

ATTACHMENTS

Ordinary Council Meeting

27 February 2024

**Part 1 – 7.2.2, 10.3.1, 10.3.2, 10.3.3, 10.3.4,
and 10.3.5**

ATTACHMENTS TO AGENDA ITEMS

Ordinary Council Meeting - 27 February 2024

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NOTES

Council Agenda Briefing

Meeting Date & Time: 6.00pm, Tuesday 20 February 2024
Meeting Location: Council Chamber

1. DECLARATION OF OPENING

The Presiding Member opened the Briefing at 6.01pm and welcomed everyone in attendance.

ITEMS FOR COUNCIL

The Presiding Member informed the meeting that Agenda Items 2, 3, 6, 7, 8.1, 8.2, 9, 11, 13 and 14 will be dealt with at the Ordinary Council Meeting to be held 27 February 2024.

4. ATTENDANCE

Presiding Member

Mayor Greg Milner

Councillors

Como Ward
Manning Ward
Manning Ward
Mill Point Ward
Mill Point Ward
Moresby Ward
Moresby Ward

Councillor Bronwyn Waugh
Councillor André Brender-A-Brandis
Councillor Blake D'Souza
Councillor Mary Choy
Councillor Nic Coveney
Councillor Jennifer Nevard
Councillor Hayley Prendiville

Officers

Chief Executive Officer
Director Corporate Services
Director Development and Community Services
Director Infrastructure Services
Manager Development Services
Manager Customer, Communications and Engagement
Manager Community, Culture and Recreation
Manager Finance
Manager Governance
Governance Coordinator
Governance Officer
Communications Officer

Mr Mike Bradford
Mr Garry Adams
Ms Donna Shaw
Ms Anita Amprimo
Ms Fiona Mullen
Ms Danielle Cattalini (Retired at 7.23pm)
Mr Patrick Quigley (Retired at 9.37pm)
Mr Abrie Lacock
Ms Toni Fry
Mr Morgan Hindle
Ms Jane Robinson
Ms Maria Noakes (Retired at 9.42pm)

Gallery

There were 100 members of the public present.



4.1 Apologies

Nil.

4.2 Approved Leave of Absence

- Councillor Glenn Cridland for the period 19 February 2024 to 1 March 2024 inclusive.

5. DECLARATIONS OF INTEREST

- Mayor Greg Milner – Item 10.1.1 – Impartiality Interest as ‘I am a former co-patron of Wesley and South Perth (WASPs) Hockey Club.’
- Councillor Hayley Prendiville – Item 10.1.1 – Impartiality Interest as ‘myself and my family are members of WASPs Hockey Club, my involvement extends to numerous committee positions, currently Minkey Coordinator.’
- Councillor Mary Choy – Item 10.1.1 – Impartiality Interest as ‘my husband has been a past member of the WASP’s Hockey Club and a volunteer coach and is also a Wesley College ‘old boy’. My son’s have played for the WASP’s Hockey Club and they also attend Wesley College.’
- Councillor Bronwyn Waugh – Item 10.1.1 – Impartiality Interest as ‘my son attends Wesley College.’
- Mayor Greg Milner – Item 10.3.4 – Impartiality Interest as ‘my son has previously attended Conan Road Kindergarten.’
- Mayor Greg Milner – Item 12.5 – Impartiality Interest as ‘I am a former co-patron of Wesley and South Perth (WASPs) Hockey Club.’
- Councillor Hayley Prendiville – Item 12.5 – Impartiality Interest as ‘myself and my family are members of WASPs Hockey Club, my involvement extends to numerous committee positions, currently Minkey Coordinator.’
- Councillor Mary Choy – Item 12.5 – Impartiality Interest as ‘my husband has been a past member of the WASP’s Hockey Club and a volunteer coach and is also a Wesley College ‘old boy’. My son’s have played for the WASP’s Hockey Club and they also attend Wesley College.’
- Councillor Bronwyn Waugh – Item 12.5 – Impartiality Interest as ‘my son attends Wesley College’.

Councillor Nic Coveney left the meeting at 7.15pm and returned at 7.19pm during consideration of Item 8.

Councillor Blake D'Souza left the meeting at 7.15pm and returned at 7.20pm during consideration of Item 8.

8. PRESENTATIONS

8.3 Deputations

- | | | |
|-----|--|-------------------------------|
| 1. | Mr Stephen Russell of Como who spoke FOR the Officer's Recommendation at Item 10.1.1 and AGAINST the Notice of Motion at Item 12.5 | Item
10.1.1
and
12.5 |
| 2. | Ms Kathy Lees of South Perth who spoke FOR the Officer's Recommendation. | Item
10.1.1 |
| 3. | Ms K Poh of Como who spoke FOR the Officer's Recommendation at Item 10.1.1 and AGAINST the Notice of Motion at Item 12.5. | Item
10.1.1
and
12.5 |
| 4. | Mr Ross Barron of South Perth who spoke FOR the Notice of Motion. | Item
12.5 |
| 5. | Ms Samantha Hammond of East Victoria Park who spoke FOR the Notice of Motion. | Item
12.5 |
| 6. | Mr Mark Kerrigan of Como who spoke FOR the Notice of Motion. | Item
12.5 |
| 7. | Mr David Parker of South Perth who spoke FOR the Notice of Motion. | Item
12.5 |
| 8. | Ms Alicia Tory of Como who spoke FOR the Notice of Motion. | Item
12.5 |
| 9. | Mr Lyle Kenny of Manning who spoke FOR the Notice of Motion. | Item
12.5 |
| 10. | Ms Jenness Gardner of South Perth who spoke FOR the Notice of Motion. | Item
12.5 |
| 11. | Ms Cristy Lowe and Jeremy Lowe of Como who spoke AGAINST the Notice of Motion. | Item
12.5 |
| 12. | Mr Troy Marley of Como who spoke AGAINST the Notice of Motion. | Item
12.5 |



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| 13. Dr Louise Johnston of Como who spoke AGAINST the Notice of Motion. | Item
12.5 |
| 14. Mr Max Szmekura of Como who spoke AGAINST the Notice of Motion. | Item
12.5 |
| 15. Mr Murray Rosenberg of Como who spoke AGAINST the Notice of Motion. | Item
12.5 |
| 16. Mr John Fermia of Como who spoke AGAINST the Notice of Motion. | Item
12.5 |

At 8.25pm the meeting was adjourned.

At 8.36pm the meeting reconvened.

Agenda Items 10.1.1, 12.5 and 12.1 were considered first due to the significant interest in these Items from the public gallery.

10. DRAFT FEBRUARY 2024 REPORTS

The Chief Executive Officer, Mr Mike Bradford gave a brief summary of the February 2024 Agenda Items to be considered by Council, as follows.

Mayor Greg Milner and Councillors Hayley Prendiville, Mary Choy and Bronwyn Waugh declared an Impartiality Interest in Item 10.1.1.

10.1.1 Co-Located Hockey Facilities within the City of South Perth

This Item was the subject of three Deputations.

This report responds to a Notice of Motion passed at the Ordinary Council Meeting held 25 July 2023, titled 'Engagement with the Wesley South Perth Hockey Club to Identify an Alternative Location Within the City of South Perth for Co-Located Hockey Facilities'.

10.3.1 Revocation of Local Planning Policies

The purpose of this report is for Council to consider revoking eight local planning policies. The local planning policies are proposed to be revoked as part of the review of the City's local planning policy suite under Local Planning Scheme No. 7.

10.3.2 Advertising of Draft Local Planning Policies

The purpose of this report is for Council to consider advertising four new draft local planning policies. These policies are proposed as part of the implementation of Local Planning Scheme No. 7.

10.3.3 Final Adoption of Local Planning Policies

The purpose of this report is for Council to consider adopting three draft local planning policies following advertising.

Mayor Greg Milner declared an Impartiality Interest in Item 10.3.4.

10.3.4 Proposed Additions to Educational Establishment - Lot 1333, No. 17 Craigie Crescent, Manning

The purpose of this report is to consider an application for development approval for additions to an existing Educational Establishment at Lot 1333, No. 17 Craigie Crescent, Manning.

This item is referred to Council as the proposed additions are located on City owned land by a private entity and therefore falls outside of the delegation to officers.

For reasons outlined in this report, it is recommended that the application be approved.

Councillor Nic Coveney left the meeting at 9.47pm and returned at 9.49pm during consideration of Item 10.3.5.

10.3.5 Hurlingham Living Stream Project

The City has made a successful grant application to the Swan Canning Riverpark Urban Forest program (SCRUF). The grant funding will permit conversion of the existing open drain on the South Perth Foreshore to a living stream. Under the funding program, the Department of Biodiversity, Conservation and Attractions provide two thirds contribution of the project with the City contributing the remaining third.

The total project cost is \$925,705 with the project programmed for completion by November 2026.

The project is a recommendation within the South Perth Foreshore Strategy and Management Plan 2015 for Node 7 (the Lakes) which was formally adopted following public consultation. The detailed design will be finalised following consultation with adjoining residents.

This report seeks Council endorsement to authorise the Chief Executive Officer to execute the funding agreement for the Hurlingham Living Stream project and list consideration of the City's contribution of \$323,356 in the relevant budget years.

10.4.1 Listing of Payments December 2023

This report presents to Council a list of accounts paid under delegated authority between 1 December 2023 to 31 December 2023 for information. It also includes purchase card transactions between 1 November 2023 to 30 November 2023 in line with new legislative requirements.

10.4.2 Monthly Financial Statements December 2023

The monthly Financial Statements are provided within **Attachments (a)–(i)**, with high level analysis contained in the comments of this report.

10.4.3 Listing of Payments January 2024

This report presents to Council a list of accounts paid under delegated authority between 1 January 2024 to 31 January 2024 for information. It also includes purchase card transactions between 1 December 2023 to 31 December 2023 in line with new legislative requirements.

10.4.4 Monthly Financial Statements January 2024

The monthly Financial Statements are provided within **Attachments (a)–(i)**, with high level analysis contained in the comments of this report.



10.4.5 Budget Review for the Period ended 31 January 2024

The City performed a comprehensive review of the 2023/24 Adopted Budget, the review was based on actual results for the period to 31 January 2024 and includes comments on the required adjustments. The last few years have seen steep rises in inflation worldwide including Australia, central banks have been increasing interest rates to curb inflation drivers. The war in Ukraine and the ongoing residual impact of COVID-19 continues to cause uncertainty and supply shortages around the world and is still seen as the root cause of high inflation.

As is the case for prior years, officers have looked for opportunities to reduce and manage operating expenditure. This effort together with increased revenue has resulted in an improvement to the overall financial position as reflected in this revised budget.

A Statement of Financial Activity is included, the same as the report included in each month's Council meeting agenda. It compares the original adopted budget to the reviewed budget, illustrating the movements within the review. Schedules detailing adjustments as well as a summary of the forecasted Financial Ratios are attached. The underlying theme of the review was to deliver an improved budget outcome.

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Councillor Blake D'Souza left the meeting at 9.35pm and returned at 9.38pm during consideration of Item 12.1.

12.1 Notice of Motion - Councillor Nic Coveney - Hooning Along the Peninsula

12.2 Notice of Motion - Councillor Mary Choy – Restoring the Lake Douglas Bridges in the South Perth Lakes Precinct

12.3 Notice of Motion - Councillor Mary Choy – Enclosed Dog Exercise Area - Olives Reserve Dog Park

12.4 Notice of Motion - Councillor Bronwyn Waugh - Advertising of Short Term Accommodation Local Planning Policy

Mayor Greg Milner and Councillors Hayley Prendiville, Mary Choy and Bronwyn Waugh declared an Impartiality Interest in Item 12.5.

12.5 Notice of Motion - Councillor Bronwyn Waugh – Sport Spaces Collier Reserve – Option to Lease

This item was the subject of 15 Deputations.

15. MEETING CLOSED TO THE PUBLIC

Nil.

16. CLOSURE

At 10.13pm the Presiding Member closed the Council Agenda Briefing and thanked everyone for their attendance.



Local Planning Policy – Building Height

1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy – Building Height.

2. Purpose

Under the City's former Town Planning Scheme No. 6 (TPS 6), building height was measured using a specific methodology. The TPS 6 provisions resulted in greater height being permitted, particularly for buildings on sloping sites, compared to building height provided for under State Planning Policy 7.3 - Residential Design Codes Volume 1 (R-Codes). This has resulted in a unique form of development across the City of South Perth (the City).

To provide for consistency with the established built form of residential development in the City, this Policy provides supplementary Local Housing Objectives to be considered when determining applications for single houses and grouped dwellings which do not satisfy the deemed-to-comply requirements of design element 5.1.6 of the R-Codes. These objectives will ensure new development is in keeping with existing development approved under the former TPS 6 provisions.

3. Application

This local planning policy applies to all single house and grouped dwelling developments in the City.

Where this local planning policy is inconsistent with a local development plan, precinct structure plan or local planning policy that applies to a specific site or area, the provisions of that specific a local development plan, precinct structure plan or local planning policy shall prevail.

4. Policy Objectives

- 4.1 To ensure the height of buildings are consistent with the established scale of development in a given locality.
- 4.2 To ensure the height of buildings do not unduly impact the streetscape or neighbouring properties.

5. Policy Statement

The following Local Housing Objectives provide guidance for decision-making in considering a development application for development which does not satisfy the deemed-to-comply requirements of design element 5.1.6 – Building Height:

- 5.1 Building height considers and responds to the natural topography of the site.
- 5.2 Building height on sloping sites responds to any necessary site works and minimises cumulative building bulk impacts to neighbouring properties.
- 5.3 Building height is consistent with the predominant height of the buildings within the immediate surrounding area.
- 5.4 Building height contributes, and is consistent with, the established streetscape within the surrounding area.
- 5.5 Building height is located to reduce impacts of building bulk to the street.
- 5.6 Lot boundary setbacks that correspond to the height of a building and minimises the impact of bulk and scale on neighbouring properties.

6. Relevant legislation, policies, documents

Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015
City of South Perth Local Planning Scheme
State Planning Policy 7.3 - Residential Design Codes
Local Planning Policy – Salter Point Escarpment

7. Document Control

Adoption date	
Date modified	
Strategic Community Plan Reference	Environment (Built and Natural)

Local Planning Policy – Salter Point Escarpment

1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy – Salter Point Escarpment.

2. Purpose

The purpose of this policy is to provide guidance and supplementary requirements to Local Planning Scheme No. 7 (LPS 7) and State Planning Policy 7.3 - Residential Design Codes Volume 1 (R-Codes Vol.1) in relation to development within the Salter Point Escarpment, and to ensure consistent assessment and decision-making in the application of LPS 7 and R-Codes Vol.1.

3. Application

This Policy applies to all development on properties outlined in Figure 1. Clause 4.2 of this Policy only applies to properties identified in ASR 12 – Salter Point Escarpment, Salter Point of Schedule B of LPS 7.

Figure 1: Policy Application Area



4. Policy Objectives

- 4.1 To provide building heights which are consistent with the character and the topography of the Salter Point Escarpment.
- 4.2 To ensure that views of the Canning River for existing properties on the escarpment are not significantly obstructed by new development.
- 4.3 To ensure adequate setbacks to development adjoining River Way.

5. Development requirements

5.1 Development of lots adjoining River Way

The following requirements apply to all development on properties with an adjoining lot boundary to River Way.

5.1.1 Street Designation

Where a lot has a boundary adjoining River Way and any other street, River Way shall be designated as the secondary street.

5.1.2 Street Setback

Clause 5.1.2 C2.2 of the R-Codes is replaced with the following deemed-to-comply requirement:

C2.2 Buildings shall be setback a minimum of 6m from the River Way Street boundary; or corresponding to the average of the setback of existing dwellings on each adjacent property fronting River Way.

5.1.3 Setback of Carports and Garages

Clause 5.2.1 C1.4 of the R-Codes is replaced with the following deemed-to-comply requirement:

C1.4 Carports and garages setback a minimum of 4.5 metres from the River Way street boundary.

5.2 Building Height

The following requirements apply to those properties located in ASR 12 – Salter Point Escarpment, Salter Point of Schedule B of LPS 7.

5.2.1 Projections Above the Building Height Limit

Projections (including walls, roofs and structures appurtenant to dwellings) may be permitted above the building height limit where all projections are contained within the 'Projection Envelope' as defined using the following methodology:

- (a) The natural ground level for the purpose of establishing the Projection Envelope may be determined as the highest point of the site directly below the building that is at least 6.0 metres from a street boundary and 1.5 metres from any side or rear boundary.
- (b) The natural ground level established under (a) is re-established to a separate natural ground level for every 3.5 metre fall on the site.
- (c) The projection envelope height shall be calculated using (a) and (b) and the building height limits contained within Schedule B of LPS 7 (refer to Figures 2 and 3 below).

Figure 2: Natural Ground Level for the purpose of establishing the Projection Envelope

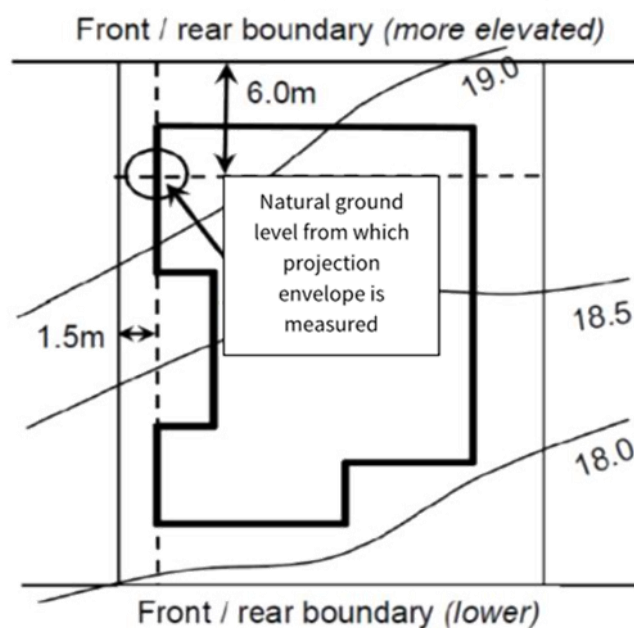
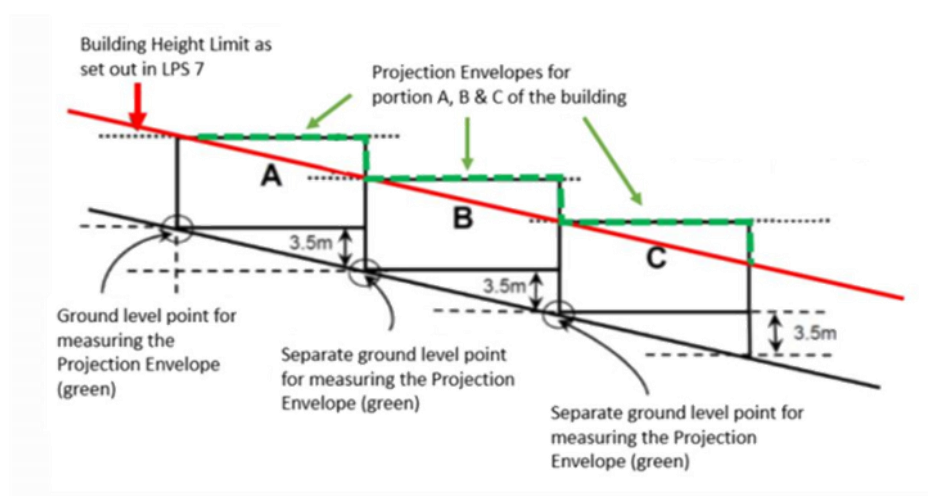


Figure 3: Projection Envelope



5.2.2 Roofs and Minor Projections

Roofs and minor projections above the projection envelope may be supported by the City, subject to meeting all of the following criteria:

- (a) There are no external walls above the projection envelope; and
- (b) Any roof above the projection envelope has a pitch of 15 degrees or lower; and
- (c) All external fixtures above the projection envelope, such as solar collectors and air-conditioning units, are integrated into the design so as to sit flush/flat along or below the roof line; and
- (d) The proposed development meets the deemed-to-comply criteria prescribed in the R-Codes for lot boundary setbacks, street setbacks and open space; and
- (e) The projection above the Projection Envelope does not obstruct a view to the water surface of the Canning River determined in accordance with clause 5.2.3.

5.2.3 Assessment of Significant Obstruction of Views

- (a) A building is considered to satisfy the requirements of Schedule B of LPS 7 relating to significant obstruction of views to Canning River in the following instances:
 - (i) In the case where an existing building is proposed to be demolished and replaced, the design of the new building, in the opinion of the local government, causes a lesser obstruction to views of the Canning River than the existing building; or
 - (ii) The building complies with the height limits contained in LPS 7 as measured in accordance with the R-Codes and all projections are within the Projection envelope as per clause 5.2.1; or
 - (iii) Where a projection is proposed that complies with clause 5.2.2 of this policy, the projection does not obstruct a view to the water surface of the Canning River within a line of sight contained at any point within a 45 degree cone of vision from an existing active habitable space, which forms part of a building. Active habitable spaces include any balcony, verandah, terrace or habitable room (such as a kitchen, bedroom, dining room, etc.).
- (b) To determine whether a view to the water surface of Canning River is obstructed a line-of-sight is measured at a height of 1.6 metres above the floor level of the active habitable space at a point 0.5 metres from the edge/opening/extent of the active habitable space (where the view to Canning River is available).

Notes: For the purpose of this provision, a line-of-sight will only be assessed/established for properties adjoining the subject site. Greatest weight will be given to any line-of-sight established from a property directly 'behind' a site in reference to its position to Canning River. Significantly lesser weight will be given to a line-of-sight established from a property to the 'side' of a site.

A 'cone-of-vision' and an 'active habitable space' shall have the same meaning as contained in the R-Codes.

6. Relevant legislation, policies, documents

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

City of South Perth Local Planning Scheme

State Planning Policy 7.3 - Residential Design Codes

City of South Perth Local Planning Policies

7. Document Control

Adoption date	
Date modified	
Strategic Community Plan Reference	Environment (Built and Natural)

Local Planning Policy – Heritage Conservation and Development

1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations). This Policy may be cited as Local Planning Policy – Heritage Conservation and Development.

2. Purpose

The City of South Perth (the City) identifies heritage-protected places through the **Local Heritage Survey**, Heritage List and heritage areas. These places and areas have been assessed and recognised to have cultural heritage significance to the local community and are protected in accordance with the Regulations and the City's local planning scheme.

The purpose of this policy is to provide guidance on the assessment of proposals for development affecting heritage-protected places.

3. Application

3.1 This policy applies to any works affecting any property included on the Heritage List or located within a heritage area where a development application is required. It provides guidance on applications to undertake public realm improvements abutting a heritage-protected place or proposals to subdivide or amalgamate lot boundaries to the Western Australian Planning Commission (WAPC).

3.2 **Development approval is not required for maintenance works to a heritage-protected place as defined by this policy.**

3.3 Heritage areas adopted under the local planning scheme will have an associated local planning policy that should be read in conjunction with this policy. If there are any inconsistencies between the two, the policy specific to the heritage area will prevail.

4. Objectives

4.1 To conserve and protect places of local cultural heritage significance.

4.2 To ensure that development, including the adaptive reuse, alterations and additions to existing buildings and the construction of new buildings, does not adversely affect the significance of heritage-protected places.

4.3 To provide guidance on how cultural heritage significance is given due weight in local planning decision making.

- 4.4 To provide greater certainty to landowners and community about the planning processes for heritage protection.
- 4.5 To clarify the format and content of accompanying materials to a development application in accordance with Clauses 63(1)(d) and 63(3), Schedule 2 of the Regulations.

5. Development Application Requirements

5.1 Applications for development approval – accompanying material

- 5.1.1 The accompanying material will be determined by the likely impact of works on cultural heritage significance, taking into consideration the following:
 - (a) An assessment of the proposed works against the development impact matrix at Table 1;
 - (b) Any advice received from a suitability qualified heritage professional submitted by the applicant to assist in determining the development application;
 - (c) Any advice provided by the Heritage Council of Western Australia (HCWA); and
 - (d) Any other information identified by the City as necessary to determine the impact on the heritage place.
- 5.1.2 An application for works to a local heritage-protected place that will, or is likely to, have an impact on the place (including any significant views and vistas within a heritage area), must be accompanied by:
 - (a) Street elevations including the full frontage of lots adjoining the subject site at a scale not less than 1:100; and
 - (b) A schedule of all colours and materials for the existing building and proposed works/additions.
- 5.1.3. Heritage Assessment
 - (a) The cultural heritage significance of a place will be determined based on its management category to be taken from its entry in the heritage list, with supporting information from the Local Heritage Survey or other heritage assessment.
 - (b) Where the cultural heritage significance of a place cannot be adequately determined from an existing assessment, the City can in accordance Clause 11 Schedule 2 of the Regulations request a heritage assessment prepared in accordance with the HCWA guidelines prior to lodgement of a development application.
- 5.1.4 Heritage Impact Statement
 - (a) Where in the opinion of the City a proposal is likely to impact the significance of a heritage-protected place (refer to Development Impact Matrix at Table 1), a heritage impact statement is required in accordance with the HCWA guidelines.

5.1.5 Structural condition assessment in the case of demolition

- (a) Where structural failure is cited as a justification for the demolition of significant fabric, as defined by the heritage assessment, a structural condition assessment by a registered structural engineer with relevant heritage experience is required.

6. Conditions of approval

In approving an application for development approval, the City may impose the following conditions.

6.1 Archival Record

6.1.1 An archival record prepared in accordance with HCWA guidelines and submitted in an electronic format to form part of the City's historical records is required where:

- (a) A proposal for demolition is approved, including partial demolition of significant fabric, that will have a moderate or major impact on the cultural heritage significance of the heritage-protected place prior to the commencement of development; or
- (b) Requested by the City for any works that will result in the substantial alteration of a place.

6.1.2 The type of archival record required will reflect the heritage significance of the site and the extent of demolition proposed with either:

- (a) A photographic record being provided for general demolition (refer to HCWA guidelines); and/or
- (b) A detailed record being provided for complex sites (refer to HCWA guidelines).

6.2 Heritage Agreement

6.2.1 The City in consultation with the Department of Planning, Lands and Heritage (DPLH), may require a heritage agreement as a condition of approval where a variation to a development requirement is sought based on a commitment to the future conservation of a place in accordance with Part 7 of the *Heritage Act 2018* and clause 10 Schedule 2 Part 3 of the Regulations. It will not be requested where the required outcome can be readily achieved through an alternative condition.

6.2.2 The heritage agreement will generally include requirements for ongoing conservation and maintenance of a place and may note conservation works that must be completed within a specified timeframe. This information is to be informed by a conservation report, such as a Conservation Management Plan or Conservation Management Strategy developed by suitably qualified heritage professional in accordance with relevant standards as established by the HCWA.

6.3 Conservation Management Plan or Conservation Management Strategy

6.3.1 Where large and complex redevelopments are approved that involve significant adaptive re-use and/or significant demolition, a Conservation Management Plan or Conservation Management Strategy written by a suitably qualified heritage professional in accordance with the HCWA

guidelines will be required as a condition of approval to identify the heritage significance of the place and provide clear policies for its sustainable and appropriate future management, conservation or use.

6.4 Heritage Interpretation Plan

- 6.4.1 Where large and complex redevelopments of a heritage-protected place are approved that involve adaptive re-use and/or significant demolition, a Heritage Interpretation Plan will be required as a condition of approval to provide a clear understanding of the history and heritage significance of the place to provide a record for future generations.

6.5 Archaeological Management Strategy

- 6.5.1 Where the City considers there is potential for archaeology to be disturbed as part of the proposed development, an Archaeological Management Strategy will be required as a condition of approval to be prepared by a registered professional archaeologist in accordance with the HCWA guidelines relating to archaeology.

7. Planning Based Incentives

7.1 Variation of scheme requirements

- 7.1.1 In accordance with Clause 12 Schedule 2 of the Regulations, the City may vary any site or development requirement where it considers the proposed variations will facilitate the conservation of a heritage-protected place or enhance the values of a heritage area.
- 7.1.2 The extent of local planning scheme variation should be proportionate to the conservation benefit produced by the proposed works, with a clear rationale being provided as part of the development application explaining how the discretion will achieve one or both of the following heritage outcomes:
- (a) The conservation of a heritage-protected place as identified in a Conservation Management Plan, Heritage Assessment, the Place Record Form (Local Heritage Survey); and/or
 - (b) The value of a heritage area.
- 7.1.3 The supporting information may include drawings, photographs, community feedback or other relevant information addressing, at a minimum the following:
- (a) The physical relationship (nature and extent) between the elements of the proposed development which require a scheme variation and outcomes pertaining to conservation of the heritage-protected place, or enhancement of heritage area value;
 - (b) How the heritage outcomes sought as a result of the scheme variation/s will make a positive contribution to the public realm (for example, the streetscape);
 - (c) How the extent of the variation (for example, additional building height or reduced setback) has been reduced to the minimum necessary to conserve a heritage-protected place or conserve the values of the heritage area; and

- (d) The proportionality between the extent of the variation sought and the way the variation achieves the following:
 - (i) Facilitates built heritage conservation;
 - (ii) Enhances or preserves the heritage values of a heritage area; and
 - (iii) Will not adversely impact the amenity of adjoining properties or the locality.

8. Development Principles

8.1 Demolition

- 8.1.1 Full demolition of heritage-protected places will not be supported unless it can be demonstrated that the structural integrity of the building has failed to the point where it cannot be rectified without removal of the majority of significant fabric to the satisfaction of the City. Note provision 5.1.56 of this policy.
- 8.1.2 Demolition will not be supported in the following circumstances:
 - (a) Where the City forms the view that structural inadequacy is a result of the place not being properly maintained, as defined in clause 13(1) Schedule 2 of the Regulations; and/or
 - (b) Where redevelopment is identified to be a financially more attractive proposition than conservation or repair.
- 8.1.3 Partial demolition of a heritage-protected place may be supported where a Heritage Impact Statement prepared by a qualified heritage professional can demonstrate the following to the satisfaction of the City:
 - (a) The parts to be demolished do not contribute to the heritage significance of the place as identified in a Conservation Management Plan, Heritage Assessment, the Place Record Form (Local Heritage Survey); and/or
 - (b) The parts to be demolished are considered intrusive and their removal is required to accommodate conservation and enhancement of the heritage-protected place or adaptive reuse; and/or
 - (c) The parts to be demolished are of little or no significance such as more recent or utilitarian additions to the building additions including bathrooms, kitchens, or internal structures which make no contribution to the heritage significance of the place.

Refer to Diagrams 1 and 2 below for additional guidance.



Diagram 1 – 8.1.3(a) The removal of building fabric will have no adverse impact on the cultural heritage significance of the place.

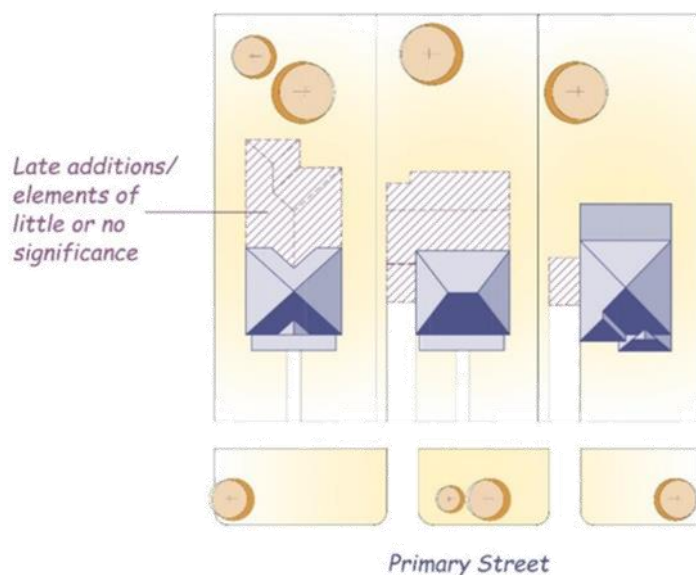


Diagram 2 - 8.1.3(c) Demolition of later additions which are of little, or no significance may be possible.

8.2 New Buildings on a heritage-protected site or within a heritage area

8.2.1 New buildings should be designed and constructed in a style that is **sympathetic or** compatible with, but does not mimic, traditional building styles of the heritage-protected place or heritage area for example the siting, form, scale, bulk, shape, articulation, materials, finishes, colour. **This may be achieved by employing the following design approaches:**

- (a) A subtle architectural style using simple forms and limited material palette;

- (b) Sympathetic architectural approach that enhances the existing character of the place; and
- (c) Design principles that derive from the architectural language of the existing heritage fabric without imitation.

8.2.2 New buildings shall respect the predominant setback of existing buildings on either side and the overall alignment of the streetscape. New development shall not protrude into the front setback area and should not be built up to side boundaries unless demonstrated that this is consistent with the desired pattern of development along the street to the satisfaction of the City.

8.3 Alterations and Additions to Existing Buildings

8.3.1 Additions and alterations shall:

- (a) Respect and not adversely impact the predominant scale (height, bulk, density and pattern of development) of the heritage-protected place;
- (b) Be compatible with the streetscape context and the urban character in the surrounding area;
- (c) Additions to single storey residential buildings should appear as single storey when viewed from the street;
- (d) Use materials that are visually compatible but distinguishable from the original building;
- (e) New sheds and outbuildings should be located behind the existing building, be distinctly smaller in scale, freestanding and visually compatible with the traditional materials of the primary building; and
- (f) Not result in removal of significant or original fabric from the heritage-protected place; and
- (g) Achieve a visual and/or physical separation between the original dwelling and any additions, particularly for corner lots, which maintains original roof forms.

8.3.2 Additions and alterations to existing commercial buildings should a height that is considered in keeping with the prevailing or desired character of the area.

8.3.3 New openings in façades visible from the street should be avoided. The City may consider new openings where the following is demonstrated:

- (a) The opening is proportionally related to those of the heritage-protected place; and
- (b) The opening is not located on the original façade of the heritage-protected place.

8.3.4 The original roof line and façade of the heritage-protected place shall not be altered unless it can be demonstrated that the alteration will not adversely affect the heritage significance of the place to the satisfaction of the City. Where replacement is required, the roof line shall remain the same and shall be completed in similar materials and colours to the original roof.

Refer to Diagrams 3 and 4 for additional guidance.

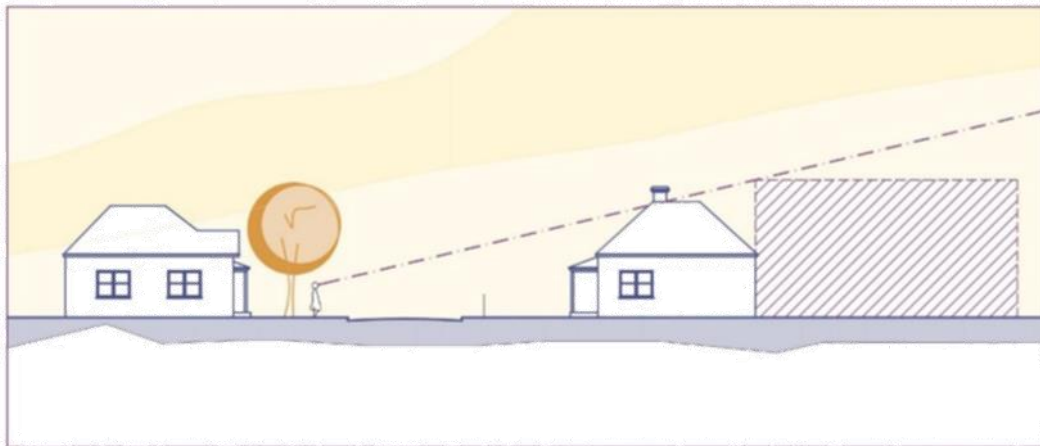


Diagram 3 – 8.3.1(c) Additions to existing single storey residential buildings should appear as single storey when viewed from the street.

