



City of Stirling

Local Planning Scheme No. 3

LOCAL PLANNING POLICY MANUAL

Adopted 10 August 2010

Updated 13 April 2023

POLICY MODIFICATIONS

POLICY NO.	POLICY	ACTION	EFFECTIVE DATE	COUNCIL RESOLUTION NO.
6.10	Renewable Energy Systems	Adopted	14 Sep 2010	0810 / 071
3.4B	ECU Design Guidelines Stage 4	Adopted	19 Oct 2010	0910 / 048
3.4C	ECU Design Guidelines Stage 5	Adopted	12 Apr 2011	0211 / 010
4.5	Private Institution Design Guidelines	Adopted	24 May 2011	0511 / 010
4.1	Reserves and Other Zones Design Guidelines	Modified	24 May 2011	0511 / 010
3.4D	ECU Design Guidelines Stage 5B	Adopted	12 Jul 2011	0611 / 059
4.3	Industrial Design Guidelines	Modified	22 May 2012	0512 / 009
2.1	Access and Parking	Revoked	7 Aug 2012	0712 / 005
6.7	Parking	Revoked	7 Aug 2012	0712 / 005
6.7	Parking and Access	Adopted	7 Aug 2012	0712 / 005
3.1	Character Guidelines Mt Lawley, Menora and Inglewood	Modified	8 Jan 2013	1212 / 005
5.4	Mirrabooka Regional Centre Design Guidelines	Modified	14 May 2013	0413 / 045
6.5	Development Abutting Rights of Ways	Modified	21 May 2013	0413 / 044
3.5	Elieff Design Guidelines	Revoked	9 Jul 2013	0413 / 055
2.2	Ancillary Accommodation	Revoked	28 Jan 2014	1113 / 044
3.3	Civic Precinct R40 Residential Design Guidelines	Revoked	13 May 2014	0414 / 035
2.6	Residential Building Heights	Modified	20 May 2014	0414 / 033
2.7	Streetscapes	Modified	20 May 2014	0414 / 033
6.2	Bicycle Parking	Modified	20 May 2014	0414 / 033
5.5	Scarborough Design Guidelines – Special Beach Development Zone	Superseded by Interim Scarborough Redevelopment Scheme (MRA)	2 Jul 2014	N/A

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POLICY MODIFICATIONS

POLICY NO.	POLICY	ACTION	EFFECTIVE DATE	COUNCIL RESOLUTION NO.
5.6	Scarborough Design Guidelines – Scarborough Redevelopment Zone	Superseded by Interim Scarborough Redevelopment Scheme (MRA)	2 Jul 2014	N/A
6.1	Advertising Signs	Modified by Interim Scarborough Redevelopment Scheme (MRA)	2 Jul 2014	N/A
5.3	Main Street Plaza Design Guidelines	Modified	8 Jul 2014	0613 / 046
3.17	Stirling On Princeton Design Guidelines	Adopted	8 Jul 2014	0713 / 031
3.2	Civic Precinct Residential Design Guidelines	Modified	2 Sep 2014	0814/041
4.3	Industrial Design Guidelines	Modified	2 Sep 2014	0814/041
3.18	Stirling Green Design Guidelines	Adopted	25 Aug 2015	0615/069
5.4	Mirrabooka Regional Centre Design Guidelines	Revoked	15 Dec 2015	1114/016
5.8	Stirling City Centre Parking	Adopted	15 Dec 2015	1115/036
2.8	Multiple Dwellings	Adopted	26 Jan 2016	1215/036
5.9	Mirrabooka Town Centre Parking	Adopted	26 Jan 2016	1215/035
6.9	Street Addressing	Modified	26 Jan 2016	1215/039
4.5	Private Institution Design Guidelines	Modified	26 Apr 2016	0316/038
5.7	Karrinyup Regional Centre Guidelines	Modified	10 May 2016	1115/039
6.1	Advertising Signs	Modified	1 Nov 2016	0216/042
2.9	Single Houses and Grouped Dwellings	Adopted	20 Dec 2016	1216/014
2.7	Streetscapes	Revoked	20 Dec 2016	1216/014
2.9	Single Houses and Grouped Dwellings	Revoked	21 Mar 2017	0317/028

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POLICY MODIFICATIONS

POLICY NO.	POLICY	ACTION	EFFECTIVE DATE	COUNCIL RESOLUTION NO.
5.7	Karrinyup Regional Centre Guidelines	Modified	21 Mar 2017	0217/040
6.5	Development Abutting Rights of Ways	Modified	6 Jun 2017	0417/026
3.1	Character Retention Guidelines Mt Lawley, Menora and Inglewood	Modified	27 Jun 2017	0816/042
6.11	Trees and Development	Adopted	24 Oct 2017	1016/009
5.7	Karrinyup Regional Centre Guidelines	Modified	28 Nov 2017	0616/014
3.1	Character Guidelines Mt Lawley, Menora and Inglewood	Modified	15 May 2018	0218/006
5.7	Karrinyup Regional Centre Guidelines	Modified	15 May 2018	1017/010
6.7	Parking and Access	Modified	15 May 2018	0218/037
5.9	Mirrabooka Town Centre Parking	Modified	12 June 2018	0217/041
6.5	Developments and Subdivisions Abutting Rights of Way	Modified	21 Aug 2018	0518/040
3.1	Character Retention Guidelines Mt Lawley, Menora and Inglewood	Modified	11 Dec 2018	0516/039
5.2	Inglewood Town Centre Design Guidelines	Revoked	11 Dec 2018	0516/039
6.7	Parking and Access	Modified	12 Mar 2019	0219/037
5.8	Stirling City Centre Parking	Modified	18 Jul 2019	0217/039
6.14	Footpath Trading & Activation	Adopted	10 Oct 2019	0719/005
2.6	Residential Building Heights	Modified	19 Dec 2019	1119/004
2.8	Multiple Dwellings	Revoked	19 Dec 2019	1119/004
4.5	Private Institution Design Guidelines	Modified	19 Dec 2019	1119/004
5.3	Main Street Plaza Design Guidelines	Modified	19 Dec 2019	1119/004
5.8	Stirling City Centre Parking	Modified	19 Dec 2019	1119/004
5.9	Mirrabooka Town Centre Parking	Modified	19 Dec 2019	1119/004

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POLICY NO.	POLICY	ACTION	EFFECTIVE DATE	COUNCIL RESOLUTION NO.
6.6	Landscaping	Modified	19 Dec 2019	1119/004
6.7	Parking and Access	Modified	19 Dec 2019	1119/004
6.11	Trees and Development	Modified	19 Dec 2019	1119/004
6.16	Container Deposit Scheme Infrastructure	Adopted	9 Apr 2020	0220/045
6.13	Markets – Exemption from Development Approval	Adopted	1 Oct 2020	1119/008
4.2	Mixed Use Design Guidelines	Modified	17 Dec 2020	1220/005
6.4	Child Care Premises	Modified	13 May 2021	0421/009
3.1	Character Retention Guidelines Mt Lawley and Menora	Modified	7 Sep 2021	0821/044
3.1A	Character Retention Guidelines Inglewood	Adopted	7 Sep 2021	0821/044
6.18	Public Consultation	Adopted	13 Dec 2021	1221/028
6.15	Exemption from Requiring Development Approval	Adopted	16 Mar 2022	0222/006
6.12	Public Art on Private Land	Adopted	16 Jan 2023	1222/023
6.7	Parking and Access	Modified	20 Jan 2023	1122/014
6.2	Bicycle Parking	Revoked	20 Jan 2023	1122/014
2.6	Residential Building Heights	Revoked	20 Feb 2023	1222/019
3.4A	ECU Design Guidelines - Stages 1 & 2	Revoked	1 Mar 2023	0223/021
3.4B	ECU Design Guidelines - Stage 4	Revoked	1 Mar 2023	0223/021
3.4C	ECU Design Guidelines - Stage 5	Revoked	1 Mar 2023	0223/021
3.4D	ECU Design Guidelines - Stage 5B	Revoked	1 Mar 2023	0223/021
3.6	Gwelup Design Guidelines	Revoked	1 Mar 2023	0223/021
3.7	Montclair Design Guidelines	Revoked	1 Mar 2023	0223/021

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POLICY NO.	POLICY	ACTION	EFFECTIVE DATE	COUNCIL RESOLUTION NO.
3.8	Northwood Design Guidelines	Revoked	1 Mar 2023	0223/021
3.9	Ocean Boulevard Design Guidelines	Revoked	1 Mar 2023	0223/021
3.10	Ocean Rise Design Guidelines	Revoked	1 Mar 2023	0223/021
3.11	Princeton (Phase 1) Design Guidelines	Revoked	1 Mar 2023	0223/021
3.12	Princeton (Phase 2) Design Guidelines	Revoked	1 Mar 2023	0223/021
3.13	Roselea Estate Design Guidelines	Revoked	1 Mar 2023	0223/021
3.15	The Willows Design Guidelines	Revoked	1 Mar 2023	0223/021
3.16	Willows Heights Design Guidelines	Revoked	1 Mar 2023	0223/021
3.17	Stirling On Princeton Design Guidelines	Revoked	1 Mar 2023	0223/021
3.18	Stirling Green Design Guidelines	Revoked	1 Mar 2023	0223/021
5.1	Stirling Civic Mixed Use Precinct Design Guidelines	Revoked	1 Mar 2023	0223/021
6.1	Advertising Signs	Modified	28 Mar 2023	0223/020
6.4	Child Care Premises	Modified	13 Apr 2023	0323/033

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5.5	Scarborough Design Guidelines – Special Beach Development Zone – <i>SUPERSEDED by Interim Scarborough Redevelopment Scheme (MRA) Effective 2 July 2014</i>	
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SECTION 1 – INTRO / HOW IT WORKS

WHAT IS A POLICY MANUAL?

The Policy Manual is a file of planning policies adopted by the Council under clause 2.2 of Local Planning Scheme No. 3. The file is intended as a working manual to assist in the preparation and assessment of development applications. Together with the Local Planning Scheme No. 3 and this Manual all development provisions are contained within these two documents.

HOW IS THE INFORMATION ORGANISED?

The Policy Manual is divided into six sections, including this introduction.

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2.1 ACCESS AND PARKING – REVOKED 7 Aug 2012

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Revoked	0712/005	7 Aug 2012

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2.2 **ANCILLARY ACCOMMODATION** – *REVOKED 28 Jan 2014*

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Revoked	1113/044	28 Jan 2014

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2.3 BED AND BREAKFAST ACCOMMODATION

Objectives

- To facilitate the development of appropriately located and high quality bed and breakfast accommodation within the City; and
- To ensure that there is no detrimental impact on the amenity of surrounding properties from bed and breakfast accommodation.

Applications Subject of this Policy

This Policy applies to all proposals for bed and breakfast accommodation within a residential zone and in non-residential zones.

Definition

‘Bed and Breakfast’ means a dwelling, used by a resident of the dwelling, to provide accommodation away from their normal place of residence on a short-term commercial basis and includes the provision of breakfast; and excludes a boarding house.

Acceptable Development Provisions

Locations for Bed and Breakfast Accommodation

- Within Residential Zones bed and breakfast accommodation is a use that is not permitted unless Council grants approval. Linear or cluster bed and breakfast development shall not be permitted in a Residential Zone; and
- In all other zones bed and breakfast accommodation is not permitted.

Number of Rooms

- The maximum number of rooms shall be limited to two.

Car Parking

- Two parking bays per dwelling shall be provided on-site and must be attached to the dwelling; and
- One parking space shall be provided per bed and breakfast room.

Car Parking & Access

- Pedestrian and vehicular access shall meet the provisions of the Residential Design Codes of Western Australia; and
- Car parking bays, carports and garages facing the primary street shall not occupy more than 60% of the frontage at the setback line as viewed from the street.

Signage

- A maximum of one sign not exceeding 0.5m² in area, and incorporated into a front fence, wall, structure or building shall be permitted.

Facilities

Individual facilities

- Ensuite facilities may be provided for bed and breakfast rooms; and
- Bed and breakfast rooms shall not contain cooking facilities.

Communal Facilities

- Communal bathrooms and breakfast eating areas shall be contained within the dwelling.

Building Design & Location

- All extensions and new buildings, including carports and garages shall be constructed in the same materials and architectural style of the existing dwelling; and
- All new buildings, including carports and garages shall be setback a minimum 1.0m from the side boundary.

Management

- The owner of the bed and breakfast shall reside in the dwelling, and shall have dedicated bedroom and bathroom facilities; and
- A management plan for the bed and breakfast may be required in some instances.

