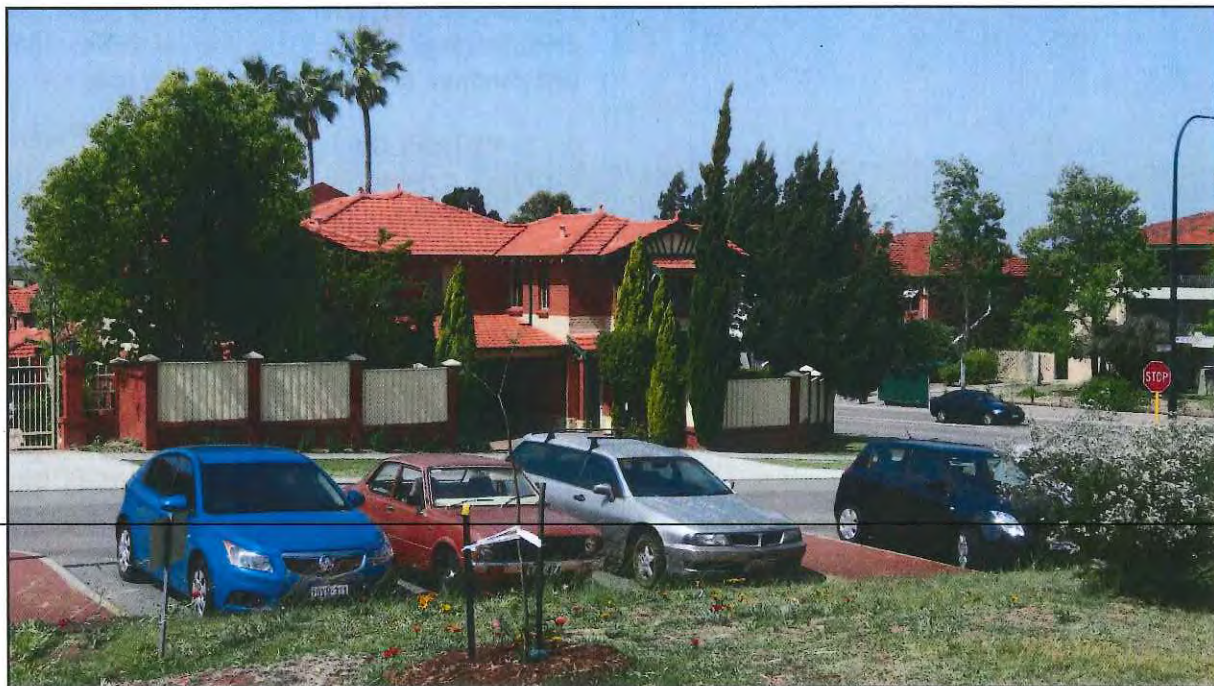


Figure 8 - North of the Beaufort Street and First Avenue intersection

PLANNING CONSIDERATIONS

The proposed development is to be assessed in context with the City's Local Planning Scheme No. 3, the City's Character Retention Guidelines Mount Lawley, Menora and Inglewood (the Guidelines) and other relevant City Policies. The following discussion identifies the key planning considerations of these documents and demonstrates that the development is an appropriate, innovative and a high standard proposal, which seeks to improve the amenity of the site and respond to the heritage values of both the site and the area.



LAND USE

As previously established the subject place comprises St Patrick's Anglican Church, a Rectory and a Church Hall. The LPS3 sets out that a Place of Worship is an 'A' use, which means that the use is not permitted unless the Council has exercised its discretion by granting planning approval after giving special notice in accordance with Clause 9.4.

The subject place has been used as a Place of Worship since 1936 and it is intended that this use be continued as the primary use, as demonstrated through the key activities that will continue to occur as part of this use.

1. St Patrick's Church

Worship

Sunday worship is held at 9.00 a.m. each week. Additional worship is offered as required (for example, weddings, funerals) and at special times of the year (for example, Good Friday, Christmas).

Capacity

The Church is licensed by Stirling City Council for a maximum seating capacity of 136.

Sunday worship averages around 40 people.

2. Church Hall and Meeting Room

Use of the Hall and Meeting Room is guided by a Parish policy that requires all user groups to have:

- some community focus in their program; and
- a purpose which is in keeping with the Parish mission statement.

Current usage of the Church Hall includes:

- Church Hall
- After School Care
- Tae Kwon Do
- Parish Craft Group
- Gamblers Anon
- Tai Chi
- Yoga in Daily Life
- Shout! Youth Group (North Perth and Mt Lawley Parishes)
- Jump Youth Group (North Perth and Mt Lawley Parishes)
- WA Guild of China Painters
- WA Orchid Society
- State Electoral Commission (Polling Booth)

Current usage of the Meeting Room includes:

- Student Christian Movement (External Christian group)
- Painting Group (Parish)
- Australian Board of Missions Auxiliary (Australian Church group)
- Sunday School/Junior Church (Parish)
- Church Council and other Parish meetings.



As outlined in the introduction the proposed development includes the construction of a new building and conversion of the existing rectory to be used as an ancillary office and meeting room space. Anglicare WA will primarily use this office space for staff, sector, community and other meetings and events. This facility will be made available to Parish, and Diocesan groups. Other details of the use include:

- Operating hours - between 7.30am and 6.00pm Monday to Friday with occasional evening meetings.
- Staff Numbers - between 40 and 45 staff.
- Visitors - There will be a small, varying number of visitors each day to the facility dependent on scheduled meetings and events. Depending on numbers; the facility, existing Rectory, Church Hall or Church Building may be used.

We recognised that under LSP3, an office is not a permitted use in a residential zone. However, the office use proposed as part of this application will be ancillary and subordinate to the predominant Place of Worship use and as a result it can be considered under clause 4.3.3 of LSP3, which states a change of use of land from one use to another is permitted if *"the change is to an incidental use that does not change the predominant use of the land."*

The office use proposed as part of this application will not change the predominant use of the land, which is a Place of Worship, and will be relevantly incidental or ancillary to this Church use of the site, as explored below:

- The proposed office use is not an independent, dominant use.
- The co-location of the Parish of Mount Lawley and some administrative functions Anglicare WA and the Diocese of Perth on this site constitutes a Church use as it deals with the administration of religious activities.
- The proposed facility would be available for use by the Parish for activities such as pastoral care and educational activities for congregants.
- The office will present and function as "an integral part of the Church uses of the site".

In addition to the above, the proposed ancillary office use is in line with the second objective of LPS3 for land in the residential zone, which states that this zone is to *"provide for a range of non-residential uses, which are compatible with and complementary to residential development."* It is considered that the presence of the ancillary office will provide activity and passive surveillance to the predominantly surrounding residential area and dormant suburb during daytime hours.

Applicant's Submission for the Proposed Ancillary Office Use

A co-location of the Parish of Mount Lawley and some administrative functions Anglicare WA and the Diocese of Perth on this site would meet the intention of the Mission Plan and constitute Church use in accordance with the policy of the Anglican Diocese of Perth. How this interface with as can be seen below:

The Anglican Diocese of Perth adopted the Mission Action Plan in 2008 as its primary policy document. It represented an intentional shift towards embracing all sectors of the Church's life under a common theme "Daring to Live God's Promises". There are two salient aspects to this Mission Plan.

1. Under this policy all expressions of the Church's life: parish, agency (such as Anglicare WA) and school are all seen as equal partners in the mission of the Church. 'Church activities' in the Mission Plan are expressed through all of these organisations and their work.

2. Three Key Mission Areas are listed as constituting the 'core business' of the Church. These are:

KMA1 Creatively Listening and Telling the Good News of Jesus (PROCLAIM)

KMA2 Building Vital Worshipping Communities (WORSHIP)

KMA3 Reaching Out in Loving Service (SERVE)

The Key Mission Areas are to be enabled through: 4. Inspirational Leadership, and 5. Life Giving Systems and Structures.

Not every organisation under this Mission Plan is intended to meet all three KMAs. Service organisations, for instance, are to meet the objectives of KMA3 "Reaching Out in Loving Service".

In an ideal scenario, several allied Anglican organisations would operate side by side to meet all of the goals of the Mission Plan. This obviously speaks into the current proposal to co-locate part of Anglicare WA administrative operation and other Church services alongside the worshipping community of St Patrick's Mount Lawley. There is the intention to establish significant links between all of these Anglican bodies, including the development of worship, nurturing faith and service opportunities between parish and agency through cooperative ventures with the parish priest and the chaplain.

More specifically the following Mission Plan objectives would be met in such a co-location:

- 2.1 New models of worshipping communities: Identify, pilot and develop new models of worshipping communities.
- 2.3 Partnerships: Build mutually beneficial partnerships and relationships to enable the development of indispensable worshipping communities.
- 3.1 Social Justice Advocacy: Extend social justice advocacy in worshipping communities, Anglican schools and agencies.
- 3.2 Service in the Community: Build our presence in the wider community with integrity.
- 3.3 Anglican Schools and Agencies: Demonstrate the deepening relationship between the Diocese, Anglican schools and agencies.
- 3.5 Capacity Building: Develop our capacity for social justice advocacy and outreach.
- 5.3 Resources: Audit and develop strategic use of Diocesan assets and income streams in order to resource the implementation of the Mission Plan and achieve our Core Purpose.

CAR PARKING

The City of Stirling Parking Policy sets the following car parking ratios, relevant to the proposal.

ACTIVITY/ USE	NUMBER OF PARKING BAYS
Place of Worship	1 bays per 4m ² of public floorspace
Club Premises	1 bay per 9m ² of public floorspace
Office	1 bay per 30m ² of gross floor area
Rectory	2 bays (as per R-Codes)

It is noted that given the existing Church Hall caters for a wide range of social clubs and functions, it can more appropriately be categorised as a club premises for the purpose of calculating car parking. Under LPS3, a club premises is defined as a *"premises used by a legally constituted club or association of other body of persons united by a common interest."*

Based on archive plans obtained, the car parking for the existing and proposed development has been calculated. In regards to the Church and Hall, as we are only concerned with the public floorspace areas, it is assumed that this accounts for approximately 277m² for the Church, and 179m² for the Hall.



Figure 9 - Car parking adjacent to the Church

CAR PARKING ASSESSMENT	
Car Parking Requirement <ul style="list-style-type: none"> Place of Worship (Church) – 277m² = 69 bays Club Premises (Church Hall) – 179m² = 20 bays Office (Existing and Proposed) – 892m² = 30 bays Rectory = 2 bays 	= 121 bays required
Car Parking Reductions as per Parking & Access Policy <ul style="list-style-type: none"> 15% (within 200m of a bus stop) 10% (place is listed on the City of Stirling MHI) 10% (provision of 5 bicycle bays greater than required as well as end of trip facilities) 10% (within 800m of Mount Lawley Rail Station) 	= 35% reduction (City's Policy only allows a maximum reduction of 35%, despite greater reductions being applicable to the site) = 79 bays required
Bays provided on site	= 23 bays provided
Resultant car parking shortfall	= 56 bay shortfall

The objectives of the City's Parking and Access Policy are as follows:

- a) *"to facilitate the development of adequate parking facilities;*
- b) *to ensure safe, convenient and efficient access for pedestrians, cyclists and motorists;*
- c) *to ensure that a major parking problem is unlikely to occur;*
- d) *to ensure that car parking areas and accessways do not have a detrimental impact on the character and amenity of the area; and*
- e) *to ensure that an oversupply of parking does not occur that discourages alternative forms of transport and is detrimental to the urban design and character of the locality."*

The proposed development is considered to meet the objectives of the City's policy as the parking provided is considered adequate to meet the needs of the existing and proposed land uses, whilst encouraging the use of alternative modes of transport through the provision of excess bicycle parking bays and end of trip facilities. The site has a high-frequency bus stop directly adjacent and is also 750m from the Mount Lawley Rail Station. The proposal also involves an exit-only onto Beaufort Street, which is classified as an Other Regional Road, to allow cars to exit in a forward gear and ensure safe egress from the site.