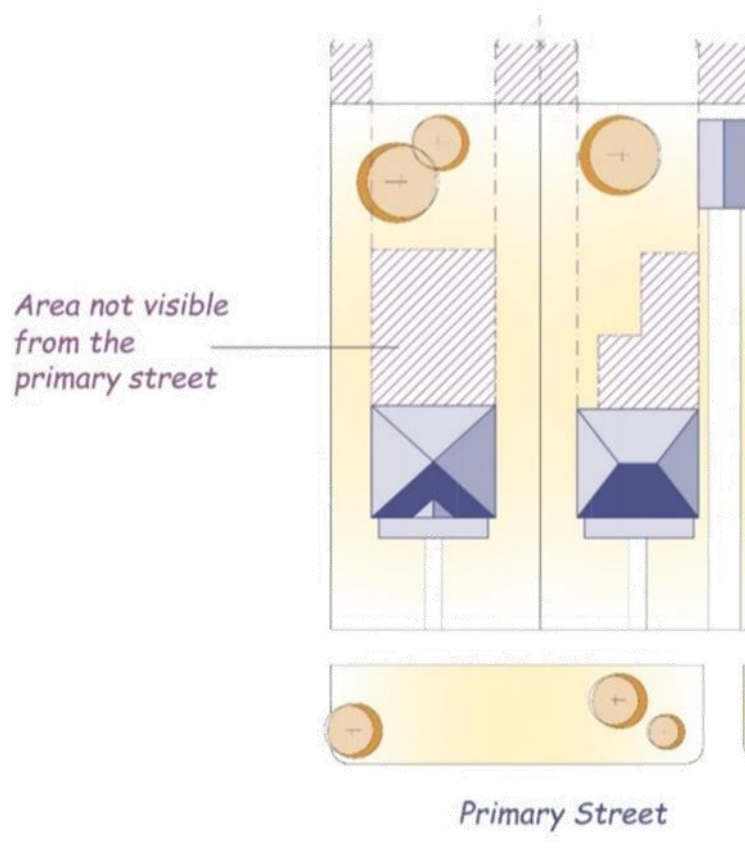


Diagram 4 – 8.3.1(c) Additions should not prevail in form and scale the heritage-protected place when viewed from the primary street.

8.4 Services

8.4.1 Solar panels shall not:

- (a) Be visible from the primary street; and
- (b) Damage original and/or significant fabric of the heritage-protected place.

8.4.2 Air conditioning units, radio and television aerials, satellite dishes and other similar structures shall:

- (a) Be located behind the roof ridgeline;
- (b) Not be visible from the primary street; and
- (c) Not damage original and/or significant fabric of the heritage-protected place.

8.4.3 Where conduit or cabling is required to run along the surface of an external wall, it shall be finished or painted to match the wall colour to the satisfaction of the City.

Refer to Diagram 5 for additional guidance.

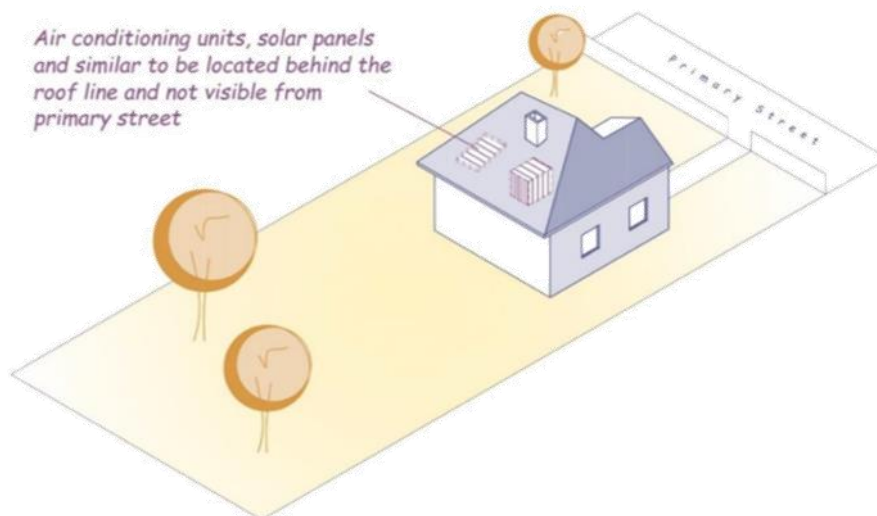


Diagram 5 - Services not visible from the streetscape in accordance with the guidance in 8.4

8.5 Vehicle Access and Parking

8.5.1 Vehicle access and car parking shall not adversely impact:

- (a) The setting and streetscape presentation of the heritage-protected place;
- (b) Significant landscape elements; and
- (c) The streetscape character and amenity.

8.5.2 Garages or carports shall achieve the following:

- (a) Garages must be located behind the street setback line and a minimum of 1m behind the building line;
- (b) The City may consider a carport in the front setback area where:
 - (i) No other onsite location is available; **and/or**
 - (ii) It is consistent with the prevailing or desired character of the area; **and**
 - (iii) It has a width no greater than 6m or 50% of the frontage of the lot, whichever is the lesser; **and**
 - (iv) The carport area does not exceed a maximum floor area of 36m² as measured from the outside of the posts; and
 - (v) It is setback in accordance with Table 2a of the Residential Design Codes Volume 1 (not accommodating a boundary wall).
- (cd)** Be designed to complement the existing building or character of the area in terms of building materials and roof pitch. Note provision 8.7.

Refer to Diagram 6 for additional guidance.

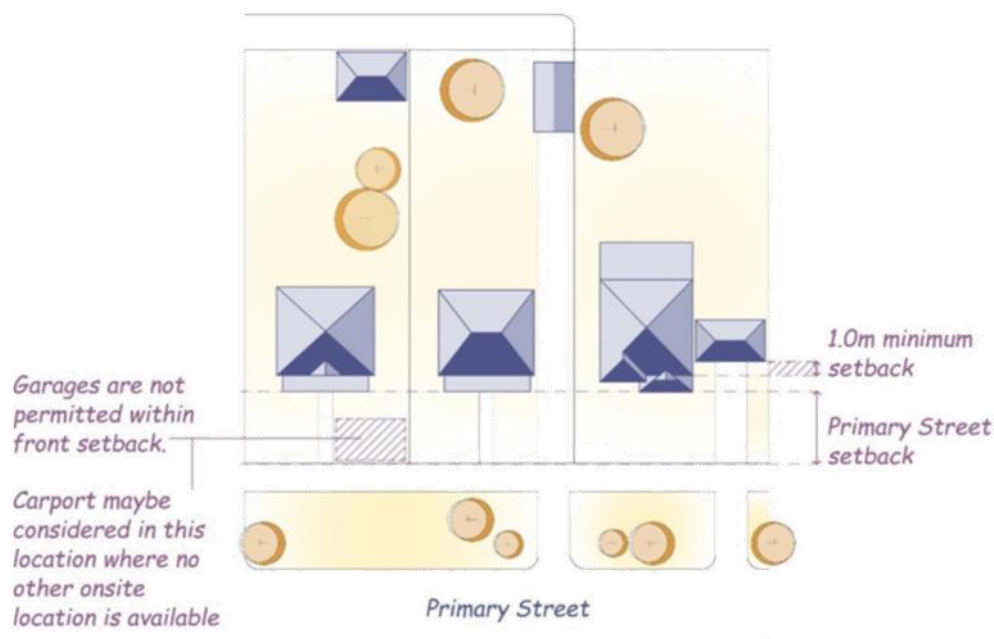


Diagram 6 – Carports and garages should be located in accordance with the guidance in 8.5

8.6 Landscaping and Boundary Fences

8.6.1 Fencing of the boundary line within the front setback shall complement the style of the heritage-protected place by:

- (a) Not exceeding a maximum height of 1.2m above natural ground level, which can be increased to 1.5m to accommodate pillar features;
- (b) Being visually permeable above a height of 0.45m above natural ground level;
- (c) By including appropriate material and colours to compliment the style and materiality of the heritage-protected place; and
- (d) By providing adequate pedestrian and vehicle sight lines around intersections.

8.6.2 Metal or fibrous cement panel fences are not permitted for boundary fences to the primary street, to side boundaries forward of the primary building line, or along secondary street boundaries.

8.7 Building Materials and Colours

8.7.1 The original materials and finishes of heritage-protected places shall be conserved where possible.

- 8.7.2 Where significant original materials and finishes require replacement, the approach of replacing 'like for like' is preferred. Where this is not possible, the City may consider use of a visually and functionally compatible modern equivalent material.
- 8.7.3 New buildings, additions or alterations should be constructed of materials and use colours that are visually compatible with, but able to be distinguished from, the significant fabric and finishes of the heritage-protected place or heritage area.
- 8.7.4 Traditional materials should be utilised in a contemporary design outcome which respects the surrounding original building qualities, proportions and distinctions of scale and is harmonious with its surrounding streetscape character.
- 8.7.5 Previously un-rendered walls shall not be rendered, and previously un-painted walls shall not be painted.

8.8 Subdivision and/or Amalgamation

- 8.8.1 The City will consider the following when providing a response to the WAPC on referrals proposing to subdivide and/or amalgamate lots:
- (a) Subdivision or amalgamation shall be consistent with the established subdivision pattern and arrangement of lots typical to the development of a heritage-protected place or heritage area;
 - (b) The subdivision/amalgamation of lots should ensure the protection and conservation of heritage-protected places including buildings, individual trees, gardens and settings;
 - (c) Subdivision should not sever the relationship between elements of a heritage-protected place such as a house and its significant gardens; and
 - (d) Subdivision or amalgamation that enables new development shall not affect the setting and visual prominence of a heritage-protected place.
 - (e) Where available, access to the lot(s) shall be from the existing crossover.

Refer to Diagram 7, 8 and 9 for additional guidance.

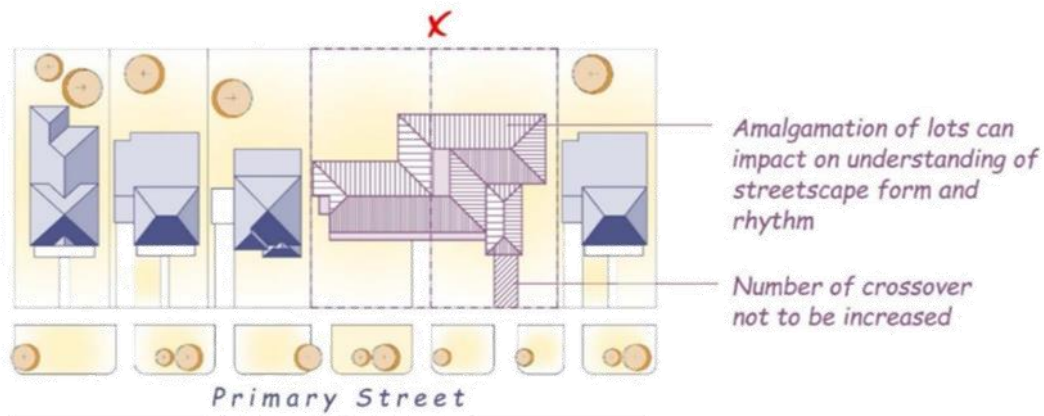


Diagram 7 8.8.1(a) Subdivision or amalgamation should not remove or obscure understanding of the street layout;

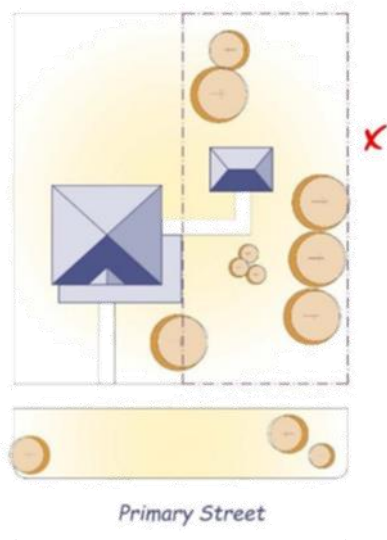


Diagram 8 – 8.8.1(c) Subdivision should not sever the relationship between elements of a heritage-protected place such as a house and its gardens.

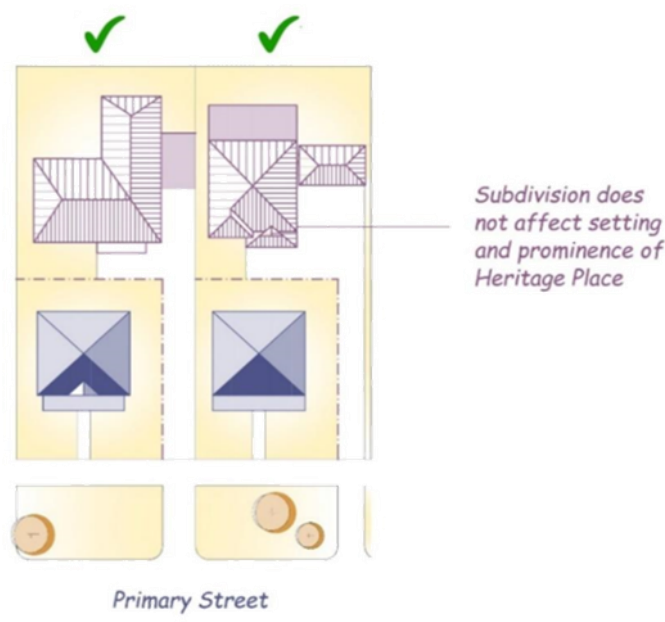


Diagram 9 – 8.8.1(d) Subdivision or amalgamation that enables new development should not affect the setting and visual prominence of a heritage-protected place or heritage area. **Note: The existing dwelling being retained is to comply with the requirements of the State Planning Policy 7.3 – Residential Design Codes and any other requirements this local planning policy.**

9. Definitions

Unless otherwise noted, terms used in this policy have common meanings and include those defined in the local planning scheme, the *Planning and Development Act 2005*, the *Planning and Development (Local Planning Schemes) Regulations 2015*, the *Heritage Act 2018* and the *Heritage Regulations, 2019*.

Conservation management plan: **means** the principal guiding document for the conservation and management of a Heritage Place. It identifies the heritage significance of the place and provides clear policies for its sustainable and appropriate future management, conservation, use and change. It is written by a suitability qualified heritage professional in accordance with the HCWA's guidelines and standard brief.

Conservation management strategy: **means** an owner's practical guide to the conservation and maintenance of a Heritage Place written in accordance with the HCWA's guidelines. It contains a Building Condition Assessment Report, conservation management schedule and maintenance schedule. A CMS will contain a summary of what makes that place of heritage significance but should focus on recommendations for the ongoing repair and maintenance of the place to conserve that heritage significance.

Cultural heritage significance:	<i>means the relative value which that place, or area has in terms of its aesthetic, historic, scientific or social significance, for the present community and future generations. The integrity, authenticity, rarity or representativeness of the place will also be assessed to determine its level of significance.</i>
Fabric:	<i>means all the physical material of the place or object, including components, fixtures and contents.</i>
Heritage Council:	<i>means Heritage Council of Western Australia as defined in the Heritage Act 2018.</i>
Heritage assessment:	<i>means the identification and assessment of the cultural values of place or heritage area guided by the principles of the Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance.</i>
Heritage impact statement:	<i>describes and evaluates the likely impact of a proposal in accordance with the HCWA Guidelines.</i>
Heritage area:	<i>means a geographic area of cultural heritage significance identified and protected under the heritage provisions of the local planning scheme and in accordance with Section 8(1)) of the Regulations.</i>
Heritage list:	<i>means the list of places protected under the heritage provisions of the local planning scheme and prepared in accordance with Section 8(1)) of the Regulations.</i>
Heritage place:	<i>means buildings, structures, other built forms, gardens and their surrounds on the Heritage List, heritage areas or Local Heritage Survey.</i>
Heritage-protected place:	<i>for the purposes of this policy, means a place that meets the definition of a heritage-protected place in clause 1A, Schedule 2 of the Regulations being a place —</i> <ul style="list-style-type: none"><i>(a) that is entered in the State Register of Heritage Places under the Heritage Act 2018 section 42; or</i><i>(b) that is under consideration for entry into the State Register of Heritage Places as described in subclause (2); or</i><i>(c) that is the subject of an order under the Heritage Act 2018 Part 4; or</i><i>(d) that is the subject of a heritage agreement that has been certified under the Heritage Act 2018 section 90; or</i><i>(e) that is included on a heritage list as defined in clause 7; or</i><i>(f) that is within a heritage area as defined in clause 7.</i>
Impact:	<i>means the manner in which proposed works will, or are likely to, affect the cultural heritage significance of a place, as assessed against the impact matrix at Table 1 of this policy.</i>

Local heritage survey (LHS): *means a non-statutory list of places that are, or may become, of heritage significance prepared in accordance with Part 8, section 104 of the Heritage Act, 2018.*

Maintenance: ~~*means the regular like-for-like repair of the building or structure to avoid its decay and does not involve the removal, damage, or visual alteration of significant heritage fabric, including its setting. When applicable refer also to Section 41 (1)(b) to (i) of the Heritage Regulations 2019.*~~

~~*means, in accordance with Regulation 41 (1)(b) to (i) of the Heritage Regulations 2019, the regular like-for-like repair of the building or structure to avoid its decay and does not involve the removal, damage, or visual alteration of significant heritage fabric, including its setting. This includes the following specific works:*~~

- ~~*(a) an application for a building permit or demolition permit under the Building Act 2011 if -*~~
 - ~~*(i) the application arises from approval of a proposal that has already been referred under section 73(1) of the Act; and*~~
 - ~~*(ii) the Council has given its advice in relation to the referred proposal;*~~
- ~~*(b) building maintenance that does not involve the removal of, or damage to, the existing fabric of the building; or the use of new materials;*~~
- ~~*(c) cleaning that is low pressure, non-abrasive and non-chemical;*~~
- ~~*(d) gardening or landscape maintenance that does not involve a major alteration of the layout, contours, structures, significant plant species or other significant features on the land;*~~
- ~~*(e) repairs, including replacing missing or deteriorated fabric with like for like fabric, that does not involve the removal of, or damage to, the significant fabric of the building;*~~
- ~~*(f) replacement of utility services using existing routes or voids that does not involve the removal of, or damage to, the fabric of the building;*~~
- ~~*(g) repainting of the surface of a building —*~~
 - ~~*(i) in the same colour scheme and paint type if they are appropriate to the substrate and do not endanger the survival of earlier paint layers; and*~~

(ii) *without disturbing or removing an earlier paint layer unless it is chalking, flaking or peeling;*

(h) *an excavation, that does not affect archaeological remains, for the purpose of exposing, inspecting, maintaining or replacing utility services;*

(i) *the erection or installation of a temporary security fence, scaffold, hoarding or surveillance system that does not affect the fabric of a building, the landscape or archaeological features of the land.*

Negative impact: *means any works considered to pose a minor, moderate or major impact on the heritage values or criteria that contribute to the cultural heritage significance of the place or area identified in accordance with the impact matrix at Table 1 of this policy.*

Place: *means a defined or readily identifiable area of land and may include any of the following things that are in, on or over the land —*

- (a) *archaeological remains;*
- (b) *buildings, structures, other built forms, and their surrounds;*
- (c) *equipment, furniture, fittings and other objects (whether fixed or not) that are historically or physically associated or connected with the land;*
- (d) *gardens and man-made parks or sites; and*
- (e) *a tree or group of trees (whether planted or naturally occurring) in, or adjacent to, a man-made setting.*

Setting: *means the visual relationship between the Heritage Place and its immediate location.*

Significant fabric: *means the built or other elements identified as contributing to the cultural heritage significance of the place. These may be defined in the Local Heritage Survey, Conservation Management Plan or any other heritage assessment.*

Traditional materials: *means materials used to construct heritage places at the time of their original construction. These may vary depending on the age of the place or area but may include for instance, brick masonry, weatherboard, galvanised iron or clay tile roof cladding, timber window frames, doors and verandah detailing.*

10. Relevant Legislation, Policies, Documents

Heritage Act 2018 and Heritage Regulations 2019
Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

State Planning Policy 3.5 - Historic Heritage Conservation 2007

State Planning Policy 7.3 – Residential Design Codes

Australia ICOMOS, The Burra Charter 2013

Western Australian Planning Commission, Guidelines for Preparing a Local Planning Policy for Local Heritage 2023

City of South Perth Local Planning Scheme

City of South Perth Local Planning Policies

11. Document Control

Adoption date	
Date modified	
Strategic Community Plan Reference	Environment (Built and Natural) Culture and Community

Table 1 Development Impact Matrix

Impact Level of impact is to be assessed separately for each criterion)	Values				Rarity	Representativeness	Condition	Integrity	Authenticity	Demolition
	Aesthetic including streetscape and setting	Historic	Scientific including archaeology	Social						
Positive	Development that enhances the aesthetic value.	Development that conserves the historic value and interprets the history of the place.	Development that protects and/or reveals scientific value through interpretation	Development that enhances a sense of place through retention of use associations, meaning and/or interpretation.	Enhances by retaining or conserving element(s) that contribute(s) to rarity.	Enhances by retaining or conserving element(s) that contribute(s) to representativeness.	Development that maintains, preserves or restores significant fabric to a known earlier state.	Development retains and enhances original fabric through good conservation practice.	Retains and enhances authenticity of the place through retention or reinstatement of original use, associations and meaning.	Demolition or removal only of element(s) identified in a heritage assessment as intrusive.
No Discernible Impact	Development that maintains or has no impact on the aesthetic value.	Development that does not affect the historic value.	Development does not affect known or potential scientific / archaeological value.	Development does not affect the social value of the place.	There is no loss or proposed change that affects rarity.	There is no loss or proposed change that affects representativeness.	Development that maintains, stabilises or preserves significant fabric in its current state without contributing to its deterioration.	Development does not affect the condition of fabric that contributes to the place's significance.	Development does not affect the authenticity of the place.	Demolition or removal of element(s) identified in a heritage assessment as being of little significance.
Minor (negative)	Development that does not detract from the aesthetic value. May include minor alterations to the appearance of the place.	Development that does not detract from the historic value and may include minor alterations to the place either internally or externally.	Development does affect areas of little or some scientific value and is consistent with an appropriate Management Plan.	Development results in loss of fabric or change of use of a place that has some past but lapsed association with the community.	Results in a change to an element that contributes to rarity, but impact can be mitigated by interpretation.	Results in a change to an element that contributes to representativeness, but impact can be mitigated by interpretation.	Development that could be detrimental to the condition of significant fabric but can be mitigated by providing advice and conditional support.	Does not substantially detract from the integrity of the place. May include minor alterations to the place to provide for a new or continued	Development that does not detract from the authenticity of the place. May include change of use for compatible re-use.	Partial demolition or relocation of element(s) identified in a heritage assessment as being of some significance.
Moderate (negative)	Development that extensively reconstructs fabric to reproduce an earlier state or materially alters the appearance of a place through adaptations, additions or construction of new fabric.	Development that extensively reconstructs fabric to reproduce an earlier state or materially alters significant fabric through adaptation, construction of new fabric or change of use.	Development that is not informed by a conservation or archaeological management plan and may affect potential scientific value.	Development results in a significant loss of fabric or use of a place that has a strong and current association with the community.	Element that contributes to rarity is lost and impact cannot be mitigated.	Element that contributes to representativeness is lost and impact cannot be mitigated.	Development that is likely to lead to loss or deterioration of the structural integrity of the place, or the loss or deterioration of any element of the place that is integral to its cultural heritage significance.	Development results in a significant loss of fabric or settlement pattern that contributes to the authenticity of the place.	Development that proposes a change of use that is not compatible with past uses and/or does not reflect the values of the place.	Demolition or removal of element(s) of some significance. Demolition, relocation of element(s) identified in a heritage assessment as being of considerable significance.
Major (negative)	New infill development on vacant lots (including those approved for total demolition), carparks, open space. New construction that retains a façade of historic fabric.	Development that significantly detracts from the historic value through adaptation or removal of significant element(s) or introduction of a new incompatible use.	Development that significantly affects or destroys known scientific values.	Development results in a total loss of place, or loss of a use that has a strong and current association with the community.	Development that results in a substantial loss of an element or area identified as contributing to the rarity of the place.	Development that results in a substantial loss of an element or area identified as contributing to the representativeness of the place.	Development that will result in deterioration in the condition of significant fabric and/or that fails to address an evident need for urgent conservation works.	Development results in a total loss of fabric and/or results in only the retention of a façade or shell of the significant fabric.	Development that proposes a change of use that is unsympathetic to the values of the place and detracts from the significance of the place.	Total demolition or removal or relocation of a building to an alternative site or dismantling and reconstruction of historic fabric. Partial demolition of elements of exceptional significance.

Source: Department of Planning, Lands and Heritage, Guidelines for Preparing a Local Planning Policy for Local Heritage.

Local Planning Policy – Heritage Conservation and Development

1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations). This Policy may be cited as Local Planning Policy – Heritage Conservation and Development.

2. Purpose

The City of South Perth (the City) identifies heritage-protected places through the Heritage List and heritage areas. These places and areas have been assessed and recognised to have cultural heritage significance to the local community and are protected in accordance with the Regulations and the City's local planning scheme.

The purpose of this policy is to provide guidance on the assessment of proposals for development affecting heritage-protected places.

3. Application

- 3.1 This policy applies to any works affecting any property included on the Heritage List or located within a heritage area where a development application is required. It provides guidance on applications to undertake public realm improvements abutting a heritage-protected place or proposals to subdivide or amalgamate lot boundaries to the Western Australian Planning Commission (WAPC).
- 3.2 Development approval is not required for maintenance works to a heritage-protected place as defined by this policy.
- 3.3 Heritage areas adopted under the local planning scheme will have an associated local planning policy that should be read in conjunction with this policy. If there are any inconsistencies between the two, the policy specific to the heritage area will prevail.

4. Objectives

- 4.1 To conserve and protect places of local cultural heritage significance.
- 4.2 To ensure that development, including the adaptive reuse, alterations and additions to existing buildings and the construction of new buildings, does not adversely affect the significance of heritage-protected places.
- 4.3 To provide guidance on how cultural heritage significance is given due weight in local planning decision making.

- 4.4 To provide greater certainty to landowners and community about the planning processes for heritage protection.
- 4.5 To clarify the format and content of accompanying materials to a development application in accordance with Clauses 63(1)(d) and 63(3), Schedule 2 of the Regulations.

5. Development Application Requirements

5.1 Applications for development approval – accompanying material

- 5.1.1 The accompanying material will be determined by the likely impact of works on cultural heritage significance, taking into consideration the following:
 - (a) An assessment of the proposed works against the development impact matrix at Table 1;
 - (b) Any advice received from a suitability qualified heritage professional submitted by the applicant to assist in determining the development application;
 - (c) Any advice provided by the Heritage Council of Western Australia (HCWA); and
 - (d) Any other information identified by the City as necessary to determine the impact on the heritage place.
- 5.1.2 An application for works to a local heritage-protected place that will, or is likely to, have an impact on the place (including any significant views and vistas within a heritage area), must be accompanied by:
 - (a) Street elevations including the full frontage of lots adjoining the subject site at a scale not less than 1:100; and
 - (b) A schedule of all colours and materials for the existing building and proposed works/additions.
- 5.1.3. Heritage Assessment
 - (a) The cultural heritage significance of a place will be determined based on its management category to be taken from its entry in the heritage list, with supporting information from the Local Heritage Survey or other heritage assessment.
 - (b) Where the cultural heritage significance of a place cannot be adequately determined from an existing assessment, the City can in accordance Clause 11 Schedule 2 of the Regulations request a heritage assessment prepared in accordance with the HCWA guidelines prior to lodgement of a development application.
- 5.1.4 Heritage Impact Statement
 - (a) Where in the opinion of the City a proposal is likely to impact the significance of a heritage-protected place (refer to Development Impact Matrix at Table 1), a heritage impact statement is required in accordance with the HCWA guidelines.

5.1.5 Structural condition assessment in the case of demolition

- (a) Where structural failure is cited as a justification for the demolition of significant fabric, as defined by the heritage assessment, a structural condition assessment by a registered structural engineer with relevant heritage experience is required.

6. Conditions of approval

In approving an application for development approval, the City may impose the following conditions.

6.1 Archival Record

6.1.1 An archival record prepared in accordance with HCWA guidelines and submitted in an electronic format to form part of the City's historical records is required where:

- (a) A proposal for demolition is approved, including partial demolition of significant fabric, that will have a moderate or major impact on the cultural heritage significance of the heritage-protected place prior to the commencement of development; or
- (b) Requested by the City for any works that will result in the substantial alteration of a place.

6.1.2 The type of archival record required will reflect the heritage significance of the site and the extent of demolition proposed with either:

- (a) A photographic record being provided for general demolition (refer to HCWA guidelines); and/or
- (b) A detailed record being provided for complex sites (refer to HCWA guidelines).

6.2 Heritage Agreement

6.2.1 The City in consultation with the Department of Planning, Lands and Heritage (DPLH), may require a heritage agreement as a condition of approval where a variation to a development requirement is sought based on a commitment to the future conservation of a place in accordance with Part 7 of the *Heritage Act 2018* and clause 10 Schedule 2 Part 3 of the Regulations. It will not be requested where the required outcome can be readily achieved through an alternative condition.

6.2.2 The heritage agreement will generally include requirements for ongoing conservation and maintenance of a place and may note conservation works that must be completed within a specified timeframe. This information is to be informed by a conservation report, such as a Conservation Management Plan or Conservation Management Strategy developed by suitably qualified heritage professional in accordance with relevant standards as established by the HCWA.

6.3 Conservation Management Plan or Conservation Management Strategy

6.3.1 Where large and complex redevelopments are approved that involve significant adaptive re-use and/or significant demolition, a Conservation Management Plan or Conservation Management Strategy written by a suitably qualified heritage professional in accordance with the HCWA

guidelines will be required as a condition of approval to identify the heritage significance of the place and provide clear policies for its sustainable and appropriate future management, conservation or use.

6.4 Heritage Interpretation Plan

- 6.4.1 Where large and complex redevelopments of a heritage-protected place are approved that involve adaptive re-use and/or significant demolition, a Heritage Interpretation Plan will be required as a condition of approval to provide a clear understanding of the history and heritage significance of the place to provide a record for future generations.

6.5 Archaeological Management Strategy

- 6.5.1 Where the City considers there is potential for archaeology to be disturbed as part of the proposed development, an Archaeological Management Strategy will be required as a condition of approval to be prepared by a registered professional archaeologist in accordance with the HCWA guidelines relating to archaeology.

7. Planning Based Incentives

7.1 Variation of scheme requirements

- 7.1.1 In accordance with Clause 12 Schedule 2 of the Regulations, the City may vary any site or development requirement where it considers the proposed variations will facilitate the conservation of a heritage-protected place or enhance the values of a heritage area.
- 7.1.2 The extent of local planning scheme variation should be proportionate to the conservation benefit produced by the proposed works, with a clear rationale being provided as part of the development application explaining how the discretion will achieve one or both of the following heritage outcomes:
- (a) The conservation of a heritage-protected place as identified in a Conservation Management Plan, Heritage Assessment, the Place Record Form (Local Heritage Survey); and/or
 - (b) The value of a heritage area.
- 7.1.3 The supporting information may include drawings, photographs, community feedback or other relevant information addressing, at a minimum the following:
- (a) The physical relationship (nature and extent) between the elements of the proposed development which require a scheme variation and outcomes pertaining to conservation of the heritage-protected place, or enhancement of heritage area value;
 - (b) How the heritage outcomes sought as a result of the scheme variation/s will make a positive contribution to the public realm (for example, the streetscape);
 - (c) How the extent of the variation (for example, additional building height or reduced setback) has been reduced to the minimum necessary to conserve a heritage-protected place or conserve the values of the heritage area; and

- (d) The proportionality between the extent of the variation sought and the way the variation achieves the following:
 - (i) Facilitates built heritage conservation;
 - (ii) Enhances or preserves the heritage values of a heritage area; and
 - (iii) Will not adversely impact the amenity of adjoining properties or the locality.

8. Development Principles

8.1 Demolition

- 8.1.1 Full demolition of heritage-protected places will not be supported unless it can be demonstrated that the structural integrity of the building has failed to the point where it cannot be rectified without removal of the majority of significant fabric to the satisfaction of the City. Note provision 5.1.5 of this policy.
- 8.1.2 Demolition will not be supported in the following circumstances:
 - (a) Where the City forms the view that structural inadequacy is a result of the place not being properly maintained, as defined in clause 13(1) Schedule 2 of the Regulations; and/or
 - (b) Where redevelopment is identified to be a financially more attractive proposition than conservation or repair.
- 8.1.3 Partial demolition of a heritage-protected place may be supported where a Heritage Impact Statement prepared by a qualified heritage professional can demonstrate the following to the satisfaction of the City:
 - (a) The parts to be demolished do not contribute to the heritage significance of the place as identified in a Conservation Management Plan, Heritage Assessment, the Place Record Form (Local Heritage Survey); and/or
 - (b) The parts to be demolished are considered intrusive and their removal is required to accommodate conservation and enhancement of the heritage-protected place or adaptive reuse; and/or
 - (c) The parts to be demolished are of little or no significance such as more recent or utilitarian additions to the building additions including bathrooms, kitchens, or internal structures which make no contribution to the heritage significance of the place.

Refer to Diagrams 1 and 2 below for additional guidance.

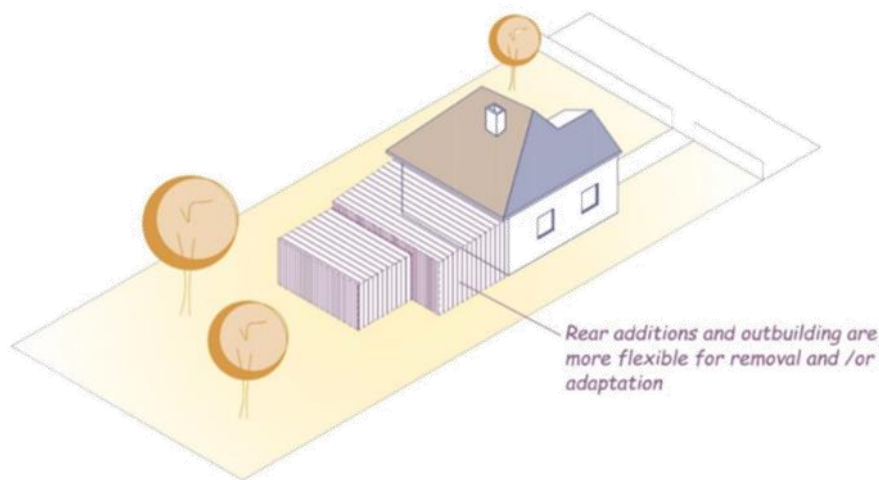


Diagram 1 – 8.1.3(a) The removal of building fabric will have no adverse impact on the cultural heritage significance of the place.

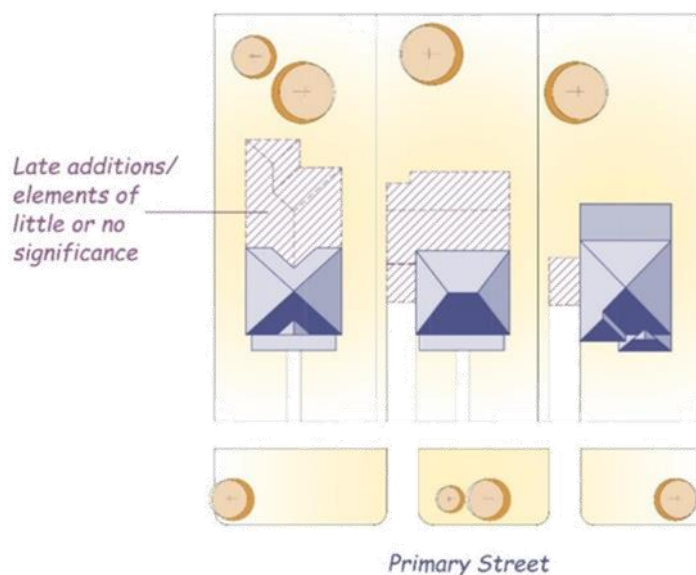


Diagram 2 - 8.1.3(c) Demolition of later additions which are of little, or no significance may be possible.