Neighbour Consultation

Applications for bed and breakfast accommodation will be required to be advertised. Such advertising is to be undertaken in line with the City's 'Public Advertising of Planning Proposals' procedure.

Variations

Applications seeking variations to this Policy shall be determined in accordance with the objectives of this Policy.

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Action	Resolution Number	Effective Date
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2.4 HOME OFFICE, HOME OCCUPATION AND HOME BUSINESS

Objectives

- To ensure that low scale businesses do not have a detrimental impact on the amenity of surrounding areas; and
- To enable low scale businesses the opportunity to conduct a business from home.

Applications Subject of this Policy

All applications conducting a business in a Residential Zone or residential development in a non-residential zone.

Definitions

Home Businesses are divided into three different categories depending upon the level of activity. Below is a general definition for each category, more detailed provisions are contained within this policy for each category.

Home Office

- May not employ any person not a member of the household;
- May not attract any trade / custom to the site and may not have any signage.

Home Occupation

- May not employ any person not a member of the household;
- Is limited to 20m² floor area;
- May attract some trade / custom; and
- May permit limited signage.

Home Business

- May employ up to 2 members not members of the household,
- Is limited to 50m²;
- May attract slightly more trade / custom: and
- May permit limited signage.

Submission Requirements

Home Office

A formal application is not required, instead, an applicant 'self check-list' is required to be completed and submitted to the City. If the application in the opinion of the Council complies with the requirements, it will be signed and a copy returned indicating approval.

Home Occupation and Home Business

A formal development application is required to be lodged containing the following:

- A completed Form 1A "Application for Approval to Commence Development";
- Application Fee;

- A completed Applicant Self-Check List;
- A plan of the site and building in which the use is applied (including details of floor area associated with the business, parking, access and signage);
- Body Corporate approval, where required;
- Any other information considered relevant; and
- A written description of the business.

Acceptable Development Provisions

Common Provisions

A person may, with the approval of Council, conduct a Home Office, Home Occupation and a Home Business provided that such an occupation **does not**:

- Involve the sale, display or hire of goods from the dwelling;
- Result in traffic difficulties as a result of inadequate parking, an increase in traffic volumes in the neighbourhood or manoeuvring and access into and out of the site;
- Involve the storage, preparation, handling or packing of food, except where approval for cooking facilities has been granted by the City;
- Involve the fuelling, repair or maintenance of any motor vehicle on the site;
- Involve any deliveries or customers outside normal business hours;
- Adversely affect the amenity of the neighbourhood, as a result of the emission of light, noise, vibrations, odours, dust, waste water or waste products;
- Involve a use that would be more appropriately located in a non – residential zone;
- Require modifications to the dwelling such that it does not retain a residential character; and
- Involve the penetration of skin (including body piercing, tattooing and electrolysis) having specific health requirements, which require monitoring and regulation.

Specific Provisions

Home Office

- Be limited to a business carried out solely within the dwelling;
- Not employ any person not a member of the occupier's household;
- Not entail clients or customers travelling to and from the dwelling;
- Not involve any advertising signs on the premises; and
- Not require any external changes to the appearance of the dwelling.

Home Occupation

- Not employ any person not a member of the occupier's household;
- Not occupy an area greater than 20 m² within the dwelling;
- Not display a sign exceeding 0.2m², which must be incorporated into a front fence, wall, structure or building and be sympathetic to the streetscape in design;

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- Not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood;
- Not involve the presence, use or calling of a vehicle of more than 2 tonnes tare weight.
- No more than one customer's vehicle at any given time; and
- No more than a total of 3 customer's vehicles on any given day.

Home Businesses

- Not employ more than 2 people not members of the occupier's household;
- Not occupy an area greater than 50m² within the dwelling;
- Not display a sign exceeding 0.5m², which must be incorporated into a front fence, wall, structure or building and be sympathetic to the streetscape in design;
- Not involve the presence, use or calling of a vehicle more than 3.5 tones tare weight;
- Provide adequate on-site car parking and manoeuvring areas to the satisfaction of the Council;
- No more than two customers' vehicles at any given time; and
- No more than a total of 8 customers' vehicles on any given day.

Council may consider applications for Home Business not complying with these requirements where the additional trade / custom is considered unlikely to impact on residential amenity because of:

- The specific location of the site;
- The use of adjoining sites;
- The availability of sufficient parking; and / or
- The specific details of the application and proposed operation.

Neighbour Consultation

In some instances, Council may require neighbour consultation before determining whether to approve a use or not.

Home Office

No consultation required.

Home Occupation

Abutting properties plus those opposite of a Home Business will be notified in writing after the approval is granted to advise them of the restrictions on the approval. *

Home Business

All abutting owners will be consulted in writing and given the opportunity to comment.

Note * Where the City is concerned about the nature or scale of a Home Business or Home Occupation application, additional consultation may be required.

Variations

Applications seeking variations to this Policy shall be determined in accordance with the objectives of this Policy.

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Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
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2.5 PARKING OF COMMERCIAL VEHICLES

Objectives

- To control the number and size of commercial vehicles on a residential lot; and
- To ensure that there is no detrimental impact on the amenity of adjoining properties.

Applications Subject of this Policy

Applications for planning approval are required for the parking of all commercial vehicles exceeding 2 tonnes tare weight, on a lot within a Residential Zone.

Acceptable Development Provisions

No more than two commercial vehicles may be parked on a lot within a Residential Zone, provided that:

- Only one vehicle may exceed two tonnes tare weight;
- The vehicles are parked on a lot containing only a single house;
- The vehicles form an essential part of the occupation of an occupant of the dwelling;
- No vehicle exceeds either 2.7 metres in height or 16 metres in length;
- Any vehicle exceeding 8 metres in length is screened from view from outside the lot;
- No vehicle is brought to or taken from the lot between the hours of 10 p.m. and 7 a.m.;
- Major repairs to either of the vehicles are not undertaken on the lot; and
- Any minor repairs, servicing or cleaning of either of the vehicles are carried out in areas which are screened from view from outside the lot.

Neighbour Consultation

All applications will be required to consult with adjoining neighbours.

Variations

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

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2.6 RESIDENTIAL BUILDING HEIGHTS

- REVOKED 20 February 2023

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Modified	0414/033	20 May 2014
Modified	1119/004	19 Dec 2019
Revoked	1222/019	20 Feb 2023

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2.7

STREETSCAPES

- REVOKED 20 December 2016

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Modified	0414/033	20 May 2014
Revoked	1216/014	20 Dec 2016

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2.8 **MULTIPLE DWELLINGS**
- REVOKED 19 December 2019

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Adopt	1215/036	26 January 2016
Revoked	1119/004	19 December 2019

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2.9 SINGLE HOUSES AND GROUPED DWELLINGS

- REVOKED 21 March 2017

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Adopted	1216/014	20 Dec 2016
Revoked	0317/028	21 Mar 2017

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3.1 CHARACTER RETENTION GUIDELINES MT LAWLEY AND MENORA

PART 1 - INTRODUCTION AND PURPOSE

1.1 INTRODUCTION

Where there is an inconsistency between the provisions of these Guidelines and other Policies the provisions of these Guidelines shall prevail, except where the Beaufort Street Local Development Plan applies.

1.2 OBJECTIVES

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

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

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

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

1.3 GUIDELINE AREA

These Guidelines apply to all land within the Heritage Protection Area Special Control Area outlined in Figure 1 Guideline Area.



Figure 1 - Guideline Area

1.4 HOW TO USE THESE GUIDELINES

1.4.1 BEFORE USING THE GUIDELINES

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

1.4.2 USING THE GUIDELINES

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

The Guidelines apply to all types of development within the Mt Lawley and Menora Heritage Protection Areas, including the conservation of existing buildings, additions to existing buildings, new development, fences, carports, and garages. These guidelines provide principles and specific recommendations for detailed design, focusing on key elements such as the built form and streetscape.

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

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

1.5 RELATIONSHIP TO OTHER PLANNING DOCUMENTS

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

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

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

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

1.5.1 RELATIONSHIP OF LOCAL PLANNING POLICY 3.1 TO THE BEAUFORT STREET LOCAL DEVELOPMENT PLAN

- a) **The area which is subject to the Beaufort Street Local Development Plan remains part of the area which is also subject to Local Planning Policy 3.1.**

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- b) The Beaufort Street Local Development Plan controls the built form and architectural style of new mixed use, non-residential, and residential multiple dwelling development (within the local development area).
- c) The Beaufort Street Local Development Plan prevails if there is any inconsistency with Local Planning Policy 3.1 in relation to clause (a) and (b) above.
- d) All other matters shall be in accordance with the relevant provisions of this Local Planning Policy.

2.1 MOUNT LAWLEY HERITAGE PROTECTION AREA

2.1.1 DESCRIPTION OF THE AREA

The map displays the Mt Lawley Heritage Protection Area, which is outlined in a thick black line. The area is divided into three main sections: Mt Lawley (Estates 1&2) in the west, Mt Lawley (East) in the center, and Mt Lawley (South) in the south. The map shows a dense network of streets, including Alexander Dr, Highroyd St, Ferrar St, Thurstons St, Kearoyd Street, Woodsome St, Woodroyd St, Longroyd St, Milverton Rd, Vale St, Giffroyd St, Nanhob St, North St, First Ave, Second Ave, Third Ave, Fourth Ave, Fifth Ave, Central Ave, Hamer Rd, Stancuffe St, Stimonica Lane, Law Excr, Masepla, Deird St, Astor La, Beaufort St, Beaucourt La, Alvan St, Bencourt Lane, Bird Lane, Clive Rd, Clotilde St, Farley St, Challen Lane, Carrington St, Coode St, and Rileway Rd. A legend at the bottom left indicates that the thick black line represents the 'Boundary'. A scale bar at the bottom right shows distances in meters (0, 100, 200).

Figure 2 - Mount Lawley Heritage Protection Area

2.1.2 HISTORY OF MOUNT LAWLEY

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

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

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

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

2.1.3 SIGNIFICANCE

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

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

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

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

Mount Lawley (East) is an area of considerable significance.