Given that the existing Church and Hall have existed and operated on the site since 1936 with no on-site car parking, the proposed shortfall is not considered to have any detrimental impact on the surrounding locality or cause any major parking problems, especially since the peak hours for the Church/Hall and proposed offices will not coincide.

In addition to the above, Clause 5.2.2 of the City's Parking and Access Policy states that *"reciprocal parking arrangements, where up to the full parking requirement specified in Table 1: Car Parking Ratios of the City's Parking policy, may be considered acceptable where Council is satisfied that:*

- a. Demand for parking by the various uses proposed will not unreasonably coincide;*
- b. The parking facilities serving the proposed uses will be located on the one lot, or if located on a separate lot, the parking arrangements are permanent (e.g. through an easement, amalgamation, legal agreement, restrictive covenant or any other formal arrangement acceptable to Council);*
- c. Parking demand both in the immediate and long term can be satisfied; and*
- d. No substantial conflict will exist in the peak hours of operation of the uses for which the reciprocal parking arrangements are proposed."*

The proposed development meets all of the above criteria, as demonstrated below:

- Demand for parking by the various uses proposed will not unreasonably coincide as the ancillary office will be used during regular business hours and the Church and Hall operate outside of these hours in the evenings and on weekends. Therefore

there will be no conflict between the peak hours of operation of the uses.

- The parking facilities serving the existing and proposed uses are located on the one lot.
- Parking demand both in the immediate and long term can be satisfied. It is to be noted that no formal car parking currently exists on the site and patrons currently rely solely on the on-street parking along First Avenue. The proposed development seeks to address the immediate and long term parking demand by providing 23 car parking bays on site.
- We also consider that the bays on First Avenue can reasonably be taken into consideration for the purposes of supporting the shortfall in car parking and the reciprocal arrangement. First Avenue is a two-way street and the perpendicular bays along the street adjoining the Church are recessed from the main carriageway. Given that the site is surrounded by single houses and grouped dwellings, all with their own off-street parking, it would appear unlikely that the street bays would be required for any purpose other than visiting the Church.

This is further explored in the Transport Impact Statement prepared by KC Traffic and Transport (Refer to Appendix D). In light of the above, it is considered that a reciprocal car parking arrangement for the development is warranted.



Figure 10 - Car parking adjacent to the Church along First Avenue



Figure 11 - Bus Stop in front of the Church



HERITAGE

The subject place is located in the Mount Lawley Heritage Protection Area, and more specifically the Mount Lawley (East) area, which has statutory protection and associated Guidelines to ensure character retention. The subject place is not entered in the Heritage List in its own right, however the Church and Rectory are included on the City's Municipal Heritage Inventory (MHI). The MHI is an information resource that does not have any statutory planning implications for the development of land.

A Heritage Impact Statement has been prepared to accompany the development application and is contained within Appendix D. The Heritage Impact Statement demonstrates that the proposal will facilitate the continued use, activation and conservation of this heritage place and that it has also had due regard to the heritage values of the Mount Lawley (East) Heritage Protection Area, as summarised below:

- In accordance with the Guidelines, the existing Church and Rectory, which date from the early 1900s and the Inter-war period are being retained to ensure their ongoing historic and aesthetic contribution to the Mt. Lawley (East) Heritage Protection Area.
- The proposed new Rectory facility, which is located behind the existing Rectory has been designed in accordance with

the requirements and objectives of the Guidelines and presents as a seamless addition to the traditional existing Rectory building.

- The portion of Beaufort Street, where the subject place is located, has been eroded and no longer exhibits the visual character of a traditional streetscape. New development along this portion of Beaufort Street, such as the proposed new ancillary office is unlikely to have a detrimental impact on the Mount Lawley (East) Heritage Protection Area.
- The proposed new ancillary office facility has been designed in a modest manner, which harmonises and blends with the existing buildings on the site. It is noted that there are no specific provisions in the existing Guidelines, which cater for new development such as this (which is not commercial development, not residential development nor is it development in a Reserve or Private Institution Zone). Accordingly the proposal should be considered on its merits.
- In this instance the development of a new building that reflects the traditional style of character buildings in the Mount Lawley (East) Heritage Protection Area may have a detrimental impact on the Church and streetscape. A traditional style building could significantly obscure the views to and from the Church and cloud the sequence of development of the site.
- The new ancillary office building will not distort or obscure the cultural significance of the place, or detract from its interpretation or appreciation as its design takes advantage of the site topography and partially conceals the proposed ancillary office below the existing natural ground level. This clever design will ensure views to and from the Church and Rectory are maintained and it will also ensure that the Church upholds its 'imposing presence.'
- Mature trees located in front of the rectory are being retained as part of the proposal to provide shade, to provide 'green relief' and to maintain the aesthetics of the site. The partial concealment of the proposed office, below the existing natural ground level, and the landscaped roofing will integrate these elements into the site in a manner that seeks to reduce the potential visual impact.
- While it is recognised that the proposed ancillary office will be visible from Beaufort Street, it will present with a restrained profile and will not be discordant or unsympathetic. There will be minimal visual impact on the northern approach to the site given the existing development on adjacent sites and the retention of the existing landscaping and mature trees.



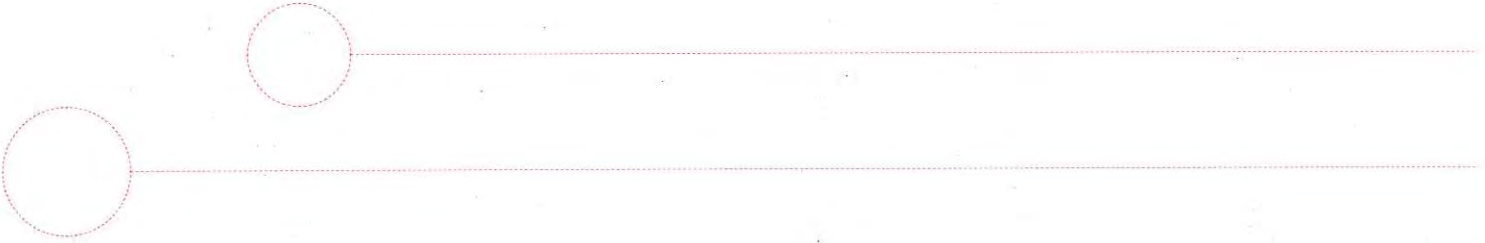
CONCLUSION

This report has been prepared by TPG Town Planning, Urban Design and Heritage (TPG), on behalf of Perth Diocesan Trustees, in support of an application to construct an ancillary Office building at No. 731 (Lot 123) Beaufort Street, corner First Avenue, Mount Lawley.

The proposal is considered to be in accordance with the principles of orderly and proper planning given the following:

- The office use proposed as part of this application will be ancillary and subordinate to the predominant Place of Worship use. In addition, it will present and function as an integral part of the Church uses of the site.
- The ancillary office use offers a day time presence to the locality which can assist in the provision of passive surveillance and perceived security for the streetscape and the immediate neighbouring properties;
- The proposal will facilitate the continued use, activation and conservation of this heritage place and has been designed in a manner that has had due regard to the heritage values of the Mount Lawley (East) Heritage Protection Area and the individual buildings on site.
- The new buildings have been designed to ensure that the Church remains as an important landmark building along Beaufort Street.
- The proposal will not adversely impact the neighbouring properties in terms of vehicle movement or car parking given that a formalised car parking arrangement is being provided on the subject site. The car parking and manoeuvring areas on the site are provided with vegetation screening from the neighbouring properties;
- Given that the demand for parking by the proposed ancillary office and existing Place of Worship will not unreasonably coincide the proposed reciprocal parking arrangements will be considered reasonable and desirable.

This report concludes that the proposed development is an appropriate form of development for the site that when completed will make a quality contribution to the built form, heritage and amenity of the Beaufort Street and broader Mount Lawley (East) Heritage Protection area.. Accordingly, it is respectfully requested that the City of Stirling provide support for the proposal and that the JDAP approve the proposed development.

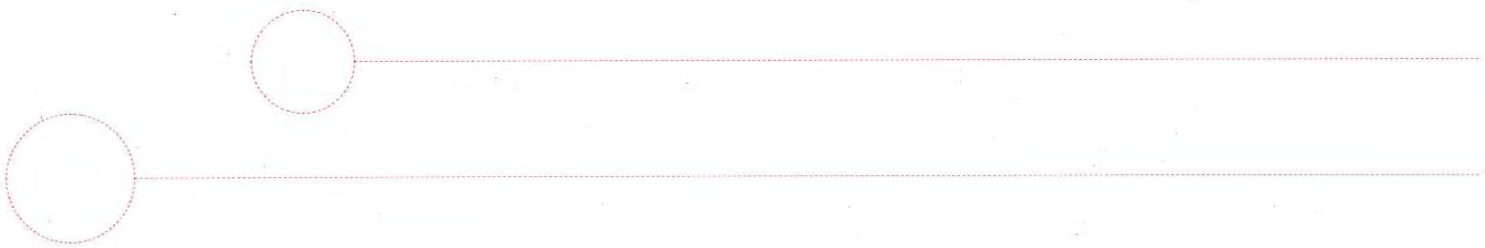


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APPENDIX A

CLAUSE 42 CERTIFICATE



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Enquiries: Trevor Servaas (08) 655 19110
Our Ref: 42/40231651
Your Ref: 712-434

PLANNING GROUP W A PTY LTD
PO BOX 7375
CLOISTERS SQUARE
PERTH WA 6850

Dear Sir/Madam

**CERTIFICATE UNDER CLAUSE 42 OF THE METROPOLITAN REGION SCHEME ISSUED BY THE
WESTERN AUSTRALIAN PLANNING COMMISSION**

In Reply to your request, please find enclosed
Certificate number 40231651.

It is advised that the enclosed Certificate has been prepared to conform with the current Statutory requirements
of the Metropolitan Region Scheme as at the date of signature.

The following documents are forwarded for your retention.
NO DOCUMENTS ENCLOSED

Yours faithfully

A handwritten signature in black ink, appearing to read "Neil Thomson".