8.2 New Buildings on a heritage-protected site or within a heritage area

8.2.1 New buildings should be designed and constructed in a style that is sympathetic or compatible with, but does not mimic, traditional building styles of the heritage-protected place or heritage area for example the siting, form, scale, bulk, shape, articulation, materials, finishes, colour. This may be achieved by employing the following design approaches:

- (a) A subtle architectural style using simple forms and limited material palette;

- (b) Sympathetic architectural approach that enhances the existing character of the place; and
- (c) Design principles that derive from the architectural language of the existing heritage fabric without imitation.

8.2.2 New buildings shall respect the predominant setback of existing buildings on either side and the overall alignment of the streetscape. New development shall not protrude into the front setback area and should not be built up to side boundaries unless demonstrated that this is consistent with the desired pattern of development along the street to the satisfaction of the City.

8.3 Alterations and Additions to Existing Buildings

8.3.1 Additions and alterations shall:

- (a) Respect and not adversely impact the predominant scale (height, bulk, density and pattern of development) of the heritage-protected place;
- (b) Be compatible with the streetscape context and the urban character in the surrounding area;
- (c) Additions to single storey residential buildings should appear as single storey when viewed from the street;
- (d) Use materials that are visually compatible but distinguishable from the original building;
- (e) New sheds and outbuildings should be located behind the existing building, be distinctly smaller in scale, freestanding and visually compatible with the traditional materials of the primary building;
- (f) Not result in removal of significant or original fabric from the heritage-protected place; and
- (g) Achieve a visual and/or physical separation between the original dwelling and any additions, particularly for corner lots, which maintains original roof forms.

8.3.2 Additions and alterations to existing commercial buildings should a height that is considered in keeping with the prevailing or desired character of the area.

8.3.3 New openings in façades visible from the street should be avoided. The City may consider new openings where the following is demonstrated:

- (a) The opening is proportionally related to those of the heritage-protected place; and
- (b) The opening is not located on the original façade of the heritage-protected place.

8.3.4 The original roof line and façade of the heritage-protected place shall not be altered unless it can be demonstrated that the alteration will not adversely affect the heritage significance of the place to the satisfaction of the City. Where replacement is required, the roof line shall remain the same and shall be completed in similar materials and colours to the original roof.

Refer to Diagrams 3 and 4 for additional guidance.

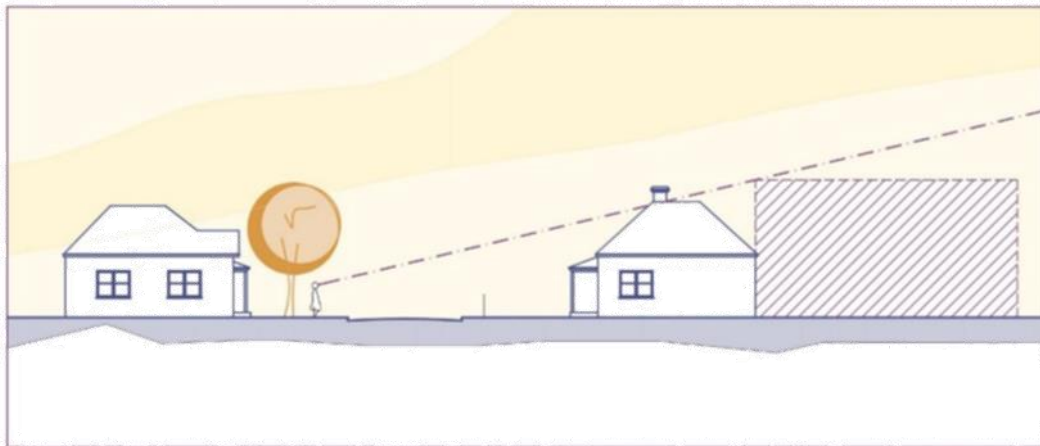


Diagram 3 – 8.3.1(c) Additions to existing single storey residential buildings should appear as single storey when viewed from the street.

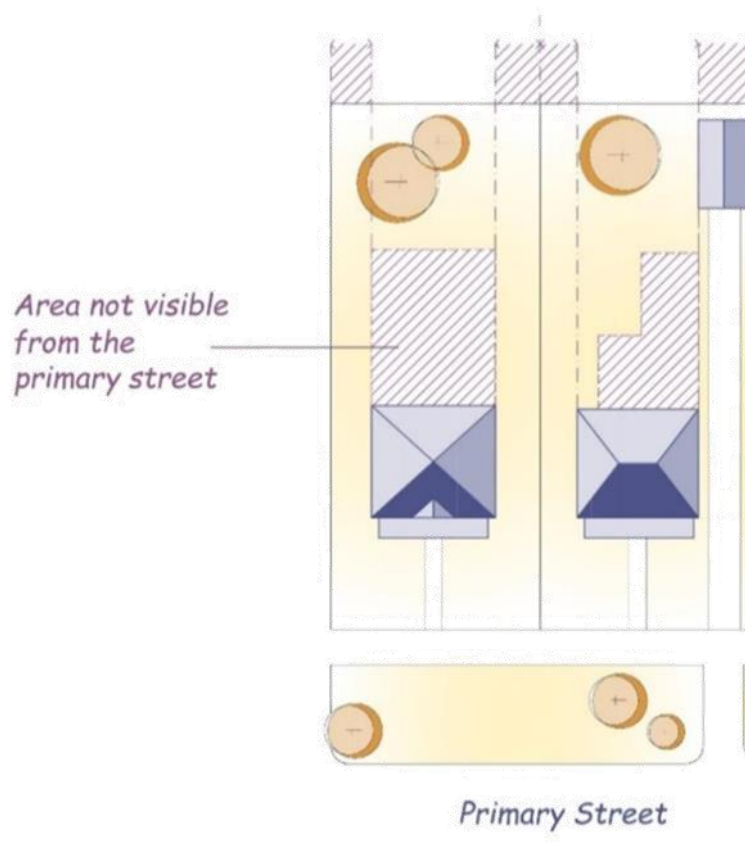


Diagram 4 – 8.3.1(c) Additions should not prevail in form and scale the heritage-protected place when viewed from the primary street.

8.4 Services

8.4.1 Solar panels shall not:

- (a) Be visible from the primary street; and
- (b) Damage original and/or significant fabric of the heritage-protected place.

8.4.2 Air conditioning units, radio and television aerials, satellite dishes and other similar structures shall:

- (a) Be located behind the roof ridgeline;
- (b) Not be visible from the primary street; and
- (c) Not damage original and/or significant fabric of the heritage-protected place.

8.4.3 Where conduit or cabling is required to run along the surface of an external wall, it shall be finished or painted to match the wall colour to the satisfaction of the City.

Refer to Diagram 5 for additional guidance.

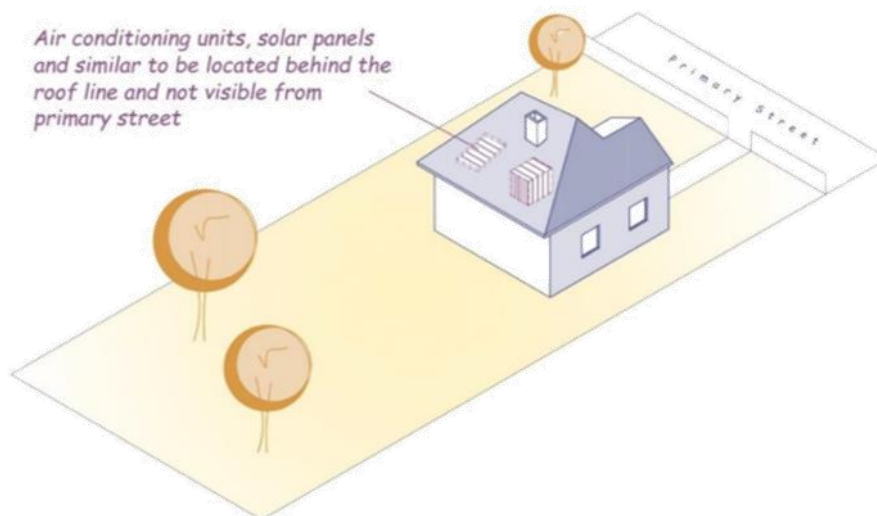


Diagram 5 - Services not visible from the streetscape in accordance with the guidance in 8.4

8.5 Vehicle Access and Parking

8.5.1 Vehicle access and car parking shall not adversely impact:

- (a) The setting and streetscape presentation of the heritage-protected place;
- (b) Significant landscape elements; and
- (c) The streetscape character and amenity.

8.5.2 Garages or carports shall achieve the following:

- (a) Garages must be located behind the street setback line and a minimum of 1m behind the building line;
- (b) The City may consider a carport in the front setback area where:
 - (i) No other onsite location is available; and/or
 - (ii) It is consistent with the prevailing or desired character of the area; and
 - (iii) It has a width no greater than 6m or 50% of the frontage of the lot, whichever is the lesser; and
 - (iv) The carport area does not exceed a maximum floor area of 36m² as measured from the outside of the posts; and
 - (v) It is setback in accordance with Table 2a of the Residential Design Codes Volume 1 (not accommodating a boundary wall).
- (c) Be designed to complement the existing building or character of the area in terms of building materials and roof pitch. Note provision 8.7.

Refer to Diagram 6 for additional guidance.

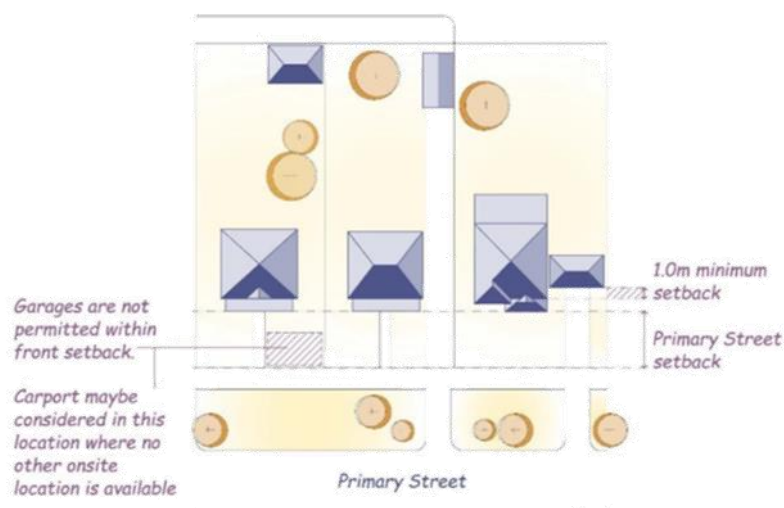


Diagram 6 – Carports and garages should be located in accordance with the guidance in 8.5

8.6 Landscaping and Boundary Fences

- 8.6.1 Fencing of the boundary line within the front setback shall complement the style of the heritage-protected place by:

- (a) Not exceeding a maximum height of 1.2m above natural ground level, which can be increased to 1.5m to accommodate pillar features;
- (b) Being visually permeable above a height of 0.45m above natural ground level;
- (c) By including appropriate material and colours to compliment the style and materiality of the heritage-protected place; and
- (d) By providing adequate pedestrian and vehicle sight lines around intersections.

8.6.2 Metal or fibrous cement panel fences are not permitted for boundary fences to the primary street, to side boundaries forward of the primary building line, or along secondary street boundaries.

8.7 Building Materials and Colours

8.7.1 The original materials and finishes of heritage-protected places shall be conserved where possible.

8.7.2 Where significant original materials and finishes require replacement, the approach of replacing 'like for like' is preferred. Where this is not possible, the City may consider use of a visually and functionally compatible modern equivalent material.

8.7.3 New buildings, additions or alterations should be constructed of materials and use colours that are visually compatible with, but able to be distinguished from, the significant fabric and finishes of the heritage-protected place or heritage area.

8.7.4 Traditional materials should be utilised in a contemporary design outcome which respects the surrounding original building qualities, proportions and distinctions of scale and is harmonious with its surrounding streetscape character.

8.7.5 Previously un-rendered walls shall not be rendered, and previously un-painted walls shall not be painted.

8.8 Subdivision and/or Amalgamation

8.8.1 The City will consider the following when providing a response to the WAPC on referrals proposing to subdivide and/or amalgamate lots:

- (a) Subdivision or amalgamation shall be consistent with the established subdivision pattern and arrangement of lots typical to the development of a heritage-protected place or heritage area;
- (b) The subdivision/amalgamation of lots should ensure the protection and conservation of heritage-protected places including buildings, individual trees, gardens and settings;
- (c) Subdivision should not sever the relationship between elements of a heritage-protected place such as a house and its significant gardens; and

- (d) Subdivision or amalgamation that enables new development shall not affect the setting and visual prominence of a heritage-protected place.
- (e) Where available, access to the lot(s) shall be from the existing crossover.

Refer to Diagram 7, 8 and 9 for additional guidance.

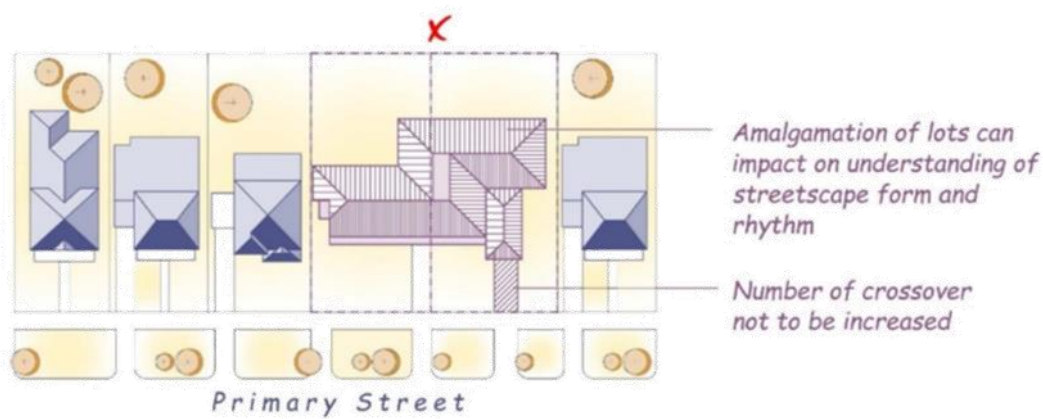


Diagram 7 - 8.8.1(a) Subdivision or amalgamation should not remove or obscure understanding of the street layout.

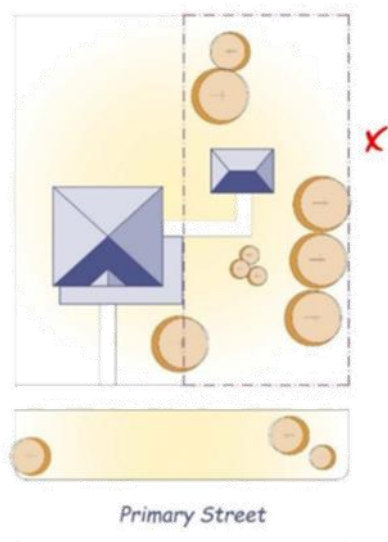


Diagram 8 – 8.8.1(c) Subdivision should not sever the relationship between elements of a heritage-protected place such as a house and its gardens.

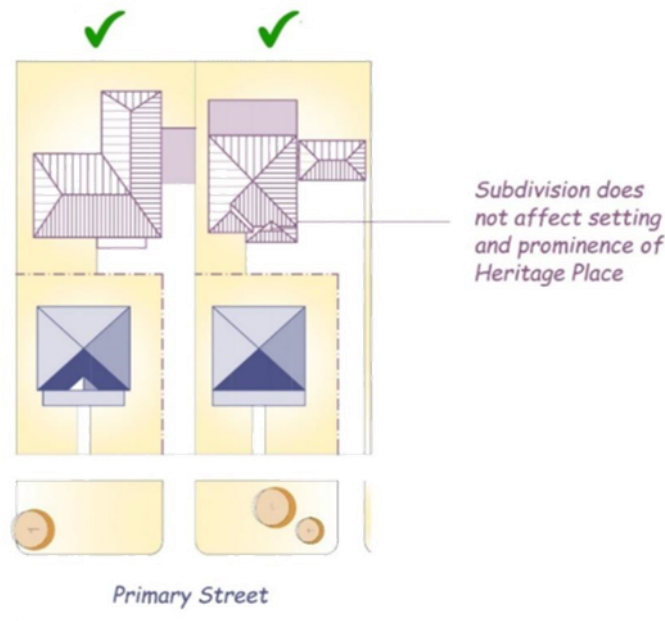


Diagram 9 – 8.8.1(d) Subdivision or amalgamation that enables new development should not affect the setting and visual prominence of a heritage-protected place or heritage area. Note: The existing dwelling being retained is to comply with the requirements of the State Planning Policy 7.3 – Residential Design Codes and any other requirements this local planning policy.

9. Definitions

Conservation management plan: *means the principal guiding document for the conservation and management of a Heritage Place. It identifies the heritage significance of the place and provides clear policies for its sustainable and appropriate future management, conservation, use and change. It is written by a suitably qualified heritage professional in accordance with the HCWA's guidelines and standard brief.*

Conservation management strategy: *means an owner's practical guide to the conservation and maintenance of a Heritage Place written in accordance with the HCWA's guidelines. It contains a Building Condition Assessment Report, conservation management schedule and maintenance schedule. A CMS will contain a summary of what makes that place of heritage significance but should focus on recommendations for the ongoing repair and maintenance of the place to conserve that heritage significance.*

Cultural heritage significance: *means the relative value which that place, or area has in terms of its aesthetic, historic, scientific or social significance, for the present community and future generations. The integrity, authenticity, rarity or representativeness of the place will also be assessed to determine its level of significance.*

Fabric:	<i>means all the physical material of the place or object, including components, fixtures and contents.</i>
Heritage Council:	<i>means Heritage Council of Western Australia as defined in the Heritage Act 2018.</i>
Heritage assessment:	<i>means the identification and assessment of the cultural values of place or heritage area guided by the principles of the Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance.</i>
Heritage impact statement:	<i>describes and evaluates the likely impact of a proposal in accordance with the HCWA Guidelines.</i>
Heritage area:	<i>means a geographic area of cultural heritage significance identified and protected under the heritage provisions of the local planning scheme and in accordance with Section 8(1)) of the Regulations.</i>
Heritage list:	<i>means the list of places protected under the heritage provisions of the local planning scheme and prepared in accordance with Section 8(1)) of the Regulations.</i>
Heritage place:	<i>means buildings, structures, other built forms, gardens and their surrounds on the Heritage List, heritage areas or Local Heritage Survey.</i>
Heritage-protected place:	<i>means a place that meets the definition of a heritage-protected place in clause 1A, Schedule 2 of the Regulations being a place —</i> <i>(a) that is entered in the State Register of Heritage Places under the Heritage Act 2018 section 42; or</i> <i>(b) that is under consideration for entry into the State Register of Heritage Places as described in subclause (2); or</i> <i>(c) that is the subject of an order under the Heritage Act 2018 Part 4; or</i> <i>(d) that is the subject of a heritage agreement that has been certified under the Heritage Act 2018 section 90; or</i> <i>(e) that is included on a heritage list as defined in clause 7; or</i> <i>(f) that is within a heritage area as defined in clause 7.</i>
Impact:	<i>means the manner in which proposed works will, or are likely to, affect the cultural heritage significance of a place, as assessed against the impact matrix at Table 1 of this policy.</i>

- Local heritage survey (LHS): *means a non-statutory list of places that are, or may become, of heritage significance prepared in accordance with Part 8, section 104 of the Heritage Act, 2018.*
- Maintenance: *means, in accordance with Regulation 41 (1)(b) to (i) of the Heritage Regulations 2019, the regular like-for-like repair of the building or structure to avoid its decay and does not involve the removal, damage, or visual alteration of significant heritage fabric, including its setting. This includes the following specific works:*
- (a) an application for a building permit or demolition permit under the Building Act 2011 if -*
 - (i) the application arises from approval of a proposal that has already been referred under section 73(1) of the Act; and*
 - (ii) the Council has given its advice in relation to the referred proposal;*
 - (b) building maintenance that does not involve the removal of, or damage to, the existing fabric of the building; or the use of new materials;*
 - (c) cleaning that is low pressure, non-abrasive and non-chemical;*
 - (d) gardening or landscape maintenance that does not involve a major alteration of the layout, contours, structures, significant plant species or other significant features on the land;*
 - (e) repairs, including replacing missing or deteriorated fabric with like for like fabric, that does not involve the removal of, or damage to, the significant fabric of the building;*
 - (f) replacement of utility services using existing routes or voids that does not involve the removal of, or damage to, the fabric of the building;*
 - (g) repainting of the surface of a building –*
 - (i) in the same colour scheme and paint type if they are appropriate to the substrate and do not endanger the survival of earlier paint layers; and*
 - (ii) without disturbing or removing an earlier paint layer unless it is chalking, flaking or peeling;*
 - (h) an excavation, that does not affect archaeological remains, for the purpose of exposing, inspecting, maintaining or replacing utility services;*

- (i) *the erection or installation of a temporary security fence, scaffold, hoarding or surveillance system that does not affect the fabric of a building, the landscape or archaeological features of the land.*

Negative impact:

means any works considered to pose a minor, moderate or major impact on the heritage values or criteria that contribute to the cultural heritage significance of the place or area identified in accordance with the impact matrix at Table 1 of this policy.

Place:

means a defined or readily identifiable area of land and may include any of the following things that are in, on or over the land –

- (a) *archaeological remains;*
- (b) *buildings, structures, other built forms, and their surrounds;*
- (c) *equipment, furniture, fittings and other objects (whether fixed or not) that are historically or physically associated or connected with the land;*
- (d) *gardens and man-made parks or sites; and*
- (e) *a tree or group of trees (whether planted or naturally occurring) in, or adjacent to, a man-made setting.*

Setting:

means the visual relationship between the Heritage Place and its immediate location.

Significant fabric:

means the built or other elements identified as contributing to the cultural heritage significance of the place. These may be defined in the Local Heritage Survey, Conservation Management Plan or any other heritage assessment.

Traditional materials:

means materials used to construct heritage places at the time of their original construction. These may vary depending on the age of the place or area but may include for instance, brick masonry, weatherboard, galvanised iron or clay tile roof cladding, timber window frames, doors and verandah detailing.

10. Relevant Legislation, Policies, Documents

Heritage Act 2018 and Heritage Regulations 2019

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

State Planning Policy 3.5 - Historic Heritage Conservation 2007

State Planning Policy 7.3 – Residential Design Codes

Australia ICOMOS, The Burra Charter 2013

Western Australian Planning Commission, Guidelines for Preparing a Local Planning Policy for Local Heritage 2023
City of South Perth Local Planning Scheme
City of South Perth Local Planning Policies

11. Document Control

Adoption date	
Date modified	
Strategic Community Plan Reference	Environment (Built and Natural) Culture and Community

Table 1 Development Impact Matrix

Impact Level of impact is to be assessed separately for each criterion)	Values				Rarity	Representativeness	Condition	Integrity	Authenticity	Demolition
	Aesthetic including streetscape and setting	Historic	Scientific including archaeology	Social						
Positive	Development that enhances the aesthetic value.	Development that conserves the historic value and interprets the history of the place.	Development that protects and/or reveals scientific value through interpretation	Development that enhances a sense of place through retention of use associations, meaning and/or interpretation.	Enhances by retaining or conserving element(s) that contribute(s) to rarity.	Enhances by retaining or conserving element(s) that contribute(s) to representativeness.	Development that maintains, preserves or restores significant fabric to a known earlier state.	Development retains and enhances original fabric through good conservation practice.	Retains and enhances authenticity of the place through retention or reinstatement of original use, associations and meaning.	Demolition or removal only of element(s) identified in a heritage assessment as intrusive.
No Discernible Impact	Development that maintains or has no impact on the aesthetic value.	Development that does not affect the historic value.	Development does not affect known or potential scientific / archaeological value.	Development does not affect the social value of the place.	There is no loss or proposed change that affects rarity.	There is no loss or proposed change that affects representativeness.	Development that maintains, stabilises or preserves significant fabric in its current state without contributing to its deterioration.	Development does not affect the condition of fabric that contributes to the place's significance.	Development does not affect the authenticity of the place.	Demolition or removal of element(s) identified in a heritage assessment as being of little significance.
Minor (negative)	Development that does not detract from the aesthetic value. May include minor alterations to the appearance of the place.	Development that does not detract from the historic value and may include minor alterations to the place either internally or externally.	Development does affect areas of little or some scientific value and is consistent with an appropriate Management Plan.	Development results in loss of fabric or change of use of a place that has some past but lapsed association with the community.	Results in a change to an element that contributes to rarity, but impact can be mitigated by interpretation.	Results in a change to an element that contributes to representativeness, but impact can be mitigated by interpretation.	Development that could be detrimental to the condition of significant fabric but can be mitigated by providing advice and conditional support.	Does not substantially detract from the integrity of the place. May include minor alterations to the place to provide for a new or continued	Development that does not detract from the authenticity of the place. May include change of use for compatible re-use.	Partial demolition or relocation of element(s) identified in a heritage assessment as being of some significance.
Moderate (negative)	Development that extensively reconstructs fabric to reproduce an earlier state or materially alters the appearance of a place through adaptations, additions or construction of new fabric.	Development that extensively reconstructs fabric to reproduce an earlier state or materially alters significant fabric through adaptation, construction of new fabric or change of use.	Development that is not informed by a conservation or archaeological management plan and may affect potential scientific value.	Development results in a significant loss of fabric or use of a place that has a strong and current association with the community.	Element that contributes to rarity is lost and impact cannot be mitigated.	Element that contributes to representativeness is lost and impact cannot be mitigated.	Development that is likely to lead to loss or deterioration of the structural integrity of the place, or the loss or deterioration of any element of the place that is integral to its cultural heritage significance.	Development results in a significant loss of fabric or settlement pattern that contributes to the authenticity of the place.	Development that proposes a change of use that is not compatible with past uses and/or does not reflect the values of the place.	Demolition or removal of element(s) of some significance. Demolition, relocation of element(s) identified in a heritage assessment as being of considerable significance.
Major (negative)	New infill development on vacant lots (including those approved for total demolition), carparks, open space. New construction that retains a façade of historic fabric.	Development that significantly detracts from the historic value through adaptation or removal of significant element(s) or introduction of a new incompatible use.	Development that significantly affects or destroys known scientific values.	Development results in a total loss of place, or loss of a use that has a strong and current association with the community.	Development that results in a substantial loss of an element or area identified as contributing to the rarity of the place.	Development that results in a substantial loss of an element or area identified as contributing to the representativeness of the place.	Development that will result in deterioration in the condition of significant fabric and/or that fails to address an evident need for urgent conservation works.	Development results in a total loss of fabric and/or results in only the retention of a façade or shell of the significant fabric.	Development that proposes a change of use that is unsympathetic to the values of the place and detracts from the significance of the place.	Total demolition or removal or relocation of a building to an alternative site or dismantling and reconstruction of historic fabric. Partial demolition of elements of exceptional significance.

Source: Department of Planning, Lands and Heritage, Guidelines for Preparing a Local Planning Policy for Local Heritage.

Schedule of Submissions
Draft Local Planning Policy - Heritage Conservation and Development

1	14 Market Street Kensington
Comment	
Summary of Submission	Comment
1.1 The Policy draft includes practical measures that will benefit Heritage Conservation and Development in South Perth. It also describes a more active role for CoSP and is suggestive of learnings from recent heritage disputes, such as St Martin in the Fields. But there are notable omissions and loopholes.	Noted.
1.2 A heritage area is a group of places in a location that are considered to have a shared cultural heritage significance. A heritage area might consist of aggregations of properties built around the same time and illustrative of an architectural form (e.g. Federation, Art Deco, Mid-century modern) or linked by some other dimension of significance (e.g. historical, social or sense of place).	Noted. From a statutory perspective, a heritage area means an area designated as a heritage area under clause 9 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . The City has no heritage areas.
1.3 However, the policy does not elaborate the notion of an area, nor describe how 'areas' are to be identified and protected from destruction or inconsistent development. The explanation of the policy admits that CoSP "does not currently have any heritage areas."	<p>The draft local planning policy (LPP) provides guidance on the assessment of proposals for heritage-protected places. This includes places on the City's Heritage List and within any future heritage areas.</p> <p>The City is currently reviewing its Local Heritage Survey (formerly known as local heritage inventory). As part of this process nominations may be made for the identification of heritage areas.</p> <p>The designation of heritage areas occurs as a separate process under the deemed provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p>

<p>1.4 The reason that no heritage areas have been identified in South Perth is that there is no policy or program to support them. The CoSP lags other LGAs in not having moved to address this important element of heritage conservation policy. Residents made submissions on this subject as part of the Town Planning Scheme 7 consultation.</p>	<p>The process to designate a heritage area is set out in the deemed provisions.</p> <p>The City is currently reviewing its Local Heritage Survey (formerly known as local heritage inventory). As part of this process nominations may be made for the identification of heritage areas.</p> <p>The purpose of this draft LPP is to provide development requirements for heritage-protected places.</p>
<p>1.5 Also the policy is not inclusive of the companion notion of a Character Retention Areas (CRAs). Identification and protection of CRAs is wanted by residents who have invested substantially in renovating heritage residences and places, but are faced with the prospect of inconsistent, unsympathetic impacts from new developments in proximity that make no concessions to the character of the area and existing streetscape. This is the current reality of planning in CoSP where decades of failure to realize a grander vision has resulted in the destruction of many character areas.</p>	<p>The draft LPP provides development requirements for heritage-protected places as defined under the deemed provisions.</p> <p>Heritage significance is distinguished from the broader concept of urban character. Separate LPPs may be prepared by the City to address 'character' of a specific area including matters relating to landscaping, street trees, setbacks and the scale and bulk of the buildings.</p> <p>An example is the City's Policy P351.5 Streetscape Compatibility – Precinct 5 'Arlington' and Precinct 6 'Kensington' which will be reviewed following consideration of the Local Heritage Survey.</p>
<p>1.6 The following are exemplars for what needs to be done either through amendment of the proposed draft or through development of a companion policy:-</p> <p>A. City of Vincent – Local Planning Policy: Character Retention Areas and Heritage Areas. Under this policy property owners can nominate Character Retention Areas in consultation with and the support of neighbours who share their interest in character retention.</p> <p>B. Town of Victoria Park. The Town of Victoria Park via Town Planning Scheme Amendment 88 is seeking to designate Special Control Areas where Character Retention Guidelines will apply.</p>	<p>Noted.</p>

1.7	Development Principles – Demolition. In its current form, section 8.1.1 describes a clear pathway for an unscrupulous developer to frustrate the intent of heritage listing and to demolish a heritage listed place. All that is required is to allow the structural integrity and heritage values of a place to be compromised by vandalism and/or neglect. This section needs to be re-written to remove this loophole.	<p>The draft LPP provides a framework to assess whether demolition, be it partial or total, would be supported. It clarifies the information required to assess an application and what level of demolition may be acceptable.</p> <p>Clause 13 of the deemed provisions addresses the maintenance of heritage-protected places including heritage conservation notices which can be issued by the City to address these matters.</p>
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2	19 David Street Kensington
Comment	
Summary of Submission	Comment
2.1 I would like to add my voice to the support of retaining and protecting mature trees generally. The subdivisions that reduce the canopy and bulldozing of beautiful older historic houses with their large gardens is leaving our suburb hotter, uglier, reduces our property prices, increases our energy costs and makes the area less desirable to live.	Noted, however, tree protection as it relates to heritage is for those trees with recognised cultural heritage significance.

3	11 Arlington Avenue Kensington
Comment	
Summary of Submission	Comment
3.1 The current reality of planning in CoSP is decades of failure to realize a grander vision which has resulted in the destruction of many character areas. More needs to be done.	Noted.
3.2 Some better examples can be assessed locally in terms of what needs to be done either through amendment of the proposed draft or through development of a companion policy:-	The City is currently reviewing its Local Heritage Survey (formerly known as local heritage inventory). As part of this process nominations may be made for the identification of heritage areas.

<p>1. City of Vincent – Local Planning Policy: Character Retention Areas and Heritage Areas Under this policy property owners can nominate Character Retention Areas in consultation with and the support of neighbours who share their interest in character retention.</p> <p>2. Town of Victoria Park The Town of Victoria Park via Town Planning Scheme Amendment 88 is seeking to designate Special Control Areas where Character Retention Guidelines will apply. Please consider these great examples in review of the LPP.</p>	<p>Where areas are supported for heritage area designation (through a separate process under the deemed provisions) a local planning policy will be prepared to guide development and address heritage related requirements. The referenced LPPs are noted.</p>
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4	9 Hobbs Avenue Como
Comment	
Summary of Submission	Comment
4.1 Thank you for the opportunity to comment. I would like to comment as follows:	Noted.
4.2 In accordance with the Regs any alterations to a dwelling located on or is a heritage-protected place requires a Development Application (DA). If the alteration is for an accessibility or disability ramp then the function of the ramp, which needs to satisfy legislative or AS requirements, needs to take precedent over any heritage value. This type of alteration, being either reversible or irreversible, needs to be considered within the policy to give direction.	The draft LPP does not prevent alterations to a building to address universal access. Each application will be assessed on its merits having regard to access by people with disability.
4.3 Section 8.4.1 (a) I believe it to be unfair for buildings that are heritage-protected not be allowed to have solar panels visible from the primary street. Provision should be at least be given to allow parallel-mounted to roof angle panels.	Noted. The draft LPP identifies the preferred position. The City is able to consider the merits of each application on a case by case basis.

4.4	Section 8.4.2 Tv or radio aerials should be considered so insignificant of a structure that their inclusion in 8.4.2 is unwarranted.	Noted. The draft LPP guides the location of services and similar incidental structures to reduce adverse visual impact. The City is able to consider the merits of each application on a case by case basis.
4.5	Per the Regs, a DA is required for many work elements e.g. installation of solar panels, swimming pools etc. To many heritage-protected place owners this will be considered unfair. Hence to incentivise owners to do the right thing by submitting a DA, the City should consider the waiving of any City related fees, other than for partial or full demolition works.	Noted. Council can consider incentives such as waiving fees associated with development applications as part of future budget considerations.
4.6	Section 8.5.2 (b) (i) The City "shall" consider a carport rather than "may".	Noted. The City considers the use of the word 'may' is inappropriate as the draft LPP provision is a requirement which relates to the setback of carports.
4.7	(ii) For (i) thru to (v) is it one of the elements, two or more, or all the elements that need to be satisfied to meet a City acceptance level.	Noted. The draft LPP has been amended to reflect this feedback.
4.8	(iii) Similar to front fences, carport screening should be not allowed that prevents the viewing of the heritage-protected building behind.	Noted. State Planning Policy 7.3 – Residential Design Codes, requires carports to have a visually permeable door.
4.9	Section 8.5.2 (d) should be (c) or is there another element missing?	Noted. The draft LPP has been amended to reflect this.
4.10	Section 8.5.1 (c) If streetscape character is too be maintained in keeping with the "age" of the heritage place, then the City need to preserve the road reservation that reflects such e.g. no verge car bay embayments, traffic calming devices to be appropriately located.	Noted. The draft LPP does not apply to the road reserve, however, the City can consider this feedback when considering Council Policies related to verge treatments.

4.11	The maintenance of the heritage value of a heritage-protected place needs to be in context of how its sits with its adjoining properties, otherwise it could be lost within contemporary R-codes. To this effect any proposed development on adjoining properties needs to apply the same design elements e.g. boundary (side and front) setbacks, either partially or fully, that were applicable to the heritage-protected place when first built to or currently redevelopment to.	Noted. The LPP applies to heritage-protected places.
4.12	(i) Section 8.3.1. (e) the Regs are silent wrt sheds and therefore requiring a DA. Hence is it correct for this policy to stipulate a restriction for sheds. Is there a requirement for the scheme to therefore include "shed" as an addition to the Regs.	Noted. Development approval is required for works to places included in the City's Heritage List or located within any future heritage areas This would include car parking structures, outbuildings and sheds.
4.13	Section 8.1.1 There is no 5.1.6!	Noted. The draft LPP has been amended to reflect this change.
4.14	In addition, the City cannot simply rely upon the advice provided by the Applicant. Noting the importance of heritage to the community, then the Policy should include a provision for the City to independently engage a suitably qualified and experienced person to perform a desktop review and on-site survey to validate the applicants advice that structural integrity has failed. The same intent can be applied to 8.1.3.	Noted. Where required, the City can engage heritage consultants to undertake a peer review of information submitted as part of a development application.