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

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

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

2.1.4 MOUNT LAWLEY STREETSCAPES

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

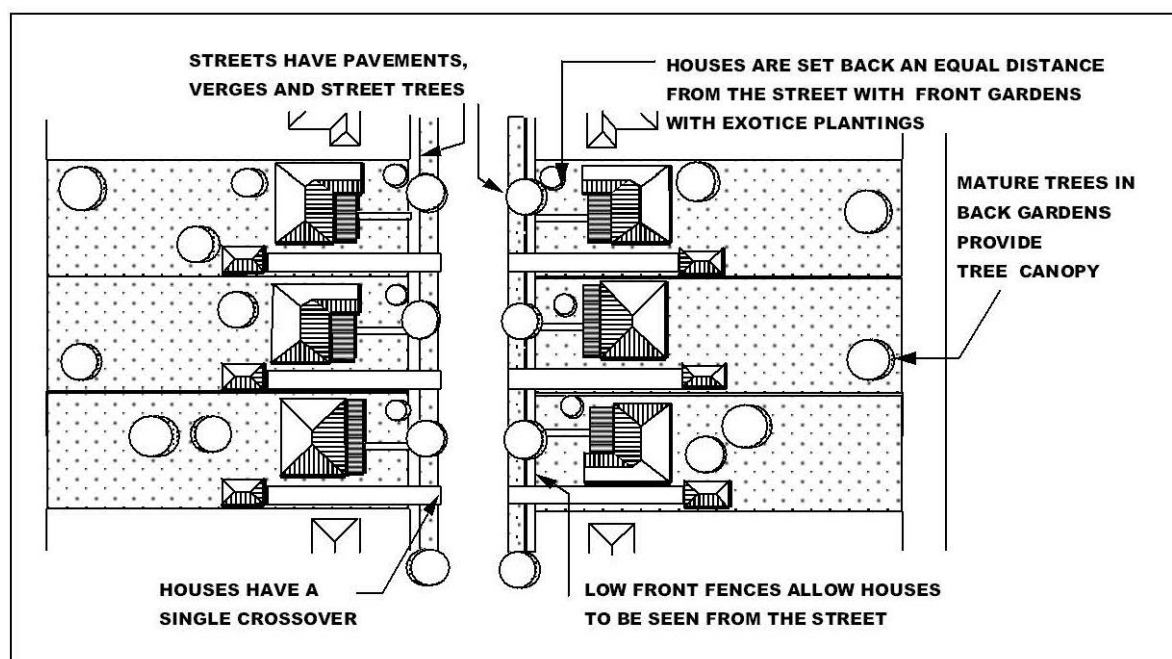


Figure 3 - Mt Lawley Streets

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

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

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

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

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

2.1.5 TRADITIONAL MOUNT LAWLEY HOUSES

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

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

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

Federation Bungalow: c.1890-c.1915

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

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

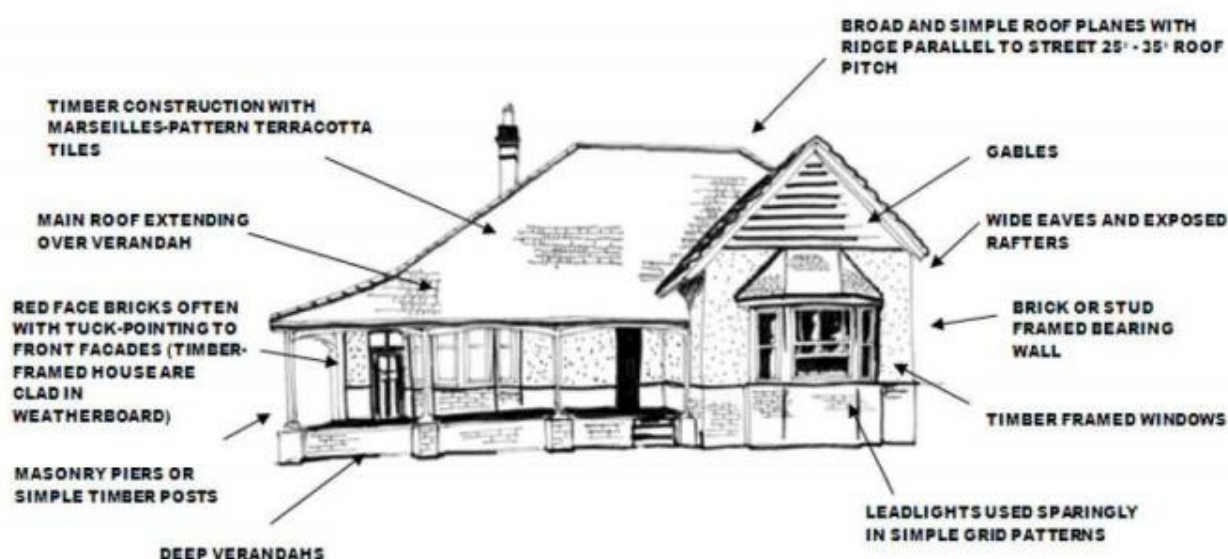


Figure 4 - Example of Federation Bungalow

Federation Queen Anne: c.1890-c.1915

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

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



Figure 5 - Example of Federation Queen Anne

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

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

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

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



Figure 6 – Example of Federation Arts & Crafts

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

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

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

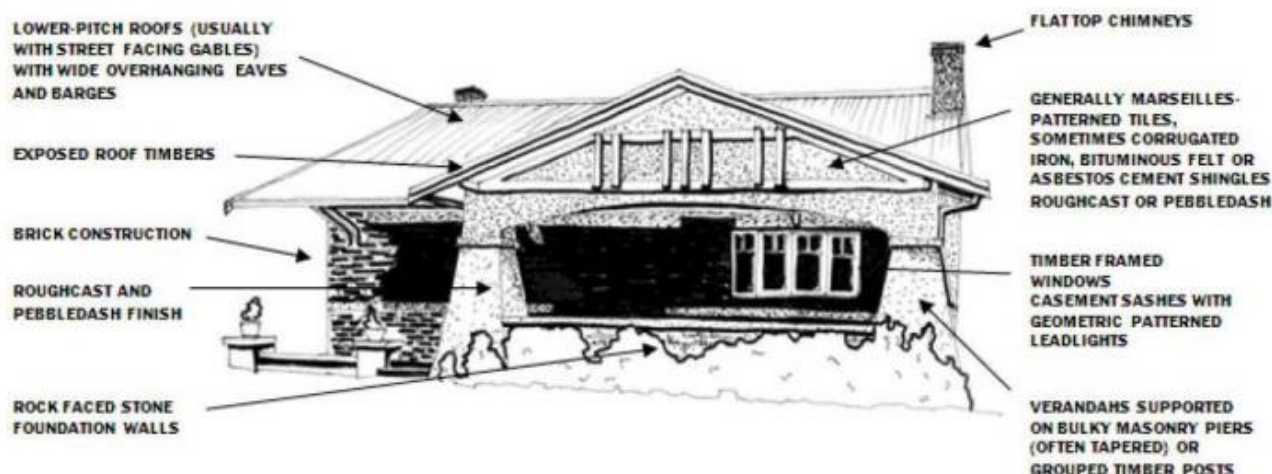


Figure 7 – Example of Inter–War California Bungalow

2.2 MENORA HERITAGE PROTECTION AREA

2.2.1 DESCRIPTION OF THE AREA

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

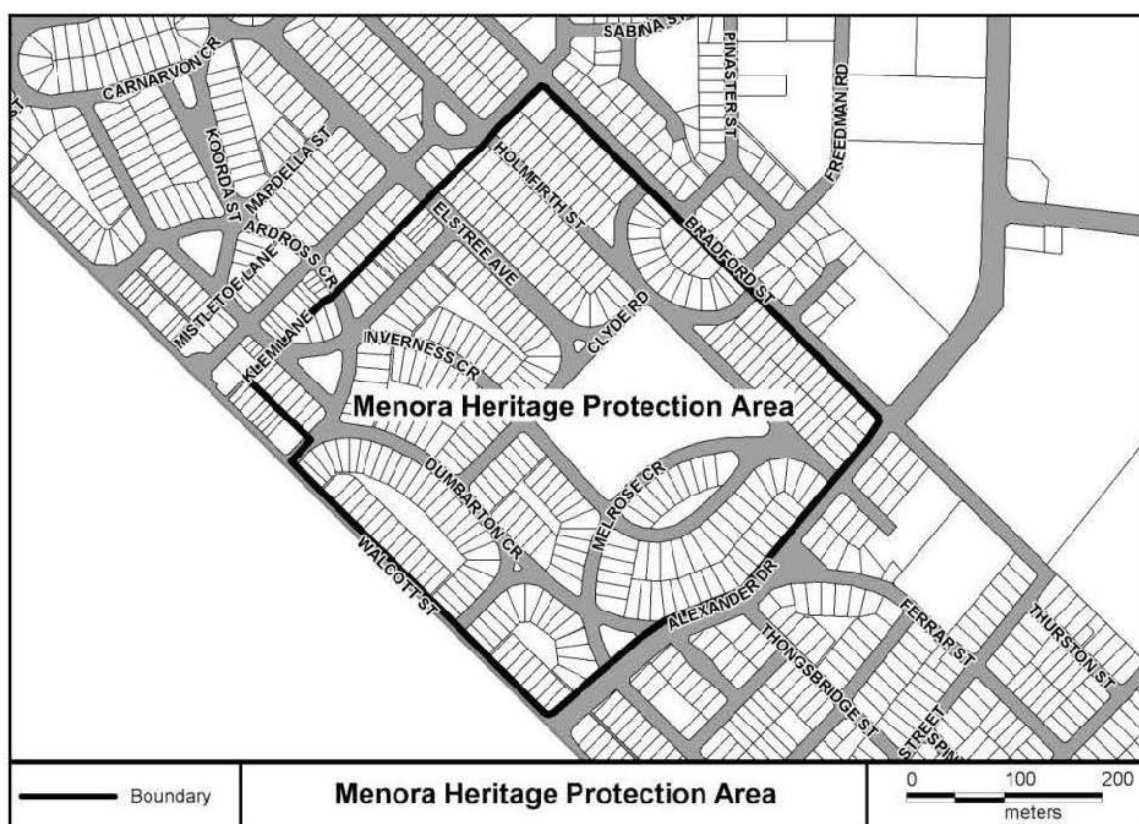


Figure 8 - Menora Heritage Protection Area

2.2.2 HISTORY OF MENORA

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

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

The planning of the area was influenced by developments in the field of town planning that occurred predominantly in the 1920s in Perth. During this period there was considerable interest in the Town Planning Movement, which culminated in 1928 with the enactment of the Town Planning Act of 1928. The first town planning scheme for Mount Lawley was published in 1937 and included provisions such as the restriction of the construction of flats to parts of Walcott Street and Adair Parade.

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

2.2.3 SIGNIFICANCE

Menora is an area of exceptional significance.

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

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

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

2.2.4 MENORA STREETSCAPES

The road pattern in Menora varies markedly from the pattern of the adjacent Mount Lawley area, which is based on a rectangular grid. The road pattern of Menora is based on Garden Suburb town planning principles and comprises a series of crescents incorporating a series of small parks. The basis of these principles is that the suburb is designed as a whole community with a focus around a shopping or community centre and where residential lots are designed with access to areas of public open space. Street blocks are subdivided into a series of residential lots with approximately equal street frontages. Residential lots are around 840 to 1000 square metres in area with some variation and irregularity in block size as a result of the circular street pattern. The area contains some internal park areas at the backs of houses which is characteristic of Garden Suburb planning and rare, but not unique, in the context of metropolitan Perth. The subdivision pattern remains substantially as originally planned with no amalgamation or subdivision of original lots (refer Figure 9).