Neil Thomson
Secretary
Western Australian Planning Commission

17 October 2012

Enc.



wa.gov.au

Postal address: Locked Bag 2506 Perth WA Street address: 140 William Street Perth WA 6000
Tel: (08) 655 19000 Fax: (08) 655 19001 TTY: 655 19007 Infoline: 1800 626 477
corporate@planning.wa.gov.au www.planning.wa.gov.au
ABN 35 482 341 493

Metropolitan Region Scheme

Form 5

Scheme Certificate

[In accordance with the provisions of clause 42 of the Metropolitan Region Scheme text]

The following information is furnished in respect of:

Lot: 123

Street: Beaufort

Diagram: 10143

Locality: Mount Lawley

Certificate of title Vol: 1046

Folio: 536

Request

40231651

Receipt

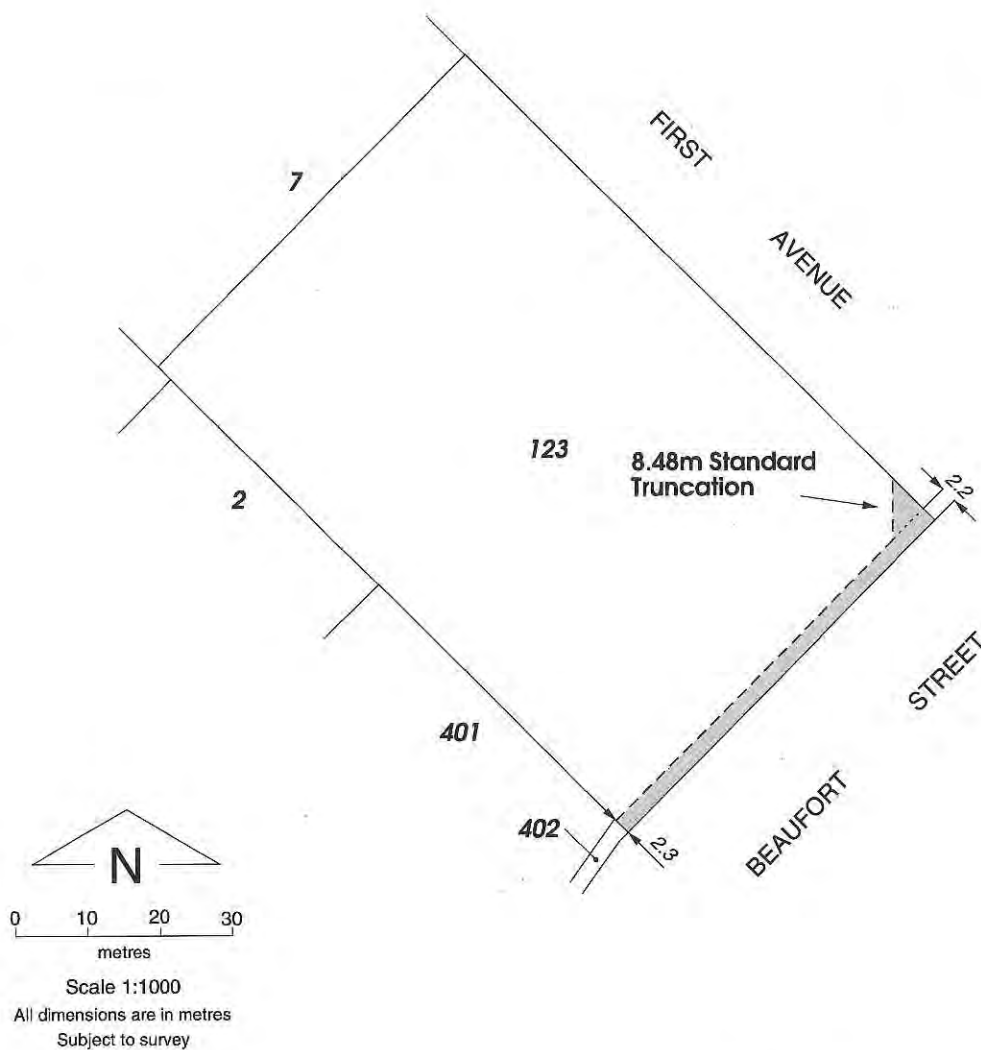
Date

16/10/2012

The land shaded on the sketch below is reserved

other regional roads (Beaufort Street)

The remainder of the land is zoned **urban**



This certificate relates only to the provisions of the approved Metropolitan Region Scheme and does not purport to indicate the land use allocation under any local government provision.

Produced by Mapping & GeoSpatial Data Branch,
Department of Planning, Perth WA

Base information supplied by:
Western Australian Land Information Authority LI 430-2009-4

Neil Thomson
Secretary
Western Australian Planning Commission



APPENDIX B

CERTIFICATE OF TITLE



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WESTERN



AUSTRALIA

REGISTER NUMBER 123/D10143	
DUPLICATE EDITION 1	DATE DUPLICATE ISSUED 11/9/2012

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME
1046FOLIO
536

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.


 REGISTRAR OF TITLES
**LAND DESCRIPTION:**

LOT 123 ON DIAGRAM 10143

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

THE PERTH DIOCESAN TRUSTEES OF 58 YULE AVENUE, MIDDLE SWAN
(T 981/1936) REGISTERED 25 FEBRUARY 1936

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. *C464/1940 CAVEAT BY THE REGISTRAR OF TITLES LODGED 12.6.1940.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
 * Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
 Lot as described in the land description may be a lot or location.

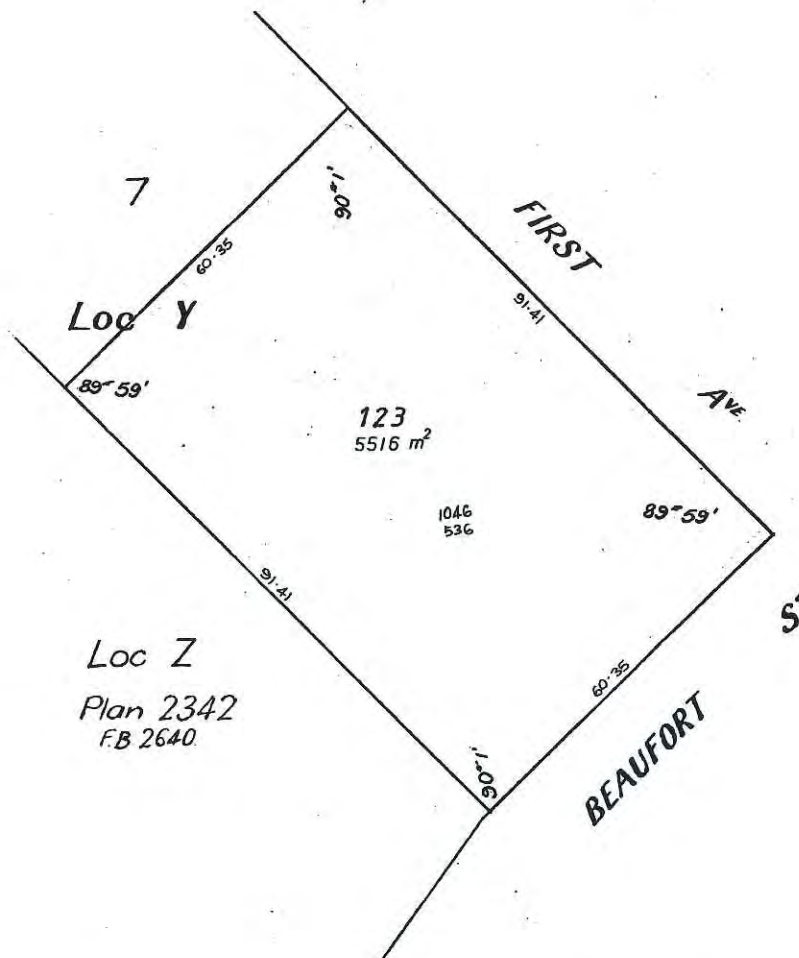
-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1046-536 (123/D10143).
 PREVIOUS TITLE: 308-117, 299-146, 268-5.
 PROPERTY STREET ADDRESS: 731 BEAUFORT ST, MOUNT LAWLEY.
 LOCAL GOVERNMENT AREA: CITY OF STIRLING.

Town or District.	Number of Lot or Location.	On.	Surveyor	Field Book	Scale	Cert. in which land is vested.	Deposited.	Area
SWAN	Lots 1235, 6 of Loc Y	Plan 2473	Compiled		1:792	Vol. 268	Passed 25 2 36	
		Diag. 2533 Index Plan.				Pol. 5 299 146 308 117		



Compiled (in LTO) from Plans 2473 and 2553

Land parcel identifier amended -
Regulation 12 Licensed Surveyors
(Transfer of Land Act 1893)
Regulations. Corr. 1775-2000-01.

DIA 10143



DUPLICATE

10143



Government of Western Australia
Department of Planning

City of Stirling

24 DEC 2012

RECEIVED
Records Services

Your ref: DA12/2965

Our ref: DP/11/02191

Enquiries: Alison Vangel (Ph: 6551 9526)

City of Stirling
25 Cedric St
Stirling WA 6021

19 December 2012

Attention: Kimberley Masuku

Dear Sir/Madam

RP	P	Appl Variation
A	Act	Author Officer <i>App Plan</i>

Re: Development Application – Development Assessment Panel – Additions to St Patrick's Anglican Church – Office and Rectory
Address: Lot 123, HN. St Patrick's Anglican Church 731 Beaufort Street Mount Lawley WA 6050

I refer to your letter dated 4 December 2012 regarding the above application. In accordance with the Western Australian Planning Commission's (WAPC) Notice of Delegation dated 23 December 2011, the following transport comments are provided with respect to this proposal.

Land Requirements

The subject property abuts Beaufort Street, which is reserved as a Category 2 Other Regional Road (ORR) in the Metropolitan Region Scheme (MRS). Lot 123 is affected by the ORR reservation for Beaufort Street per the attached Western Australian Planning Commission (WAPC) Land Requirement Plan number 1.3561/1. The ORR road-widening reservation is 2.2 – 2.3 m wide and includes a truncation at First Avenue. The proponent has acknowledged this reservation in their development proposal, and no development is proposed in the road reservation. Should the proponent require the exact dimensions of the road reservation affecting Lot 123, they would need to apply for a Clause 42 Certificate. The form can be downloaded from <http://www.planning.wa.gov.au/5551.asp>

Transport Impact Assessment

The following comments are based on the Department's assessment of the *Transport Impact Assessment* (the Assessment) prepared by KC Traffic and Transport, dated 22 November 2012.

Trip Generation & Distribution

The Assessment has estimated that the proposed development will generate approximately 89 additional vehicle trips on the average weekday, with 9 vehicle trips in the peak hour. The Department has no objection to the method used to calculate the additional vehicle trips for the proposed office use.

However, it is noted that the peak period for the actual site (rather than just the AM or PM weekday peak) was not considered when calculating the peak trip generation of the existing hall and church (Table 2 of the Assessment). Transport Impact Assessments should also consider the *development's* peak period, which in the case of a church is likely to be a Sunday morning. In this case, this oversight is unlikely to have a material impact as the additional traffic generation is relatively low.

Access

It is noted that the property currently has three accesses on First Avenue and is proposing an additional access on Beaufort Street. This is not in accordance with the Commission's Regional Roads (Vehicular Access) Policy D.C. 5.1, which seeks to minimise the number of new crossovers onto regional roads. However, given the constraints of the existing buildings and the relatively low number of additional peak hour vehicle trips, the Department would be willing to support this access on the condition that it is an 'left-out' exit access only, and appropriate kerbs and signage is installed to prevent its use as an entry or right-out exit point. Traffic management may also be necessary during special events in the church or hall that would attract a large number of additional vehicles to the site in order to prevent congestion in the car park and Beaufort Street exit.

The Department has no objection to the proposal provided the following recommendation is taken into consideration:

- The additional access on Beaufort Street is a left-out exit only, with kerbs and signage installed appropriately to ensure it is only used as a left-out vehicle exit.
- Traffic management during special events for the church and hall be considered to prevent congestion in the car park and exit onto Beaufort Street.