4.15	Section 8.8.1 Where a battleaxe subdivision is proposed then for a development on the battleaxe lot, how is the intent of 8.3.1(c) to be maintained as the battleaxe building (with possible upcode) could swamp or devalue a single storey heritage-protected place when viewed from the street. It would seem that the only real protection is that any subdivision carries development elements that allow 8.3.1 streetscape elements to be satisfied.	Noted. The draft LPP provisions cannot be applied to a separate lot that is not a heritage-protected place. The City would consider matters such as building height, overshadowing and lot boundary setbacks as part of that application in accordance with the requirements of State Planning Policy 7.3 – Residential Design Codes. It is noted that a deemed-to-comply single house is exempt from requiring development approval under the Regulations where it is not a heritage-protected place.
4.16	I am interested to understand if the City is to have a policy for heritage-places other than heritage-protected places e.g. places that are Classed C & D.	Council will be required to consider which places (classification 1-4) are included in the future heritage list following review of the local heritage survey. This will determine which places are considered heritage-protected places for the purposes of this policy.

5	19 Eric Street Como	
Comment		
	Summary of Submission	Comment
5.1	The heritage application should seek feedback not just from the owner but also from adjacent properties in the street who will potentially be impacted.	Development applications are advertised in accordance with the City's Local Planning Policy - Advertising of Planning Proposals.
5.2	What is the process for dispute and how is it resolved?	Comments from neighbouring landowners are given due regard as part of the assessment of a development application.
5.3	Diagram 3 – 8.3.1(c) and Diagram 4 – 8.3.1(c) suggest that development should be limited to single story and not visible from the street. There are many great examples of 'mullet house' style rear additions and extensions throughout Perth that don't meet this requirement but would be considered a great way to preserve a property. Where you force owners into hiding any development there will be limited investment in preserving housing stock and the opportunity for increased density and heritage-sensitive design	The draft LPP preferences additions that do not adversely impact the streetscape appearance of the place. This can be more easily achieved when additions are located behind the primary ridge line. It is noted that applications are assessed on their specific merits.

	becomes limited due to overly prescriptive design requirements.	
5.4	8.5.2 carport - 36m ² from outside of posts is potentially not enough to meet modern car sizes and is overly prescriptive in size particularly on a large block or with good design, should just rely on visual impact and suitability as per the other clauses in the section.	Under the Australian Standards the minimum internal dimension of a 2-car carport is 5.4m x 5.4m. It is therefore sufficient to accommodate posts within a 36m ² area.
5.5	How are potential high-heritage assets that are already modified treated? Grandfathered in current condition I assume but if you want to develop must they also rectify back to original condition?	The draft LPP applies to new applications for development approval.
5.6	Victoria Park has a very strict policy that creates very difficult development and renovation in their heritage precinct and costs owners more whilst also reducing sale prices due to fewer options. Generally there don't appear to be many cohesive, high-heritage areas within CoSP that would justify a precinct like Vic Park.	Noted.

6	Main Roads WA	
Comment		
	Summary of Submission	Comment
6.1	In response to correspondence received on 13 November 2023 please be advised Main Roads has reviewed the information and has no objection to the Draft Local Planning Policy Heritage Conservation and Development (Draft LPP).	Noted.
6.2	The Draft LPP makes reference to vehicular access and parking (Section 8.5). The following comments have been provided for completeness.	Noted.

6.3	1. Where alternative access is available, Main Roads' preference is for allotments to not have direct access onto the Primary Regional Road. This position is reflected within WAPC Development Control Policy 5.1 Regional Roads (Vehicular Access).	Noted. Development abutting or within the Primary Regional Road reservation is addressed through the requirements of the local planning scheme, the Residential Design Codes, and the WAPC Development Control Policy 5.1 Regional Roads.
6.4	2. There are properties along the Canning Highway which are impacted by Primary Regional Road Reserve to various extents as per the Metropolitan Region Scheme for future road purposes. Main Roads does not support development within the Primary Regional Road reservation.	Noted.
6.5	Should the City disagree with the above and/or resolve not to include as part of its conditional approval any of the above comments, Main Roads requests an opportunity to meet and discuss the draft local planning policy further, prior to a final determination being made.	Noted.

7	Department of Planning, Lands and Heritage	
Comment		
	Summary of Submission	Comment
7.1	<p>The draft Local Planning Policy – Heritage Conservation and Development, is a clear and well-structured document.</p> <p>The City is to be commended on their program of updating and replacing outdated policies.</p> <p>The City may consider amending the following sections/clauses to provide further clarity:</p>	Noted.
7.2	<p>Section 2. Purpose - notes that the City ‘identifies heritage-protected places through the Local Heritage Survey, Heritage List and heritage areas’.</p> <p>Consider re-phrasing. The wording implies that Local Heritage Survey places are ‘heritage protected places’, which is at odds with the deemed</p>	Noted and amended the draft LPP accordingly.

	provisions definition (Schedule 2, part 1, clause 1A). Under the deemed provisions, a 'heritage protected place' at local level only includes those included on a heritage list or within a heritage area.	
7.3	Section 3. Application - Although the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> and the <i>Heritage Regulations 2019</i> provide detail on what activities require development approval in relation to a 'heritage protected place', the City should consider expanding the application section to clarify what activities are exempted (ie. maintenance or like for like replacement). Providing detail will assist in application and interpretation of the policy by the public.	Noted and amended the draft Policy accordingly.
7.4	Further guidance could be provided in the document as to what is sympathetic development, as per the Burra Charter principles, including new work being 'readily identifiable'. The following design approaches could be noted: <ul style="list-style-type: none"> a. Subtle architectural style using simple forms and limited material palette. b. Sympathetic architectural approach that enhances the existing character of the place. c. Design principles that derive from the architectural language of the existing heritage fabric without imitation. 	Noted and amended the draft Policy accordingly.
7.5	The City should consider a requirement for visual and physical separation between the original dwelling and any additions, particularly for corner lots, to maintain original roof forms.	Noted and amended the draft Policy accordingly.

Strategic Direction

Environment (Built and Natural)

Policy P350.02 Lot Boundary Setbacks (Boundary Walls)

Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services
Affected Business Unit/s	Development Services

Policy Objectives

To ensure that boundary walls are appropriate for the streetscape and do not have any significant impact on the amenity of adjoining properties.

Policy Status

This policy is made pursuant to Part 2 (Division 2) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulation 2015* (the Regulations). Clause 7.3.1(a) of the Residential Design Codes (the R-Codes) provides that local planning policies may vary or replace certain deemed-to-comply requirements of elements of the R-Codes, including those listed in 5.3.1 C3.2 & C3.3 and 6.1.4 C4.1-C4.5 (lot boundary setbacks). This policy is to be used in conjunction with the Scheme, Part 5 & 6 of the R-Codes and any other relevant council policies relating to residential land.

Policy Application

This policy applies additional deemed to comply criteria to that listed in 5.3.1 C3.2 and C3.3, and 6.1.4 C4.1 to C4.5 which are to be used in conjunction with the Scheme and any other relevant council policies relating to residential development. The Policy also provides matters for consideration already specified in the application of the relevant design principles.

Policy Statement

1.0 Deemed-to-comply proposals

In addition to Design Elements 5.1.3 C3.2 & C3.3 and 6.1.4 C4.3 to C4.5 of the R-Codes the following will apply:

1.1 Setback of walls built to boundaries to street boundaries

Walls built to a boundary (other than a street boundary) shall be located no closer to:

- (i) the street boundary by less than the street setback prescribed in Table 1 or Table 4 (whichever is applicable to the code) of the R-Codes or Table 2 of Town Planning Scheme No. 6, whichever is greater. Any averaging or reduction in this distance applicable under other design elements of the R-Codes does not apply; or
- (ii) a public right-of-way by not less than the setback distance specified in the deemed-to-comply criteria of the R-Codes for the dwelling where the right-of-way is the principal frontage; and

In areas coded R20 (only) in the Cygnia Cove estate, Waterford, walls built to a boundary shall be set back not less than 4.5 metres from the primary street boundary.

1.2 Finishes of walls built to boundaries

Walls built to lot boundaries shall be finished in a clean material to the same standard as the rest of the development prior to the developments occupation.

Where the surface of a proposed boundary wall on a development site is visible from the adjoining property but does not form part of the streetscape, the surface finish is to match the external walls of the neighbour's dwelling, unless the owner(s) of the adjoining property consent to another finish and their written agreement for the selected finish is supplied to the City.

2.0 Proposals assessed against the design principles

Where a development proposal does not meet the applicable deemed-to-comply criteria of this policy, the proposal is to be assessed against the design principles of the R-Codes. This policy does not modify the design principles, however the following matters will be considered in the determination of proposals that apply the design principles of Design Element 5.3.1 P3.2 & 6.1.4 P4.2;

- (a) Streetscape character;
- (b) Outlook from:
 - (i) the front of an adjoining dwelling or its front garden, if the proposed boundary wall is located forward of that adjoining dwelling; or
 - (ii) any habitable room window of an adjoining dwelling;
- (c) Visual impact of building bulk where the proposed boundary wall is situated alongside an outdoor living area on an adjoining lot; and
- (d) Amount of overshadowing of a habitable room window or outdoor living area on an adjoining lot. The amenity impact of the boundary wall will be deemed to be acceptable where the overshadowing caused by the boundary wall does not exceed the overshadowing caused by a wall that conforms to the Residential Design Codes 'deemed-to-comply' setback.

Legislation / Local Law Requirements

City of South Perth Town Planning Scheme No. 6

Residential Design Codes of Western Australia

Building Code of Australia

Other Relevant Policies / Key Documents

City of South Perth Planning Policies

Strategic Direction *Environment (Built and Natural)*

Policy P350.03 Setback of garages and carports, garage width, design of car parking spaces and vehicle access

Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services
Affected Business Unit/s	Development Services

Policy objectives

The objectives of this policy are as follows:

1. To provide for parking and associated structures in a manner that contributes positively to the streetscape and is compatible with dwelling design and materials.
2. To have regard for the safety and welfare of pedestrians on public footpaths and other road users when designing vehicle access and parking.

Policy status

This policy is made pursuant to Part 2 (Division 2) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulation 2015* (the Regulations). Under clause 3(2) of the Regulations (Part 2), the City may make a local planning scheme based on sound town planning principles to address a strategic or operational consideration. This policy provides deemed-to-comply criteria and additional design principles for the assessment of planning applications involving the development of garages and carports as well as the design of car parking spaces. Clause 7.3 of the R-Codes prescribes the design elements in which the City can provide alternative deemed-to-comply criteria, or augmented and additional design principles.

Policy application

This policy applies in addition to the deemed-to-comply criteria listed in clause 5.2.1 (setback of garages and carports) which are to be used in conjunction with the Scheme and any other relevant council policies relating to residential development. This policy also provides matters for consideration in the application of the relevant design principles under Design Elements 5.2.2 (Garage width), 5.3.4 & 6.3.4 (Design of car parking spaces) and 5.3.5 & 6.3.5 (Vehicle access) of the R-Codes. The Policy is to be read and applied in conjunction with these elements of the R-Codes.

The policy also provides additional criteria relating to the design and assessment of mechanical vehicle parking equipment (car stackers) where proposed to dwellings. The criteria do not augment the R-Codes and shall apply to all residential proposals involving the use of mechanical vehicle parking equipment.

Policy statement

1.0 Deemed-to-comply proposals

The deemed-to-comply criteria of Design Element 5.2.1 (C1.2) (Setbacks of garages and carports) are replaced with the following:

1.1 Setbacks of Carports

- 1.1.1 Carports setback from the street and/or right-of-way boundary in accordance with the following:
- (a) 4.5 metres from primary streets; or
 - (b) A minimum of 1.5 metres from the primary street in the following circumstances:
 - (i) where a carport is proposed to be added to an existing dwelling, and there is no practical location for the carport behind a 4.5 metre setback from the street boundary; or
 - (ii) the focus area is characterised by at least one-third of the lots already having carports in the front setback area;
 - (c) 0.5 metres for the roof eaves, where the carport is setback no more than 1.5 metres from the street boundary.

1.2 Additional deemed-to-comply criteria under Design Element 5.2.1 (Setback of garages and carports)

The following additional deemed-to-comply criteria apply to Design Element 5.2.1 (Setbacks of garages and carports) of the R-Codes:

- 1.2.1 Where a garage or carport is proposed to be located wholly or partly within a street setback area, or to the side of a dwelling and visible from the street, the design, materials and colours are to be complementary to those of the dwelling/building to which the garage or carport is appurtenant.
- 1.2.2 Where a carport is proposed to be setback less than 1.5 metres from the street boundary, the dimension of the columns shall not exceed 360mm x 360mm.

2.0 Proposals assessed against the design principles

Where a development proposal does not meet the deemed-to-comply criteria of this policy or the R-Codes, the proposal is to be assessed against the design principles of the relevant design element of the R-Codes. This policy does not modify the design principles, however the following matters will be considered in the determination of proposals that apply the design principles of Design Elements 5.2.2, 5.3.4 & 6.3.4 and 5.3.5 & 6.3.5.

2.1 Proposals subject to Design Element 5.2.2 (Garage width)

Garages shall be designed to minimise the impact on the streetscape. Garages proposing triple-width openings to the street will generally have an excessively dominant visual impact on the street and will not be supported.

2.2 Proposals subject to Design Elements 5.3.4 & 6.3.4 (Design of car parking spaces)

Visitor parking bays may be located inside a security barrier where the location would better serve visitors convenience. Where visitor bays are situated inside a security barrier:

- (a) visitors shall have convenient access outside the security barrier to an electronic communication system linked to each dwelling;
- (b) a dedicated embayed standing area shall be provided exclusively for use in conjunction with the electronic communications system;

- (c) the electronic communications system embayment shall be located wholly on the development site in a position where it will not obstruct any street; and
- (d) at least two visitors' bays are to be provided outside the security barrier in the case of Multiple Dwellings, and one bay for Grouped Dwellings.

2.3 Proposals subject to Design Elements 5.3.5 & 6.3.5 (Vehicle access)

Where the development site adjoins a right-of-way, the City may approve residential development relying on vehicular access from the primary street, subject to:

- (a) There being only one crossover from the street; and
- (b) In the case of a site 12.0 metres wide or less, the crossover being not wider than 4.0 metres.

3.0 Matters to be considered when assessing proposals involving mechanical parking devices (car stackers)

- 3.1 Where a car stacking system is proposed, the minimum internal dimensions of associated car parking bays are to be 2.1 metres in height, 5.5 metres in length, 2.5 metres in width, and having a minimum weight bearing capacity of 2,600 kilograms.
- 3.2 A minimum of 20% of the total onsite car parking bays provided shall be provided on hardstand material and shall not require, rely or be assisted by mechanical stacking equipment for access at any time.
- 3.3 Mechanical parking devices shall not be used for the provision of a visitor bays forming part of a development and shall be maintained as operational for the life of the building, including in the event of a power failure. The City will apply conditions of development approval to all development applications involving mechanical parking devices to ensure:
 - (a) Ongoing compliance with operational specifications is achieved as outlined in a Parking Management Plan.
 - (b) Owners and prospective purchasers are aware of their obligations with respect to the use of mechanical parking devices.

Legislation / Local Law Requirements

City of South Perth Health Local Laws 2002
Town Planning Scheme No. 6
Building Code of Australia

Other Relevant Policies / Key Documents

City of South Perth Planning Policies

Guidelines for design of parking spaces, access to development sites, crossovers and driveway gradients

The following information provides guidelines for the design of parking spaces, access to development sites, provision of crossovers and the design of driveway gradients. The statements are provided for guidance only and do not form part of the criteria of this policy. The City may use this guidance when determining planning proposals. In particular guidance relating to vehicle crossovers will assist in determining whether a development application proposes suitable access to a site across the public road verge.

A. Formed Driveway Dimensions to Enable Vehicles to Enter the Street in Forward Gear

Figures 1 to 6 further in this section depict six different parking bay layouts and manoeuvre arrangements. These diagrams illustrate layouts that are designed to facilitate single forward and reverse movements into and from the parking bay and are based on the B85 design vehicle referred to in Australian Standard AS2890.1. However, it is recognised that other layouts can also be functional.

When vehicles are required to enter the street in forward gear, the driveway and other vehicle accessways shall be a sufficient size to comply with one of the following:

- (a) The layout is to comply with one of the parking bay and manoeuvre arrangements depicted in Figures 1 to 6; or
- (b) Applicants are to demonstrate that their proposal is functional by means of diagrams showing the swept paths of a vehicle. The vehicle is to be able to enter or leave the site in a forward gear without relying on any other parking bay to facilitate such movements. The positioning and dimensions of the parking bays and access ways are to be designed to demonstrate compliance with all of the following requirements:
 - (i) the swept paths are to be derived from Australian Standard AS2890.1 or another authoritative source which is to be identified on the diagrams;
 - (ii) the design vehicle is to be the B85 vehicle defined in Australian Standard AS2890.1 as: *"The design motor car whose physical dimensions represent the 85th percentile class of all cars and light vans on the road."* (Refer to Appendix B of AS2890.1 for data and diagrams relating to the B85 vehicle); and
 - (iii) the entry and exit manoeuvres are to be designed to facilitate single forward and reverse movements into and from the parking bay.

B. Vehicle crossovers

1. Crossovers and development design to retain street trees

The City normally expects existing street trees to remain undisturbed by new developments. All new crossovers are to meet the following requirements:

- (a) Driveways and vehicle crossovers shall be setback a minimum distance of 3.0 metres from a street tree, measured from the centre of the tree trunk, unless the City Environment department permits a lesser distance or the removal of the tree.
- (b) If a development proposal indicates the removal of a street tree to accommodate a vehicle crossover and formed driveway, but the City requires the tree to be retained, where relocation of the crossover causes access difficulties, modifications to the site plan or building design or both, will be required.

2. Crossover design and associated remedial works

All new crossovers are to meet the following requirements:

- (a) All crossovers are to be designed and constructed in accordance with the City's related specifications and guidelines included in Council Management Practice M353 Crossing (Crossover) Construction;
- (b) The required vehicle crossover may be either newly constructed or an existing crossover widened to the required minimum width; and
- (c) Where a proposed new or extended crossover would interfere with any existing services maintained by the City, a service authority or private company, the applicant is to arrange for the relocation of the affected infrastructure. Prior to the City issuing a building permit, the applicant is to submit the affected service provider's written agreement to the intended relocation of the infrastructure. All relocation costs are to be met by the applicant.

3. Removal of redundant crossovers

The site plan for any proposed residential development is to show the intended removal of any redundant crossover and the reinstatement of the verge and kerbing. These remedial works are to be completed at the applicant's cost prior to occupation of any dwelling.

C. Formed Driveway Gradient

1. Verge levels not to be modified

The City will not approve alterations to verge levels for any new, rebuilt or modified crossover, to prevent difficulties for pedestrian movement along the road verge or footpath, unless this proves necessary due to design complications caused by topography.

2. Indemnity for Steep Gradients

Where topography creates difficulties in adhering to the maximum gradients permitted by Town Planning Scheme No. 6 clause 6.10(2) (1:12 within 3.6 metres of the street alignment and 1:8 for the remainder of the driveway), the City may allow a steeper gradient subject to the applicant complying with the following:

- (a) Where the driveway gradient at any point is steeper than the maximum prescribed in Town Planning Scheme No.6 clause 6.10(2) but not steeper than 1:6, the applicant is to submit a letter which acknowledges responsibility for any access difficulties that may arise, without any future recourse to the City of South Perth.
- (b) Where the driveway gradient at any point is steeper than 1:6 but not steeper than 1:4, the applicant is to submit:
 - (i) a letter which acknowledges responsibility for any access difficulties that may arise, without any future recourse to the City of South Perth; and
 - (ii) certification from a consulting traffic engineer or architect that the design of the vehicular access from the street to all parking bays complies with the provisions of Australian/New Zealand Standard AS/NZ 2890.1 (as amended) - Parking Facilities. The consulting engineer or architect is to also certify the actual finished driveway gradient, which in no case is to be steeper than 1:4.

The required letter and certification are to be provided prior to the issuing of a building permit.

- (c) Approval will not be granted for any driveway with a gradient steeper than 1:4.

D. Streets considered to be primary distributor or integrator arterial roads for the purpose of Design Element 5.3.5 of the R-Codes

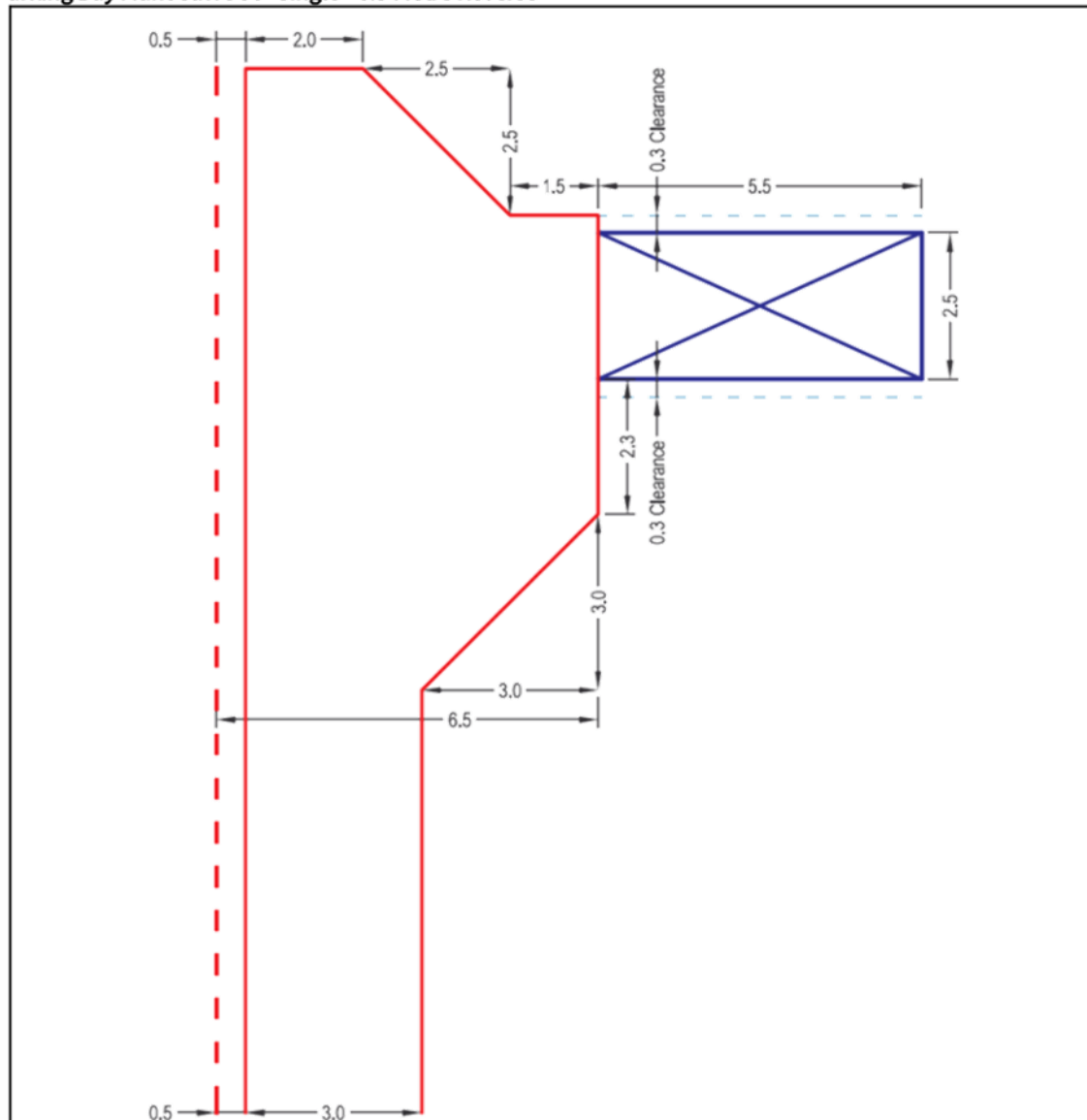
The following streets/roads are considered to be primary distributor or integrator arterial roads for the purpose of Design Element 5.3.5 of the R-Codes:

- Canning Highway;
- Manning Road
- Kent Street
- Mill Point Road (between Labouchere Road and Way Road);
- Way Road;
- Labouchere Road (between Mill Point Road and Thelma Street);
- Douglas Avenue;
- Hayman Road;
- South Terrace;
- George Street;
- Murray Street (between South Terrace and Thelma Street);
- Thelma Street (between Labouchere Road and Canning Highway)

E. Identified high frequency public transport routes



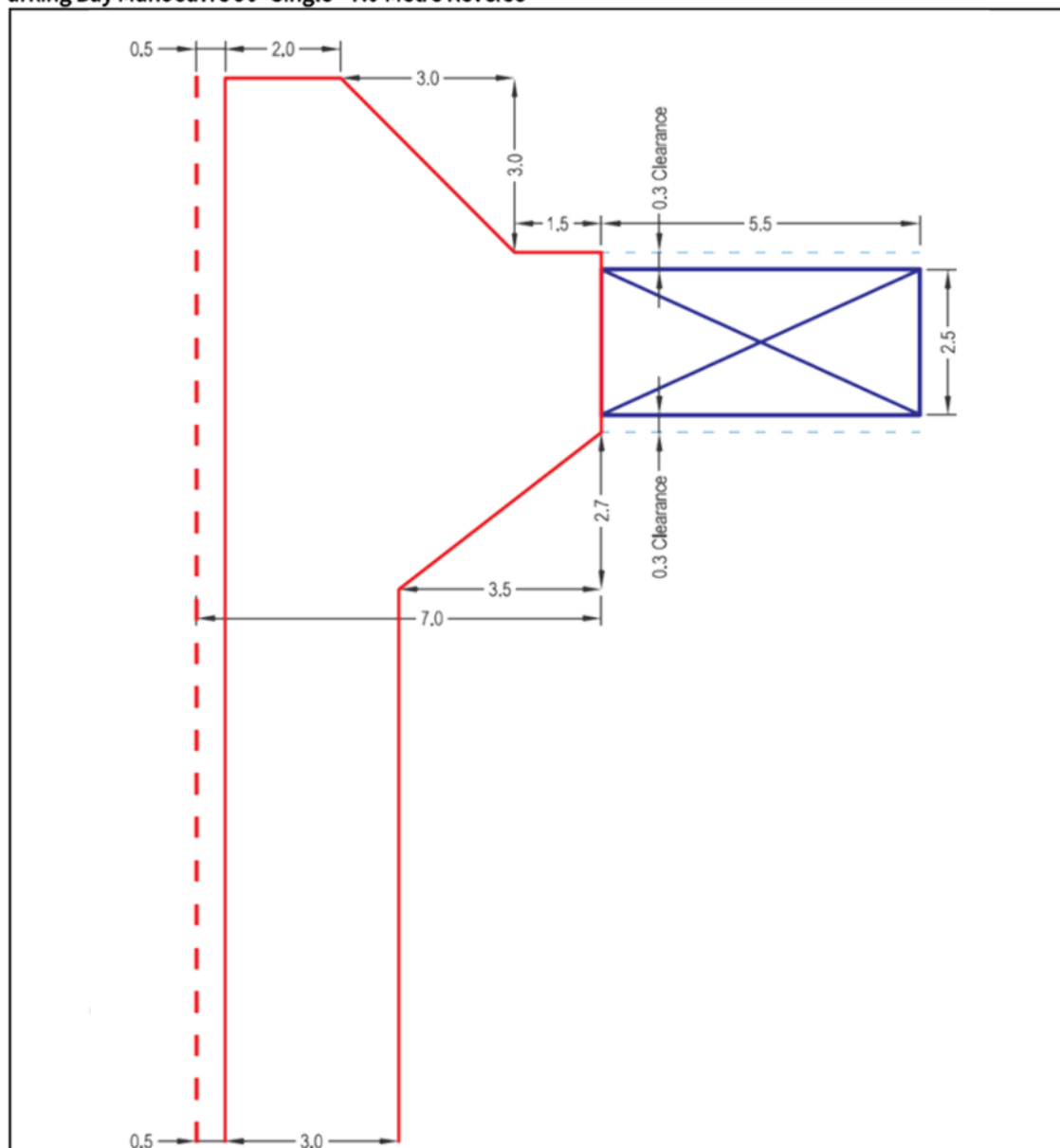
Figure 1
Parking Bay Manoeuvre 90° Single - 6.5 Metre Reverse



NOTES:

1. Not to scale.
2. All measurements are in metres.
3. Based on no wall, column, pier or fence being within 0.3 metres of the sides of the car bay.
4. Nominated shape and dimensions of reversing area rely on formed driveway being set back 0.5 metres from boundary fence.
5. Based on the B85 design vehicle referred to in Australian Standard AS 2890.1.
6. Designed to facilitate single forward and reverse movements into and from the parking bay.

Figure 2
Parking Bay Manoeuvre 90° Single - 7.0 Metre Reverse



NOTES:

1. Not to scale.
2. All measurements are in metres.
3. Based on no wall, column, pier or fence being within 0.3 metres of the sides of the car bay.
4. Nominated shape and dimensions of reversing area rely on formed driveway being set back 0.5 metres from boundary fence.
5. Based on the B85 design vehicle referred to in Australian Standard AS 2890.1.
6. Designed to facilitate single forward and reverse movements into and from the parking bay.

Figure 3
Parking Bay Manoeuvre 180° Single

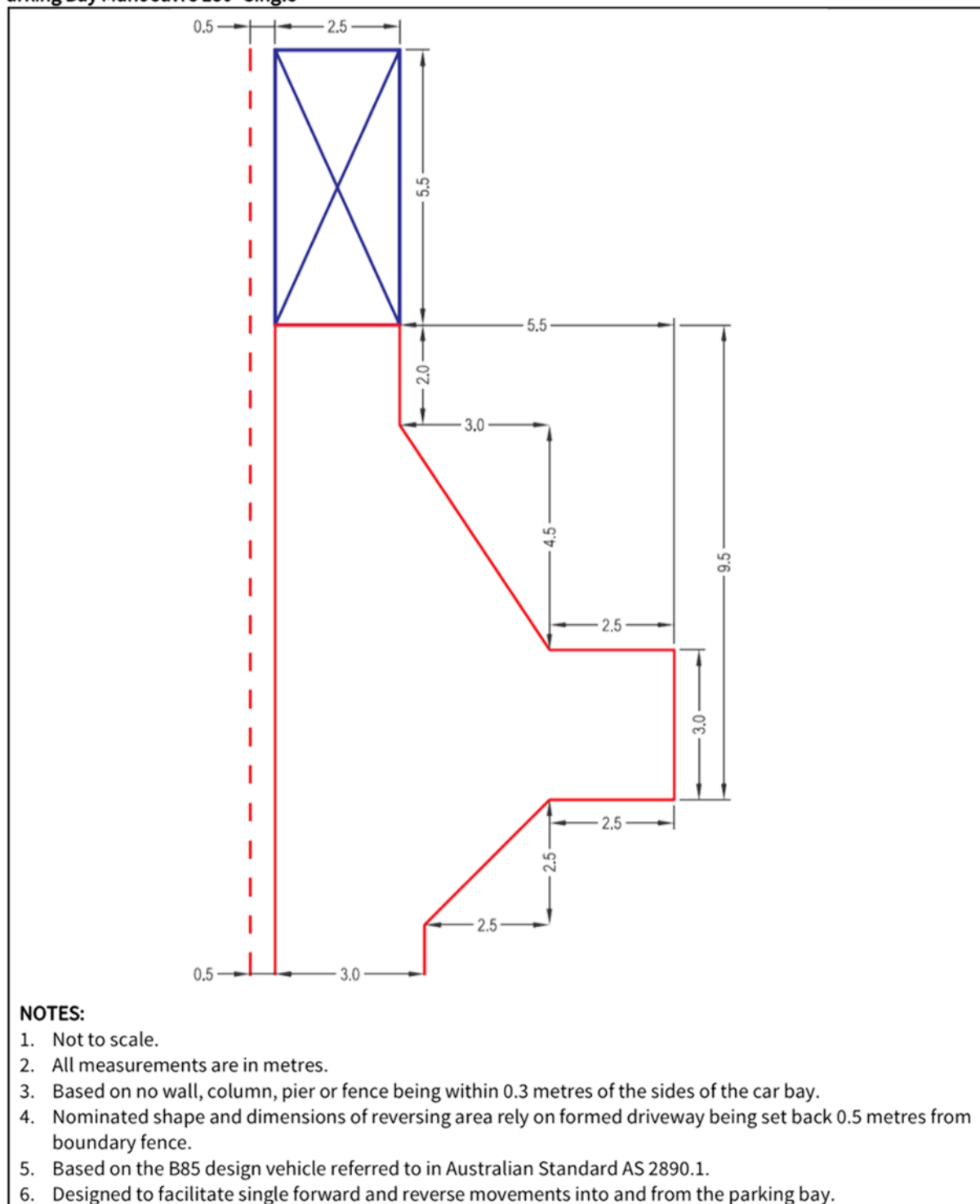
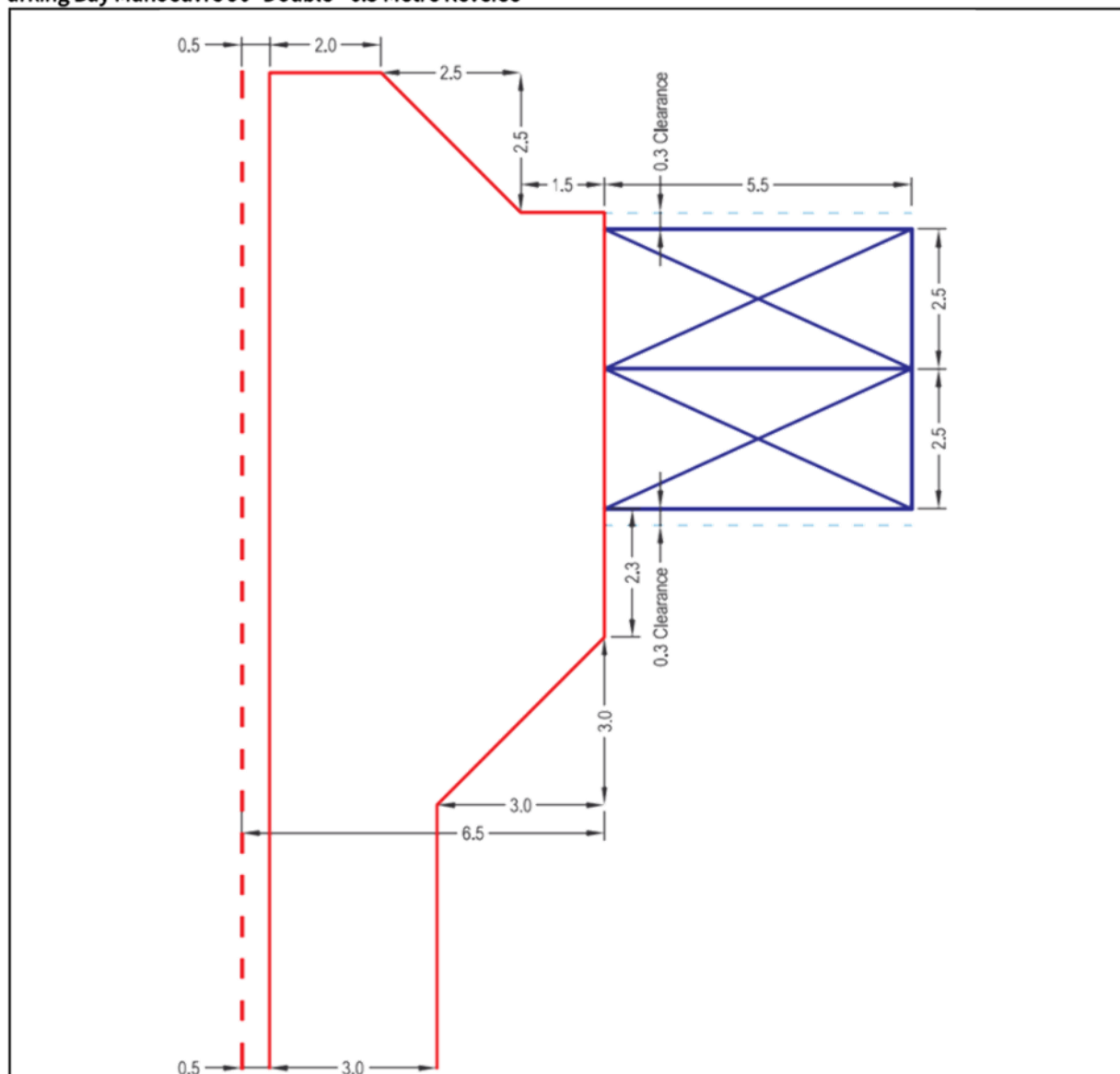


Figure 4
Parking Bay Manoeuvre 90° Double - 6.5 Metre Reverse



NOTES:

1. Not to scale.
2. All measurements are in metres.
3. Based on no wall, column, pier or fence being within 0.3 metres of the sides of the car bay.
4. Nominated shape and dimensions of reversing area rely on formed driveway being set back 0.5 metres from boundary fence.
5. Based on the B85 design vehicle referred to in Australian Standard AS 2890.1.
6. Designed to facilitate single forward and reverse movements into and from the parking bay.