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

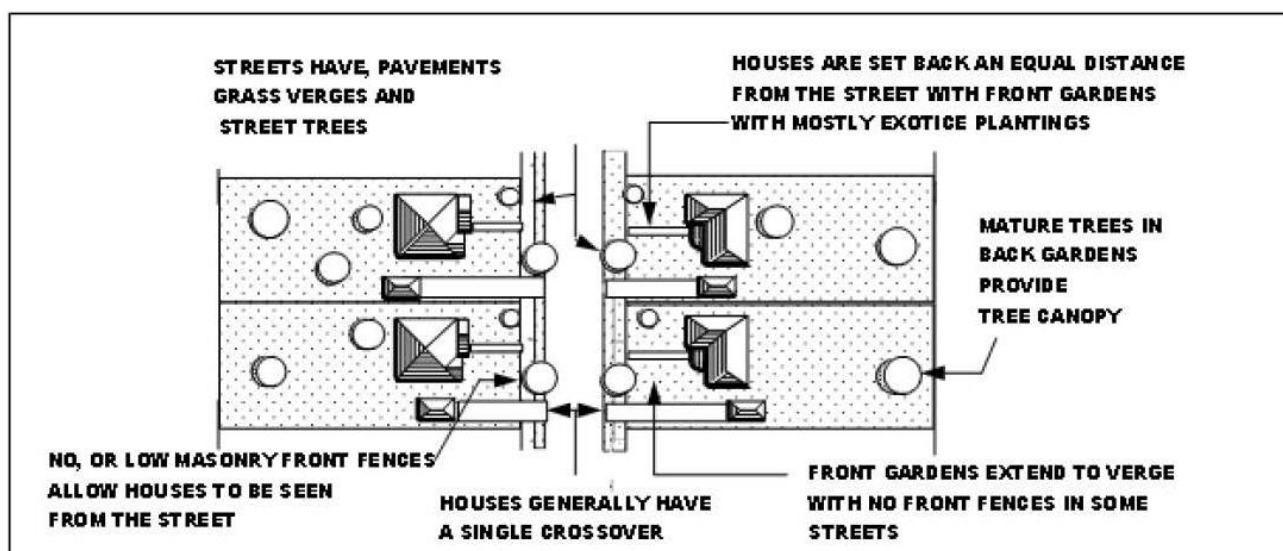


Figure 9 - Layout of Menora Streets

2.2.5 TRADITIONAL MENORA HOUSES

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

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

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

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

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

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

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

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

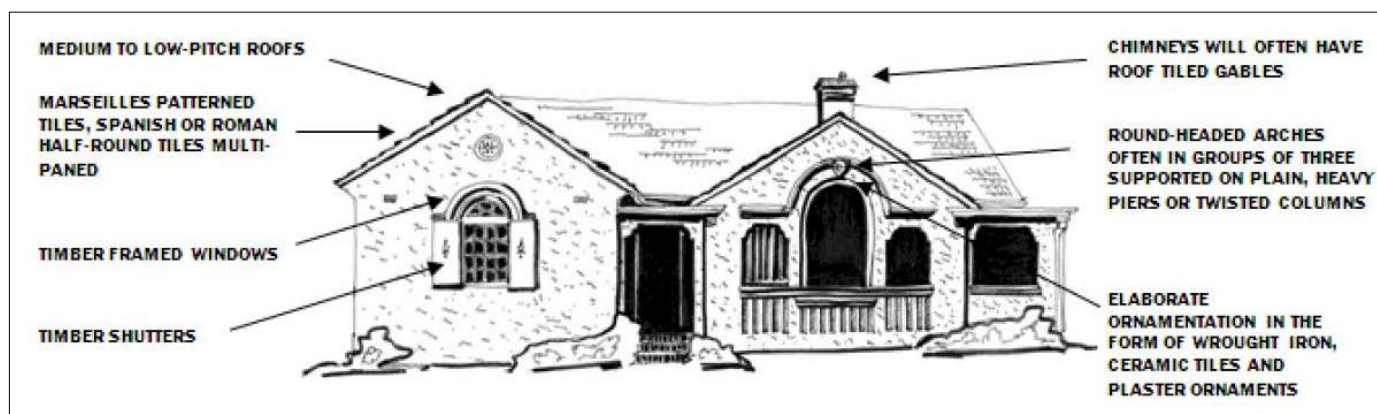


Figure 10 – Example of Inter-War Spanish Mission

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

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

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



Figure 11 – Example of Inter-War Functionalist

Austerity Cottage - Late 1940s and 1950s

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

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

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

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

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

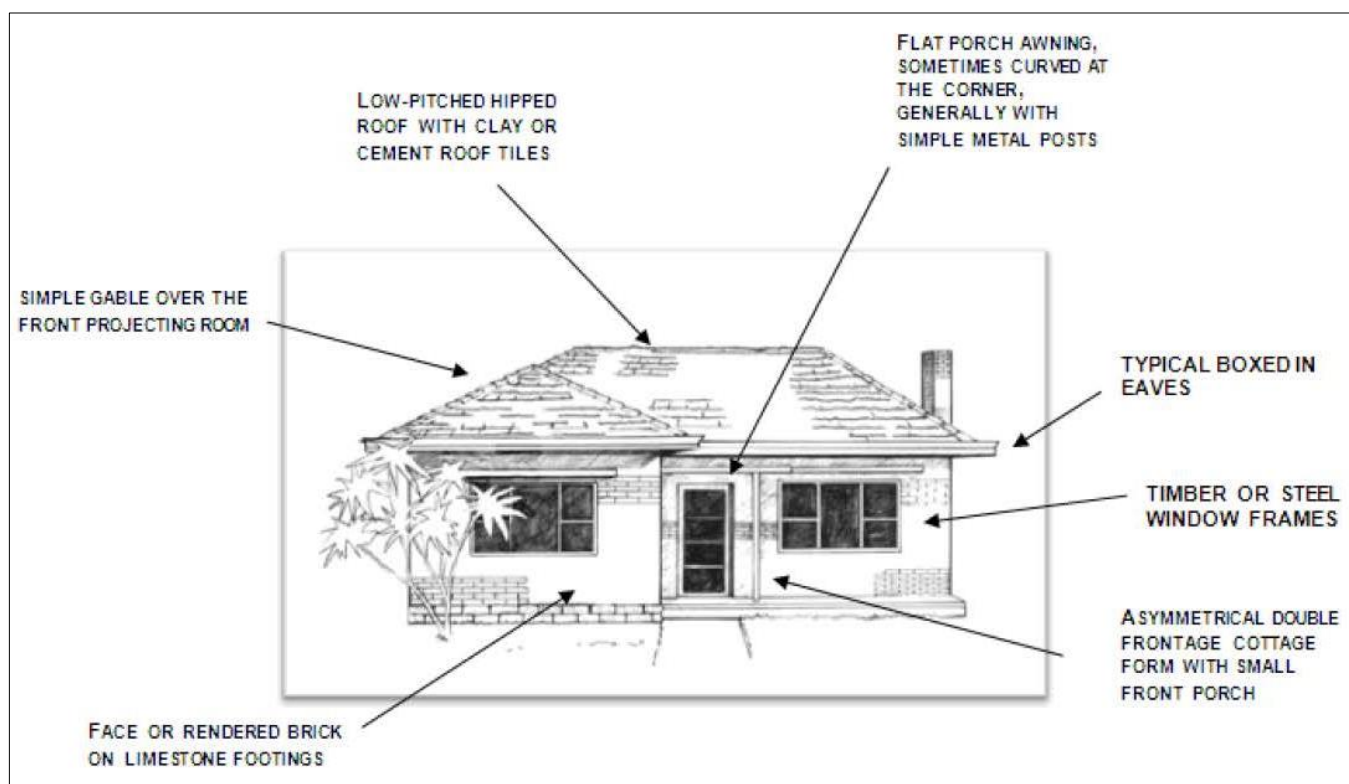


Figure 12 – Example of an Austerity Cottage

PART 3 - DEMOLITION OF BUILDINGS

Objective

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

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

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

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

3.1 PARTIAL DEMOLITION OF A BUILDING

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

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

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

The details are to include and not limited to:

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

PART 4 - RESIDENTIAL DEVELOPMENT PROVISIONS

4.1 CONSERVATION OF, AND ADDITIONS TO, TRADITIONAL HOUSES

Objectives

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

4.1.1 PARTIAL DEMOLITION OF A BUILDING

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

4.1.2 STREETSCAPE

Street Setbacks

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

Levels

- a) The natural ground level of the site shall be retained.