Yours sincerely



Mohsin Muttaqui
Planning Manager
Transport & Movement



Form 1 - Responsible Authority Report (Regulation 12)

Application Details:	Additions to St Patrick's Anglican Church – Offices & Rectory
Property Location:	Lot 123, House Number 731, Beaufort Street, Mount Lawley
DAP Name:	Metro North-West JDAP
Applicant:	TPG Town Planning & Urban Design
Owner:	Perth Diocesan Trustees
LG Reference:	DA12/2965
Responsible Authority:	City of Stirling
Authorising Officer:	Ross Povey Director Planning and Development
Application No and File No:	DP/12/01331
Report Date:	15 February 2013
Application Receipt Date:	30 November 2012
Application Process Days:	77 days
Attachment(s):	<p>Attachment 1 Development Application Plans</p> <ul style="list-style-type: none">a. Site Feature Survey (Sheet SK01), date stamped 13 December 2012b. Proposed Site Plan – Lower Ground Level (Sheet SK02), date stamped 13 December 2012c. Proposed Site Plan – Upper Ground Level (Sheet SK03), date stamped 17 January 2013d. Streetscape Elevations (Sheet SK04), date stamped 17 January 2013e. Lower Ground Floor Plan (Sheet SK05), date stamped 13 December 2012f. Upper Ground Floor Plan (Sheet SK06) date stamped 13 December 2012g. Beaufort Street & First Avenue Elevations (Sheet SK07) date stamped 13 December 2012h. Rectory Elevation (Sheet SK08) date stamped 17 January 2013i. Perspective (Sheet SK09) date stamped 13 December 2012 <p>Attachment 2 Aerial Location Plan</p> <p>Attachment 3 Metropolitan Region Scheme (MRS) Zoning Map</p> <p>Attachment 4 City of Stirling Local Planning Scheme No. 3 (LPS3) Zoning Map</p>

	<p>Attachment 5 City of Stirling Character Retention Guidelines Mt Lawley, Menora & Inglewood (Council Policy 3.1)</p> <p>Attachment 6 City of Stirling Bicycle Parking Policy (Council Policy 6.2)</p> <p>Attachment 7 City of Stirling Parking & Access Policy (Council Policy 6.7)</p> <p>Attachment 8 Applicant Submission</p> <p>Attachment 9 Heritage Impact Assessment prepared by TPG Heritage on behalf of the applicant</p> <p>Attachment 10 Traffic Impact Assessment prepared by Kleyweg Consulting on behalf of the Applicant</p> <p>Attachment 11 Department of Planning referral comments</p>
--	---

Recommendation:

That the Metro North-West JDAP resolves to:

- 1) **Refuse** DAP Application reference DP/12/01331 and accompanying plans (ATTACHMENT 1) in accordance with Clause 10.3.1 of the City of Stirling's Local Planning Scheme No. 3, for the following reason:
 - a) The proposed development includes an Office use, which in accordance with part 4.3 of Local Planning Scheme No. 3, is not permitted in the Residential zone.

Background:

Insert Property Address:	Lot 123, House Number 731, Beaufort Street, Mount Lawley
Insert Zoning	MRS: Urban
	TPS: Residential R40
Insert Use Class:	Office
Insert Strategy Policy:	Not Applicable
Insert Development Scheme:	Not Applicable
Insert Lot Size:	5,516m ²

Insert Existing Land Use:	Place of Worship
Value of Development:	\$3.1 million

The subject site is located in the local municipality of Stirling, and is approximately 3km northeast of the Perth CBD. The subject site is bordered by Beaufort Street to the southeast, and First Avenue to the northeast. The surrounding land uses are predominantly residential; however some public open space, as well as one small lot zoned Private Institutions is located on the southern side of Beaufort Street, opposite the subject site. The intersection of Walcott Street and Beaufort Street is approximately 700 metres southwest. (ATTACHMENT 2).

The subject lot is zoned 'Urban' under the Metropolitan Region Scheme (MRS) (ATTACHMENT 3) and 'Residential' under the City of Stirling's Local Planning Scheme No. 3 (LPS3) (ATTACHMENT 4). The subject site is located in a residential locality, comprising a mixture of single, grouped, and multiple dwellings. Under the City's previous planning schemes, District Planning Schemes No. 1 and 2, the property was also zoned for residential purposes.

The existing buildings on the subject site are currently used for the purposes of a Place of Worship and associated Church hall. The City's Municipal Inventory records indicate that the original rectory was constructed in 1903, whilst the church construction commenced in 1936. Smaller additions have since been approved, most recently for extensions to the parish hall and rectory in 1999.

LPS3 provides the following objectives for the Residential zone:-

- a) *To provide for residential development at a range of densities with a variety of housing type and size, to meet the current and future needs of the community.*
- b) *To provide for a range of non-residential uses, which are compatible with and complementary to residential development.*

The subject site is also located within the Heritage Protection Area Special Control Area. Clause 6.6.3 of LPS3 requires development within the Heritage Protection Area (HPA) to conform to the following:-

- a) *The objectives of the Heritage Protection Area Special Control Area (clauses 6.6.1); and*
- b) *The Local Planning Policy adopted for the Heritage Protection Area Special Control Area (Character Guidelines Mt Lawley, Menora and Inglewood).*

Clause 6.6 of LPS3 outlines the following objectives for the Heritage Protection Area Special Control Area:-

- a) *To ensure the conservation and retention of buildings within the Heritage Protection Area Special Control Area dating from the early 1900s to the 1950s where the architectural style of the building is generally intact;*

- b) *To ensure the retention of existing buildings referred to in (a) above to maintain the existing character of the streetscape;*
- c) *To ensure that new buildings (where permitted), alterations, additions to existing*
- d) *buildings, carports, garages and front fences are in keeping with the heritage character of the area, respect the scale and proportions of surrounding buildings, and are designed to fit into the existing streetscape;*
- e) *To maintain and improve existing street trees, grass verges and front gardens; and*
- f) *To retain mature trees wherever possible.*

The applicable Local Planning Policy as per clause 6.6.3 is the *Character Retention Guidelines Mt Lawley, Menora & Inglewood* (herein referred to as 'the Guidelines') (Council Policy 3.1) (ATTACHMENT 5). The objectives of the Guidelines are identified as follows:-

The purpose of these Guidelines is to ensure that the heritage character of Mt Lawley, Menora and Inglewood is retained and protected, as well as being reflected in new development.

The retention of the heritage buildings, gardens and streetscapes is important, as these are the features that give the area its special heritage character. Some buildings in the area are included on the State Register of Heritage Places, the City of Stirling's Heritage List and Municipal Inventory, but many more contribute to the character of the area. New buildings, where they occur, should be designed to fit into the existing streetscape, and be designed in a similar style, scale and proportions as the existing heritage buildings.

Give the above, the key objectives of these Guidelines are to:-

- *Ensure the retention of building within the Heritage Protection Areas dating from the early 1900s to the 1950s where the architectural style of the building is generally intact;*
- *Ensure that new buildings, alterations and additions to existing buildings, carports, garages and front fences are in keeping with the heritage character of the area, respects the scale and proportions of surrounding buildings, and are designed to fit into the existing streetscape;*
- *Maintain and improve existing street trees, grass verges and front gardens;*
- *Retain mature trees wherever possible; and*
- *Provide a framework for the assessment of development applications in line with the above points.*

In relation to parking shortfalls, Clause 5.8.1 of LPS3 states that:-

Subject to the remaining provisions of this clause 5.8, an applicant for planning approval for a non-residential development or use may, if Council

agrees, make a cash payment to the Council in lieu of providing all or any of the number of car parking spaces required under a Local Planning Policy for the development or use for which planning approval has been sought by the applicant.

Clause 5.8.2 of LPS3 states that:-

Before Council agrees to accept a cash-in-lieu payment under clause 5.8.1, it must have:

- a) a reasonable expectation that a cash payment can be applied to provide additional transport infrastructure in the vicinity of the development site.*

Under LPS3 Transport Infrastructure is defined as:-

Means the works and undertakings described below for the purpose of providing public transport infrastructure, walking and cycling infrastructure, parking infrastructure and demand management:

- a) Public transport stops, shelters and stations, signs, public transport lanes, vehicles, trans and catenary, priority signals and any associated works / designs;*
- b) Paths, signs, bikes, end of trip facilities (showers and lockers), pedestrian and cycling crossings and any associated works / designs;*
- c) On and off street parking bays, parking machines, parking signs, shelters and any associated works / designs and technologies.*

The City's *Parking and Access Policy* (Council Policy 6.7) (ATTACHMENT 7) contains the following objectives:-

- To facilitate the development of adequate parking facilities;*
- To ensure safe, convenient and efficient access for pedestrians, cyclists and motorists;*
- To ensure that a major parking problem is unlikely to occur;*
- To ensure that car parking does not have a detrimental impact on the character and amenity of a residential area; and*
- To ensure that an oversupply of parking does not occur that discourages alternative forms of transport and is detrimental to urban design and Centre character.*

The Policy specifies that any further parking concessions beyond those allowed for in the Policy must be determined by *"...having due regard to the circumstances of a particular case, any justification submitted by the applicant and the likely impact on the amenity of the surrounding area and residents"*.

Details: outline of development application

The development application for additions to the St Patrick's Anglican Church site at Lot 123, House Number 731 Beaufort Street, Mt Lawley (DA12/2965 refers) is summarised as follows:

- Addition of a new 615sqm Office orientating to Beaufort Street;
- Conversion of the existing 280sqm rectory into office space;
- Construction of a new 135sqm rectory; &
- Construction of a new 23 bay parking area along the west side of the site, with access via First Avenue and a new exit to Beaufort Street.

Legislation & policy:

Legislation

- Planning and Development Act 2005
- Metropolitan Region Scheme (MRS)
- Local Planning Scheme No. 3 (LPS3)

State Government Policies

Nil.

Local Policies

The following Local Planning Policies are applicable to the Development Assessment Panel's consideration of the proposed development:

- Council Policy 3.1 – Character Retention Guidelines Mt Lawley, Menora & Inglewood (ATTACHMENT 5)
- Council Policy 6.2 – Bicycle Parking (ATTACHMENT 6)
- Council Policy 6.7 – Parking & Access (ATTACHMENT 7)

Consultation:

Public Consultation

The application was advertised for a period of 21 days, in accordance with the City's 'Planning Consultation Procedure' and part 9.4 of Local Planning Scheme No.3. Letters were sent to all owners and occupiers of properties within a 100m radius of the subject site. A sign was also placed on site and the details of the application were listed on the City's website. At the conclusion of the advertising period, four (4) submissions were received, and are summarised in the table below, along with the applicant's response to the submissions:-

Comments Received	Applicant's Response
The design of the office building is sympathetic to the existing church building and of an appropriate scale and design. It is pleasing to see green space above the roof incorporated into the design of the building and the retention of mature trees on site as part of the proposal.	Noted and agreed.

Comments Received	Applicant's Response
The existing inadequate car parking on site is a concern and results in parking on nearby residential verges. This inconveniences residents and leads to difficulty maintaining verges.	Noted. The proposal involves the provision of 23 on-site car bays to cater for the new office facilities, which will be used during regular business hours and be available for the church/hall after hours and on weekends.
The nearby on street parking bays (First Avenue) usually accommodate a number of commuters vehicles and are unlikely to be available for workers/ visitors associated with the proposed development. The 23 bays proposed is not sufficient to accommodate the envisaged number of workers accommodated and visitors to the site. Failing to provide adequate parking facilities will exasperate the existing car parking problems generated from the site and result in increased inconvenience to nearby residents.	The on-street bays are not intended for users of the office building, as the parking on-site is sufficient to cater for employees of the office during regular business hours. The on-street bays will likely cater for visitors/clients to the office, for only a short period of time, as they are intended for. The parking on site complies with the City's requirements for an office building of that size, and given that the office will operate during regular business hours and the church/hall predominantly operates outside of business hours, the parking provided is considered sufficient.
A construction management plan should be prepared to ensure parking during the construction phase is managed appropriately and delivery trucks and construction workers take care during construction of the development.	Noted. This is anticipated to be a standard condition of planning approval.
The development will provide activity and passive surveillance to the residential suburb during business hours.	Noted and agreed.
The design of the office is relatively low impact and will not detract from the heritage character of the site.	Noted and agreed.
There is an inaccuracy on the plan/submission: that indicates dividing fence between the subject site and 4 Regent Street West as corrugated asbestos. The fence does not contain asbestos; and the site currently accommodates approx 20 vehicles on site (driveway and informal hardstand).	Regardless of the parking that is informally provided on the site, the existing Church, hall and rectory were approved with no on-site car parking (which represents a shortfall of 89 car bays). The proposed development seeks to formalise 23 bays on site to cater for both the new office and the existing facilities.
Occupants and visitors of nearby grouped dwellings generally utilise on street parking (First Ave).	Noted.
The lack of lighting and security measures is a concern for property	Noted and agreed. Whilst not shown on the plan, the provision of lighting and