Figure 5
Parking Bay Manoeuvre 90° Double - 7.0 Metre Reverse

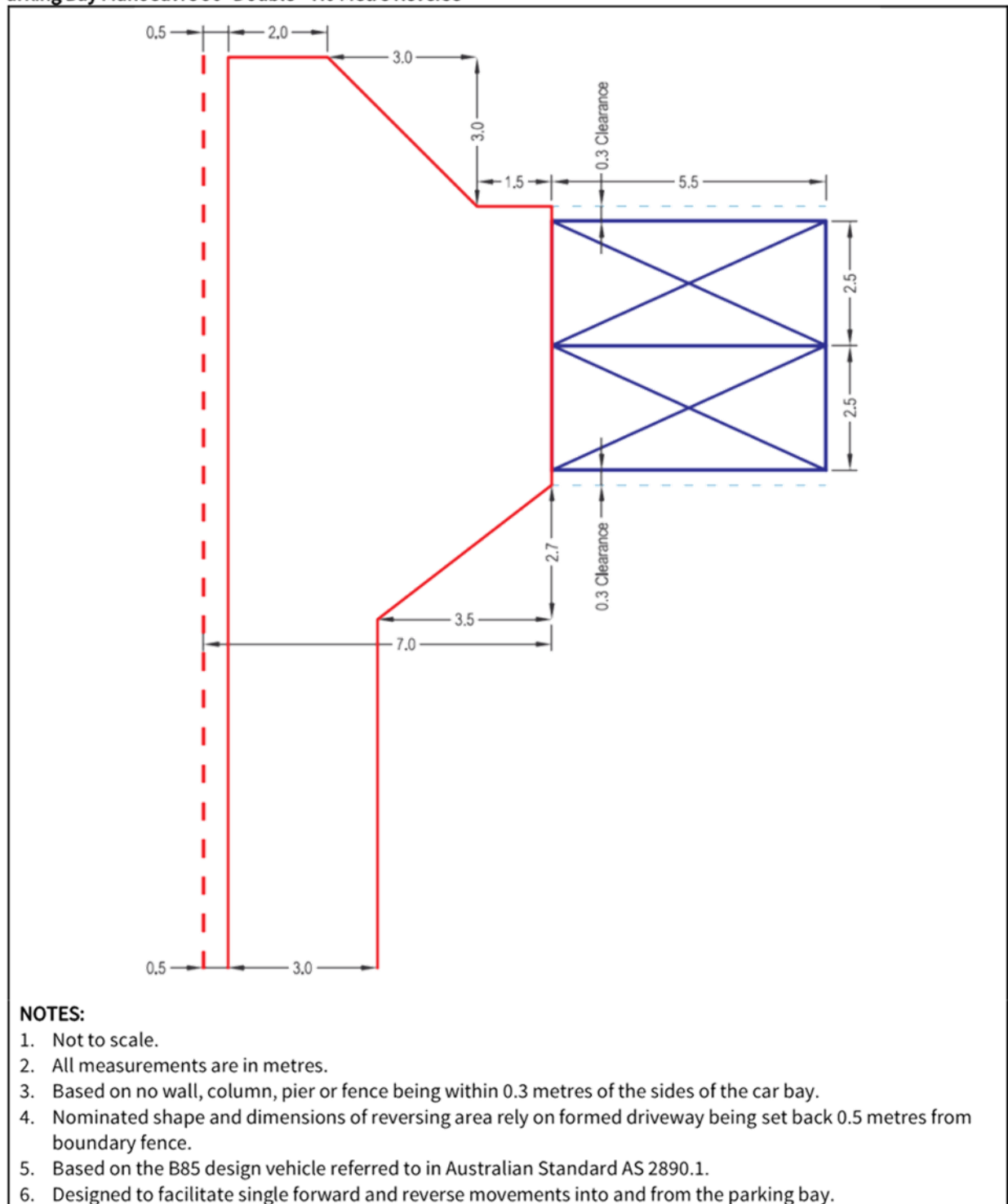
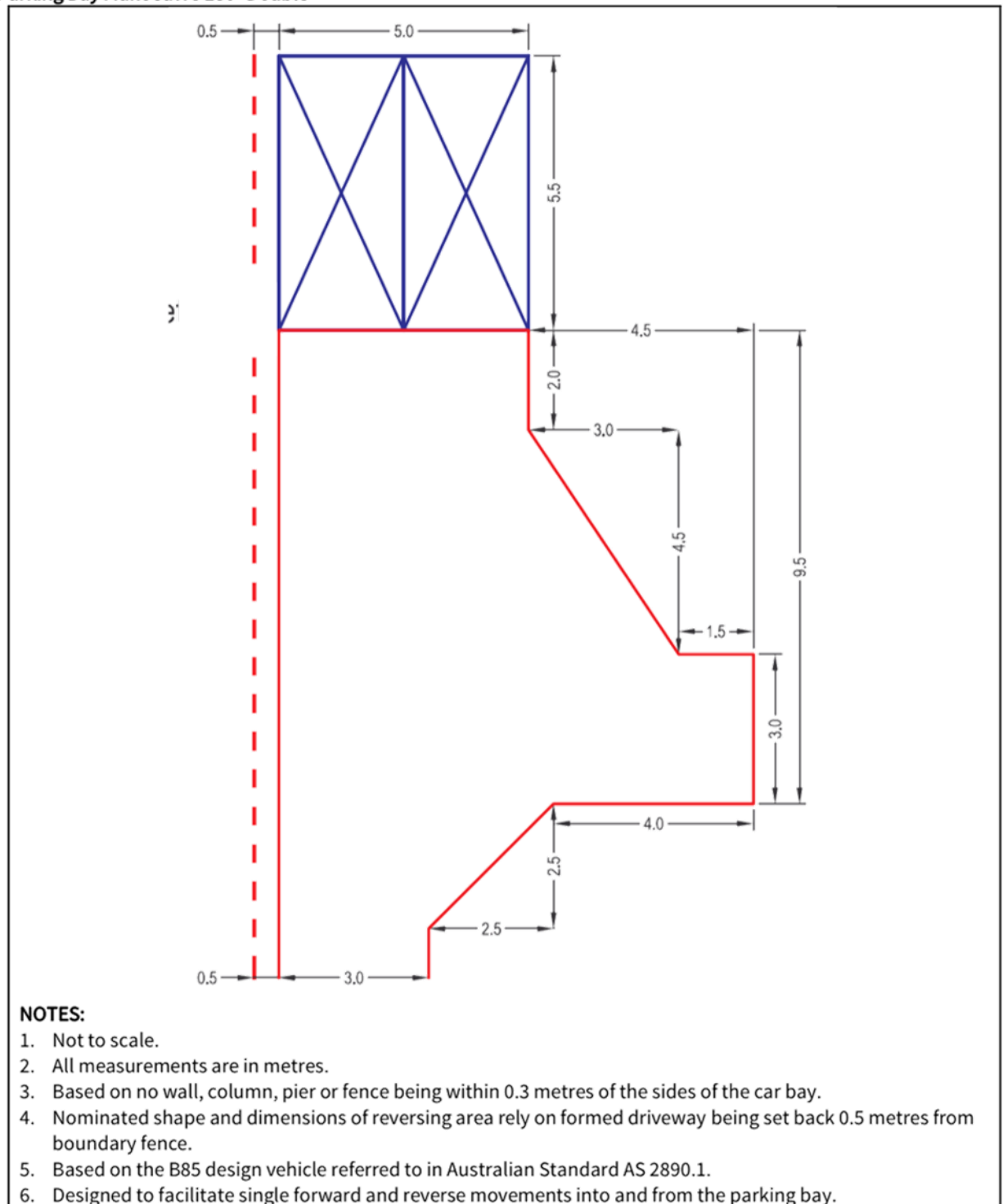


Figure 6
Parking Bay Manoeuvre 180° Double



Policy P350.04 Additions to Existing Dwellings

Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services
Affected Business Unit/s	Development Services

POLICY OBJECTIVES

1. To ensure that the design, materials and colours of additions to an existing dwelling match, or are compatible with, the existing dwelling.
2. To achieve a sufficient degree of compatibility between an existing dwelling and any proposed dwelling situated at the rear of the existing dwelling.

POLICY SCOPE

1. This Policy applies to development proposals involving:
 - (a) Any addition or alteration to any existing dwelling; and
 - (b) Any existing dwelling and any new dwelling where the new dwelling is to be constructed behind the existing dwelling and each dwelling gains access from the same street.
2. This Policy does not apply to proposals involving:
 - (a) Garages and carports whether attached to, or detached from, a dwelling. Provisions relating to garages and carports are contained in the City's car parking policy; and
 - (b) Any other detached outbuilding.

POLICY STATEMENT

1. Additions Forming Part of an Existing Dwelling

1.1 Additions and Alterations to Match the Existing Dwelling

Additions and alterations forming part of an existing dwelling are to externally match the existing dwelling with respect to design, materials and colours. Variations to this requirement are only permitted to the extent specified elsewhere in this policy.

Definitions

Refer to TPS6
Schedule 1:
- Development

1.2 Upper Storey Additions

Where an upper storey addition is proposed to form part of an existing dwelling, the external materials and colours of the walls of the addition are not required to match those of the existing dwelling, provided that the upper storey walls are:

Refer to R-Codes
Appendix 1:
- Carport
- Dwelling
- Garage
- Outbuilding
- Street

- (a) Not in the same vertical plane as the ground storey walls; or
- (b) Separated from the ground storey walls by an intervening architectural feature.

1.3 Additional Habitable Rooms Detached From an Existing Dwelling

Where additional habitable rooms are proposed in a building detached from an existing dwelling the external colours of the detached additions are to be compatible with the existing dwelling.

1.4 Patio Additions

A patio is required to be compatible with the design, materials and external colours of the dwelling to which it is attached where:

- (a) the patio is set back less than 12.0 metres from the street boundary; and
- (b) the patio is visible from a public street.

Definitions

Refer to R-Codes
Appendix 1:
- Building
- Communal Street
- Dwelling
- Grouped Dwelling
- Habitable Room
- Patio
- Street
- Street Boundary
- Wall
- Landscaping
- Street Boundary

Refer to TPS6
Schedule 1:
- Development
- Heritage List

Advice Notes

Clause 3.2 is provided to assist assessment of TPS6 deemed provisions Part 3 Heritage Protection.

Clause 4.1 expands the accompanying information requirements of the R-Codes clauses 3.2 and 3.3.

2. Addition of a New Dwelling to an Existing Dwelling

2.1 Additional Dwelling Fronting a Public Street

Where a proposed additional dwelling fronts directly onto a public street, that dwelling is to comply with the requirements of deemed provisions 67(m) and (n) of Town Planning Scheme No. 6 and any applicable Precinct Streetscape Policy.

2.2 Additional Dwelling Behind an Existing Dwelling

Where a dwelling is proposed to be added behind an existing dwelling and each is accessed from the same street:

- (a) The external design, materials and colours of the proposed dwelling are not required to match or be compatible with the existing dwelling; and
- (b) The existing landscaping is to be upgraded.

2.3 Completion of Upgrading Works

Where an existing dwelling is retained as part of a Grouped Dwelling development, or the existing landscaping is required to be upgraded, the specified upgrading works are to be completed prior to either occupation of any new dwelling or the issuing of Strata Titles, whichever occurs first.

3. Heritage-Listed Dwellings

3.1 Additions Forming Part of an Existing Heritage-Listed Dwelling

In the case of any proposed additions and alterations forming part of an existing heritage-listed dwelling in Management Categories A or B in the Heritage List:

- (a) The provisions of clauses 1.1, 1.3 and 1.4 apply; and
- (b) The roof of the additions is to form an extension of the main roof of the existing dwelling. Skillion roofs are not permitted for additions to heritage-listed dwellings.

3.2 Addition of New Dwelling to an Existing Heritage-Listed Dwelling

In the case of a dwelling proposed to be added behind an existing heritage-listed dwelling where each is accessed from the same street:

- (a) The provisions of clause 2 apply; and
- (b) Any additional dwelling is to be designed and sited in a manner that will adequately safeguard the integrity, and complement the character, of the heritage-listed dwelling.

4. Information Requirements

4.1 Application Drawings to Identify External Materials and Colours

Where proposed additions forming part of an existing dwelling or additional dwellings are required to match the existing dwelling in relation to external materials and colours, the application drawings relating to any such proposal are to identify the external materials and colours of both the existing dwelling and the proposed additions.

LEGISLATION/ LOCAL LAW REQUIREMENTS

City of South Perth Town Planning Scheme No. 6
Residential Design Codes of Western Australia
Building Code of Australia

OTHER RELEVANT POLICIES/ KEY DOCUMENTS

City of South Perth Planning Policies

Strategic Direction

Environment (Built and Natural)

Policy P350.7 Street walls and fences

Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services
Affected Business Unit/s	Development Services

Policy Objectives

1. To regulate the height of obstructions adjacent to formed driveways and at the corners of streets and rights-of-way in the interest of pedestrian and vehicular safety.
2. To preserve or re-establish a desired 'open front garden' streetscape character.
3. To promote casual surveillance of the public and private realm through appropriate fencing design, in order to increase on-site and neighbourhood safety and security.
4. To ensure the height of side and rear boundary dividing fences reflects the need to provide visual privacy.
5. To ensure new fencing is compatible with existing streetscapes and protects neighbours' amenity.

Policy Status

This policy is made pursuant to Part 2 (Division 2) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulation 2015* (the Regulations). Clause 7.3.1(a) of the Residential Design Codes (the R-Codes) provides that local planning policies may vary or replace certain deemed-to-comply elements of the R-Codes, including those related to design elements 5.2.4 and 6.2.2 (street walls and fences). This policy is to be used in conjunction with the Scheme, Part 5 & 6 of the R-Codes and any other relevant council policies relating to residential land.

Note: This includes but is not limited to matters related to vehicle access (design elements 5.3.5 & 6.3.5) and vehicle sightlines (design elements 5.2.5 & 6.2.3) as well as clause 6.4 (Fences) and 6.14 (Landscaping) of Town Planning Scheme No. 6.

Policy Application

This policy replaces those deemed-to-comply criteria of design elements 5.2.4 and 6.2.2 (street walls and fences) of the R-Codes and is to be used in conjunction with the Scheme (Clause 6.7) and any other relevant council policies relating to residential land. The Policy also provides further guidance on how the matters specified in the relevant design principles may be interpreted.

Policy Statement

1.0 Deemed-to-comply proposals

The deemed-to-comply criteria of the R-Codes of Design Elements 5.2.4 C4 & 6.2.2 C2 are replaced with the following:

1.1 Height and permeability of street walls and fences

- 1.1.1 Fences within primary street setback area or communal street as viewed from the public road or communal street shall achieve 80% visual permeability where above 1.20 metres in height up to a maximum height of 1.80 metres, with piers/pillars not higher than 2.10 metres and not wider than 0.47 metres.

Note: Refer to explanatory notes. See Figure 1

- 1.1.2 Fences within a secondary street setback area shall be a maximum of 1.8 metres in height with any piers/pillars not higher than 2.10 metres.

- 1.1.3 Notwithstanding clause 1.1.1, Council may permit a fence to be solid up to 1.8 metres in height where the street setback area(s) has frontage to:

- Canning Highway;
- Douglas Avenue;
- George Street;
- Hayman Road;
- Kent Street;
- Labouchere Road (Mill Point Road to Thelma Street);
- Manning Road;
- Melville Parade;
- Mill Point Road (Labouchere Road to Way Road);
- South Terrace;
- Thelma Street (Labouchere Road to Canning Highway); and
- Way Road.

- 1.1.4 Where the site fronts onto a street other than a street specified in 1.1.3, solid fencing up to 1.8 metres in height which encloses not more than 50% the primary street setback area is permitted in the following circumstances:

- (a) Where privacy screening is needed in the primary setback area because there is no alternative outdoor living area, or,
- (b) Where privacy screening is needed for north-facing outdoor living areas.

Note: Refer to explanatory notes. See Figure 2

1.2 Materials of street walls and fences

- 1.2.1 Fences within street setback area(s) (primary and/or secondary street) as viewed from the street, shall be constructed of either timber pickets, masonry materials, open grille metal panels or the like, but shall not be constructed of fibre cement sheeting or metal sheeting.
- 1.2.2 Where a development comprises two or more dwellings on a lot, in respect of any 'internal' fence visible from any communal street or the front of any dwelling, the fence is not to be constructed of fibre cement sheeting.

1.3 Requirement for provision of new fences

In conjunction with any proposed residential development, the applicant is to provide new fences on the rear boundary and all side boundaries of the site behind the street setback area, other than in the following circumstances:

- (a) Where the proposal involves only additions, alterations or outbuildings appurtenant to an existing dwelling; or
- (b) Where an existing fence is structurally sound, on a straight alignment, 1.8 metres high, and free of significant damage or discolouration.

1.4 Existing boundary fencing to remain until replaced

Where an existing fence is to be replaced, the new fence is to be erected immediately following the removal of the existing fence.

2.0 Proposals assessed against the design principles

Where a development proposal does not meet the applicable deemed-to-comply criteria of this policy, the proposal is to be assessed against the design principles of the R-Codes. This policy does not modify the design principles, however the following matters will be considered in the determination of proposals that apply the design principles of Design Element 5.2.4 P4 & 6.2.2 P2;

- (a) Whether the height, materials and visual permeability of the proposed fence is consistent with the established pattern of fences within the surrounding streetscape or will not materially impact on the character or amenity of the surrounding streetscape. This includes matters such as excessive shadow and restriction on sun penetration, restriction on views of significance and adverse bulk and scale.
- (b) Additional fence height where necessary by virtue of the sloping topography of the site, including any level difference between a site and the adjacent street verge.
- (c) Where privacy screening is needed in the street setback (primary, secondary or communal street) area because there is no alternate outdoor living area or where privacy screening is needed for a north facing outdoor living area.
- (d) The fence relates to a Mixed Development and the height or solidity of the fence is considered to compliment the form of the Mixed Development.

EXPLANTORY NOTES:

Method for measuring fence height

The height of a fence to a boundary shall be measured from the level adjacent to the fence at any point (ie. As per natural ground level as defined in the R-Codes). Where the ground level is higher on one side of the fence, the fence height is measured from the higher side (refer to Figure 3).

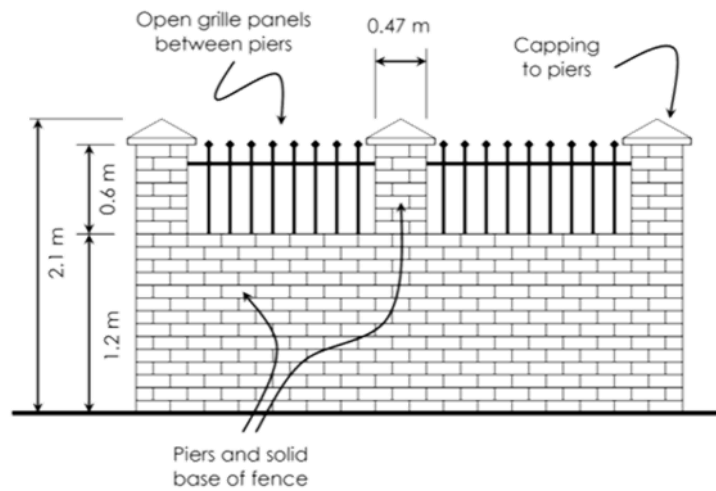
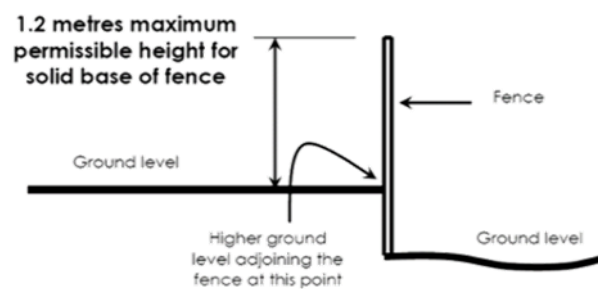


Figure 1: Dimensions and permeability of street walls and fences.



Figure 2: Partial enclosure of street setback area with solid fencing to provide privacy where no alternative is available.



**Fence height measured above the
higher ground level adjoining the fence**

Figure 3: Measurement of ground level where differing adjacent ground levels.

Legislation / Local Law Requirements

City of South Perth Town Planning Scheme No. 6
Residential Design Codes of Western Australia
Building Code of Australia

Other Relevant Policies / Key Documents

City of South Perth Planning Policies

Strategic Direction

Environment (Built and Natural)

Policy P350.17 Site Works

Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services
Affected Business Unit/s	Development Services

Policy Objectives

The objectives of this policy are as follows:

- (1) To facilitate development that responds appropriately to the natural features of the site; and
- (2) To ensure that site works do not detrimentally impact on adjoining properties or the streetscape.

Policy Status

This policy is made pursuant to Part 2 (Division 2) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulation 2015* (the Regulations). Clause 7.3.1(a) of the Residential Design Codes (the R-Codes) provides that local planning policies may vary or replace certain deemed-to-comply elements of the R-Codes, including those related to design elements 5.3.7 C7.2 and C7.3.

The policy aims to provide clear deemed-to-comply criteria for site works that reflect the intent of objectives (1) and (2) and design principles P7.1 and P7.2 of clause 5.3.7 of the R-Codes. Specifically, this policy replaces the deemed-to-comply requirements in clause 5.3.7 (C7.2) and (C7.3) and identifies matters to be considered when applying design principles 5.3.7 (P7.1) and (P7.2). This policy is to be used in conjunction with the Scheme, Part 5 of the R-Codes and any other relevant council policies relating to residential land.

Policy Application

This policy applies to all applications for development approval made under the Scheme relating to all single houses, grouped dwellings and multiple dwellings in areas zoned 'Residential' with a coding of less than R40, being those subject to assessment under Part 5 of the R-Codes. The provisions of this policy do not apply to swimming pools or spas.

Policy Statement

1.0 Deemed-to-comply proposals

The deemed to comply requirements in design element 5.3.7 C7.2 and C7.3 of the R-Codes are replaced with the following:

- 1.1 Excavation behind a street setback line and within 1m of a lot boundary shall not exceed 0.5m below the natural ground level; and,
- 1.2 Fill behind a street setback line:
 - (i) within 3.0m of a lot boundary shall not exceed 1.0m above the natural ground level; and,
 - (ii) greater than 3.0m from a lot boundary shall be limited by compliance with building height limits and building setback requirements.

2.0 Proposals assessed against the design principles

Where a development proposal does not meet the applicable deemed-to-comply criteria of this policy, the proposal is to be assessed against the design principles of the R-Codes. This policy does not modify the design principles, however the following matters will be considered in the determination of proposals that apply the design principles of Design Element 5.3.7 P7.1 & P7.2;

- (i) The natural features of the site, in particular any significant differences in natural ground level that result in a sloping site;
- (ii) The interpretation of natural ground level at all lot boundaries;
- (iii) The natural ground level as viewed from the street; and
- (iv) Having regard to the natural features of the site and adjoining properties, the necessity for any excavation and/or fill.

Legislation / Local Law Requirements

City of South Perth Town Planning Scheme No. 6
Residential Design Codes of Western Australia
Building Code of Australia

Other Relevant Policies / Key Documents

City of South Perth Planning Policies

Strategic Direction *Environment (Built and Natural)*

Policy P315 Car Parking Reductions for Non-Residential Development

Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services
Affected Business Unit/s	Development Services

Policy Objectives

To allow a reduction of the number of car parking bays required for non-residential Uses, where there are significant opportunities to promote alternate modes of transport or utilise existing transport and car parking infrastructure.

Policy Scope

- This policy may be applied to any non-residential development or change in use which require the provision of car parking, other than the South Perth Station Precinct, or any other defined locality where specific car parking provisions apply in the form of the City's Scheme or Policies.
- In the case of a mixed use development, this policy shall only apply to the non-residential component.
- This Policy augments and is to be read in conjunction with the provisions of TPS6.

Status of Policy

This policy is a planning policy prepared, advertised and adopted pursuant to the provisions of clause 9.6 of TPS6. Under clause 1.5 of TPS6 all planning policies are documents supporting the Scheme.

Definitions

Comprehensive new development

As defined in TPS6, 'Comprehensive new development' means *"a development which is determined by Council not to be a minor alteration, addition or extension to an existing development"*.

Public car parking place

A car parking facility listed under Table 3 of this policy. The number of car parking bays used for calculations shall not include motorcycle bays, trailer bays, on street bays, or any car bay allocated exclusively to a specified user group.

Policy Statement

The car parking requirement in Table 6 of TPS6 may be reduced by the City of South Perth through the application of adjustment factors (outlined in Table 1 below), reflecting particular site and design factors. Such factors are to be justified by the Applicant.

Tables 2 and 3 are included for guidance purposes only. Also refer to the cash-in-lieu provisions contained within TPS6. The number of car parking spaces within an existing public car parking place within 400 metres of the proposed development should also be confirmed on site.

Table 1: Permitted Car Parking Reduction

	Percentage Reduction	Adjustment Factor	Factors to be successfully justified by the applicant to the City of South Perth
1a or 1b	20 per cent 15 per cent	0.80 0.85	The proposed development is within 400 metres** of a rail station; or The proposed development is within 800 metres** of a rail station.
2	15 per cent	0.85	The proposed development is within 400 metres** of a bus stop/station.
3	10 per cent	0.90	The proposed development is within 400 metres** of a ferry terminal.
4	20 per cent	0.80	The proposed development contains a mix of uses, where at least 45 percent of the gross floor area is residential, provided that the required provision of visitor bay's for each use are made available to visitors at all times.
5a or 5b or 5c or 5d	20 per cent 15 per cent 10 per cent 5 per cent	0.80 0.85 0.90 0.95	The proposed development is within 50 metres** of one or more existing public car parking place(s) with more than 50 car parking spaces; or The proposed development is within 400 metres** of one or more existing public car parking place(s) with more than a total of 75 car parking spaces; or The proposed development is within 400 metres** of one or more existing public car parking place(s) with more than a total of 50 car parking spaces; or The proposed development is within 400 metres** of one or more existing public car parking place(s) with more than a total of 25 car parking spaces.
6 or 6a	10 per cent 5 per cent	0.90 0.95	The proposed development provides 'end-of-trip' facilities* for bicycle users, in addition to any facilities required under Clause 6.4(5); or Secure on-site and/or adjacent street bicycle parking (facilities within public view to which at least five bicycle frames and wheels can be locked)***.

Note:

The calculated total adjustment factor is applied to the car parking requirement provisions outlined in Table 6 of TPS6. The maximum adjustment factor, where all factors are justified to the maximum extent is 0.35 ($0.80 \times 0.85 \times 0.90 \times 0.80 \times 0.80 \times 0.90 = 0.352512$).

If the resultant number of deficit car parking bays is less than or equal to 0.5 bays, no parking bays or cash-in-lieu of parking is required.

- * Minimum requirement: 1 male and 1 female shower in separate change rooms with at least one secure clothes locker per change room.
- ** This distance means the most direct route via a gazetted footpath not just the direct route.
- *** Only relates to those applications which are not required to provide bicycle parking under the requirements of Table 6 of TPS6.

Table 2: Calculating the number of car bays subject to cash-in-lieu payment

TPS6 car parking requirement	R
Apply the total adjustment factor	A
Minus the car parking proposed to be provided on site	P
Minus the most recently approved on site car parking shortfall (after taking into account relevant adjustment factors), unless the proposal is deemed to be a comprehensive new	S
Resultant number of car parking bays subject to cash-in-lieu payment	$= R \times A - P - S$

Table 3: Public Car Parking Places

Ref.	Name	Street	Suburb	Parking Bays
Car Park 7	Angelo Street	Angelo Street	South Perth	63
Car Park 8	Anstey Street	Anstey Street	South Perth	28
Car Park 11	Narrows Bridge	Mill Point Road	South Perth	18
Car Park 12	Mill Point Road Boat Ramp	Mill Point Road	South Perth	18
Car Park 13	Melville Place	Melville Place	South Perth	16
Car Park 14	Boat Shed Café	Coode Street	South Perth	130
Car Park 15	Coode Street Boat Ramp	Coode Street	South Perth	15
Car Park 18	Collins Street	Collins Street	South Perth	32
Car Park 22	Comer Reserve	Melville Parade	Como	45
Car Park 23	Comer Reserve	Eric Street	Como	12
Car Park 33	Manning Senior Citizens	Downey Drive	Manning	61
Car Park 35	Welwyn Ave	Welwyn Ave	Manning	56

Legislation / Local Law Requirements

City of South Perth Town Planning Scheme No. 6.

Strategic Direction (Built and Natural)

Policy P306 Development of Properties Abutting River Way

Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services
Affected Business Unit/s	Development Services

Policy Objectives

1. To protect the streetscape character of River Way by ameliorating the bulk and scale impacts of buildings as viewed from that street.
2. To make adequate provision for visitor parking on development sites with a frontage onto River Way having regard to the extremely narrow width of the road reservation.
3. To facilitate orderly traffic movement and parking by regulating the location of future vehicle crossovers.
4. To ensure that all fencing on or near the River Way street boundary contributes positively to streetscape compatibility.

Policy Scope

This policy applies to all properties abutting River Way, Salter Point.

Policy Status

1. This policy is a planning policy prepared, advertised and adopted pursuant to the provisions of clause 9.6 of Town Planning Scheme No. 6.
2. Under clause 1.5 of Town Planning Scheme No. 6, all planning policies are documents supporting the Scheme.

Policy Statement

1. **Street Setback – Buildings other than carports and garages**
 - (a) Subject to subclause (b), buildings other than carports and garages shall be set back a minimum of 6.0 metres from the River Way boundary; and
 - (b) Where a development site is adjoined on both sides by lots containing dwellings set back less than 6 metres from the River Way boundary, the minimum setback of each storey of a dwelling on the development site shall be not less than the average of the setbacks of the corresponding storeys of the dwellings on the adjoining lots.

ADVICE NOTE ON CLAUSE 1:

Policy clause 1 replaces the deemed-to-comply provisions of the R-Codes clauses 5.1.2 C2.1 and C2.2

- (c) In the case of dwellings having three storeys above the adjacent River Way street level, the uppermost storey shall be set back a minimum of 9.0 metres from the River Way boundary.

2. Street Setback – Carports and Garages

Carports and garages shall be set back a minimum of 4.5 metres from the River Way street boundary.

3. Visitor Parking

In conjunction with any new development on lots abutting River Way where the major entry (front door) to a dwelling is accessed from River Way, 2 visitor parking bays shall be provided on site in addition to 2 bays for the occupiers of the dwelling.

4. Crossovers

In the case of a development having vehicular access from River Way, the crossover location to the site shall be as follows –

- (a) northern / western (inland) side of River Way: as determined by the City's Infrastructure Services directorate in each case.
- (b) southern / eastern (river) side of River Way: generally in the same location as the existing crossover to that site.

5. Fencing

- (a) On a lot abutting River Way, fencing on the street boundary or on the portion of the site between the dwelling and the street boundary shall be constructed of one, or a combination, of the following materials:
 - (i) brickwork matching the walls of the building to which the fencing is appurtenant;
 - (ii) timber of a design and finish satisfactory to the City;
 - (iii) painted wrought iron; or
 - (iv) other material approved by the City.
- (b) Within the portion of the site referred to in sub-clause (a), the following materials shall not be used for construction of fencing:
 - (i) corrugated fibre cement sheeting; and
 - (ii) steel sheeting with or without a surface coating.

6. Fences more than 1.8 metres high on or near the street boundary

Where the finished ground level of the development site near the street boundary is higher than the street verge or footpath, a 1.8 metres high fence, measured from the finished ground level rather than as specified in Policy P350.07, may be permitted where the design of the fence minimises the visual impact on the street.

Its visual impact could be minimised by incorporating the following design measures:

- (i) locating all or part of the fencing off the River Way street boundary;
- (ii) introducing indentations in the fencing design;
- (iii) using a combination of materials, colours or finishes; or
- (iv) providing landscaping between the fence and the River Way boundary.

ADVICE NOTE ON

CLAUSE 2:

Policy clause 2 replaces the deemed-to-comply provisions of the R-Codes clauses 5.2.1 C1.1, C1.2, C1.3, C1.4 and C1.5.

DEFINITIONS:

Refer to TPS6 Schedule 1 for definitions of:

- 'development'
- 'development site'
- 'fence'
- 'ground level'
- 'lot'

Refer to R-Codes

Appendix 1 for definitions of:

- 'building'
- 'carport'
- 'dwelling'
- 'garage'
- 'landscaping'
- 'lot'
- 'setback'
- 'street'
- 'street boundary'

Legislation/ Local Law Requirements

City of South Perth Town Planning Scheme No. 6
State Planning Policy 3.1 Residential Design Codes (2015)

Other Relevant Policies / Key Documents

City of South Perth Planning Policies
City of South Perth Strategic Community Plan 2017-2027
Engineering Department Plan No. 1737 - Plan available from the City on request

Strategic Direction

Environment (Built and Natural)

P320 Assessment of Significant Obstruction of Views in Precinct 13 - Salter Point

Responsible Business Unit/s	Development Services
Responsible Officer	Director Development and Community Services
Affected Business Unit/s	Development Services

Policy Objectives

1. To provide clarity and guidance on the application of clause 6.1A(9) of the Town Planning Scheme No. 6 'Building Height Restrictions in Precinct 13 - Salter Point'; and
2. To ensure that views of the Canning River for those properties within Precinct 13 - Salter Point are not significantly obstructed by new development.

Policy Status

This policy is made pursuant to Part 2 (Division 2) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulation 2015* (the Regulations). Under clause 3(3) of the Regulations (Part 2), the City may make a local planning policy based on sound town planning principles to address a strategic or operational consideration.

Policy Application

This Policy applies to any development within Precinct 13 – 'Salter Point' that has an assigned building height limit of 3.0 metres, 3.5 metres or 6.5 metres, as shown in blue on the diagram below.