Fences and Gardens

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

Carports and Garages

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

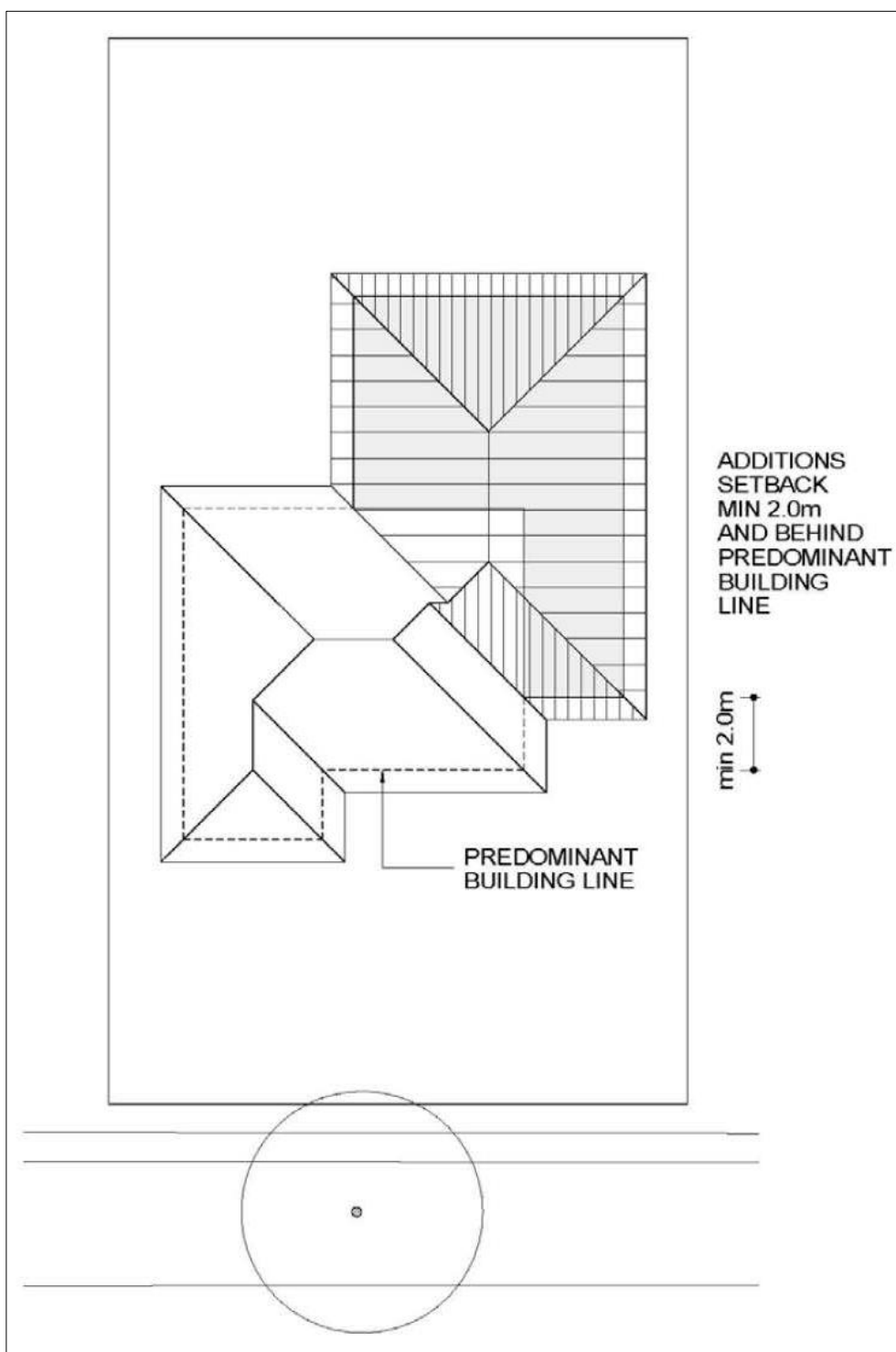


Figure 16 – Additions to Traditional House

4.1.3 BUILT FORM AND DESIGN

Design

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

Building Height

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

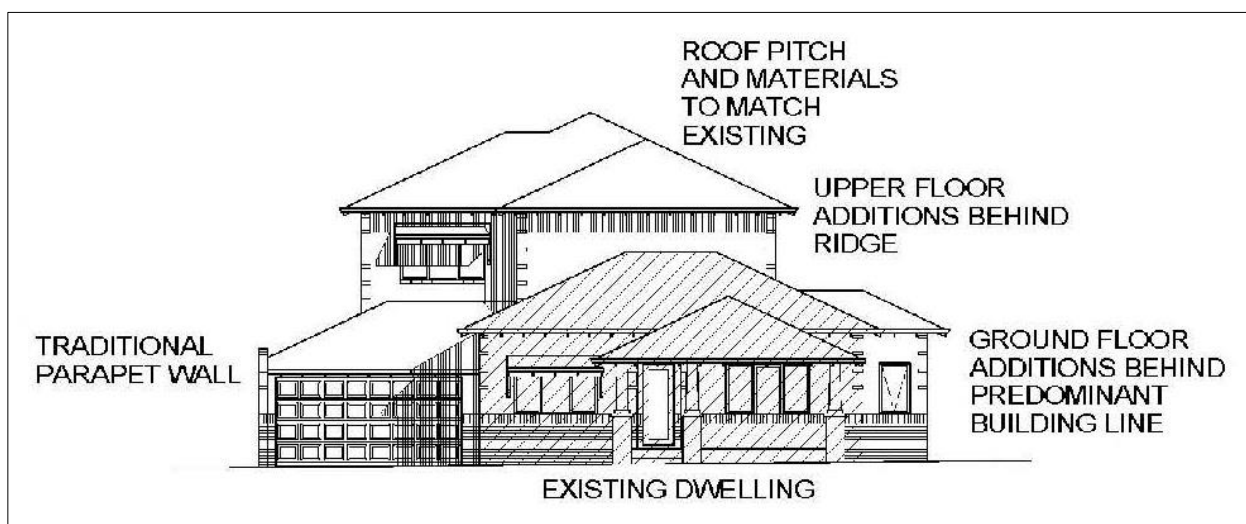


Figure 17 - Second Storey Addition to a Traditional House

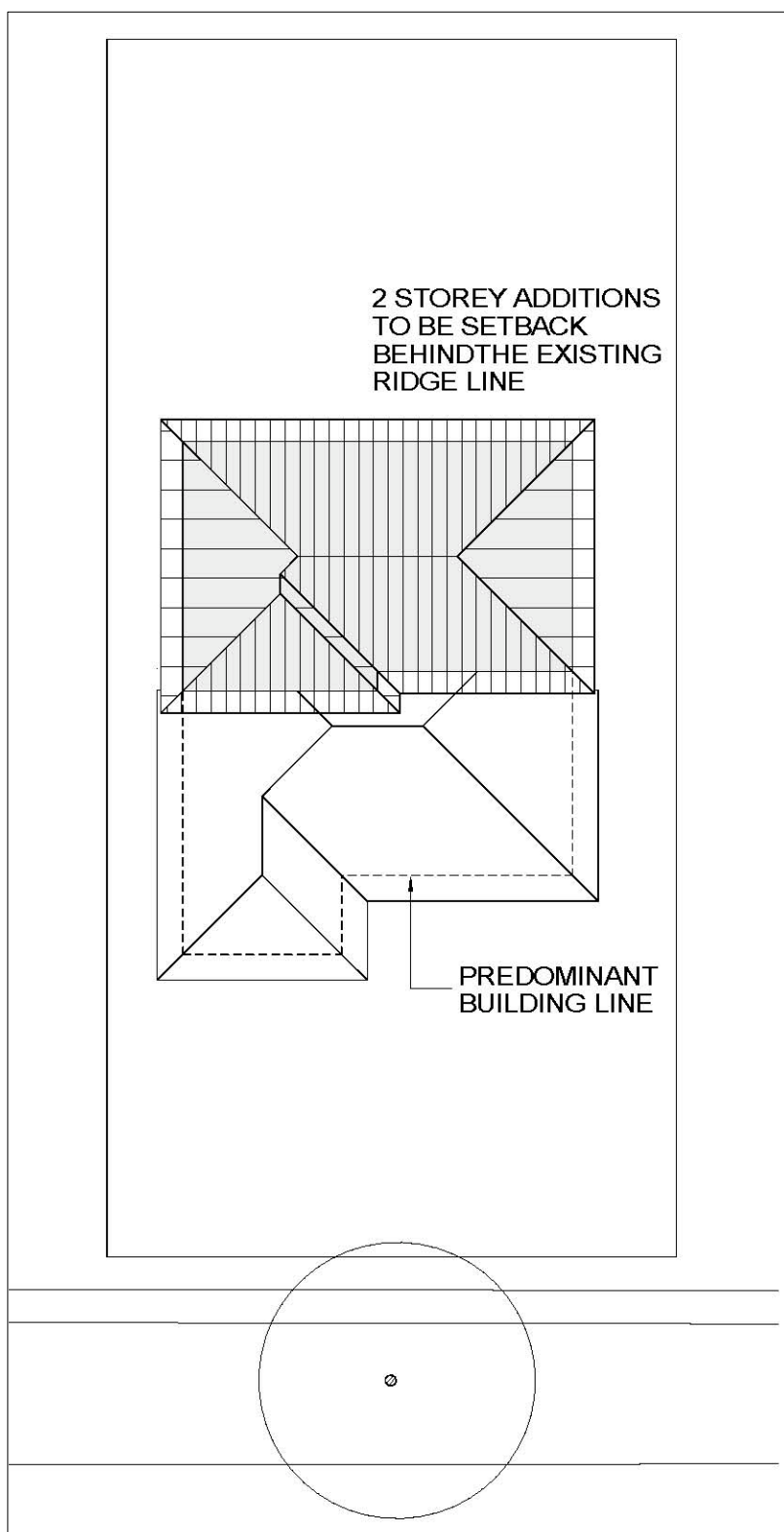


Figure 18 - Plan Showing Second Storey Addition to Traditional House

Roof Pitch

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

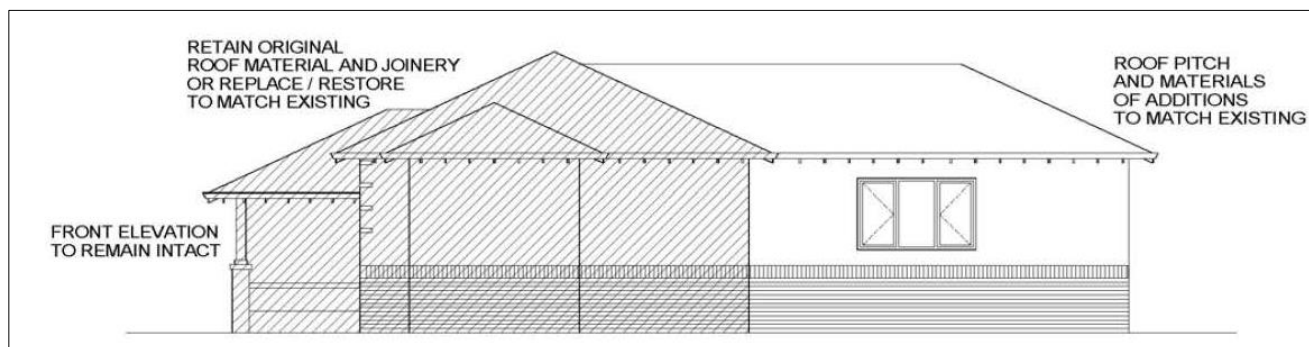


Figure 19 - Roof Pitch

Eaves

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

Verandahs

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

Openings

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

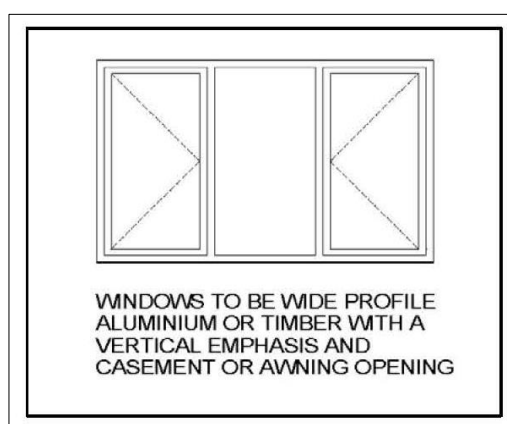


Figure 20 - Window Design

Materials & Details

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

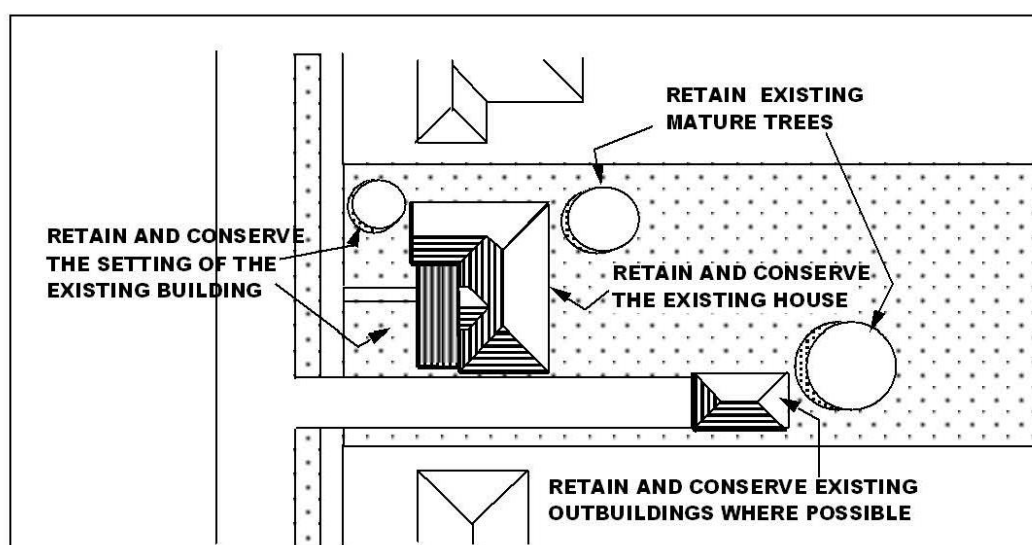


Figure 21 - Streetscape

4.2 NEW SINGLE HOUSES

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

Objectives

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

4.2.1 STREETSCAPE

Street Setbacks

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

Orientation

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

Levels

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

Fences & Gardens

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

Carports & Garages

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

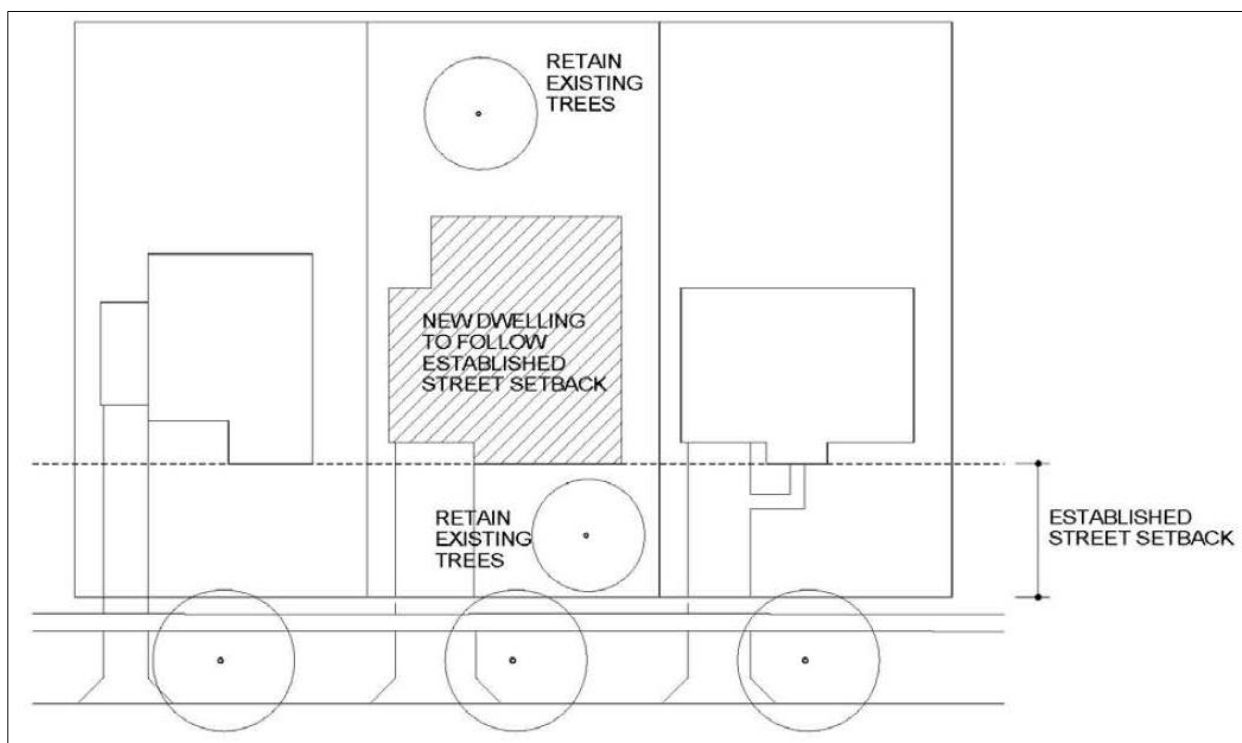


Figure 22 - Streetscape

4.2.2 BUILT FORM AND DESIGN

Design

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

Building Height

- a) The building height of new dwellings shall be in accordance with the City's Residential Building Heights Policy. Consideration may be given to nominal height increases, but only where such increases facilitate traditional ceiling heights;

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- b) New buildings shall respect the scale and proportions of traditional houses within the streetscape; and
- c) Ground floor wall plate heights shall be a minimum of 3 metres (measured from natural ground level to plate height).

Roof Pitch

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

Eaves

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

Verandahs

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

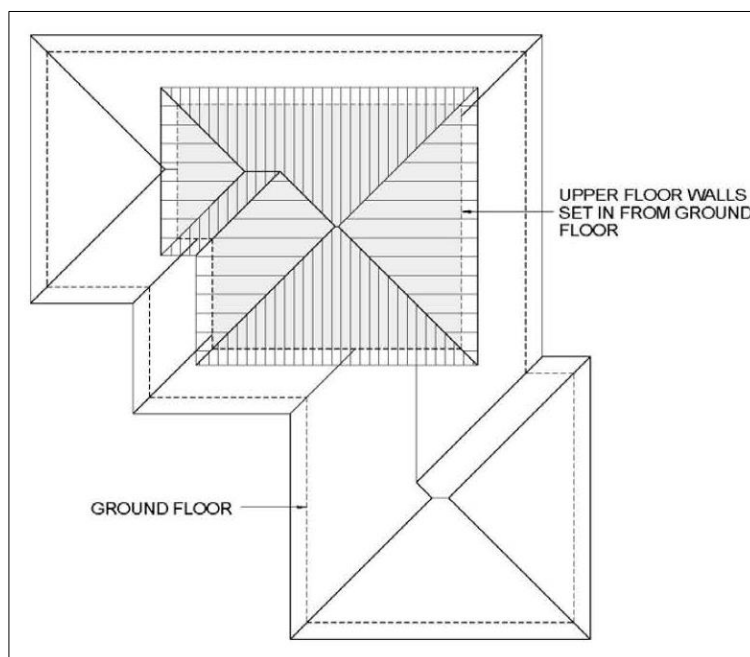


Figure 23 - Upper Storey setbacks

Openings

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

Materials & Details

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

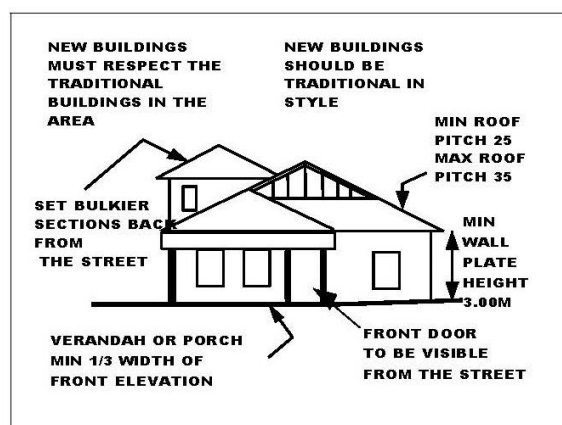


Figure 24 – New Single Houses

4.3 INFILL DEVELOPMENT

These provisions are applicable to developments involving grouped and / or multiple dwellings, and dwellings constructed to the rear of a traditional house outside the area of the Beaufort Street Local Development Plan.