Comments Received	Applicant's Response
owners adjacent to the proposed car parking area. Restricted public access to the car parking area and other safety measures (including gates and security lights (subject to light spillage to nearby residential properties being managed) are desirable.	security measures shall form part of the proposed development. The landowners also intend to install security gates at the First Avenue and Beaufort Street access points to secure the property outside of business hours and also provide added security for the rectory.
Question raised as to how the one way traffic flow from First Avenue to Beaufort Street will be enforced/managed.	Signage to be incorporated into the development to reinforce the one-way direction of traffic.
Overflow parking from nearby grouped dwellings is likely to utilise the parking area proposed.	The mismanagement of nearby strata developments is irrelevant in approving the proposed development.
The location of the crossover facilitating egress from the site onto Beaufort Street may be a safety concern for a number of reasons, including frequent illegal parking within the road reserve.	Illegal parking in the road reserve is not a planning issue, and rather needs to be dealt with by the City. In terms of the crossover adjacent to Beaufort Street, the safest configuration is to have vehicles entering onto Beaufort Street in a forward gear, as proposed, as this allows sufficient sightlines along Beaufort Street to allow safe egress onto Beaufort Street.
The office use proposed is not directly affiliated with the existing 'place of worship' and is a commercial use within its own right. This is not appropriate within a Residential zone.	The existing Church and Hall are managed and operated by the Anglican Church in Australia and the proposed new office will be used solely to accommodate Anglicare WA's administrative head office. This will allow Anglicare WA's current facility in the Perth CBD to be utilised more efficiently and locate all of Anglicare WA's community services in the City.
The Mount Lawley Heritage precinct has remained 'Residential' following community consultation. Residents should be able to rely on the Local Planning Scheme and Heritage Guidelines for quiet enjoyment of their residential lots.	<p>Historically, local churches, schools and corner stores were dispersed through residential areas such as Mount Lawley. Like St Patrick's Church (built 1936), they form an important part of the built heritage of the area, providing familiar landmarks and a sense of the past. The ancillary office will present and function as an integral part of the historic Church use of the site.</p> <p>Furthermore the purpose of the 'Character Retention Guidelines Mt Lawley, Menora and Inglewood' aims to ensure that the heritage character of the Heritage Protection Areas is retained and protected. It does not prohibit non-residential uses in</p>

Comments Received	Applicant's Response
	residential areas.
The nature of the development is incompatible with the residential zoning of the land.	The proposed office building is ancillary to the Church and Hall and will not detract from these buildings and land uses. The predominant use of the site shall remain as a place of worship, as it has since 1936.
It was originally intended that access to the site be from Beaufort Street, given the property address is Lot 731 Beaufort Street. The proposed access from First Ave is not desirable.	As mentioned, the safest configuration is to have vehicles entering onto Beaufort Street in a forward gear, as proposed, as this allows sufficient sightlines along Beaufort Street to allow safe egress onto Beaufort Street without disturbing traffic flows along Beaufort Street. Furthermore, the access from First Avenue is existing and is not proposed as a new access point as part of this development.
The interplay of traffic generated between Beaufort Street, Clifton Crescent and other new developments nearby will detract from the quiet enjoyment currently experienced by residents and poses a risk to driver and pedestrian safety along First Avenue.	This comment relates to the wider locality rather than the proposed development. Driver and pedestrian safety is not going to be impacted specifically by the proposed development.
The applicants submission includes incorrect information relating to current uses and vehicular activity levels (details not provided).	The current land uses have been provided by the Perth Diocesan Trustees, who own and operate the current Church and Hall, including the activities that take place in the hall. Current traffic figures were provided by the City of Stirling's engineering department.
Existing crossover serving a residence (rectory) will be become a bypass road/laneway. This is a concern for residents abutting the accessway (reason not stated).	The driveway is not intended to be a bypass road and enforcement of this will be part of the ongoing management of the site. Furthermore, the driveway currently exists and there are means of gaining access to Beaufort Street currently, therefore the proposed development will not cause a significant change to this.
Vehicular access is located adjacent to residential properties and vehicles frequenting the site will impact neighbouring residential properties on First Avenue. The use of the site will result in the number of vehicles frequenting the site being well in excess of that expected in a residential area, resulting in noise and	Vehicle access is currently two-way along the rear boundary, however the proposal involves the introduction of one-way movements to minimise the number of vehicles using the crossover on First Avenue. Furthermore, the office will only operate during regular business hours thereby further reducing the impact on adjoining properties.

Comments Received	Applicant's Response
vibration issues.	
Proposed access is likely to be utilised as a thoroughfare by motorists not associated with proposed uses on the site.	This comment is unsubstantiated and will be the ongoing responsibility of Anglicare WA and the City to ensure this doesn't occur once the development is completed.
The carpark may attract loiterers and anti social behaviour which may pose a risk to public safety and impact the amenity of residents.	This comment is unsubstantiated and is irrelevant to the proposed development. The proposal is more likely to deter antisocial behaviour given the increase in passive surveillance and activity within the site.
The First Ave / Beaufort Street intersection is a 'black spot'.	Noted.
On street bays (First Ave) are often occupied by commuters, therefore visitors to the church and nearby grouped dwellings are required to park on the street, resulting in traffic congestion.	Noted.
The proposed parking is not adequate for the scale of the development.	As mentioned, the existing Church, hall and rectory were approved with no on-site car parking (which represents a shortfall of 89 car bays). The proposed development seeks to develop and formalise 23 bays on site to cater for both the new office and the existing facilities.

Consultation with other Agencies or Consultants

The City of Stirling consulted with the Department of Planning with regards to the subject application. This is because the subject site abuts an Other Regional Road under the Metropolitan Region Scheme and is also subject to a road widening requirement. The Department of Planning provided the following advice (See Attachment 11):

Land Requirements

The subject property abuts Beaufort Street, which is reserved as a Category 2 Other Regional Road (ORR) in the Metropolitan Region Scheme (MRS). Lot 123 is affected by the ORR reservation for Beaufort Street per the Western Australian Planning Commission (WAPC) Land Requirement Plan number 1.3561/1. The ORR road widening reservation is 2.2 – 2.3 metres wide and includes a truncation at First Avenue. The proponent has acknowledged this reservation in their development proposal, and no development is proposed in the road reservation.

Transport Impact Assessment

The following comments are based on the Department's assessment of the Transport Impact Assessment prepared by KC Traffic and Transport, dated 22 November 2012.

Trip Generation & Distribution

The Assessment has estimated that the proposed development will generate approximately 89 additional vehicle trips on the average weekday, with 9 vehicle trips in the peak hour. The Department has no objection to the method used to calculate the additional vehicle trips for the proposed office use.

However, it is noted that the peak period for the actual site (rather than just the AM or PM weekday peak) was not considered when calculating the peak trip generation of the existing hall and church (Table 2 of the assessment). Transport Impact Assessments should also consider the development's peak period, which in the case of a church is likely to be a Sunday morning. In this case, this oversight is unlikely to have a material impact as the additional traffic generation is relatively low.

Access

It is noted that the property currently has three accesses on First Avenue and is proposing an additional access on Beaufort Street. This is not in accordance with the Commission's Regional Roads (Vehicular Access) policy DC 5.1, which seeks to minimise the number of new crossovers onto regional roads. However, given the constraints of the existing buildings and the relatively low number of additional peak hour vehicle trips, the Department would be willing to support this access on the condition that it is a 'left-out' exit access only, and appropriate kerbs and signage is installed to prevent its use as an entry or right-out exit point. Traffic management may also be necessary during special events in the church or hall that would attract a large number of additional vehicles to the site in order to prevent congestion in the car park and Beaufort Street exit.

The Department has no objection to the proposal provided the following recommendation is taken into consideration:

- The additional access on Beaufort Street is a left-out exit only, with kerbs and signage installed appropriately to ensure it is only used as a left-out vehicle exit.*
- Traffic management during special events for the church and hall be considered to prevent congestion in the car park and exit onto Beaufort Street.*

The City sought clarification on whether the road widening should be required to be ceded as part of the subject development. The Department of Planning advised that they are agreeable to the road widening being ceded as a condition of approval, in the event the JDAP resolve to approval the subject development. A condition would also need to be imposed to ensure the existing retaining walls and steps within the road widening area are also removed.

Planning assessment:

The development has been assessed against the City of Stirling's Local Planning Scheme No. 3 (LPS3) and the applicable policies contained in the City's Local

Planning Scheme No. 3 Policy Manual. It should be noted that LPS3 provides guidance in respect to zoning and objectives of zones, however, more specific development standards are provided in relevant local planning policies.

The applicant has sought a discretionary decision to be made in respect to a number of matters, including:

- Proposed land use
- Car Parking
- Building Design

These elements are discussed in further detail below.

Officer's response to issues raised during consultation

Submission Number	Submission Details	Officer's Comment
1	<p>The design of the office building is sympathetic to the existing church building and of an appropriate scale and design. It is pleasing to see green space above the roof incorporated into the design of the building and the retention of mature trees on site as part of the proposal.</p> <p>The existing inadequate car parking on site is a concern and results in parking on nearby residential verges. This inconveniences residents and leads to difficulty maintaining verges.</p> <p>The nearby on street parking bays (First Avenue) usually accommodate a number of commuters vehicles and are unlikely to be available for workers / visitors associated with the proposed development. The 23 bays proposed are not sufficient to accommodate the envisaged number of workers accommodated and visitors to the site. Failing to provide adequate parking facilities will exasperate the existing car parking problems generated from the site and result in increased inconvenience to nearby residents.</p> <p>A construction management plan should be prepared to ensure parking during the construction phase is managed appropriately and delivery trucks and construction workers take care during construction of the development.</p>	<p>The heritage considerations of the proposal are discussed later in the report.</p> <p>The parking considerations of the proposal are discussed in more detail later in the report.</p> <p>It is acknowledged that the existing street parking on First Avenue is unrestricted and therefore reasonable to conclude that commuters do on occasion use these bays. The parking considerations of the proposal are discussed in more detail later in the report.</p> <p>In the event that the JDAP resolves to approve the development, an appropriate condition can be imposed with respect to the requirement for a construction management plan to be provided prior to the commencement of development.</p>
2	The development will provide activity	The appropriateness of the land use

Submission Number	Submission Details	Officer's Comment
	<p>and passive surveillance to the residential suburb during business hours.</p> <p>The design of the office is relatively low impact and will not detract from the heritage character of the site.</p> <p>There is an inaccuracy on the plan/submission: that indicates dividing fence between the subject site and 4 Regent Street West as corrugated asbestos. The fence does not contain asbestos; and the site currently accommodates approx 20 vehicles on site (driveway and informal hardstand).</p> <p>Occupants and visitors of nearby grouped dwellings generally utilise on street parking (First Ave).</p> <p>The lack of lighting and security measures is a concern for property owners adjacent to the proposed car parking area. Restricted public access to the car parking area and other safety measures (including gates and security lights (subject to light spillage to nearby residential properties being managed) are desirable.</p> <p>Question raised as to how the one way traffic flow from First Avenue to Beaufort Street will be enforced / managed.</p> <p>Overflow parking from nearby grouped dwellings is likely to utilise the parking area proposed.</p> <p>The location of the crossover facilitating egress from the site onto Beaufort Street may be a safety concern for a number of reasons, including frequent illegal parking within the road reserve.</p>	<p>is discussed in more detail later in the report.</p> <p>The design considerations of the proposal are discussed in more detail later in the report.</p> <p>Dividing fences are a civil matter and this comment is not considered relevant to the subject application. Parking is discussed in more detail later in the report.</p> <p>Parking is discussed in more detail later in the report.</p> <p>Security measures have not been indicated but can be imposed as a condition of approval in the event the JDAP resolve to approve the development. However it is expected that it is in the applicants own interests to implement of their own accord any security and lighting measures which may be considered necessary for the subject site.</p> <p>The implementation of appropriate kerbs and signage would be required as a condition of approval in the event the JDAP resolve to approve the development, as per the Department of Planning's advice.</p> <p>Any perceived parking overflow from adjoining properties is not relevant to this application. Use of the car park by people who have no genuine reason to park there is considered a civil matter for the owners to regulate.</p> <p>The application has been referred to the Department of Planning who are supportive of the proposed crossover. There is no evidence to suggest that parking on the Beaufort Street road reserve is a problem, however in the event this occurs this can be appropriately managed by the complainant liaising with the City's</p>