Policy Purpose

The aim of this policy is to provide guidance on the application of clause 6.1A(9)(c) of the City of South Perth Town Planning Scheme (Scheme) and to ensure that all applications are dealt with in a transparent and consistent manner. This provision requires that a person shall not erect or make an addition to a building unless the local government is satisfied that views of the Canning River from any buildings on neighbouring land will not be significantly obstructed.

Policy Statement

1.0 Buildings considered to satisfy clause 6.1A(9)(c) of the Scheme

- (a) Buildings (including any roof or external fixtures) contained wholly within the Building Height Limit (BHL) assigned to that lot under clause 6.1A(1) of the Scheme, will generally be considered to satisfy clause 6.1A(9)(c) of the Scheme.
- (b) Where roofs or permitted projections are proposed above the BHL in accordance with clauses 6.1A(4) and 6.1A(5) of the Scheme, the development shall be subject to assessment against the provisions of clauses 2.0 of this policy.

2.0 Assessment of projections above the building height limit

- 2.1 The City shall only approve projections above the BHL, including roofs, that meet all of the following criteria:
 - (a) There are no external walls above the BHL; and,
 - (b) Any roof above the BHL has a pitch of 15 degrees or lower; and,
 - (c) All external fixtures above the BHL, such as solar collectors and air-conditioning units, are integrated into the design so as to sit flush/flat along or below the roof line; and,
 - (d) The proposed development meets the relevant deemed-to-comply criteria prescribed in the Residential Design Codes (as amended) relating to lot boundary setbacks, street setbacks and open space.
- 2.2 Where a building proposes to project above the BHL assigned to that lot and the projection(s) meet all of the criteria in 2.1, the City shall only approve the development where all of the following criteria are additionally met;
 - (a) The projection does not obstruct a view to the water surface of the Canning River within a line of sight contained at any point within a 45 degree cone of vision from an existing active habitable space, which forms part of a building. Active habitable spaces include any balcony, verandah, terrace or habitable room (such as a kitchen, bedroom, dining room etc). A line-of-sight shall be measured at a height of 1.6 metres above the floor level of the space at a point 0.5 metres from the edge/opening/extent of the space (where the view to Canning River is available) closest to Canning River shall be used to determine whether a view to the water surface of Canning River is obstructed; or,

*Notes: For the purpose of this provision, a line-of-sight will only be assessed/established for properties adjoining the subject site. Greatest weight will be given to any line-of-sight established from a property directly 'behind' a site in reference to its position to Canning River. Significantly lesser weight should be given to a line-of-sight established from a property to the 'side' of a site.
'cone-of-vision' and 'active habitable space' shall have the same meaning as contained in the Residential Design Codes.*

- (b) In the case where an existing building is proposed to be demolished and replaced, the design of the new building causes a lesser obstruction to views of the Canning River than the existing building.

Legislative / Local Law Requirements

City of South Perth Town Planning Scheme No. 6
Planning and Development (Local Planning Schemes) Regulations 2015
Planning and Development Act 2005

Other Relevant Policies / Key Documents

City of South Perth Planning Policies

Local Planning Policy - Non-Residential Development in the Residential Zone

1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy - Non-Residential Development in the Residential Zone.

2. Purpose

To guide the development of non-residential land uses within the Residential zone.

3. Application

- 3.1 This policy applies to all non-residential land uses and development in the Residential zone, excluding Bed and breakfast, Child care premises, Holiday accommodation, Holiday house and Home business.
- 3.2 Where this policy is inconsistent with a local development plan, structure plan or other local planning policy that applies to a specific site or area, the provisions of that specific planning instrument shall prevail.

4. Objectives

- 4.1 To ensure non-residential development is compatible with and complements the scale and character of surrounding residential areas.
- 4.2 To minimise the impact of non-residential uses on the amenity of surrounding residential areas.
- 4.3 To encourage non-residential uses to be located within close proximity to activity centres.

5. Development requirements

5.1 Preferred Location

- 5.1.1 Non-residential uses shall generally be located where they abut, or are opposite to an existing Neighbourhood or Local Centre.
- 5.1.2 Non-residential uses shall generally not be located:
 - (a) On lots fronting 'Local Roads';

- (b) On lots where sole access is provided from a cul-de-sac, right-of-way, common driveway or battle-axe access leg;
- (c) Situated in isolation between residential uses; or
- (d) In areas where the established character is exclusively dominated by residential development.

5.2 Built Form and Building Design

- 5.2.1 Buildings shall generally be designed in accordance with the building height, street and side setback, and plot ratio requirements of State Planning Policy 7.3 – Residential Design Codes (R-Codes) with regard to the assigned density code.
- 5.2.2 For the purposes of 5.2.1, R-Codes Vol.1 Part B (Low Density) applies to land coded R25 and below, R-Codes Vol.1 Part C (Medium Density Code) applies to land coded R30 to R60, and R-Codes Vol.2 applies to land coded R80 and above.
- 5.2.3 With regard to lot boundary setback requirements under R-Codes Vol.1 Part B, any wall which contains a window, door, or any other opening (excluding highlight windows) will be treated as a major opening and subject to the setback requirements of Table 2b.
- 5.2.4 The built form of proposals shall be consistent with the existing residential character of the streetscape.

5.3 Traffic and Parking

- 5.3.1 Applications shall be accompanied by a Traffic Impact Statement or Traffic Impact Assessment in accordance with WAPC's Transport Impact Assessment Guidelines to demonstrate that the surrounding road network can accommodate any additional traffic generated by the proposal.
- 5.3.2 Vehicle parking shall be contained wholly on-site and should generally be to the rear of the lot and screened from view of neighbouring residential dwellings.

5.4 Landscaping

- 5.4.1 A minimum of 10% of the site area shall be landscaped.
- 5.4.2 Landscaping shall be located in street setback areas and along side boundaries.
- 5.4.3 Landscaping shall include existing and new trees in accordance with Table 1. Tree sizes and associated deep soil area to be provided in accordance with R-Codes Vol.2.

Table 1: Tree Provision requirements

Site Area	Minimum requirements for trees
Less than 700m ²	1 medium tree and small trees to suit area
700 – 1,000m ²	2 medium trees; Or 1 large tree and small trees to suit area
> 1,000m ²	1 large tree and 1 medium tree for each additional 400m ² in excess of 1,000m ² ; Or 1 large tree for each additional 900m ² in excess of 1,000m ² and small trees to suit.

5.4.4 All development applications shall include a landscaping plan on lodgement to the City.

5.5 Servicing

5.5.1 Services should be screened from view and located at the rear of the building where practical.

5.5.2 Any proposed bin storage area shall be designed and located so that it does not detract from the amenity of adjacent residential development.

5.6 Noise Management

5.6.1 An Acoustic Report and Noise Management Plan, prepared by a suitably qualified Acoustic Consultant, may be required for the development, where it is determined that the proposal may impact the surrounding properties through the generation of noise. This requirement will be determined on a case-by-case basis, based on land use, residential density, existing buildings, hours of operation and proposed scale of operations.

5.7 Operation

5.7.1 Non-residential uses in the Residential zone will generally be permitted to operate between the hours of 7:00am. and 7:00pm, Monday to Saturday and not at all on Sundays or public holidays.

5.7.2 Proposals are to be accompanied by a management plan, detailing nature of the business, number of staff, number of clients/customers, hours of operation and what measures will be taken to minimise amenity impacts on adjoining residential uses.

6. Definitions

Deep soil area: *In accordance with R-Codes Vol.2.*

Landscaping: *means land developed with garden beds, shrubs and trees, or by the planting of lawns, and includes such features as rockeries, ornamental ponds and any such area approved by the City as landscaped area.*

Non-residential development: *means any development to which the Residential Design Codes (R-Codes) do not apply.*

R-Codes Vol.1: *State Planning Policy 7.3 Residential Design Codes Volume 1*

R-Codes Vol.2: *State Planning Policy 7.3 Residential Design Codes Volume 2*

7. Relevant Legislation, Policies, Documents

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

City of South Perth Local Planning Scheme

City of South Perth Local Planning Policies

State Planning Policy 7.3 Residential Design Codes

8. Document Control

Adoption date	OCM xx
Date Modified	xxx
Strategic Community Plan Reference	Economy Environment (Built and Natural)

Local Planning Policy - Non-Residential and Mixed Use Development

1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy - Non-Residential and Mixed Use Development.

2. Purpose

The City of South Perth (the City) supports the development of high quality, vibrant mixed use centres that provide economic, environmental and social benefits to the community through the provision of employment, retail and housing opportunities. The purpose of this policy is provide a framework for the assessment of applications for non-residential and mixed use developments within Local Centre, Neighbourhood Centre and Mixed Use zones.

3. Application

- 3.1. This policy applies to all non-residential development and the non-residential component of any mixed use development proposal in Local Centre, Neighbourhood Centre and Mixed Use zones.
- 3.2. Where this policy is inconsistent with a local development plan, structure plan or other local planning policy that applies to a specific site or area, the provisions of that specific planning instrument shall prevail.

4. Objectives

- 4.1. To encourage vibrant and attractive commercial and mixed use developments that are well designed, with functional and efficient buildings and site layouts.
- 4.2. To promote high quality architectural built form that makes a positive contribution to the streetscape and enhances the visual character of the area.
- 4.3. To facilitate appropriate development which generates employment opportunities and supports local and economic growth.
- 4.4. To ensure building frontages at the street level assist in the creation of safe built environments through use of internal and external lighting, encouraging visual interest and opportunities for passive surveillance.

5. Development requirements

5.1 Primary Controls

- 5.1.1 Buildings shall generally be designed in accordance with the building height, street and side setback, and plot ratio requirements of State Planning Policy 7.3 – Residential Design Codes (R-Codes) with regard to the assigned density code.
- 5.1.2 For the purposes of 5.1.1, R-Codes Vol.1 Part C (Medium Density Code) applies to land coded less than R80 and the R-Codes Vol.2 applies to land coded R80 and above.

5.2 Building Design

- 5.2.1 The facades of all buildings facing the public realm shall be articulated and use a variety of materials. Reflective glazing will not be permitted.
- 5.2.2 The ground floor level facades of all buildings facing the public realm shall be constructed of brick, glass, stone, masonry or concrete, unless otherwise approved by the City.
- 5.2.3 Concrete walls that are visible from an adjoining property or public realm must be appropriately painted, or treated and provided with an articulated or detailed finish.
- 5.2.4 Building entrances must be clearly defined and easily identifiable from the street and public realm.
- 5.2.5 Where a nil street setback is proposed, buildings must provide a continuous pedestrian awning along all street frontages to a minimum depth of 1.5m.
- 5.2.6 Measured from the finished floor level to finished ceiling level, minimum floor to ceiling heights to be provided are:
 - (a) Ground floor - 3.5m;
 - (b) Above ground floor - 3.0m.
- 5.2.7 In considering ground floor maximum floor to ceiling height, the City will have regard to development providing appropriate pedestrian scale and pedestrian shelter.
- 5.2.8 At the ground level, buildings should address the primary street with a primary entrance and a commercial facade that is transparent over at least 50% of the area of the façade.
- 5.2.9 Entries and window frontages of ground floor tenancies that face the public realm must not be covered, closed or screened off (including by means of dark tinting, shutters, signage, curtains, blinds, roller doors or similar), to ensure that an active frontage is provided to the development.
- 5.2.10 The development is to incorporate clear pedestrian paths that are separate to areas for vehicle access and car parking.

5.3 Fencing and Screening

- 5.3.1 Other than fencing on lot boundaries or for residential development, fencing is generally not permitted.
- 5.3.2 Where fencing is supported by the City, any fence located between the street alignment and buildings facing public streets must be visually permeable above 750mm from natural ground level and must have a maximum height of 1.8m from natural ground level.

5.4 Landscaping

- 5.4.1 A minimum of 10% of the site area shall be landscaped.
- 5.4.2 Landscaping shall generally be located in street setback areas, and along side boundaries which adjoin Residential zoned land.
- 5.4.3 Landscaping shall include existing and new trees in accordance with Table 1. Tree sizes and associated deep soil area to be provided in accordance with R-Codes Vol.2.

Table 1: Tree Provision requirements

Site Area	Minimum requirements for trees
Less than 700m ²	1 medium tree and small trees to suit area
700 – 1,000m ²	2 medium trees; Or 1 large tree and small trees to suit area
> 1,000m ²	1 large tree and 1 medium tree for each additional 400m ² in excess of 1,000m ² ; Or 1 large tree for each additional 900m ² in excess of 1,000m ² and small trees to suit.

- 5.4.4 All development applications shall include a landscaping plan on lodgement to the City.

5.5 Servicing

- 5.5.1 All service areas and service related structures (including antennae, satellite dishes and air-conditioning units), must be designed to be located behind the street setback away from public view, and/or screened.
- 5.5.2 Exhaust facilities must be designed in accordance with Australian Standard AS 1668.2—2002 - The Use of Ventilation and Air Conditioning in Buildings, Part 2: Ventilation Design for Indoor Air Containment Control (excluding requirements for the health aspects of tobacco smoke exposure) and be fitted with filtration and odour suppression devices.

5.6 Lighting

- 5.6.1 All lighting shall be LED lighting and installed in accordance with Australian Standard 4282 – Control of the Obtrusive Effects of Outdoor Lighting.
- 5.6.2 Areas under publicly accessible awnings and rear lanes shall be provided with safe and secure lighting.

5.7 Traffic

- 5.7.1 Applications shall be accompanied by a Traffic Impact Statement or Traffic Impact Assessment in accordance with WAPC's Transport Impact Assessment Guidelines.

5.8 Noise Management

- 5.8.1 An Acoustic Report and Noise Management Plan, prepared by a suitably qualified Acoustic Consultant, may be required where it is determined that the proposal may impact the surrounding properties through the generation of noise. This requirement will be determined on a case-by-case basis, based on proposed use, hours of operation, and scale of operations.

5.9 Subdivision

- 5.9.1 The City will only recommend support to the Western Australian Planning Commission for a subdivision application where a development application has been approved to demonstrate how the proposed lots will be developed and the development is constructed to plate height prior to the submission of the diagram or plan of survey (deposited plan).

6. Definitions

Deep soil area: *In accordance with R-Codes Vol.2.*

Non-residential development: *means any development to which the Residential Design Codes (R-Codes) do not apply.*

Landscaping: *means land developed with garden beds, shrubs and trees, or by the planting of lawns, and includes such features as rockeries, ornamental ponds and any such area approved by the City as landscaped area*

7. Relevant Legislation, Policies, Documents

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

City of South Perth Local Planning Scheme

City of South Perth Local Planning Policies

State Planning Policy 7.3 Residential Design Codes

Australian Standard 4282 – Control of the Obtrusive Effects of Outdoor Lighting

8. Document Control

Adoption date	OCM xx
Date Modified	xxx
Strategic Community Plan Reference	Environment (Built and Natural)

Local Planning Policy - Residential Development

1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy - Residential Development.

2. Purpose

The purpose of this policy is to provide amended deemed-to-comply provisions and local housing objectives to State Planning Policy 7.3 Residential Design Codes Volume 1 (R-Codes) to guide low density residential development.

3. Application

- 3.1 This policy applies to all single houses and grouped dwellings subject to R-Codes Vol.1 Part B (Low Density).
- 3.2 When considering developments which do not meet the deemed-to-comply provisions of this policy, the proposal is to be assessed against the relevant objectives and local housing objectives of this policy and the design principles of the R-Codes.

4. Policy Objectives

- 4.1 To provide for high quality residential development which is compatible with the character, form and scale of existing residential development in the locality.
- 4.2 To ensure garage and carports are designed to complement streetscape continuity and are not dominant streetscape features.
- 4.3 To ensure street fencing positively contributes to the safety, security and visual amenity of the streetscape.

5. Development requirements

5.1. Street setback

- 5.1.1. Clause 5.1.2 of the R-Codes is modified to include the following deemed-to-comply requirement:

- C2.5 Subject to Clause 5.2.5 of the R-Codes (as amended by this policy), gate houses within the primary street setback area to a maximum building height of 3.5m,

maximum width of 2.0m, maximum post dimension of 300mm, and total area of 4.0m², as measured from the outside of the posts (refer Figure 1).

5.2. Lot boundary setback

- 5.2.1. Clause 5.1.3 of the R-Codes is modified to include the following additional deemed-to-comply requirement:

C3.5 Boundary walls shall be constructed to match the remainder of the development to the satisfaction of the City.

5.3. Setbacks of Garages and Carports

- 5.3.1. Clause 5.2.1 C1.2 of the R-Codes is replaced with the following deemed-to-comply requirement:

C.1.2 Carports set back in accordance with the primary street setback requirements of clause 5.1.2 C2.1i, except that the setback may be reduced by up to 50 per cent of the minimum setback stated in Table 1 where:

- i. the width of the carport does not exceed 60 per cent of the frontage;
- ii. the construction allows an unobstructed view between the dwelling and the street, right-of-way or equivalent;
- iii. the carport roof pitch and posts, are to match the colours and materials of the dwelling; and
- iv. the carport does not incorporate enclosed storerooms.

5.4. Street Walls and Fences

- 5.4.1. Clause 5.2.4 of the R-Codes is replaced with the following deemed-to-comply requirements:

- C4.1 Front fences within the primary street setback area that are visually permeable above 1.2m from natural ground level to a maximum height of 1.8m, measured from the primary street side of the front fence (refer Figure 2).
- C4.2 Solid pillars that form part of front fences not more than 2.1m above natural ground level as measured from the primary street side of the fence, provided the dimensions of the pillars is not greater than 500mm. Pillars are to have a minimum separation distance of 1.5m.
- C4.3 Fences within a secondary street setback area to a maximum height of 1.8m above natural ground level as measured from the street side of the fence, at the base of any retaining walls.
- C4.4 Fencing within the primary street setback area shall be constructed of brick, stone, concrete, timber, wrought iron, tubular steel or glass.

- C4.5 For the purposes of housing a utility/meter box, solid fencing within the primary setback area is permitted where it is:
- i. a maximum 1.0m in width;
 - ii. a maximum 1.8m in height;
 - iii. aligned perpendicular to the street; and
 - iv. setback at least 1.5m from where a vehicle access point intersects with a street, including on neighbouring properties.

- 5.4.2. The following Local Housing Objective provides guidance for decision-making in considering a development application which does not meet the deemed-to-comply requirements of Clause 5.2.4:

- (a) On lots abutting primary or district distributor roads, solid fencing above 1.2m in height within the street setback area may be considered for noise attenuation where fencing design and materials are proposed to provide visual interest such as metal screens, high quality timber or planting.

5.5. Sight Lines

- 5.5.1. Clause 5.2.5 of the R-Codes is modified to include the following additional deemed-to-comply requirement:

- C5.1 Within the 1.5m truncation area stipulated under C5, the following structures are permissible:
- i. A single pier with a maximum height of 2.1m as measured from natural ground level on the street side of the fence and a maximum dimension of 300mm; and
 - ii. Visually permeable fencing above 750mm to a maximum height of 1.8m, as measured from natural ground level on the street side of the fence.
 - iii. The level of visual permeability of fencing greater than 750mm in height within the visual truncation area is to be increased to a minimum of 80%.

Note: Refer Figures 3A & 3B.

5.6. Appearance of Retained Dwelling

- 5.6.1. Clause 5.2.5 of the R-Codes is modified to include the following additional deemed-to-comply requirement:

- C6.1 Where an existing dwelling is retained as part of a grouped dwelling development, the outdoor living area may be located in the street setback area where demarcated via the use of paving and fencing to the satisfaction of the City.

6. Explanatory figures/images

Figure 1 – Gate Houses

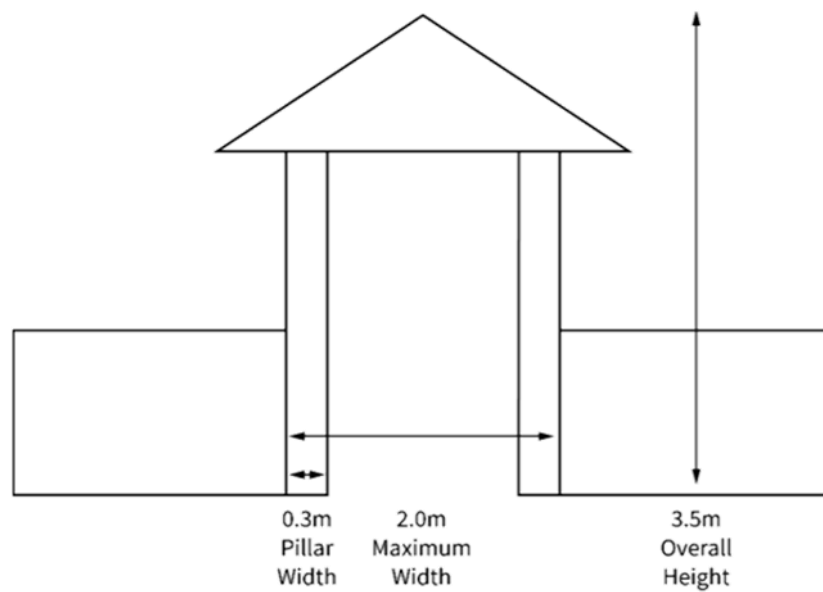


Figure 2 – Primary Street Fencing

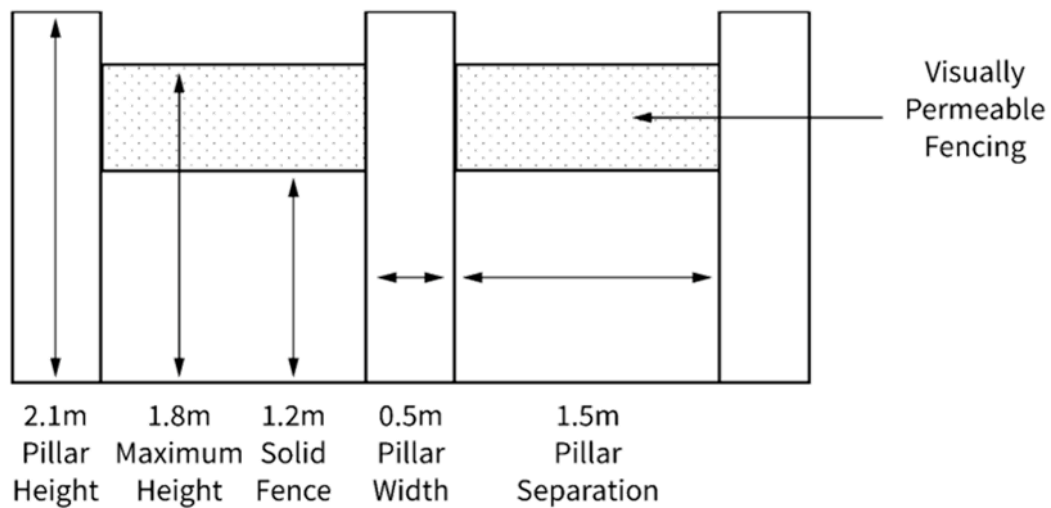


Figure 3A – Sight Lines

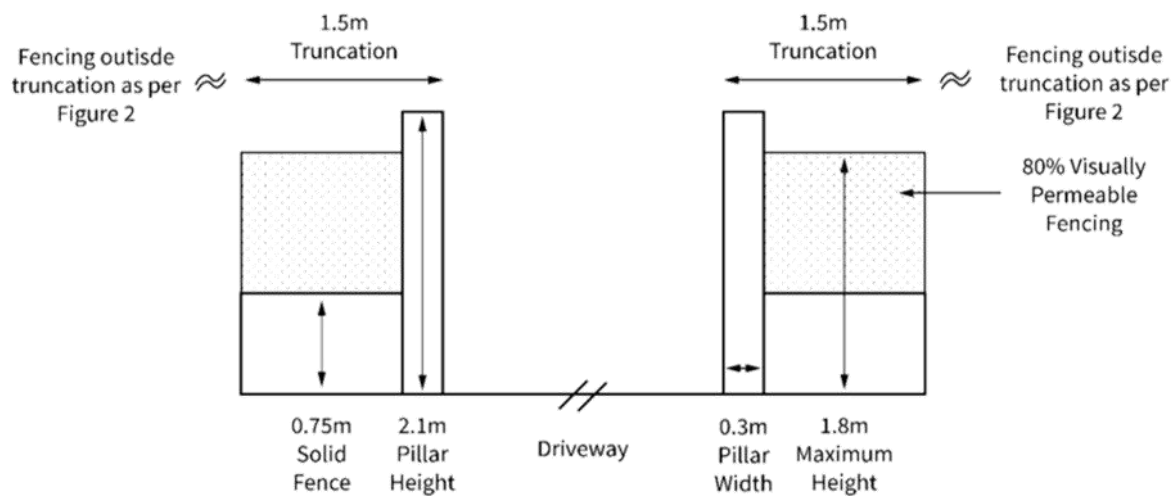
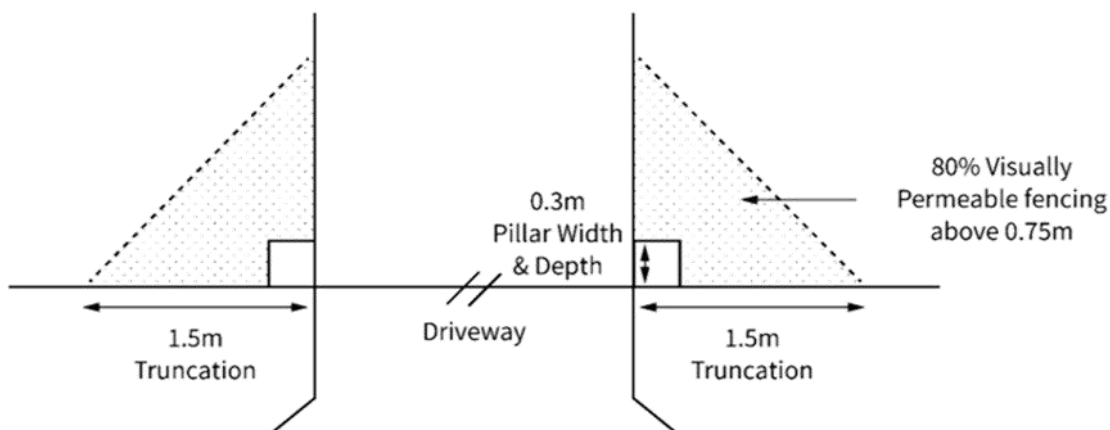


Figure 3B – Sight Lines



7. Definitions

Gatehouse: means a roofed open-sided entry feature which may or may not be incorporated into front fencing.

8. Relevant legislation, policies, documents

Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015
City of South Perth Local Planning Scheme
City of South Perth Local Planning Policies
State Planning Policy 7.3 Residential Design Codes

9. Document Control

Adoption date	OCM xx
Date Modified	xxx
Strategic Community Plan Reference	Environment (Built and Natural)

Local Planning Policy - Non-Residential Parking

1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy – Non Residential Parking.

2. Purpose

The purpose of this policy is to guide car and bicycle parking supply, end-of-trip facilities, design and vehicle access for non-residential development within the City of South Perth (the City).

3. Application

- 3.1 This policy applies to all non-residential development and the non-residential component of mixed use developments within the City.
- 3.2 Where this policy is inconsistent with a local development plan, structure plan or other local planning policy that applies to a specific site or area, the provisions of that specific planning instrument shall prevail.

4. Objectives

- 4.1 To ensure parking is provided which meets the needs of users, is appropriate for its context and does not detrimentally impact the surrounding area.
- 4.2 To balance the provision of on-site car parking with the need to encourage active transport and public transport use.
- 4.3 To ensure safe, convenient, and efficient access for pedestrians, cyclists and motorists.

5. Development requirements

5.1. Car and Bicycle Parking

- 5.1.1. The minimum number of on-site car and bicycle parking spaces is to be provided in accordance with the requirements set out in Table 1.
- 5.1.2. Where the parking requirements for a specific 'Land Use' in Table 1 differ to the 'Zone' requirements, the requirements for the specific Land Use applies.

- 5.1.3. Car and bicycle parking in the 'Centre' zone is to be in accordance with an approved precinct structure plan or local development plan.
- 5.1.4. Calculations for car and bicycle parking bays for all development shall be rounded down to the next whole number.
- 5.1.5. Where identified by Table 1, a parking needs assessment is to be addressed as part of a Transport Impact Assessment (TIA) or Transport Impact Statement (TIS) prepared in accordance with the Western Australian Planning Commission's Transport Impact Assessment Guidelines.
- 5.1.6. Where a TIA or TIS is not required by the City, based on the anticipated number of vehicle movements, a parking needs assessment shall demonstrate the proposed parking supply meets the demand for the use with regard to staff numbers, hours of operation, anticipated number of customers, and access to alternative travel modes.

Table 1: Car Parking Requirements

	Minimum number of on-site car parking bays	Minimum number of on-site bicycle parking spaces
Zone		
Mixed Use	1:25m ² NLA	1:175m ² NLA ¹
Neighbourhood Centre	1:25m ² NLA	1:175m ² NLA ¹
Local Centre	1:30m ² NLA	1:100m ² NLA ¹
Private Community Purpose	In accordance with a parking needs assessment.	
Residential	In accordance with a parking needs assessment.	
Land Use		
Office	1:50m ² NLA	1:300m ² NLA Long Term, plus 1:1000m ² NLA Short Term
Restaurant/café, Tavern	1:25m ² NLA	1:120m ² NLA Long Term, plus 1:60m ² NLA Short Term
Shop ²	1:25m ² NLA	1:500m ² NLA Long Term, plus 1:200m ² NLA Short Term
Child care premises	1 space per 4 children	1 space per 10 staff - Long Term
Residential aged care facility	In accordance with a parking needs assessment.	

Note: NLA means Net Lettable Area.

¹Bicycle parking design shall incorporate both Long Term and Short Term options. The allocation of Long Term and Short Term bays will be determined on a case-by-case basis, considering the nature and operational requirements of the specific land use.

² The minimum number of car parking bays for a 'Shop' land use greater than 1,500m² NLA is to be in accordance with a parking needs assessment.

5.2. Variations to Car Parking Standards

- 5.2.1. In exercising discretion to reduce car parking requirements for non-residential development contained in Table 1, due regard shall be given to Clause 77D of the Deemed Provisions.

- 5.2.2. Where a parking shortfall 2 or more bays is proposed, a payment in lieu of parking condition and/or shared parking arrangement condition may be imposed in accordance with the Deemed Provisions and the City's Payment in Lieu of Parking Plan.
- 5.2.3. In considering a proposal for a shared parking arrangement, the parking facilities serving the uses must be located on the same lot, or if located on a separate lot, the parking arrangements are provided permanently (e.g. through an easement, amalgamation, legal agreement, condition of approval, or any other formal arrangement acceptable to the City).

5.3. End of Trip Facilities

- 5.3.1. End-of-Trip Facilities are to be provided in accordance with the Table 2 unless otherwise varied by the City having regard to the nature of the proposed development, existing facilities and anticipated demand for end-of-trip-facilities.
- 5.3.2. End-of-Trip Facilities are to meet the following requirements:
- (a) Lockers shall be provided and be of suitable volume and dimensions to allow storage of clothing, towels, cycling helmets and footwear; and
 - (b) Shower and change facilities must be located in a secure area to ensure the safety of occupants and their belongings.
 - (c) Shower and change facilities must be independent from universally accessible toilet facilities.

Table 2: End-of-Trip-Facilities Requirements

No. Showers	No. Change Rooms	No. Lockers
One shower per 5 long term bicycle parking spaces.	One change room per shower.	Two lockers per long term bicycle parking space.

5.4. Service or Loading Bays

- 5.4.1. A minimum of one service/loading bay shall be provided on-site and marked for the exclusive use of service, delivery and courier vehicles between 7:00am – 7:00pm.. The requirement for a service bay may be varied based on the operational requirements of the use as determined by the City.
- 5.4.2. Service bay/s shared between multiple businesses may be considered through a Parking Management Plan.
- 5.4.3. The service or loading bay is in addition to the minimum car parking requirements set out in Table 1.

5.5. Car Parking Design

- 5.5.1. The design of car parking facilities is to be in accordance with AS 2890.1 - Parking Facilities - Off-street Car Parking (as amended).
- 5.5.2. The design of parking for people with disability is to be in accordance with AS 2890.6 Parking Facilities - Off-street parking for people with disabilities (as amended) and AS 1428.4.1:2009 – Design for access and mobility – Part 4.1: Means to assist the orientation of people with vision impairment - tactile ground surface indicators (as amended).
- 5.5.3. Vehicle parking shall be contained wholly on-site and should generally be to the rear of the building or within a basement and screened from view from the street.
- 5.5.4. Shade trees shall be provided and maintained in uncovered car parks at the rate of one tree for every four car parking bays. Tree Wells shall be designed to the City's specifications.
- 5.5.5. Vehicle parking, manoeuvring and circulation areas, including crossovers, must be designed, constructed, sealed, drained, kerbed, marked and landscaped to the specifications and satisfaction of the City. Manoeuvring areas are to be wholly contained within the lot boundaries.
- 5.5.6. Tandem parking bays and car stacking systems will only be considered where the bays are provided for staff and for the use of a single tenancy.
- 5.5.7. Where car stacking systems are proposed, they are to be located behind the building or where visible from the street, screened from view and finished in materials to the satisfaction of the City.
- 5.5.8. A Noise Management Plan is required to demonstrate that a car staking system would not adversely affect the amenity of adjoining properties in terms of noise, and that noise attenuation measures have been incorporated in the building design to reduce this impact.
- 5.5.9. The car stacking equipment shall comply with Australian Standard AS5124:2017 (as amended) and be maintained for the life of the development to the satisfaction of the City of South Perth.
- 5.5.10. The City encourages the provision of electric vehicle bays or 3-phase power.
- 5.5.11. The City encourages the provision of taxi and/or ride-share bays.

5.6. Bicycle Parking Design

- 5.6.1. Bicycle parking is to be located in accordance with the following requirements:
 - (a) Be located wholly on-site and to not obstruct pedestrian paths;
 - (b) Be well lit by appropriate existing or new lighting;

- (c) Be protected from the weather;
- (d) Be placed in public view in an area that is highly visible to users.

5.6.2. The design of bicycle parking facilities (Long Term and Short Term) is to be in accordance with AS 2890.3-2015 - Parking facilities Bicycle parking (as amended).

5.7. Vehicle Access

5.7.1. Access to on site car parking spaces to be provided:

- (a) Where available, from a communal street or right-of-way available for lawful use to access the relevant site and which is adequately paved and drained from the property boundary to a constructed street; or
- (b) From a secondary street where no right-of-way or communal street exists; or
- (c) From the primary street frontage where no secondary street, right-of way, or communal street exists.

5.7.2. Driveways shall be:

- (a) no closer than 0.5m from a side lot boundary or street pole;
- (b) no closer than 6m to a street corner as required under AS2890.1 Parking Facilities: Off street Parking (as amended);
- (c) aligned at right angles to the street alignment; and
- (d) located to avoid trees.

5.7.3. Driveways shall be designed for two way access to allow for vehicles to enter the street in forward gear.

5.7.4. Access points shall be designed to minimise conflict with pedestrian/cyclist pathways and public transport facilities;

5.7.5. A maximum of one (1) vehicle crossover is permitted per street frontage. Existing redundant crossovers shall be reinstated to the City's specifications.

5.7.6. Driveways shall be no wider than 6m at the street boundary and driveways in aggregate no greater than 9.0m for any one property.

5.8. Parking Management Plan

5.8.1. The City may require the submission of a Parking Management Plan (PMP) with an application for development, or as a condition of development approval where a development involves complex car parking arrangements, including, but not limited to,

car parking associated with various land uses, reciprocal parking, car stackers or tandem parking bays.

5.8.2. A PMP is to address the following aspects of parking management associated with the development, where relevant and with regard to the scale and nature of the development:

- (a) The total number of car parking bays, time restrictions on parking bays, short and long term bicycle parking spaces and the total number of other bays (for example, service and loading and unloading bays);
- (b) Access and manoeuvring arrangements for car parking bays, including where applicable (but not limited to), swept paths, tandem parking, car stackers, pickup and drop-off bays, service and loading and unloading bays;
- (c) Parking allocation for users of the development (for example, staff and customer bays, accessible bays and bays allocated for shared use), and duration of use of the bays;
- (d) Details of who will be responsible for the management, operation and maintenance of parking;
- (e) Management of allocation of parking bays as specified in the PMP, including signage and enforcement; and
- (f) Way-finding measures to ensure efficient use of parking facilities.