Objectives

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

4.3.1 STREETScape

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

Orientation

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

4.3.2 BUILT FORM AND DESIGN

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

Design

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

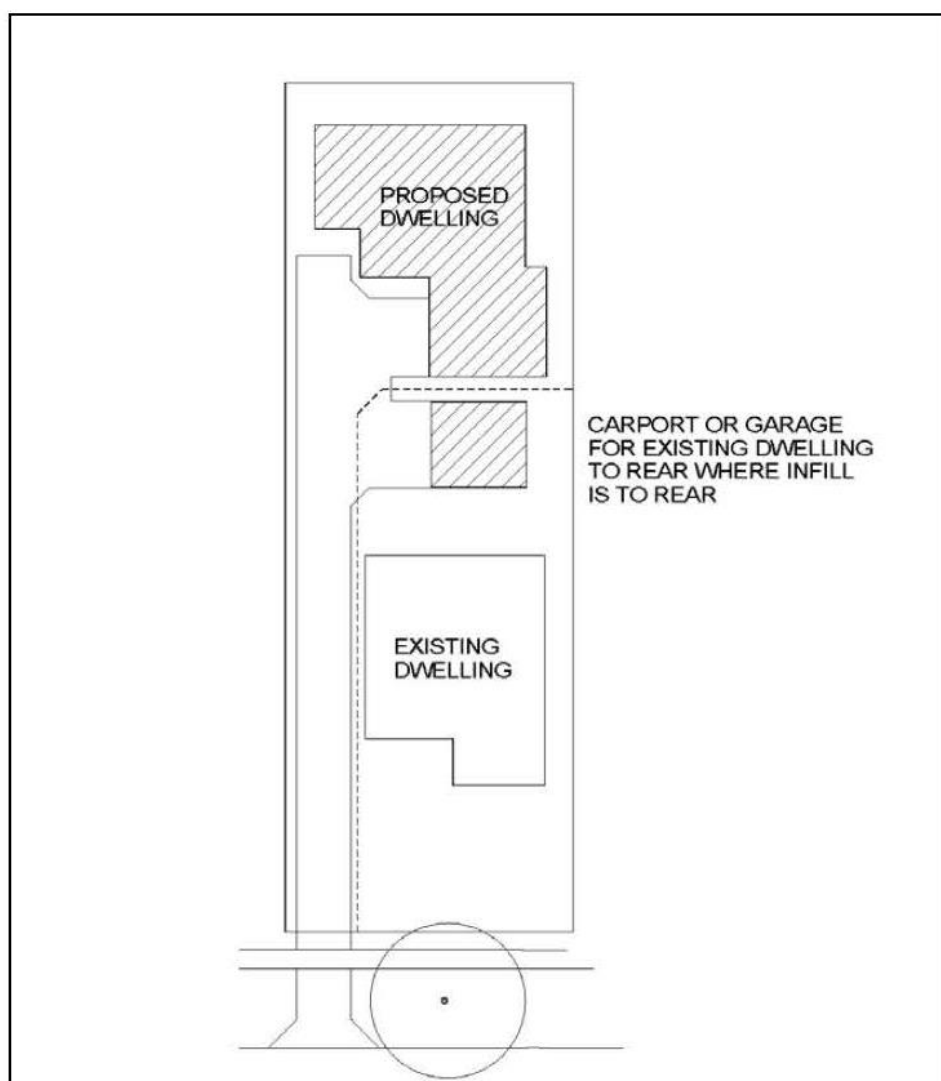


Figure 25 – Example of Infill Development

Building Height

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

Roof Pitch

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

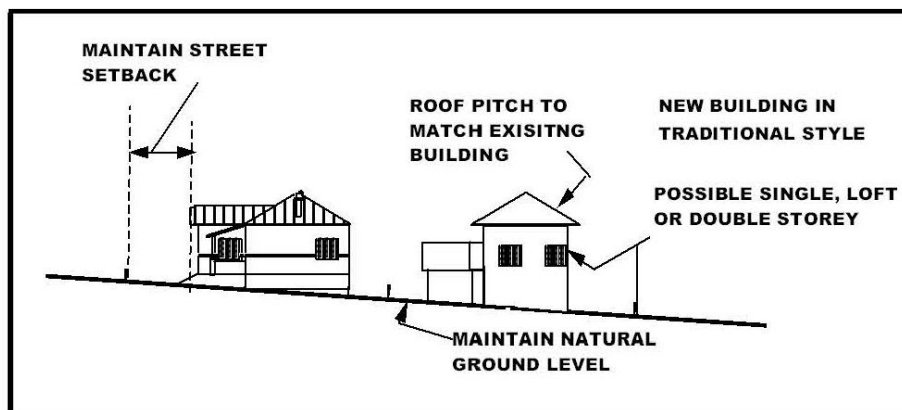


Figure 26 – Example of Infill Development

Infill Development abutting a Rights of Way

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

Carports and Garages

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

4.4 CARPORTS AND GARAGES

Objectives

- Prevent carports, garages, and parking areas from dominating the streetscape;
- Ensure that the appearance of carports, garages and parking areas are in keeping with, and respectful to, the houses to which they belong;
- Reduce the impact of vehicle access and parking on the existing streetscape by ensuring that any new vehicular access is obtained from the rear of the property, where possible; and
- Reduce the impact of parking structures on the existing streetscape by ensuring that such structures are located at the rear and side of properties.

4.4.1 VEHICLE ACCESS

- a) Vehicle access and parking shall be from the rear access lane (right-of-way) where possible.

Location and Setbacks

- a) Carports and garages shall be located to the rear of dwellings, or alternatively, to the side of dwellings setback behind the predominant building line;
- b) Garages shall be setback a minimum of 0.5 metres behind the predominant building line;
- c) Garages shall not be located in front setback areas;
- d) Carports may be considered in front setback areas, but only where no alternative locations exist, a minimum setback of 1.5 metres from the primary street is maintained, and where the proposal meets the objectives of these guidelines. Such carports shall not be fitted with any style of roller or tilt-up panel door; and
- e) Carports and garages should be set back from the side boundary where possible.

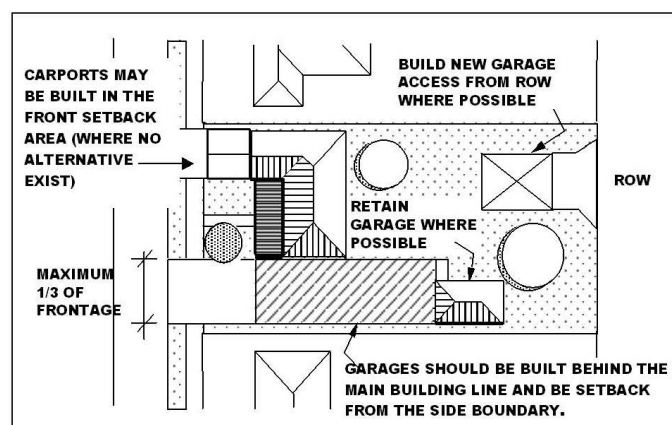


Figure 27 – Location of Carports and Garages

4.4.2 DESIGN

- a) Carports and garages shall be of the same style, design and materials, roof pitch (to a minimum of 25 degrees) and form to the traditional house to which it belongs;
- b) Where carports are considered appropriate in front setback areas (refer above), carports shall be open in style and allow an unobstructed view of the dwelling from the street;
- c) Carports and garages shall have a maximum width of 5.5 metres (internal) or one-third the frontage of the dwelling (whichever is the lesser);
- d) Carports and garages shall have a maximum plate height of 2.7 metres; and
- e) Where a wall is permitted to be located on the boundary, that wall shall be constructed as a traditional parapet wall (refer Figure 17).

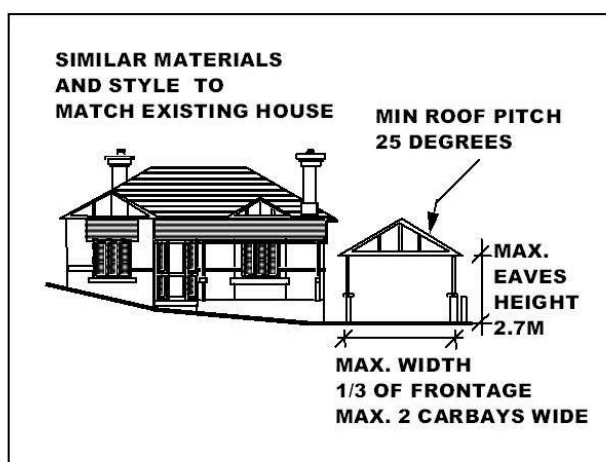


Figure 28 – Built Form of Carports and Garages

4.4.3 CROSSOVERS AND VERGES

- a) A maximum of one crossover per lot per street frontage shall be permitted;
- b) Crossovers shall be restricted to a maximum of one-third the width of the front boundary;
- c) In the case of infill development, the crossover to the street shall be shared between dwellings; and
- d) No verges shall be paved or densely landscaped. Natural low ground-cover is considered to be the only appropriate verge treatment. Mulch alone will not be permitted.

4.5 FENCES AND GARDENS

Objectives

- a) Recognise the important contribution that fences and gardens make to the streetscape;
- b) Retain and maintain open front gardens;
- c) Ensure the retention and conservation of traditional fences where these occur;
- d) Ensure new fencing forward of the building are of a design, material and colour that is complementary to the style and character of the area; and
- e) Ensure new fencing forward of the building are of a design, material and colour that is complementary to the house to which it belongs

4.5.1 FENCING CHARACTERISTICS AND DESIGN STANDARDS

Mount Lawley

Low or open-style front fencing is the predominant fencing characteristic of the Mount Lawley Heritage Protection Areas (Refer *Part 2 Residential Character Analysis – Mount Lawley Heritage Protection Area – Mount Lawley Streetscapes*).

Fencing is to comply with the following provisions:

- a) Fencing shall be compatible with the style and character of the house in terms of design and detail;
- b) Solid fences or screen walls forward of the predominant building line shall not exceed 750mm in height;
- c) Open-style fences forward of the predominant building line may be constructed to 1200mm high above natural ground level;
- d) The height of any open-style fencing may be increased to a maximum of 1800mm above natural ground level, but only where the fencing is constructed in high quality materials, such as wrought-iron infill (rather than timber picket infill) (refer Figure 29).

Menora

Open front gardens with low masonry fences or an absence of fences is the predominant fencing characteristic of the Menora Heritage Protection Area (Refer *Part 2 Residential Character Analysis*

– *Menora Heritage Protection Area - Menora Streetscapes*).

Fencing is to comply with the following provisions:

- a) Fencing forward of the predominant building line will not be permitted, unless it is a characteristic of the immediate traditional streetscape. Masonry fencing to a maximum height of 750mm will be considered in these instances;
- b) Fencing shall be compatible with the style and character of the house in terms of design and detail.