Submission Number	Submission Details	Officer's Comment
		Community Safety Business Unit.
3	<p>The office use proposed is not directly affiliated with the existing 'place of worship' and is a commercial use within its own right. This is not appropriate within a Residential zone.</p> <p>The Mount Lawley Heritage precinct has remained 'Residential' following community consultation. Residents should be able to rely on the Local Planning Scheme and Heritage Guidelines for quiet enjoyment of their residential lots.</p> <p>The nature of the development is incompatible with the residential zoning of the land.</p> <p>It was originally intended that access to the site be from Beaufort Street, given the property address is Lot 731 Beaufort Street. The proposed access from First Avenue is not desirable.</p> <p>The interplay of traffic generated between Beaufort Street, Clifton Crescent and other new developments nearby will detract from the quiet enjoyment currently experienced by residents and poses a risk to driver and pedestrian safety along First Avenue.</p> <p>The applicants submission includes incorrect information relating to current uses and vehicular activity levels.</p> <p>Existing crossover serving a residence (rectory) will be become a bypass road/laneway. This is a concern for residents abutting the accessway. Proposed access is likely to be utilised as a thoroughfare by motorists not associated with proposed uses on the site.</p> <p>Vehicular access is located adjacent to residential properties and vehicles frequenting the site will impact neighbouring residential properties on</p>	<p>The appropriateness of the land use is discussed in more detail later in the report.</p> <p>The appropriateness of the land use is discussed in more detail later in the report.</p> <p>The appropriateness of the land use is discussed in more detail later in the report.</p> <p>The applicants are simply maintaining an existing approved vehicular access point off First Avenue.</p> <p>The vehicular access arrangements proposed are supported by both the City of Stirling and the Department of Planning.</p> <p>The applicant provided a Traffic Impact Assessment, the findings of which the City's Engineering Design Business Unit has endorsed. There is no reason to distrust the content of the information provided with respect to the traffic generated by the existing or proposed development.</p> <p>The vehicular access arrangements proposed are supported by both the City of Stirling Engineering Design Business Unit and the Department of Planning. No concerns were raised by either party with respect to the possibility of "rat-running", particularly as the Beaufort Street exit will be left out only.</p> <p>The vehicle access is as per the existing layout. Due to the one way access proposed the additional traffic is not expected to impact on the</p>

Submission Number	Submission Details	Officer's Comment
	<p>First Avenue. The use of the site will result in the number of vehicles frequenting the site being well in excess of that expected in a residential area, resulting in noise and vibration issues.</p> <p>The carpark may attract loiterers and anti social behaviour which may pose a risk to public safety and impact the amenity of residents.</p>	<p>amenity of the adjoining properties which abut the driveway.</p> <p>Security measures have not been indicated but can be imposed as a condition of approval in the event the JDAP resolve to approve the development. However it is expected that it is in the applicants own interests to implement of their own accord any security and lighting measures which may be considered necessary for the subject site.</p>
4	<p>The First Avenue / Beaufort Street intersection is a 'black spot'.</p> <p>On street bays (First Ave) are often occupied by commuters, therefore visitors to the church and nearby grouped dwellings are required to park on the street, resulting in traffic congestion.</p> <p>The proposed parking is not adequate for the scale of the development.</p>	<p>The application has been referred to the Department of Planning who have no objections to the proposed development, including the proposed egress onto Beaufort Street.</p> <p>The parking considerations of the proposal are discussed in more detail later in the report.</p>

Proposed Land Use

The table below summarises the zoning permissibility of the proposed uses, as per clause 4.3.2 of the City of Stirling's Local Planning Scheme No. 3 (LPS3), within the Residential zone.

USE	LPS3 ZONING PERMISSIBILITY	
Office	X	Means a use that is not permitted by the Scheme.
Caretaker's Dwelling	D	Means that the use is not permitted unless the Council has exercised its discretion by granting planning approval.

Under LPS3 Office is defined as:-

Means premises used for administration, clerical, technical, professional or other business like activities.

Under LPS3 Caretaker's Dwelling is defined as:-

Means a dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation or plant.

Caretaker's Dwelling

It is noted that the proposed Caretaker's Dwelling is an existing land use on the subject site. However due to the proposed Office conversion of the existing rectory, a new caretaker's dwelling is proposed to be constructed. As the land use currently exists and is incidental to the Place of Worship land use, the City has no objections to the ongoing existence of a Caretaker's Dwelling on the subject premises.

Office

In accordance with clause 4.3.2 and Table 1: Zoning Table of LPS3, the City maintains that the proposed Office land use is prohibited in the Residential zone. Additionally, Note 4 of Part 4.3 of LPS3 states:

The Council must refuse to approve any 'X' use of land. Approval to an 'X' use of land may only proceed by way of an amendment to the Scheme.

Notwithstanding the above, clause 4.3.3 (d) allows for a change of use where the change is to an incidental use, as follows:

A change on the use of land from one use to another is permitted, if –

- b) The change is to an incidental land use that does not change the predominant use of the land.*

LPS3 defines an Incidental Use as:

Means a use of premises which is ancillary and subordinate to the predominant use.

LPS3 defines a Predominant Use as:

Means the primary use of premises to which all other uses carried out on the premises are subordinate, incidental or ancillary.

The applicant maintains that the proposed Office development is permitted by clause 4.3.3 (d) as they maintain it is incidental to the predominant use of the land. The following justification was provided in support of this position:-

The proposed development includes the construction of a new building and conversion of the existing rectory to be used as an ancillary office and meeting room space. Anglicare WA will primarily use this office space for staff, sector, community and other meetings and events. This facility will be made available to Parish, and Diocesan groups. Other details of the use include:

- Operating hours - between 7.30am and 6.00pm Monday to Friday with occasional evening meetings.*
- Staff Numbers - between 40 and 45 staff.*
- Visitors - There will be a small, varying number of visitors each day to the facility dependent on scheduled meetings and events. Depending on numbers; the facility, existing Rectory, Church Hall or Church Building may be used.*

We recognised that under LSP3, an office is not a permitted use in a residential zone. However, the office use proposed as part of this application will be ancillary and subordinate to the predominant Place of Worship use and as a result it can be considered under clause 4.3.3 of LSP3, which states a change of use of land from one use to another is permitted if "the change is to an incidental use that does not change the predominant use of the land."

The office use proposed as part of this application will not change the predominant use of the land, which is a Place of Worship, and will be relevantly incidental or ancillary to this Church use of the site, as explored below:

- *The proposed office use is not an independent, dominant use.*
- *The co-location of the Parish of Mount Lawley and some administrative functions Anglicare WA and the Diocese of Perth on this site constitutes a Church use as it deals with the administration of religious activities.*
- *The proposed facility would be available for use by the Parish for activities such as pastoral care and educational activities for congregants.*
- *The office will present and function as "an integral part of the Church uses of the site".*

In addition to the above, the proposed ancillary office use is in line with the second objective of LPS3 for land in the residential zone, which states that this zone is to "provide for a range of non-residential uses, which are compatible with and complementary to residential development". It is considered that the presence of the ancillary office will provide activity and passive surveillance to the predominantly surrounding residential area and dormant suburb during daytime hours.

Due consideration has been given to the applicants submission in relation to the land use aspect of this application. However, the City is of the opinion that, based on the following explanation, the proposed office land use is not incidental the church, and is therefore prohibited by the City's Local Planning Scheme No. 3.

The City acknowledges that as per clause 4.3.3 (d), an office could be approved on the subject site provided that it is incidental to the predominant use. However for the office to be capable of approval under clause 4.3.3 (d), the predominant use must remain predominant, with the new use of office required to have a subordinate, ancillary and incidental relationship to the existing use.

The terms 'incidental use' and predominant use' are defined in the LPS3 and also make reference to the words 'subordinate', 'incidental' and 'ancillary'. However it is advised that these words are considered interchangeable and for the purposes of our argument it is commonly recognised that there is no distinction between their meanings in discussions of planning law (*Stockdale and Shire of Mundaring* [2007] WASAT 34 at [37]).

The cumulative office floor area proposed is 895m². This is a significant area such that it will only be approximately 150m² less than the area reserved for the remaining uses on site, including the church, the new rectory, and the hall. Compared to the other uses on the site and based on floor area alone, it could be considered that the offices are in fact proposed as the dominant use of the site.

The office is proposed to operate Monday to Friday from 7.30am to 6pm, with occasional after hours use also expected. Between 40 and 45 staff are expected to be employed within the offices, which is a sizeable workforce. Additionally, visitors to the offices are expected to attend on a regular basis. The extensive hours of

operation and number of staff employed therefore suggest that the business operations of Anglicare WA are not insignificant.

By contrast, the applicant advises that the church has only one service a week, on Sunday mornings at 9am. Although the Church is licensed for a maximum seating capacity of 136, the applicant has advised that the average attendance is 40 people. A comparison of church patronage vs. office patronage clearly demonstrates that the office is used significantly more frequently than the church, and by a greater number of people.

The relationship between the existing and proposed uses on the site must also be considered. Although it is acknowledged that the use of the offices by Anglicare WA and the use of the church buildings are both connected to the Anglican church, their day to day activities will operate entirely independently. The office space will be used by Anglicare WA for administrative purposes to support the range of social services they provide to the community at large. Their services are therefore not limited to the parish of the St Patricks Anglican Church and can therefore not be considered an ancillary land use as there is no relationship between their day to day operations. Although the applicant has indicated the offices will be made available on occasion for use by the church (to what extent has not been stated), this does not alter the fact that the primary use of the offices will be by Anglicare WA. Notwithstanding the shared religious values the organisations may hold, the relationship between the land uses is clearly distinct with neither being subordinate to the other.

It is noted that the Church Hall is used on a regular basis by a variety of organisations. Some of these are related to the church, as follows:

- Parish Craft Group
- Shout! Youth Group
- Jump Youth Group
- Student Christian Movement
- Parish Painting Group
- Australian Board of Missions Auxiliary
- Sunday School / Junior Church
- Church Council and other Parish meetings

However many of the hall user groups do not appear to have any direct link to the Anglican Church, such as the following:

- After School Care
- Gamblers Anonymous
- Yoga in Daily Life
- Tai Chi
- Tae Kwon Do
- WA Guild of China Painters
- WA Orchid Society
- State Electoral Commission (Polling Booth)

It is acknowledged that the use of the existing buildings by the abovementioned groups may in and of itself constitute a breach of the applicable planning approvals for the premises. This matter has been referred to the City's Health & Compliance Business Unit for review. However for the purposes of the subject development, the use of the Church hall by various groups which have no relationship to Anglicare's occupation of the proposed offices further illustrates the fact that the church and associated hall will operate distinctly separate from the offices.

The State Administrative Tribunal, as well as its predecessors, has considered this matter on numerous occasions. It has consistently been found that in instances where no use is subordinate to the other, and one of the uses is otherwise prohibited by the Scheme, then approval is not possible.

The word 'ancillary' where used in planning law relates to a land use which is subordinate to another land use (*Stockdale and Shire of Mundaring* [2007] WASAT 34 at [37]). As it has been demonstrated that the subject office land use will clearly not operate subordinately to the church use, it can not be considered ancillary. It is therefore considered that the proposed office will not be ancillary or subordinate to the religious uses, but will instead operate independently.

The New South Wales Court of Appeal decision in relation to *Foodbarn Pty Ltd v Solicitor General* (1975) 32 LGRA 157 [161] offers an established and oft-referred to position in land use characterisation:-

Where the whole of the premises is used for two or more purposes none of which subserves the others, it is, in my opinion, irrelevant to inquire which of the multiple purposes is dominant. If any one purpose operating in a way which is independent and not merely incidental to other purposes is prohibited, it is immaterial that it may be overshadowed by the others whether in terms of income generated, space occupied or ratio of staff engaged.