6. Definitions

Electric vehicle bays:	<i>means a parking bay that is serviced by electric vehicle charging infrastructure.</i>
End of Trip Facility:	<i>means a shower with associated change space and single individual locker/s.</i>
Long Term Bicycle Parking Facilities:	<i>means those of a security Level A and B in accordance with AS 2890.3 2015 (as amended).</i>
Net Lettable Area or NLA:	<i>has the same meaning as the Deemed Provisions being: means the area of all floors within the internal finished surfaces of permanent walls but does not include the following areas —</i> <ul style="list-style-type: none"><i>(a) stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;</i><i>(b) lobbies between lifts facing other lifts serving the same floor;</i>

- (c) *areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;*
- (d) *areas set aside for the provision of facilities or services to the floor or building where those facilities are not for the exclusive use of occupiers of the floor or building.*

Short Term Bicycle Parking Facilities: *means those of a security Level C in accordance with AS 2890.3 2015 (as amended).*

7. Relevant Legislation, Policies, Documents

Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015
 City of South Perth Local Planning Scheme
 City of South Perth Local Planning Policies
 City of South Perth Payment in Lieu of Parking Plan
 State Planning Policy 7.3 Residential Design Codes
 Australian Standard 2890.1: Parking Facilities – Off-Street Parking
 Australian Standard 2890.3: Parking Facilities – Bicycle Parking Facilities

8. Document Control

Adoption date	OCM xx
Date Modified	xxx
Strategic Community Plan Reference	Environment (Built and Natural)

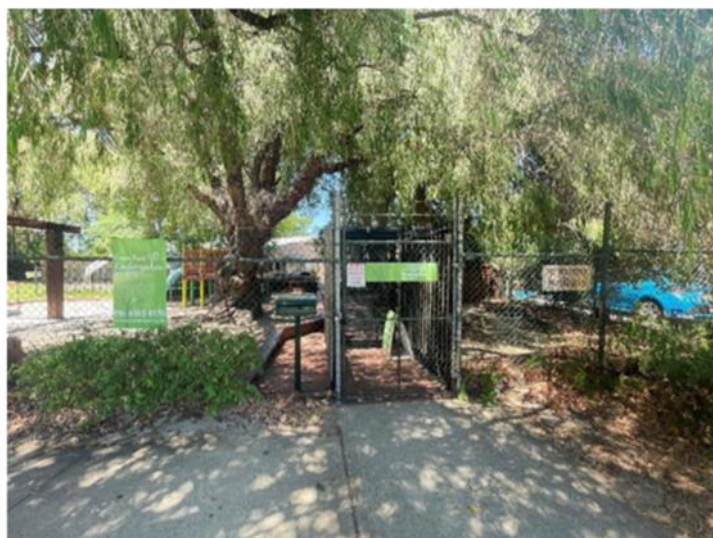
Site Photographs
17 Manning Crescent, Manning
January 2024



Norther Side of Site as taken from Craigie Crescent



South Eastern Edge of Site as taken from Isabella Crescent



Existing Entrance to Site



Existing Path from Entrance to Building



Norther Side of Site and location of Proposed Pergola (Outdoor Play Area 1)



Interface between Eastern Edge of the Site and the Adjoining Reserve



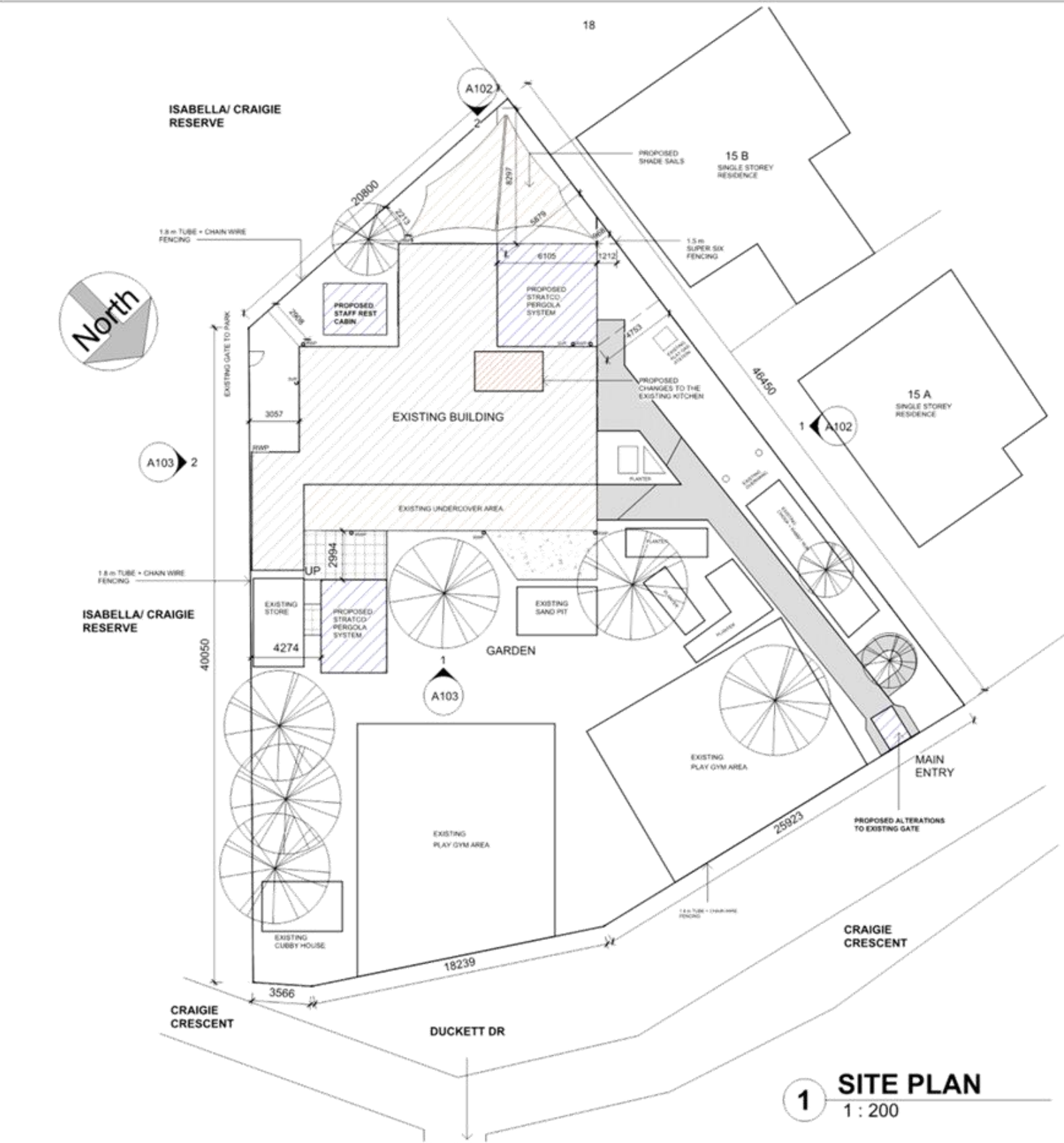
Southern Eastern Corner of the Site and Location of Proposed Staff Cabin



Southern Edge of Site and Location of Proposed Shade Sails (Outdoor Play Area 3)



Western Edge of Site and Location of Proposed Pergola (Outdoor Play Area 2)



LOCATION PLAN

AREA STATEMENT	
ZONE	TPS 6
BUILDING CLASS	9 b
SITE AREA	1480 m ²
AREA SUMMARY	
EX. BUILDING	215 m ²
EX. UNDER COVER AREA	50.7 m ²
NEW UNDER COVER AREA	101.5m ²
SITE COVERAGE	24.8%

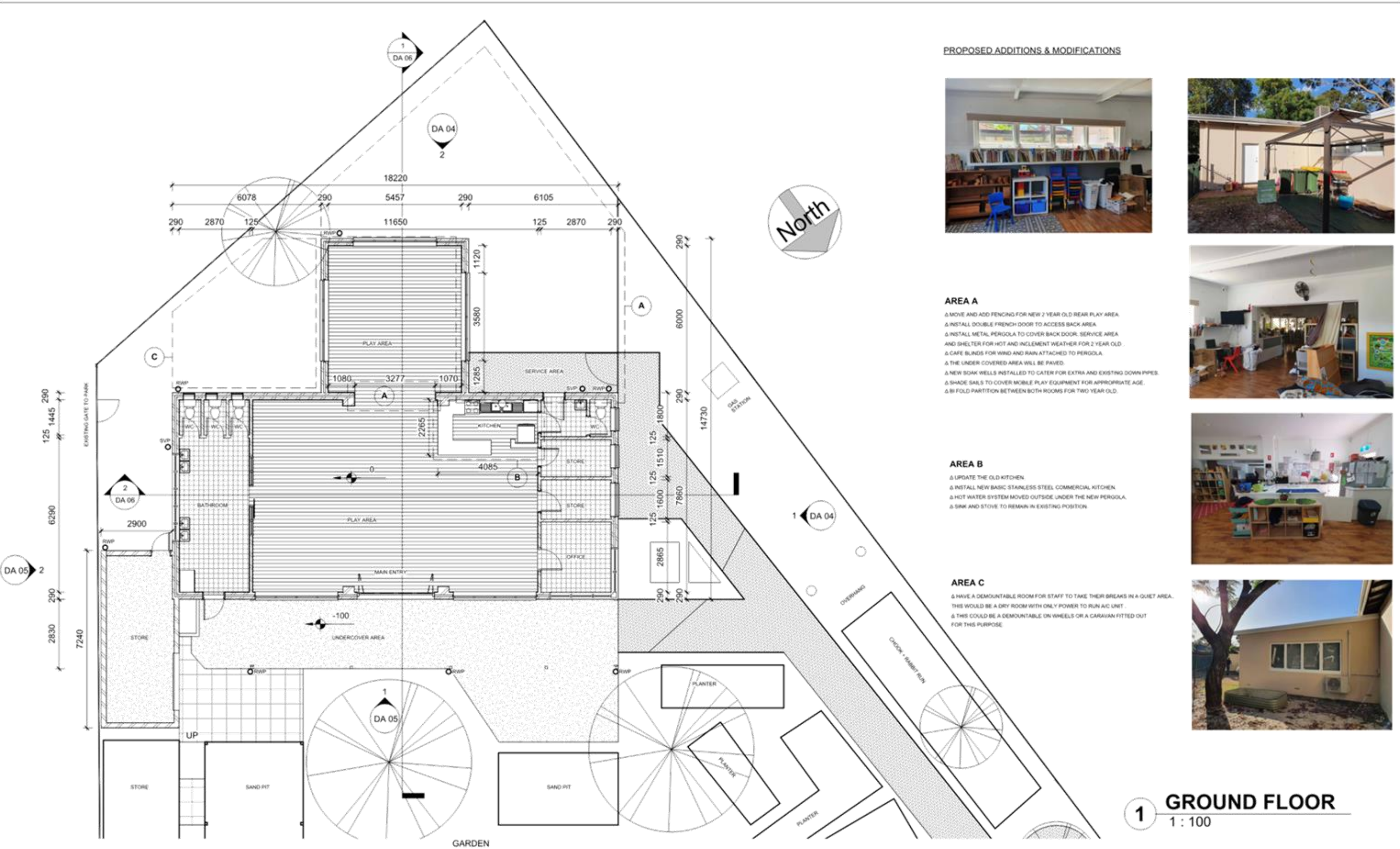
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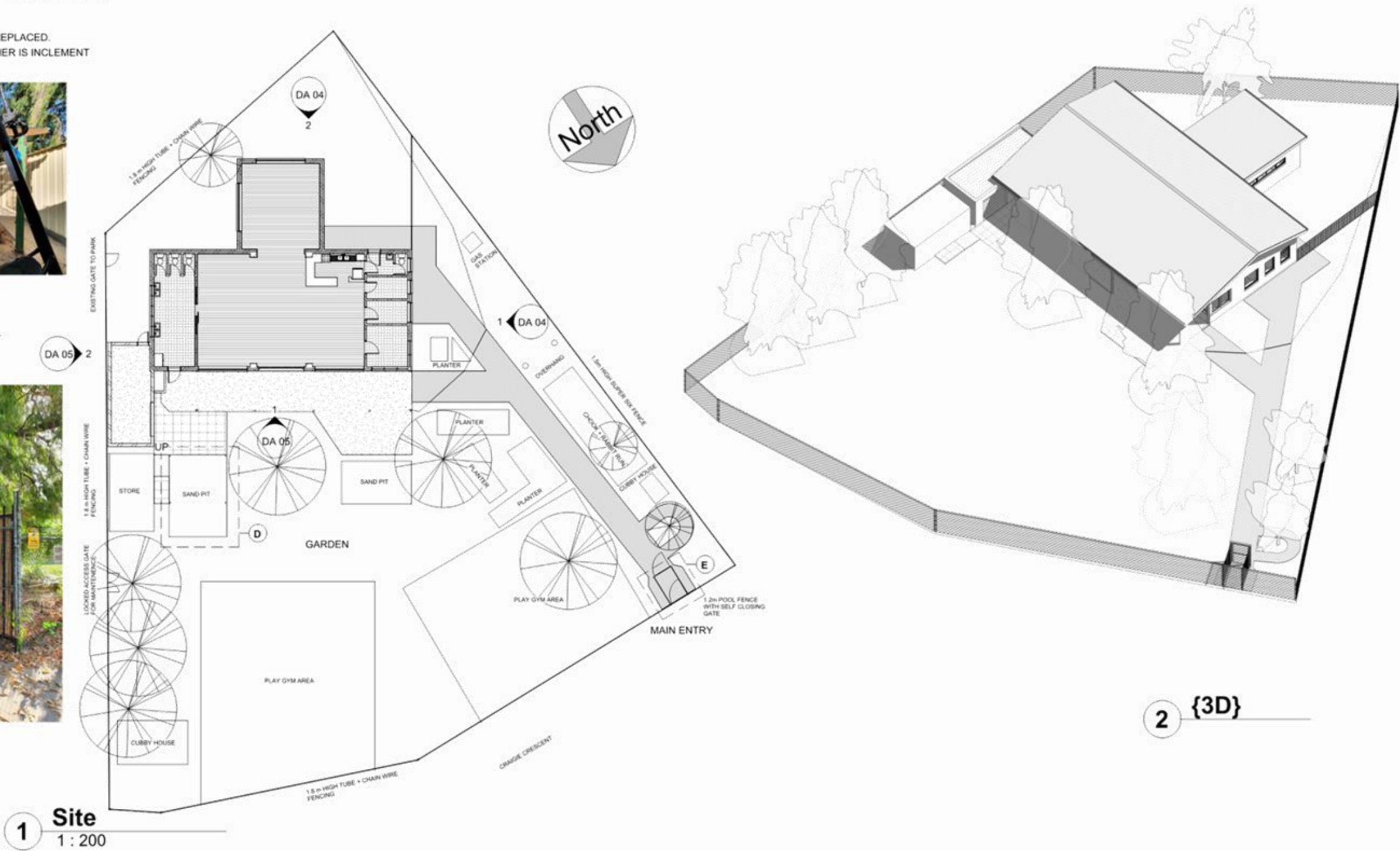
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PROPOSED ADDITIONS & MODIFICATIONS

AREA D
Δ EXISTING PERGOLA NEEDS TO BE REPLACED.
Δ BLINDS TO BE FITTED WHEN WEATHER IS INCLEMENT
AND TO PROVIDE SHADE.



AREA E
Δ INSTALL A PORTICO TYPE SHELTER
OVER THE ENTRY GATE.



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1 **East Elevation**
1 : 100



2 **North Elevation**
1 : 100

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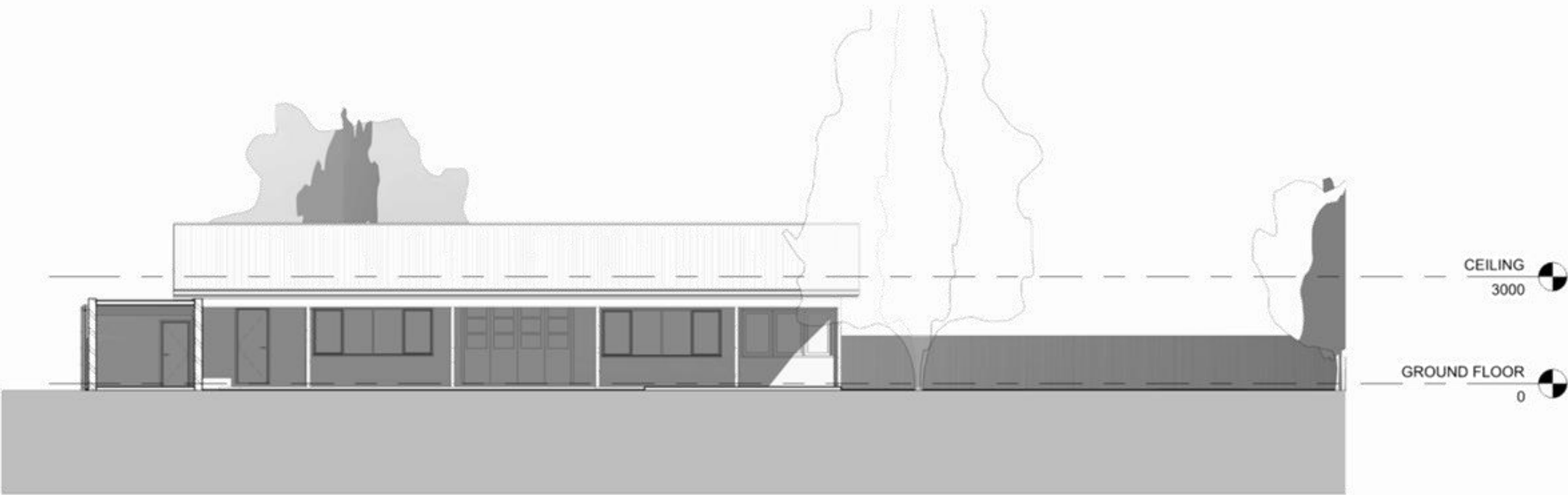
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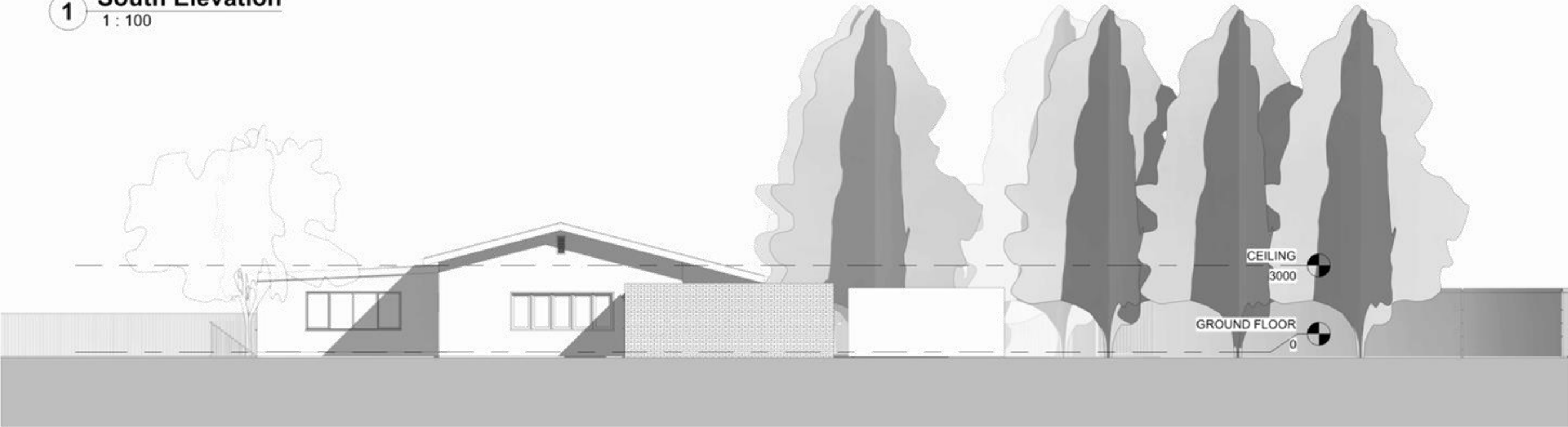
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1 South Elevation
1 : 100



2 West Elevation
1 : 100

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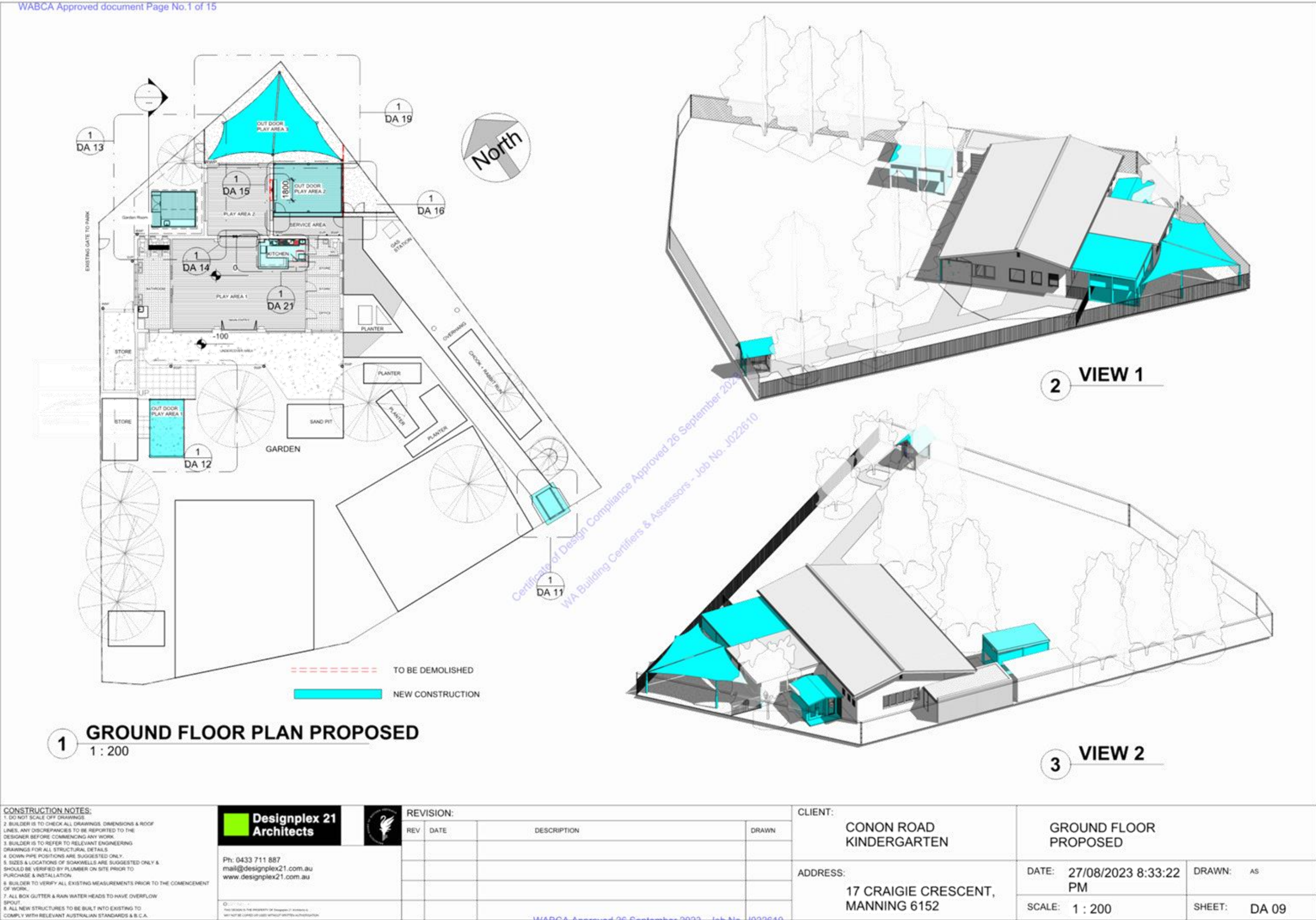
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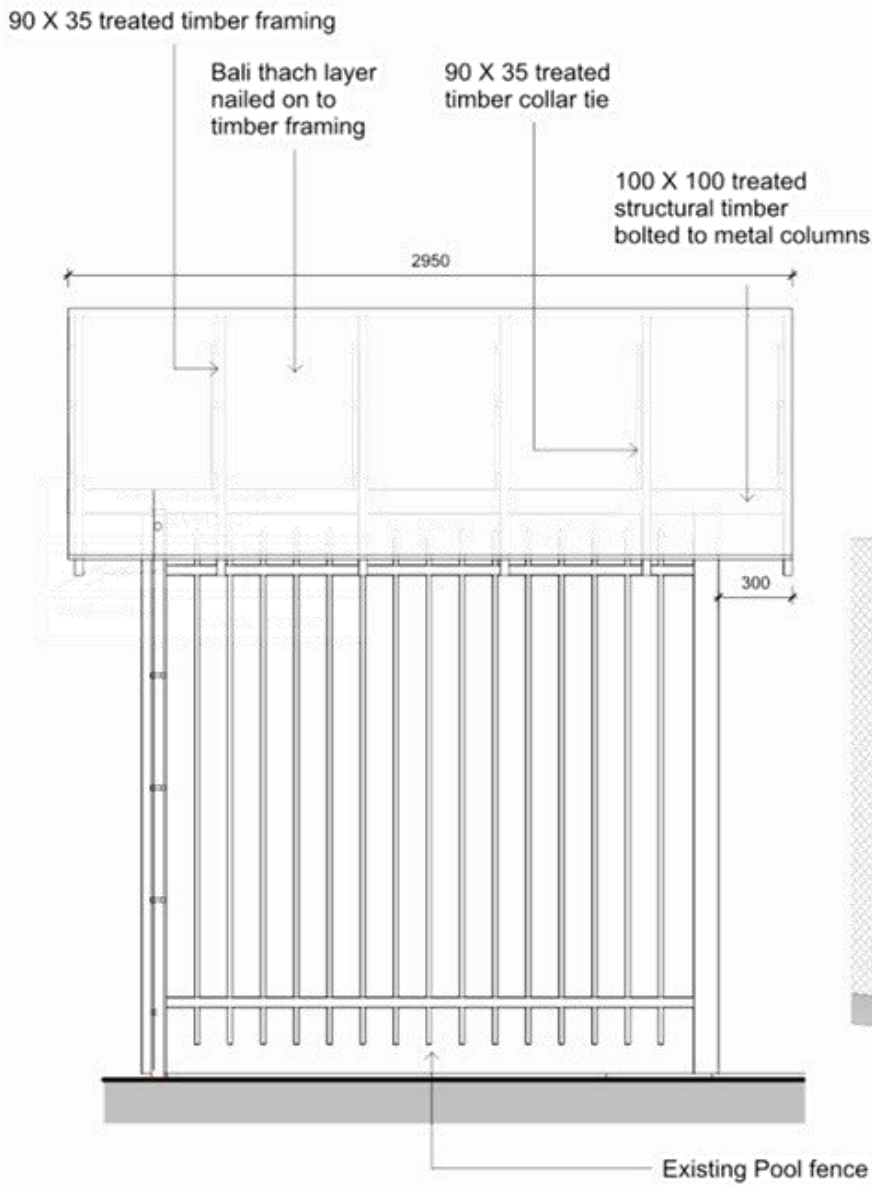


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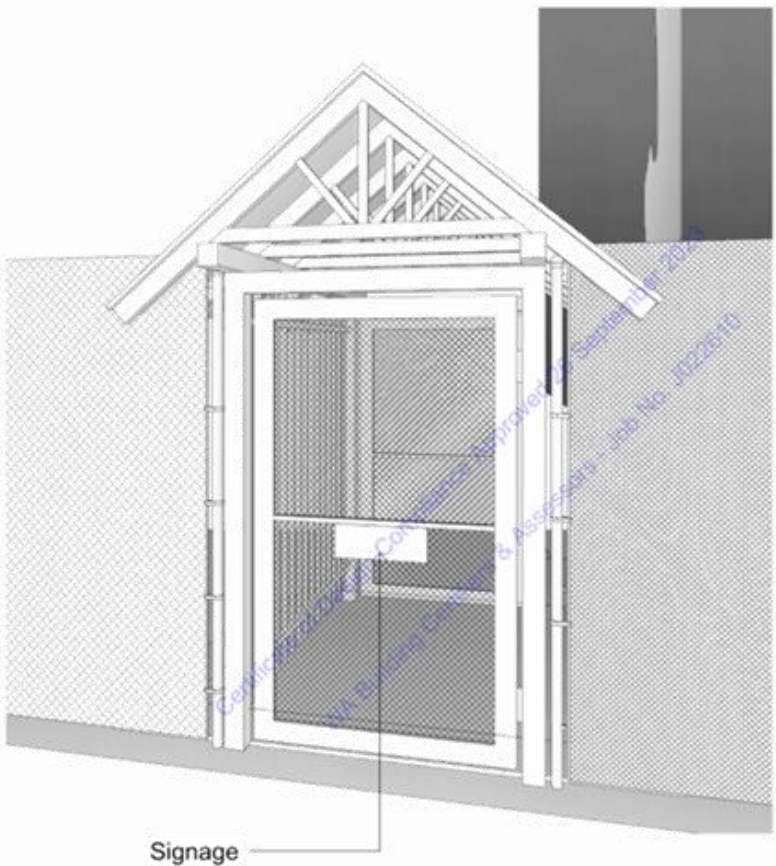


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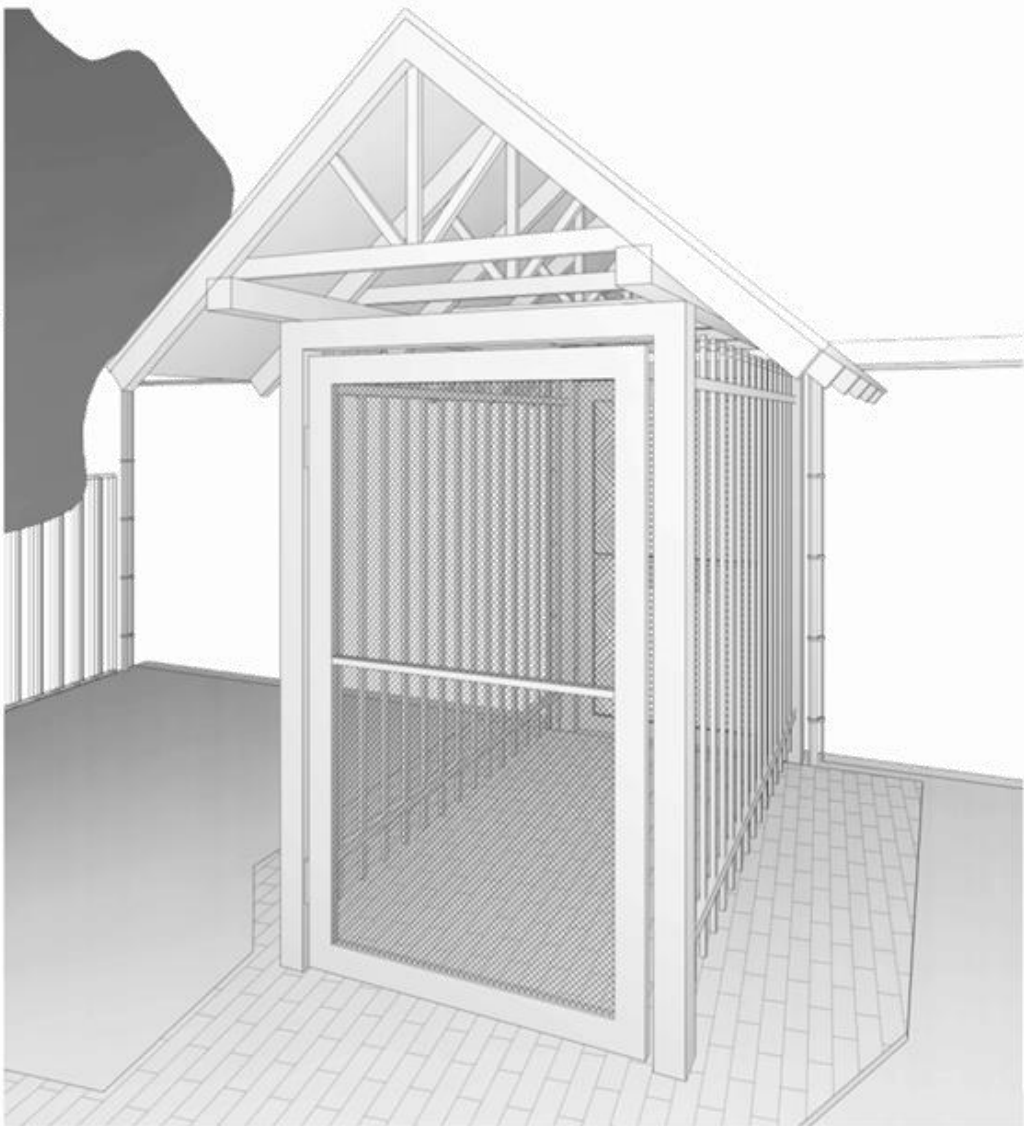