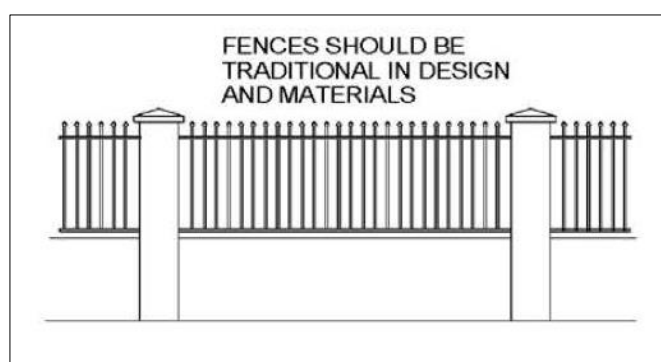


Figure 29 - Example of Open-Style Fencing

4.5.2 GARDEN DESIGN

- a) Existing front gardens, mature trees, and street trees shall be retained and maintained;
- b) Where trees are to be removed, the applicant shall demonstrate justification for removal, and satisfy the City that alternative measures such as pruning are impractical; and
- c) Where mature trees are to be removed, the applicant should plant and maintain suitable replacements elsewhere on the site.

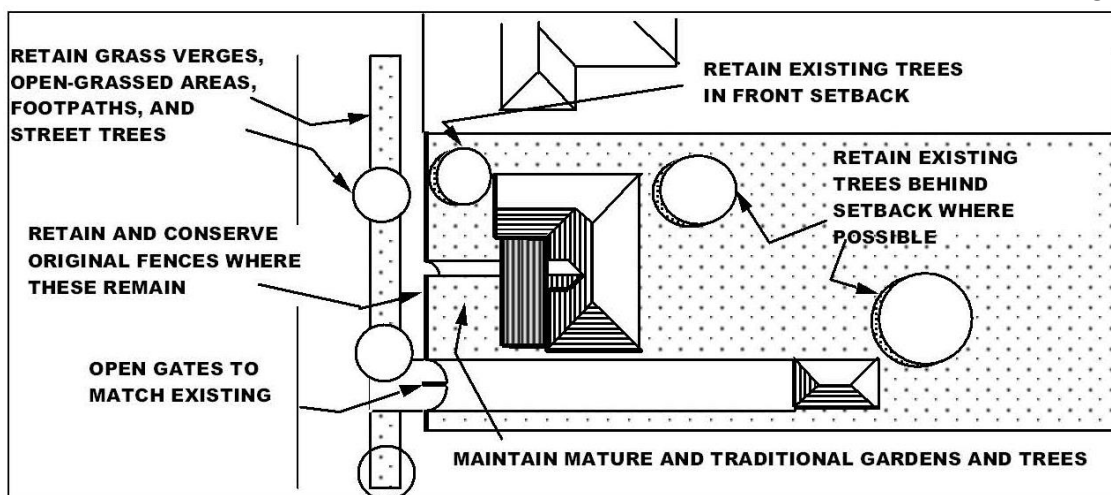


Figure 30 – Example of Traditional Garden Design

PART 5 - COMMERCIAL CHARACTER ANALYSIS

5.1 TWO STOREY COMMERCIAL

There are a number of prominent early two storey commercial or mixed-use developments within the Heritage Protection Areas. Whilst representing a variety of architectural styles, these sites are generally consistent in being key landmarks for the area located along the main commercial spine of Beaufort Street, and generally with more distinctive detailing than their modest single storey counter-parts.

The majority of the early two storey commercial buildings are located at the southern end of Beaufort Street, close to Walcott Street, as this was the earliest commercial strip to develop in the locality, encouraged by the construction of the tramline from the Barrack Street jetty to Walcott Street, completed in 1902. They reflect two key periods of commercial development in the locality – 1905 to 1914 and 1935 to 1940.

Key sites include:

- The Astor Theatre (1914, substantially remodeled in 1939), at the north-western corner of Beaufort and Walcott Streets, Mount Lawley;
- Beaucott Building (1905, 1937), at the north-eastern corner of Beaufort and Walcott Streets, Mount Lawley;
- The Commonwealth Bank building (1938), 672a Beaufort Street, Mount Lawley;
- Mount Lawley News (1910), 668 Beaufort Street, Mount Lawley;

Additionally, there are two early two-storey hotels located within the Heritage Protection Areas – both on Beaufort Street:

- The Inglewood Hotel (1935-36), at the corner of Fifth Avenue, Mount Lawley;

The early two storey commercial buildings exhibit attributes from a variety of architectural styles including Federation Free Classical (Mount Lawley News), Inter-War Functionalist (Beaucott Building, Civic Hotel), Inter-War Art Deco (Astor Theatre, Commonwealth Bank) and Inter-War Spanish Mission (Inglewood Hotel).

The Inter-War Functionalist style is also evident in the Mount Lawley Bowling Club (fmr Mt Lawley Tennis Club, 1936) at the corner of Storthes Street and Rookwood Street. The style's influence can also be seen on the predominantly Inter-War Spanish Mission style Inglewood Hotel.

The influence of the Inter-War Art Deco style can also be seen on the Civic Theatre (fmr), particularly in the clock and base to the corner spire (though the spire itself is atypical of this style).

The Inter-War Functionalist style had its background in European modernism of the 1920s and 1930s. Modernism is the general name given to the trend that embraced functionalism, technology, and the elimination of applied historical ornamentation. The influence of Le Corbusier, Eric Mendelssohn, W M Dudok and the Bauhaus was important.

Australia was slow to embrace these ideas, with the better inter-war examples being by younger architects who had travelled to Europe and witnessed the new 'international style' firsthand. They designed streamlined, horizontal architecture, often in factories, schools, and hospitals. In Mount Lawley, the style is most evident in the Beaucott Building, and can also be seen in the Bowling Club and Civic Hotel.

The style was, for the time, radical and progressive, with its simple geometric shapes, light colours, and large areas of glass.

Common features of the Inter-War Functionalist style include:

- Asymmetrical massing;
- Simple geometric shapes;
- Long horizontal balconies or spandrel;
- Metal framed corner or ribbon windows;
- Roof concealed by parapet;
- Rounded corner;
- Plain surfaces – light toned cement or face brick.

Inter-War Art Deco (c.1915 – c.1940)

The Inter-War Art Deco style also celebrated the exciting, dynamic aspects of the machine age, but in a way that appealed to a larger group of people, with the use of graphic decorative elements and modern, eye-catching materials.

The Inter-War Art Deco style came to be favoured for two distinctively twentieth century building types: the cinema and the skyscraper. In Australia, the style was also frequently used in commercial and residential interiors and shop fronts. In Mount Lawley, the style can be seen in commercial buildings and the Astor Cinema.

Common features of the Inter-War Art Deco style include:

- Suggestion of vertical or horizontal motion;
- Stepped skyline or silhouette;
- Decorative elements concentrated on the upper part of the building;
- Three-dimensional quality in massing and detailing;
- Vertical and horizontal fins;
- Parallel line, zigzag or chevron motifs;
- Geometric curves, stylised effects;
- Chrome plated steel used for shop fronts and commercial interiors;
- Metal framed windows;
- Use of stylised typefaces.

5.2 SINGLE STOREY SHOP

Early single storey shops, dating from the late nineteenth and early twentieth century, are predominantly located along the main commercial strip of Beaufort Street running through the Mt Lawley Heritage Protection Area.

Beaufort Street was the main thoroughfare to the rapidly developing residential area of Mt Lawley. Commercial development spread northward along the street, encouraged by the construction of the tramline from the Barrack Street jetty to Walcott Street, completed in 1902.

Single storey shops of this era are generally consistent in their style, being modest single storey buildings with simple detail to parapet walls, and awnings over the footpath.

Common features include:

- Single storey;
- Often in small groups of two to four shops built at the same time;
- Recessed entry door, usually centrally located;
- Rendered brick parapet wall to street facades generally with vertical piers separating each individual shop and simple articulation;
- Flat awning projecting over the footpath;
- Large windows;
- Corrugated metal roof hidden behind parapet.

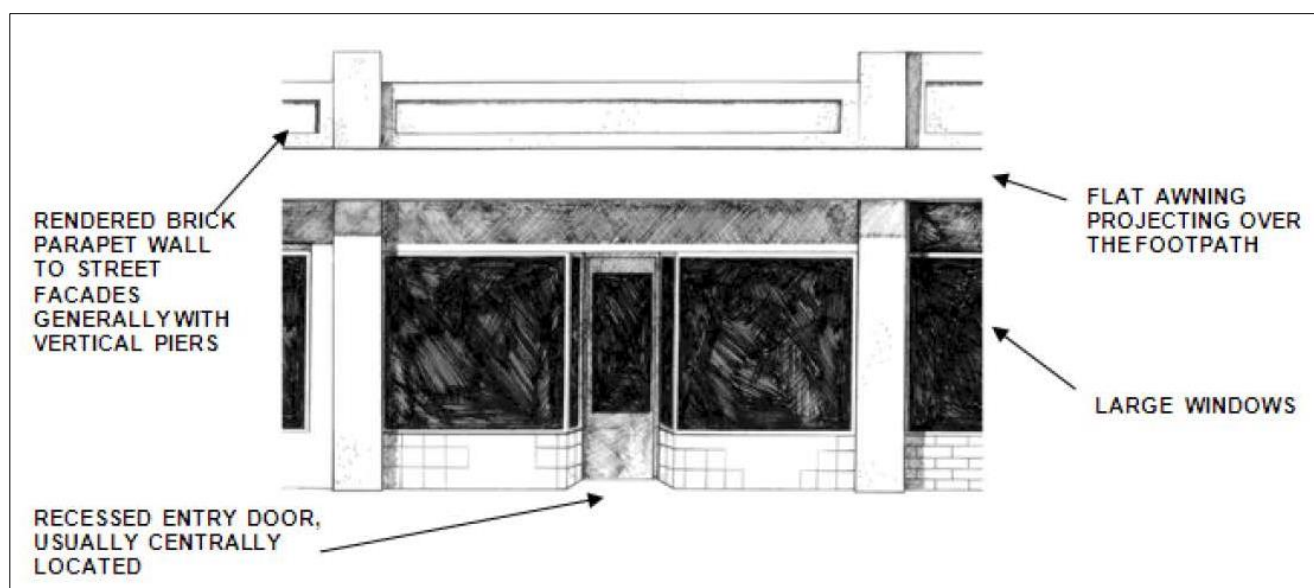


Figure 31 – Single Storey Shop

5.3 THE CORNER STORE

Corner stores, strategically located within the heart of a community, have traditionally catered for the necessities of life – a loaf of bread, the newspaper, perhaps a few purchases – as well as being an important meeting place for the local community.

Historic corner stores dating from the late nineteenth and early twentieth century are scattered throughout the Mt Lawley Heritage Protection Area, though the majority are located along Beaufort Street. They form an important part of the built heritage and contribute to the distinctive feel of a street, providing familiar landmarks and a sense of the past. The physical features, and particularly the external appearance, of many have changed very little since they first opened their doors.

Corner stores of this era are generally consistent in their style, being modest single storey buildings with corner truncations and simple detail to pilastered parapet walls.

Common features include:

- Single storey;
- Corner truncation with entry door;
- Parapet wall to street facades, sometimes stepping down away from the corner, generally with vertical piers and simple articulation;
- Rendered brick facades;
- Flat awning projecting over the footpath;
- Large windows (some have in more recent times been bricked in);
- Corrugated metal roof hidden behind parapet.

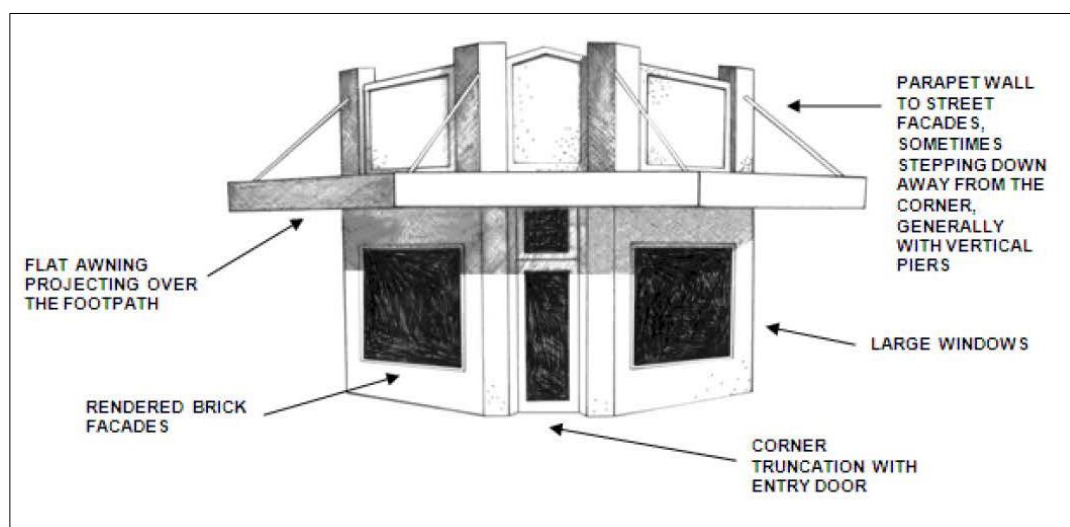


Figure 32 – Corner Shop

PART 6 - COMMERCIAL DEVELOPMENT PROVISIONS

This part of the guidelines only applies to those sites that allow mixed use and non-residential development outside of the area covered by the Beaufort Street local Development Plan.