The Supreme Court ruling in *City of Swan v Taylor* [2005] WASCA 888 [67] concurs with the above, in that the permissibility of an incidental land use requires a predominant land use to be identified. Consideration therefore needs to be given as to whether the proposed office land use is reliant or naturally attaching, appertaining or relating to a predominant use on the site. The City maintains that, with respect to the subject development, what is ultimately proposed contains no incidental or predominant uses, but rather two distinct and separate uses.

In *Clay and City of Nedlands* [2012] WASAT 193 at [18], in relation to a prohibited bed & breakfast land use being operated from a premises also used as a dwelling, the Member in their decision stated that due to the extent of advertising of the business, the proportion of the dwelling used for accommodation purposes, the payment arrangements and the scale of patronage, this cumulatively "...point to a separate and independent land use one that could not be characterised as incidental to, or included within, the use class of a single dwelling". Comparatively, in the subject application, it is clear that due to the number of employees, the operating hours, the nature of the business, the relationship between the other uses on the site, and the scale of the office use, that the offices will operate independently from the existing land uses. It can therefore not be classed as an incidental use as defined by the Scheme.

In view of the above, the City is strongly of the opinion that there is a statutory impediment to the approval of the proposed development due to the office land use. The City has sufficiently demonstrated that the office land use is not incidental, and therefore prohibited by Table 1 and clause 4.3.2 of LPS3. As stated in *Shreeve and Shire of Augusta-Margaret River* [2012] WASAT 73 at [36], "If a use is not permitted, there is no discretion available to consider whether the use might be allowed". The City strongly maintains that there is no discretionary decision to be made by the JDAP in relation to the land use and accordingly the development is required to be refused.

Car Parking

The City of Stirling's *Parking and Access Policy* (Local Planning Policy 6.7) (ATTACHMENT 7), herein referred to as the Policy, provides the relevant development standards for the number of car parking bays required for a particular use. In relation to the uses proposed as part of this development, the following ratios are applicable:

- Office 1 bay per 30m² of gross floor area (GFA)
- Caretaker's Dwelling The use is not listed in the Policy. Parking ratio therefore to be determined by Council having regard to the objectives of the Policy, similar uses, surrounding uses and off-site parking availability.

Furthermore, in accordance with the Policy, development on the site is permitted the following parking concessions:

- 15% - The proposed development is within 200 metres of a stop on a high frequency bus route;
- 10% - Where the building is listed on the City's Municipal Inventory; &
- 10% - The proposed development to provide 5 bicycle bays greater than required (as per specifications in Council Policy 6.2 Bicycle Parking (ATTACHMENT 6)) and 'end-of-journey' facilities are provided.

It is advised that for the purposes of the parking assessment, as the rectory is an existing land use no additional parking has been required for that land use, which is an existing approved land use simply being relocated.

Parking requirements for the proposed development is therefore summarised in the table below:

USE	POLICY PROVISION	VARIABLE (m ²)	BAYS REQUIRED
Office	1 bay per 30m ² GFA	895	29.833
TOTAL			29.833 (30)
Concessions			35%
Revised total			19.39 (19)
Additional Bays Provided			13
Surplus/Deficit			-6

The proposed development therefore results in a parking shortfall of six (6) parking bays.

However, the 6 bay shortfall must not be considered in isolation. It is advised that the existing development on the subject site does not comply with the City's current parking requirements as the site was predominantly developed prior to any development standards for on-site parking being in place. A review of the City's records indicates that an area of sufficient space to accommodate only 10 parking bays is located on the subject site for the existing church, hall, and

rectory. This is located to the rear of the hall however is in poor condition with no line markings.

It is acknowledged that there are eighteen (18) parking bays constructed in the First Avenue road reserve. However based on the information available to the City, these are generally fully utilised on weekdays, presumably due to there being insufficient parking on site to accommodate the existing land uses which operate from the hall during the week. Consequently the City maintains that these bays can not be considered available to accommodate any of the parking shortfall proposed by the office development.

The applicant provided a Traffic Impact Statement (ATTACHMENT 10) prepared by Kleyweg Consulting, in part to address the parking issues relating to the proposed development. The Assessment was referred to the City's Engineering Design Business Unit, who provided the following advice:

The key traffic and road safety issues associated with this report are as follows:

- *The site currently generates in the order of 63 daily trips. The completed development is expected to generate 138 daily trips and 11 peak hour trips per day. The additional volume of traffic to be generated by the development can be safely accommodated within the existing configuration and geometry of both Beaufort Street and First Avenue.*
- *Access into the site will be via existing driveways on the First Avenue frontage, plus a new driveway on the Beaufort Street frontage. The Department of Planning has advised that they could support this new Beaufort Street driveway on the condition that it allows left out access only.*
- *The development will increase the on-site parking provision from the existing 10 bays existing to a proposed 23 bays. While this does not meet the City's requirements for an additional 19 bays, the increased on-site provision will assist in reducing parking congestion on the adjacent local road network on days of worship. The report also argues that the existing and proposed land uses do not occur simultaneously, thus there is scope to consider parking demand for each land use separately rather than combined.*
- *The site enjoys excellent access to public transport, with strong pedestrian and cyclist connectivity.*

In general, the Transport Statement demonstrates that the proposed development is not expected to have a significant and adverse impact on the safety, efficiency and operation of the adjacent local road network, and traffic issues should not form an impediment to the approval of this development.

The City does not consider the proposed parking shortfall as an impediment to approval of the subject development. However the City's officers are not satisfied that the proposed shortfall will not have the potential to cause parking problems within the locality beyond what currently exists. In accordance with clause 5.8.1 of LPS3, it would therefore be considered reasonable to require a cash-in-lieu contribution for the proposed six bay parking shortfall to be paid. It is noted that significant infrastructure improvement works are expected to occur in the near future along Beaufort Street. There is therefore a reasonable expectation that a

cash payment can be applied to transport infrastructure, in accordance with clause 5.8.2 (a) of the City's Local Planning Scheme No. 3.

Building Design

The application was referred to the City's heritage architect consultants to review the heritage implications of the proposal. Specifically, the development has been assessed against the requirements of the Heritage Protection Area Special Control Area and the provisions of the Character Retention Guidelines (ATTACHMENT 5).

The following comments were made with respect to the proposed new rectory, which constitutes an extension of the existing rectory building:

The proposal generally complies with the overall objectives of the Guidelines as it:

- *Retains an early twentieth century Federation dwelling and proposes to conserve it;*
- *Is in keeping with the heritage nature of the existing dwelling;*
- *Existing mature trees in the front yard are to be retained; and*
- *The proposed new trees and landscaping will improve what is currently a rather casual garden.*

The proposed extension generally complies with the detailed Guidelines in 3.2 and 3.6, except in the following area:

Eaves overhang is 200mm rather than the proposed 300mm. However, as the eaves overhang on the existing rectory is 200mm this is more appropriate.

We would recommend that the proposed conservation of the existing Rectory be carried out with the assistance of appropriately qualified conservation architects.

The proposed extension to the Rectory complies with the Guidelines, and is a positive conservation outcome for the place. The existing streetscape in its immediate vicinity will be preserved, with improved landscaping. It's assessed statement of significance will not be compromised by this proposal.

The following comments were made with respect to the proposed new office building:

The proposal, although unusual in that it proposes to locate a new building along the street boundary of the Church, generally complies with the overall objectives in the Guidelines as it:

- *Retains an Inter-War church, and does not seek to visually dominate it through its location below the natural ground level;*
- *Proposes landscaping that will improve the currently un-landscaped and rather scrappy front yard of the Church; and,*
- *Whilst not being designed in a style to replicate the Inter-War Romanesque church, it references its materials and colours; and to some extent references the traditional shopfronts of the area.*

The proposal generally complies with 3.7 Commercial Development, except in the following areas:

- Awnings as prescribed are not allowed for, although it is noted that small awnings are included, but not to a scale that provides weather protection for pedestrians. Small shops facing Beaufort Street between First and Third Avenue have boxed awnings and, in one instance (Memory Lane) a small cantilevered concrete flat awning.*
- Whilst the street facing elevation has been designed to emulate a traditional shop front presentation, the referencing is not clear. Further detailing could include horizontal detailing referencing traditional masonry plinths below window cill height, and transoms at door head height.*

The proposed new office building generally complies with the Guidelines and the assessed statement of significance for the church will not be compromised by the development as it will retain its visual dominance of the site.

The City's consultants also reviewed the contents of the Heritage Impact Assessment prepared by the applicant (ATTACHMENT 9) and wished to make the following points of clarification:

- The new office building is clearly a commercial development, except in terms of its use, and should be assessed against 3.7 Commercial Development.*
- Whilst appreciating the proponents adherence to Burra Charter principles, it needs to be noted that the design Guidelines for the Mt Lawley Heritage Protection Area are not based on Burra Charter principles and, in fact, are opposed to them. Accordingly, it is not appropriate to use the Burra Charter as a guide for assessing the impact of the development.*
- The fact that the streetscape is eroded (6.0 Conclusion, point 3) does not automatically mean that new development will not have a detrimental effect on the streetscape. The impact will depend on the quality of the development proposed, not simply that it is built in an eroded streetscape.*

Ultimately the City's consultants concluded that, notwithstanding some departures from the applicable development standards, the proposed development was generally in accordance with the Heritage Protection Area Special Control Area and the objectives of the Character Retention Guidelines.

Conclusion:

The subject site is located in the local municipality of Stirling, and is approximately 3km northeast of the Perth CBD. The subject lot is zoned 'Urban' under the Metropolitan Region Scheme and 'Residential' under the City of Stirling's Local Planning Scheme No. 3.

The proposal has been assessed against the existing statutory framework for the site and does not comply with the requirements relating to land use, car parking, and building design.

The development proposes a 6 car bay parking shortfall. This is in addition to an unidentified existing parking shortfall due to the historical nature of the existing development on the site. The parking shortfall is not considered an impediment to approval subject to cash-in-lieu contribution being paid.

The proposal is not in strict accordance with the development standards for properties within the Heritage Protection Area, however it has been demonstrated that the development is considered to meet the overall objectives of the Character Retention Guidelines. The design of the additions is not considered an impediment to approval.

The proposed development includes a total of 895m² of office space. As this land use is not incidental to a predominant use on the site, it is therefore prohibited in the Residential Zone as per clause 4.3.2 of LPS3. The land use issue is a statutory impediment which prevents approval of the development. It should be noted that any decision in respect of this application needs to be made consistent with the quasi-judicial role of the Joint Development Assessment Panel, with due consideration of the statutory requirements of Local Planning Scheme No. 3.

In view of the above, the application is recommended for refusal.



8.4 Application Details: Additions to St Patrick's Anglican Church –
Offices & Rectory
Property Location: Lot 123, House Number 731, Beaufort
Street, Mount Lawley
Applicant: TPG Town Planning, Urban Design & Heritage
Owner: Perth Diocesan Trustees
Responsible authority: City of Stirling
Report date: 15 February 2013
DoP File No: DP/12/01331

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Councillor Italiano

Seconded by: Councillor Willox

That the Metropolitan North-West JDAP resolves to:

1) **Refuse** DAP Application reference DP/12/01331 and accompanying plans (ATTACHMENT 1) in accordance with Clause 10.3.1 of the City of Stirling's Local Planning Scheme No. 3, for the following reason:

- a) The proposed development includes an Office use, which in accordance with part 4.3 of Local Planning Scheme No. 3, is not permitted in the Residential zone.

For: Mr Fred Zuideveld
Cr Rod Willox AM JP
Cr Giovanni Italiano JP
Against: Ms Karen Hyde
Mr Paul Drechsler

The motion was put and CARRIED (3/2).