1 Section 3
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2 Front View



3 Rear View

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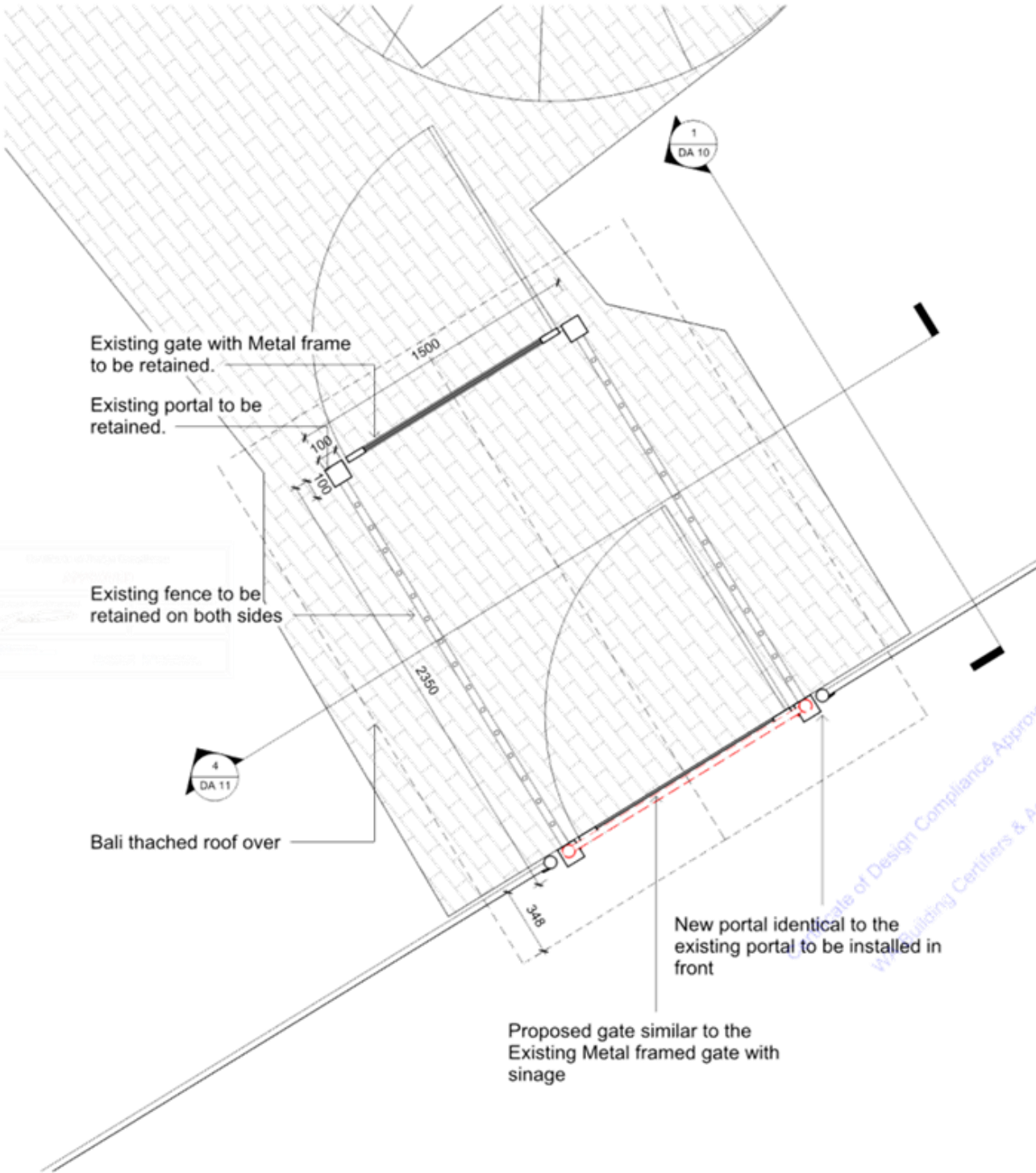
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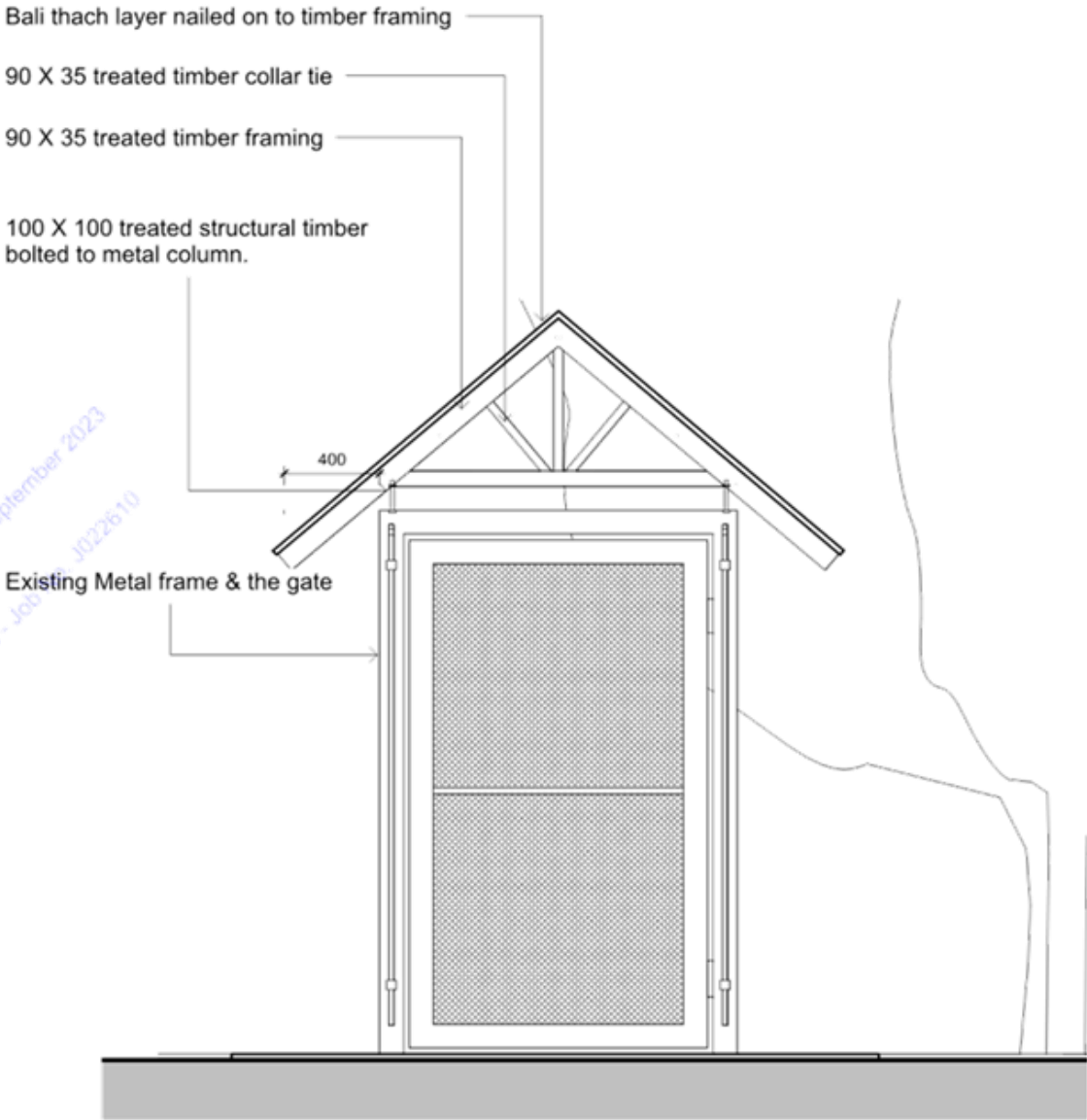
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1 ENTRANCE GATE
1 : 20



4 Section 2
1 : 20

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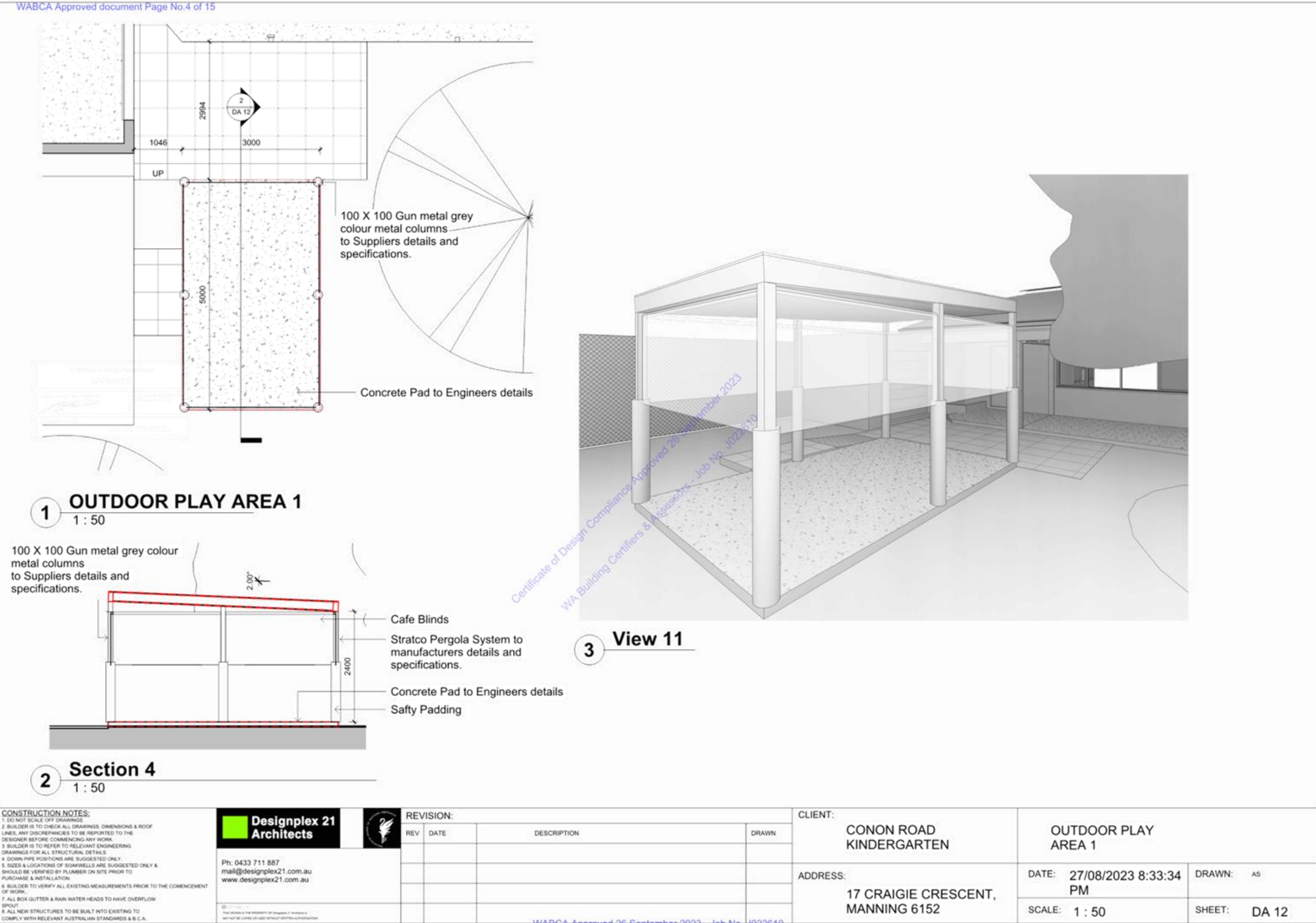


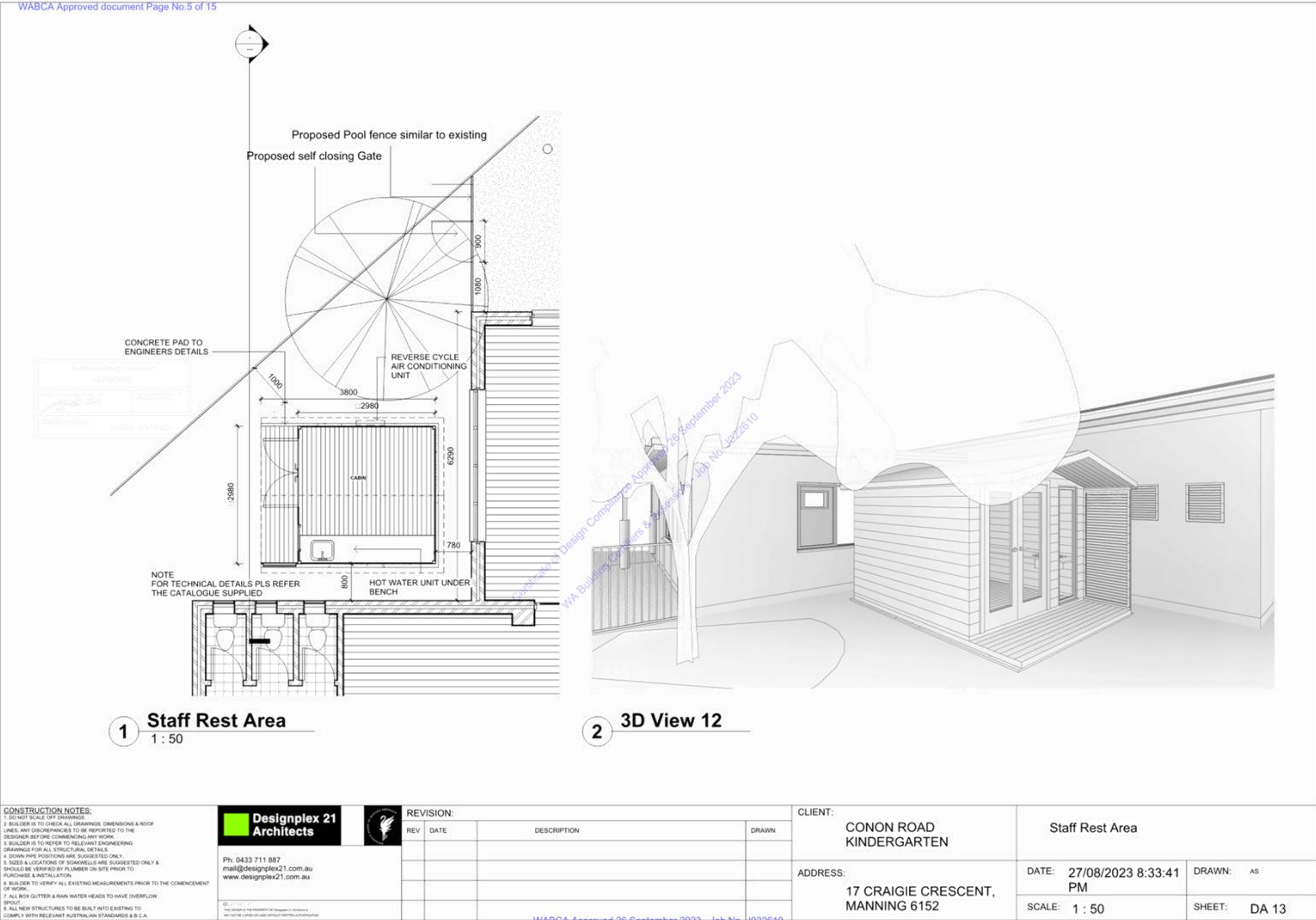
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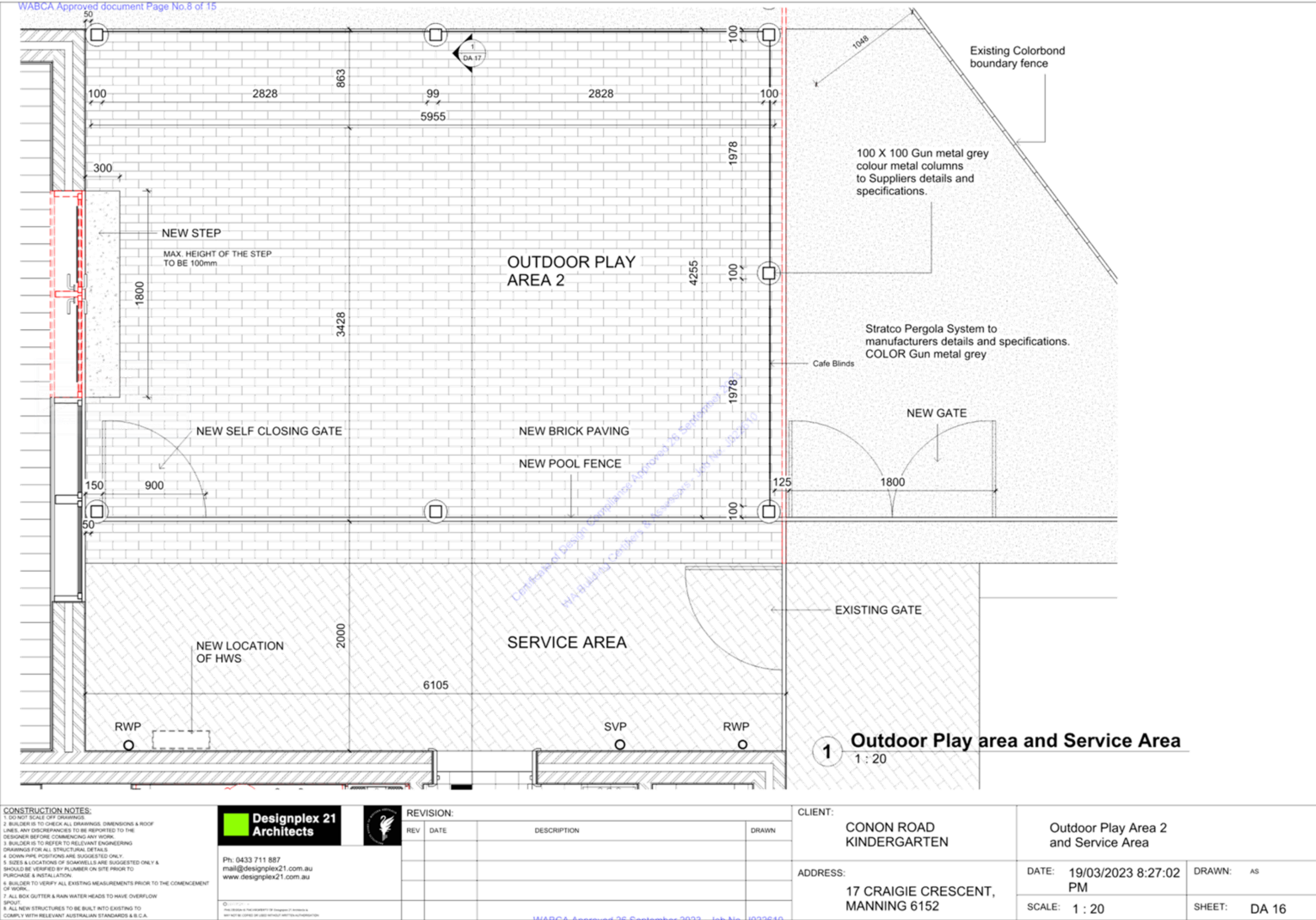
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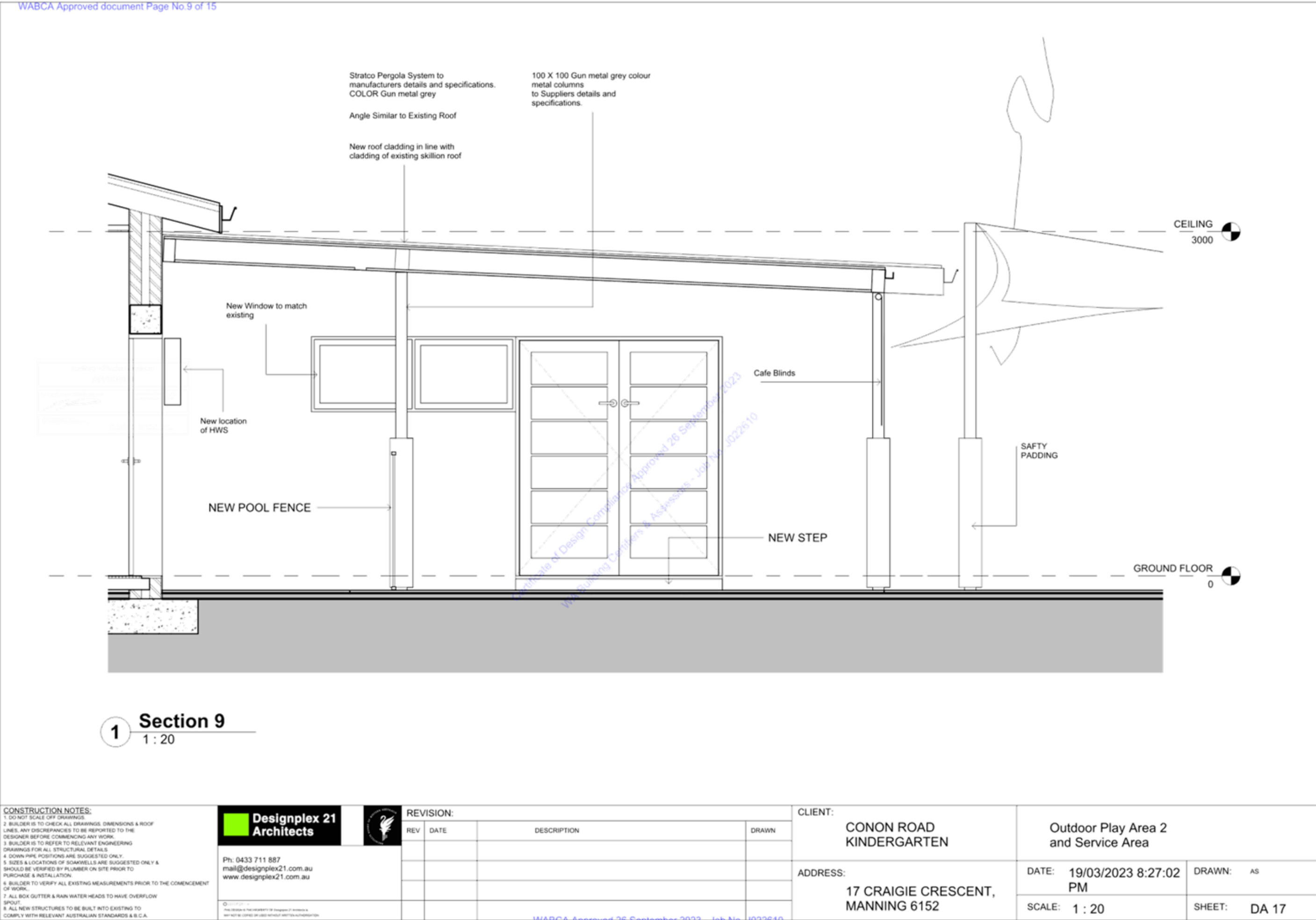
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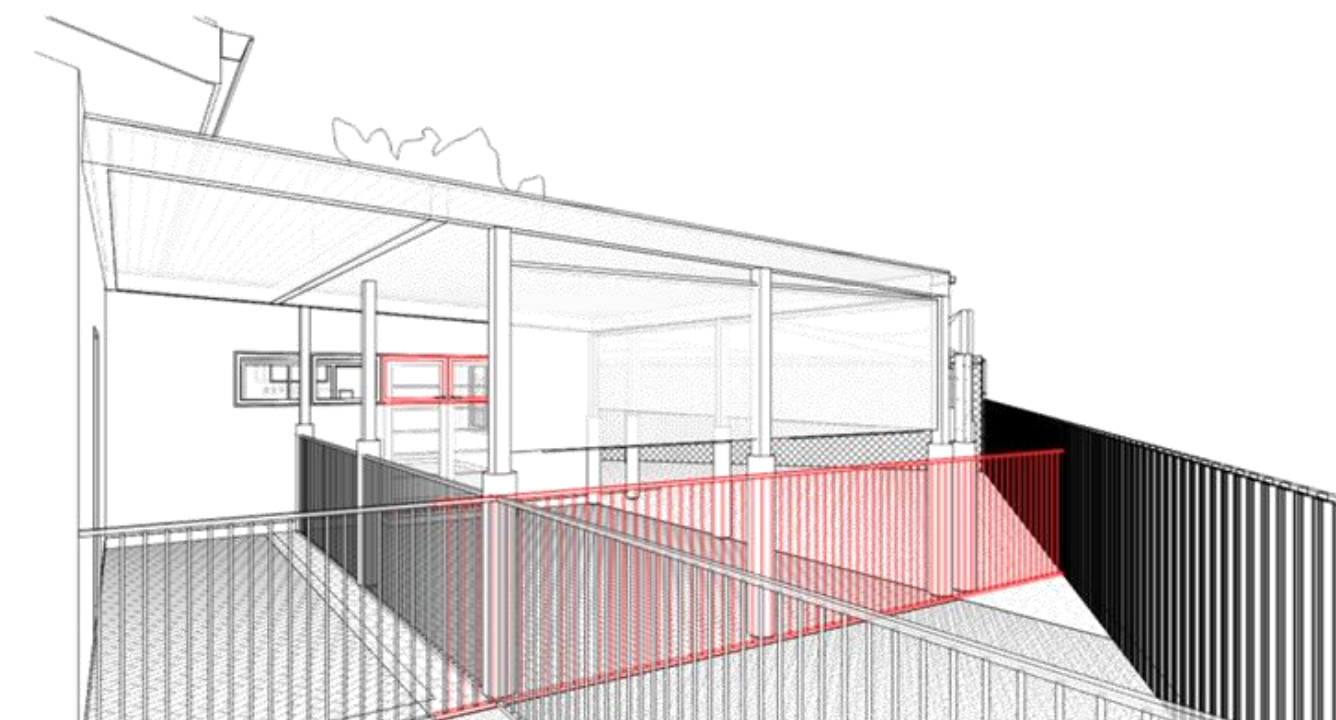






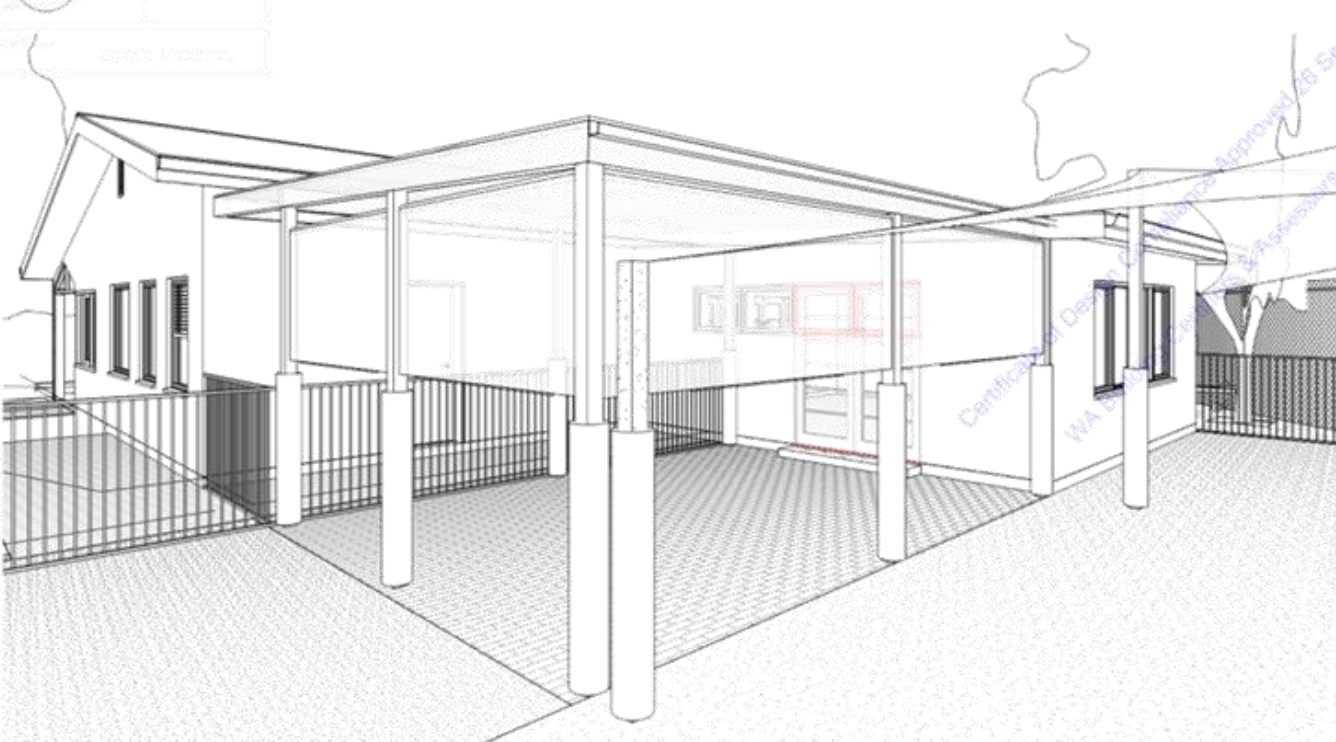


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1

View 13



2

View 14

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Outdoor Play are 2
and Service area

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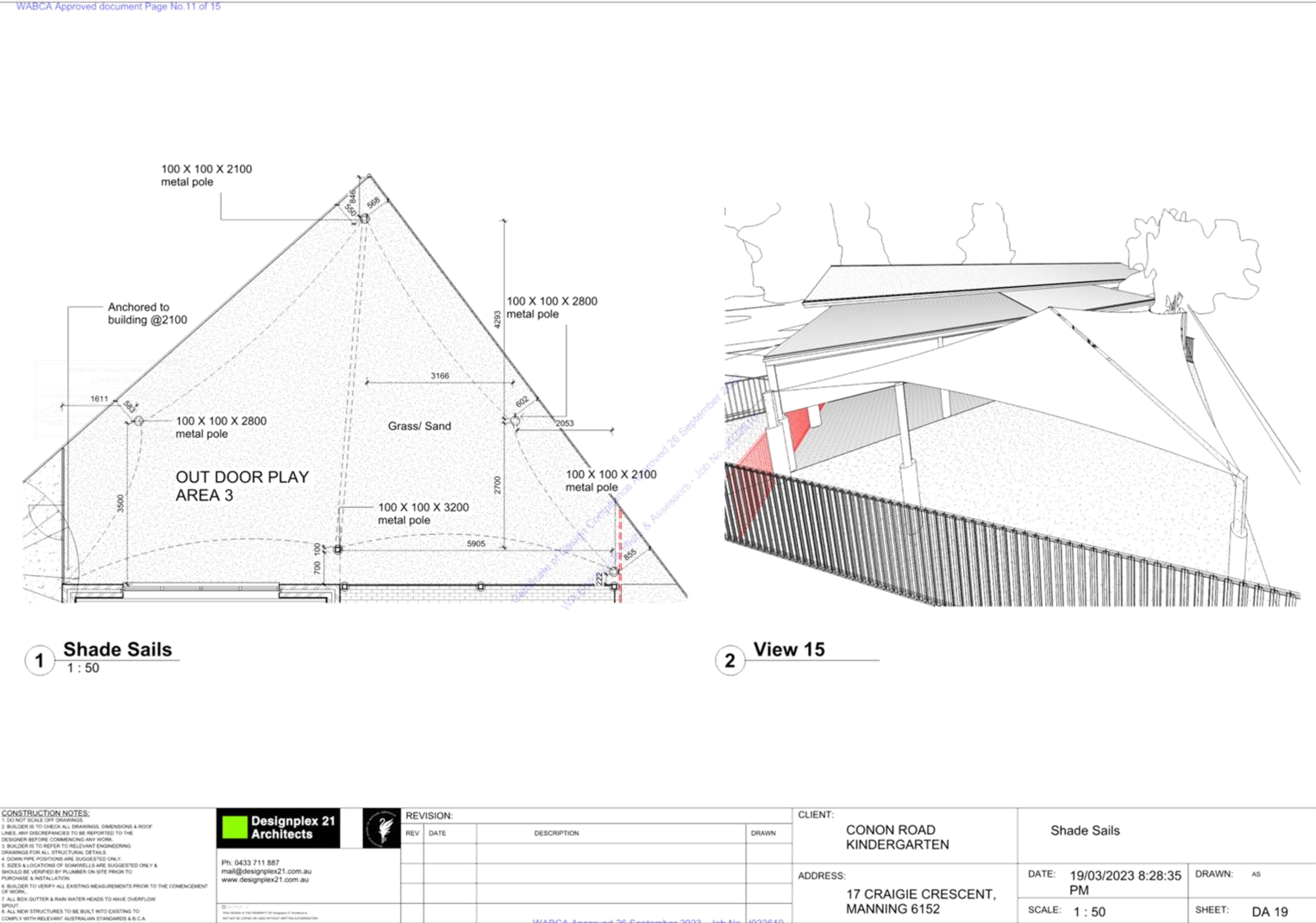
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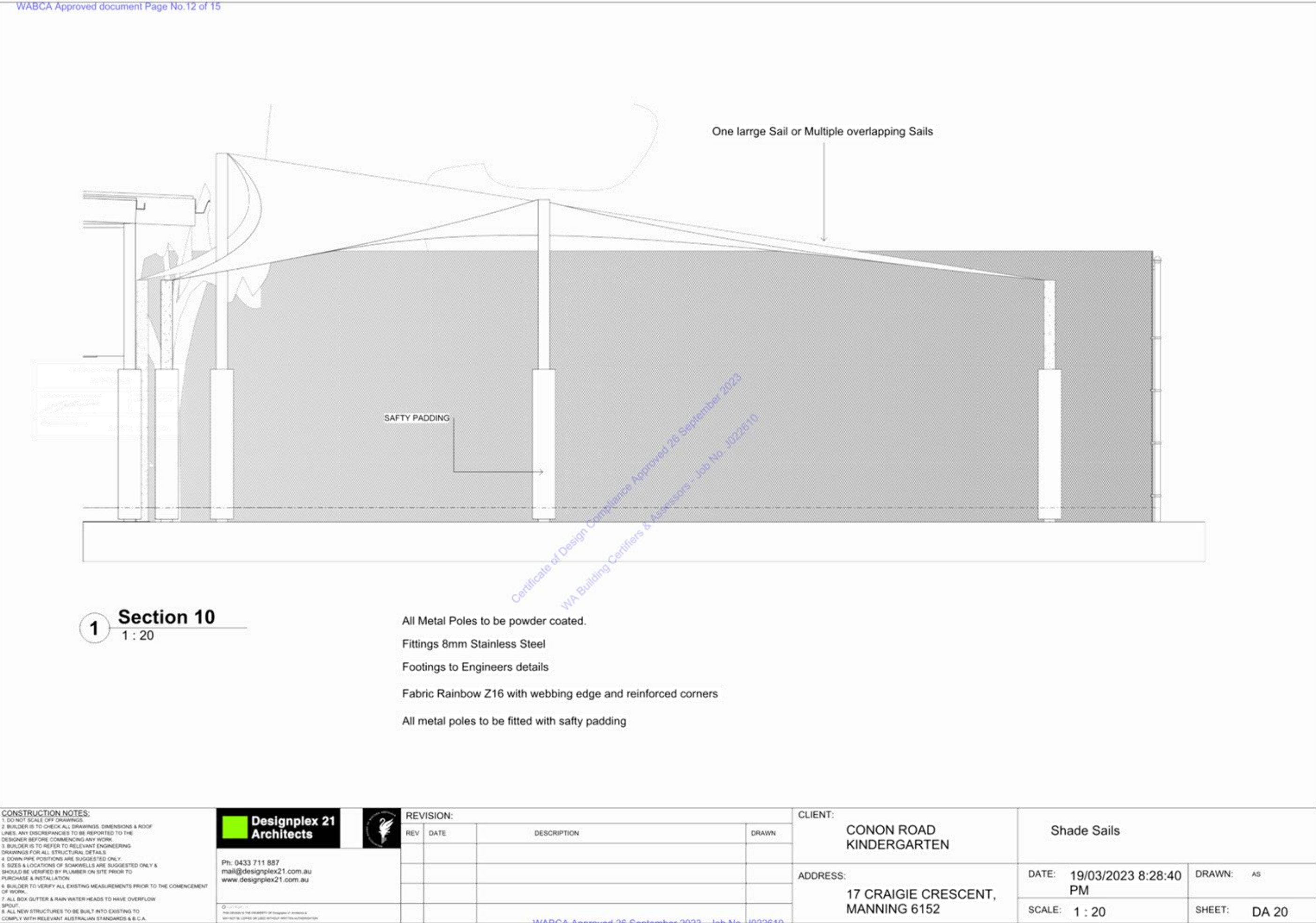
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WABCA Approved 26 September 2023 - Job No. J022610

27 February 2024 - Ordinary Council Meeting - Attachments

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Landscape Concept

Wet zone plants
Intermediate zone plants
Dry zone plants
New tree planted so as not to obscure existing river views
Grass strip to remain on property boundaries
Existing bridge to be retained
Stabilised limestone path network

0 10 20 30m

Plant Selection

Botanical name	
TREES	
Banksia littoralis	Melaleuca perita
Corymbia cataphylla	Verticordia densiflora
Melaleuca preissiana	
Melaleuca maphrophylla	RUSHES AND SEDGES
CYCADS AND GRASS TREES	Baumea articulata
Macrozamia nederi	Baumea juncea
Xanthorrhoea preissii	Baumea preissii
SHRUBS	Juncus kraussii
Shrubs 1 - 2 m	Juncus peloides
Adiantum scoparia	Lepidosperma longistylis
Calytrix fraseri	Leptocarpus scariosus
Davallia physodes	Isoplexis cuneata
Eremophila pycnantha	
Hypocalymma angustifolium	HERBS
Hypocalymma robustum	Anigraethos mangrove
Melaleuca lateralis	Cenchrus ciliaris
Pericalymma ellipticum	Conostylis aculeata
Pholidota spicata	Conostylis juncea
Shrubs <1 m	Dianella revoluta
Acacia applanata	Dampiera linearis
Acacia wilsoniana	Kennedia prostrata
Boscia ericarpa	
Calytrix flavescens	
Eucalyptus linearis	
Gastrophysalis capitatum	
Gompholobium tomentatum	
Hibbertia racemosa	
Hibbertia subvaginata	
Hovea trisperma	
Lechenaultia floribunda	
Scholtzia involucrata	

Landscape Area Summary

Plants - Wet zone	1112 m2
Plants intermediate zone	1663 m2
Plants Dry zone	4254 m2
Total planted area	7027 m2
New trees	40
Stabilised limestone path	921 x 1.2m