9. Appeals to the State Administrative Tribunal

Nil

10. Meeting Close

The Presiding Member reminded the meeting that in accordance with Standing Order 7.3 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

There being no further business, the presiding member declared the meeting closed at 4.55pm.

PERTH
SYDNEY

Our ref: 712-434

4 September 2013

Chief Executive Officer
City of Stirling
25 Cedric Street
STIRLING WA 6021

Attn: Kimberley Masuku



Dear Kimberley

TOWN PLANNING
URBAN DESIGN AND HERITAGE

DR 205/2013 PERTH DIOCESAN TRUSTEES v METRO NORTH WEST JOINT DEVELOPMENT ASSESSMENT PANEL

Further to the Mediation Hearing in the above matter on Thursday 29 August 2013, TPG Town Planning, Urban Design and Heritage is pleased to enclose for your consideration, further clarification of the uses to which the proposed development will be put by the Anglican Diocese of Perth. In this letter we assume that there were no issues or concerns with respect to design or car parking layout as displayed on the plan.

The proposed development comprises a new building at the Beaufort Street level described as the Lower Ground floor and a proposed refurbishment of the existing rectory (house) and a new rectory and car park with 23 car parking bays described as the Upper Ground floor.

The plans for the development (attached) show that the Lower Ground floor consists of:

- general administration areas that will house a number of workstations;
- nine "offices";
- two meeting rooms;
- reception and waiting area;
- photocopy room
- kitchenette;
- cleaner's room;
- toilets; and
- stairs and a lift to the courtyard to be created on the Upper ground floor level.

The plans show that the Upper Ground floor consists of:

- the existing rectory of 280m² which is to be refurbished to comprise essentially working and meeting room space including a Board Room. These facilities will be primarily used by Anglicare WA for staff training, sector meetings, community and other meetings and will be made available to Parish, and Diocesan groups;
- a new rectory is also proposed and is to house a Parish clergyperson and their family. It will be constructed adjacent to the existing Rectory building and will most likely be part of a second stage development.
- A 23 bay car park will be constructed adjacent to the southern boundary of the land; and,
- A new landscaped courtyard will be constructed between the existing church and the rectory and will be landscaped with tiered Amphitheatre style seating to be used as a performance space by the parish and the community.

PERTH OFFICE

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The Planning Group WA Pty Ltd
ABN 36 097 273 222

The City of South Perth in considering a similar application by Southcare, (OCM 26 August 2008) sought legal clarification in regards to the use of the proposed development. Specifically the question was asked of Council's advisors as to whether the proposed development should be classified as an "office" or as "religious activities" for the purpose of dealing with the application.

The comments noted in the minutes of the Meeting include the following:

- It is evident that the building will be used primarily for administrative tasks associated with the delivery of services provided by Southcare;
- To a lesser extent, the building will be used to provide services on site to Southcare's clients (e.g. face to face counselling and day care activities);
- The nature and purpose of the activities being undertaken by Southcare does not suggest they are undertaken for the purpose of deriving profit, therefore it is not a business.
- Notwithstanding that the activities to be undertaken within the proposed building are administrative or clerical in nature, it does not come within the "office" use class as those activities are not undertaken in the course of a business.

The development proposed by Southcare is identical in function to that proposed by the Anglican Diocese of Perth in the current instance.

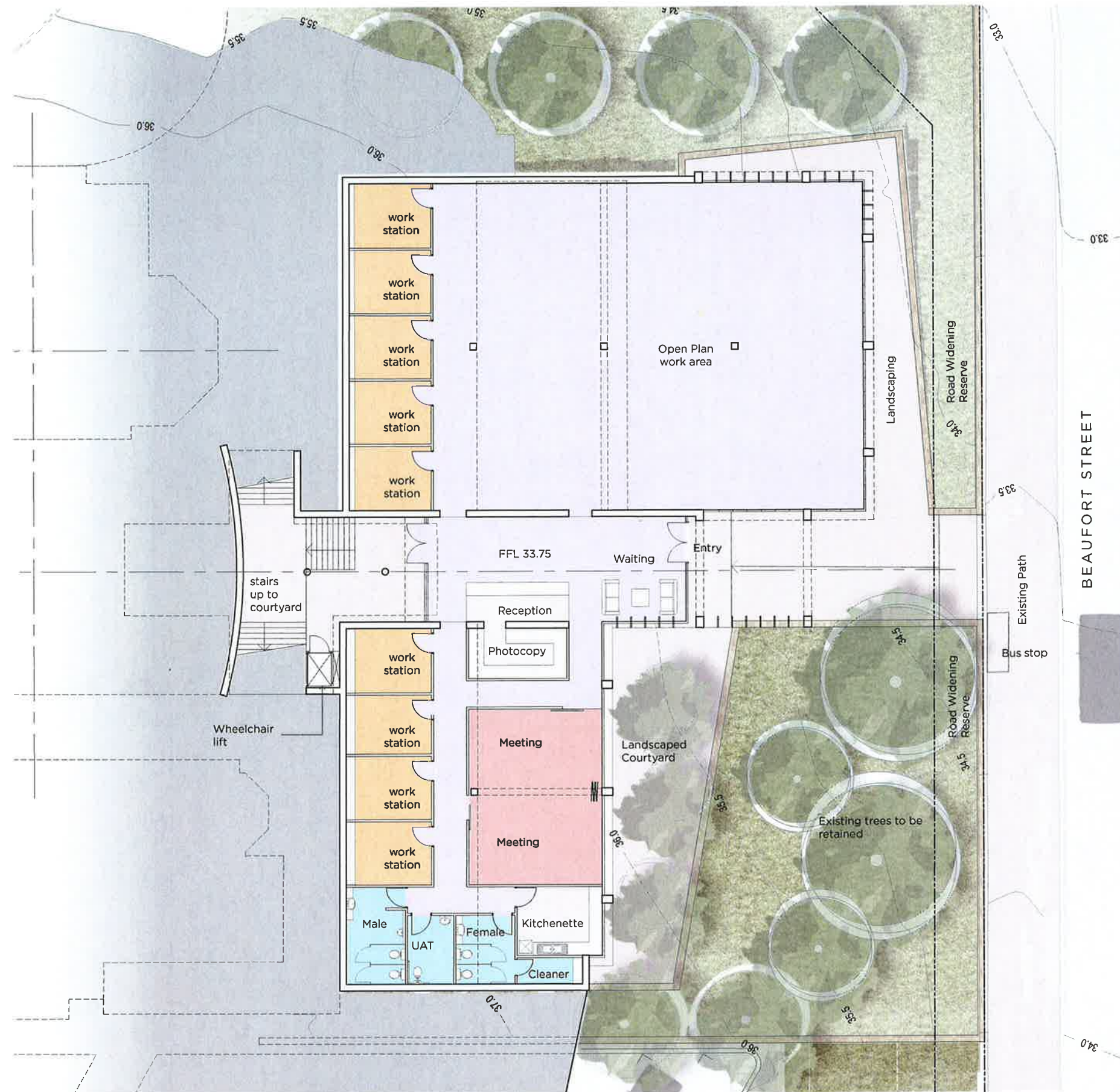
We look forward to the favourable re-consideration of this application and would be pleased to discuss any aspects of the proposal with you during your consideration of this further submission. Should you have any queries or require clarification on any matters please do not hesitate to contact the undersigned on 08 9289 8300.

Yours sincerely
TPG Town Planning and Urban Design



David Caddy
Managing Director

Encs



Lower Ground floor (Beaufort Street Level)

Anglicare St Patricks Of-
Corner First Avenue + Beaufort
Schematic Design

TAYLORROBINSON
www.taylorrobinson.com.au

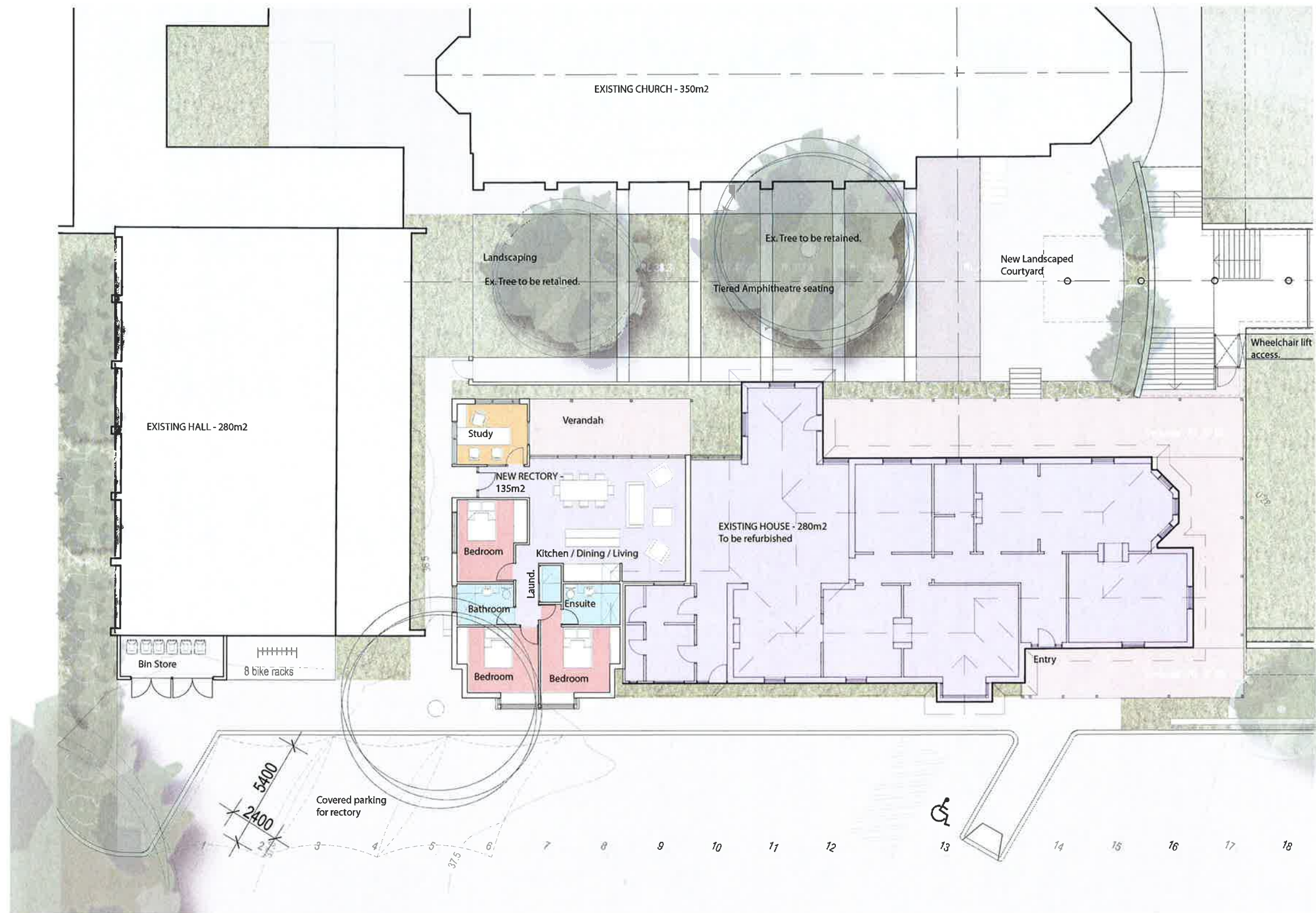


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west leederville
T 08 9388 6111
F 08 9388 6177

1:200 & A3 / 1:100 & A1
1269
Sept 2013
tr



sk05^b



Upper Ground Floor Plan (Existing House + Rectory)

Anglicare St Patricks Offices
 Corner First Avenue + Beaufort Street
 Schematic Design

TAYLOR ROBINSON



234 railway pde
 west leederville
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1:200 @ A3 / 1:100 @ A1

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