6.1 COMMERCIAL AND MIXED - USE DEVELOPMENT

Objectives

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

6.1.1 STREETSCAPE

Ground Floor Setbacks

- a) Additions to traditional buildings, and new commercial and mixed-use buildings shall have nil front setbacks to any street frontage (Note: some properties may be subject to regional road widening).
- b) Where a site has frontage to a primary and secondary street, a minor setback will be considered for alfresco dining on the secondary street. Such setback areas shall be designed to match the existing footpath in terms of levels and paving treatment; and
- c) Continuous awnings or verandahs of traditional scale, form and design shall be provided over the street, and be functional to provide appropriate weather protection.

Upper Floor Setbacks

- a) Upper floor additions to traditional buildings shall be setback a minimum of 3 metres from the predominant building line of the original building's street facade;
- b) Nil setbacks for upper floors of new commercial and mixed-use buildings may be considered subject to compliance with the objectives of this section provided these floors are no higher than three storeys.

Orientation

- a) New buildings shall address the street;
- b) Main entrances to buildings shall face the street, and in the case of corner sites shall face the corner, and shall be maintained in operation; and
- c) On-site car parking shall be located to the rear of buildings.

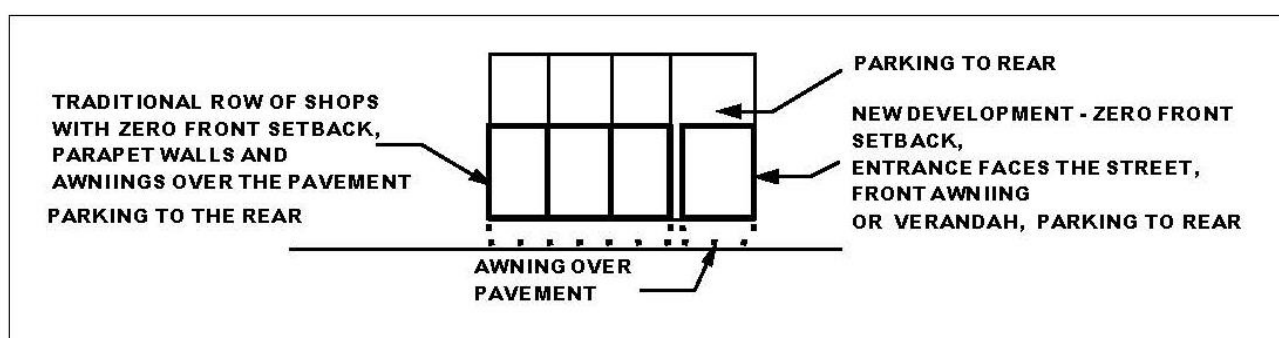


Figure 33 – Example of Traditional Commercial Layout

6.1.2 TRADITIONAL HOUSES USED FOR NON-RESIDENTIAL USES

- a) Traditional houses used for non-residential purposes shall maintain a residential-style appearance, with parking areas located to the rear of buildings and signage integrated into the design of the building;
- b) No additions to the traditional house shall occur within the front setback area, unless restoring an original feature in the original architectural style (eg; a verandah);
- c) The provisions of section 4.1 “Conservation of, and Additions to, Traditional Houses” of these guidelines shall apply to any works proposed to the traditional house.

6.1.3 BUILT FORM & DESIGN

Design

- a) New commercial and mixed-use buildings shall be of traditional style and reflect the design, colours, and materials of traditional buildings within the streetscape;
- b) New commercial and mixed-use buildings shall have similar facade treatments and architectural detailing / articulation as traditional buildings;
- c) New commercial and mixed-use buildings shall have similar sill and awning heights to traditional buildings;

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- d) Window frames shall be constructed in timber (preferred) or wide-profile metal. Shop fronts shall reflect traditional shop fronts with narrower timber or metal framing; and
- e) Refer to the City's Beaufort Street Local Development Plan for additional requirements, particularly:
 - Mount Lawley mixed use precinct for heights;
 - Mixed use standards;
 - General standards;
 - Architectural styles; and
 - Frontage styles.



Figure 34 – Example of New and Existing Development

6.1.4 SIGNAGE

- a) Signage shall not cover any architectural features or detailing of a building and should not dominate the shopfront or building frontage. Signage is to be positioned and designed to fit within spaces created by architectural elements on the building in particular the awnings and pediments;
- b) Multi-tenancy developments should provide a coordinated signage strategy as part of the development application; and
- c) Signage within the Mount Lawley and Menora Heritage Protection Areas and the area of the Beaufort Street Local Development Plan:
 - is subject to the signage provisions of Local Planning Scheme No. 3; and
 - The signage provisions of the City's Advertising Signs Local Planning Policy.

PART 7 - DEVELOPMENT ON RESERVES AND PRIVATE INSTITUTION ZONES

Objectives

- Ensure that any new development does not adversely affect the heritage character and amenity of surrounding properties; and
- Ensure that any new development be of similar scale, form, and bulk of surrounding properties, and is respectful to the heritage character of the locality.

7.1 BUILT FORM AND DESIGN

- a) New buildings shall be respectful to the design, form, and scale of traditional buildings within the streetscape; and
- b) New buildings shall have similar facade treatments/detail as traditional buildings, and incorporate architectural detailing that respects the traditional buildings.

7.2 STREETScape RELATIONSHIP

7.2.1 SETBACKS

- a) Where adjoining sites are zoned Residential, new development shall be setback from the street to match the setback of the traditional buildings within the streetscape;
- b) Where adjoining buildings on either side of new development have varying setbacks from the street, new development may incorporate a 'stepped' setback from the street (in order to align with the existing buildings on both sides);
- c) Where adjoining sites are zoned Residential, new development shall be setback from those common boundaries (side and rear) in accordance with the Residential Design Codes; and
- d) Where adjoining sites are zoned non-residential, the side and rear setbacks of new development shall match those of the adjoining lots.

8. VARIATIONS

Variations to these Guidelines will only be considered where the applicant has demonstrated, via a written submission and supporting documentation, that the requested variation complies with the objectives of these Guidelines.

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Modified	1012/035	8 Jan 2013
Modified	1212/005	8 Jan 2013
Modified	0816/042	27 Jun 2017
Modified	0218/006	15 May 2018
Modified	0516/039	11 Dec 2018
Modified	0821/044	7 Sep 2021

3.1A CHARACTER RETENTION GUIDELINES INGLEWOOD

PART 1 - INTRODUCTION AND PURPOSE

1.1 INTRODUCTION

Where there is an inconsistency between the provisions of these Guidelines and other Policies the provisions of these Guidelines shall prevail, except where the Beaufort Street Local Development Plan applies.

1.2 PURPOSE

To provide a framework for the assessment of development applications to ensure the policy objectives are met.

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

1.3 OBJECTIVES

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

The key objectives of these Guidelines are to: -

- Ensure the retention of buildings within the Inglewood Heritage Protection Areas dating from the early 1900s to the 1950s where the architectural style of the building is generally intact;
- Ensure that new buildings, alterations and additions to existing buildings, carports, garages and front fences are in keeping with the heritage character of the area, respect the scale and proportions of surrounding buildings, and where located on a **Character Street** are designed to fit into the existing streetscape;
- Maintain and improve existing street trees, grass verges and front gardens;
- Retain mature trees wherever possible; and
- Support environmentally sustainable design which respects the traditional character of the area.

1.4 GUIDELINE AREA

These Guidelines apply to all land within the Inglewood Heritage Protection Area Special Control Area outlined in **Figure 1** Guideline Area.

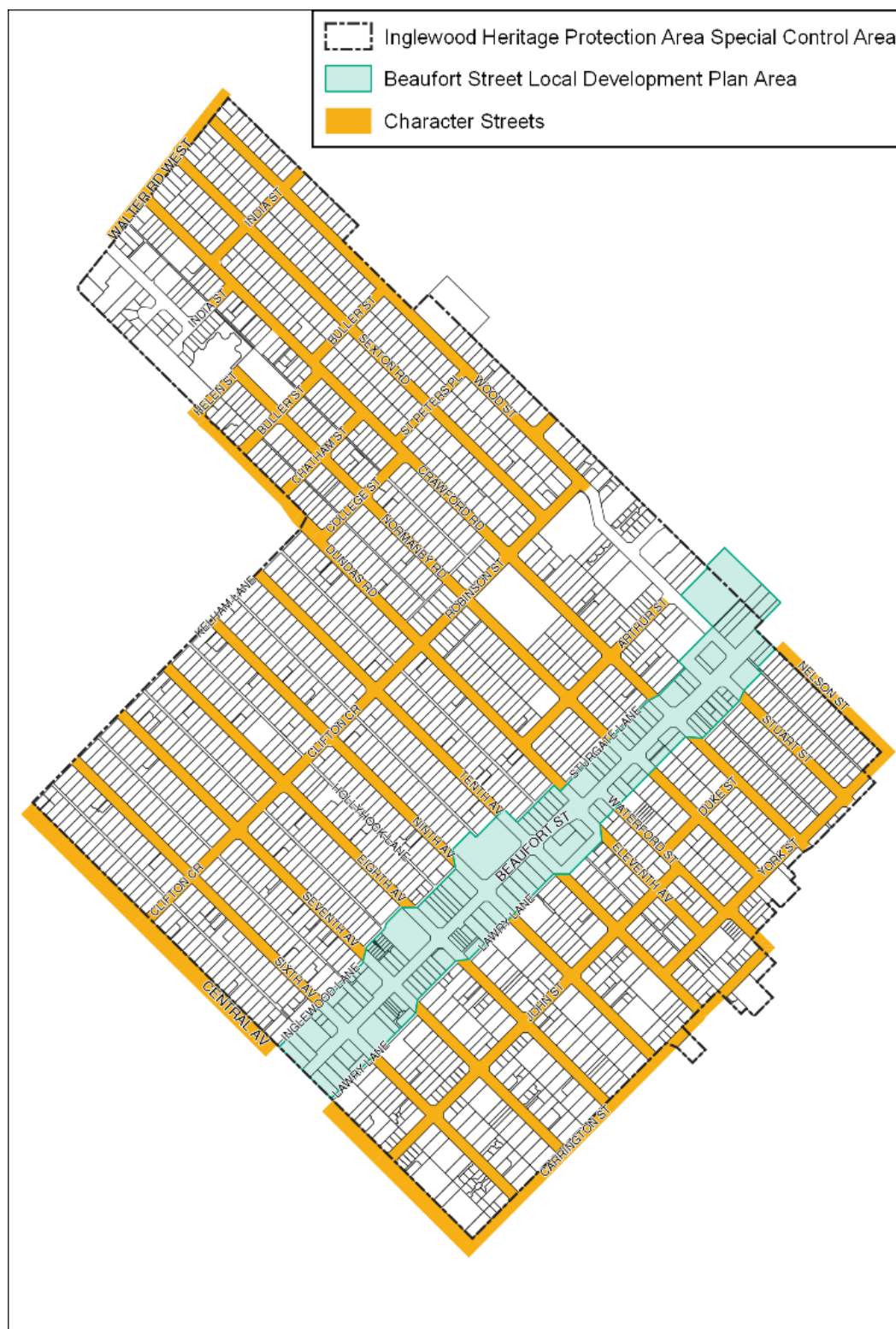


Figure 1 – Guideline Area showing Character Streets

1.5 DEFINITIONS

The following definitions apply within this policy:

Character Street:	Means streets which display ' Original Traditional Lot ' layouts and dwellings with traditional architectural styles and garden designs. These streets are shown in Figure 1 .
Locality:	Means properties within a 75m radius from the centre of the Original Traditional Lot to which the dwelling or addition is located (refer to Figure 2). Dwellings outside of the Inglewood Heritage Protection Area are not included within the 75m Locality area.
Original Traditional Lot:	Means the lot area established during the original subdivision of the land.
Predominant Building Line	Is measured from the roof line directly above the front door of the dwelling.

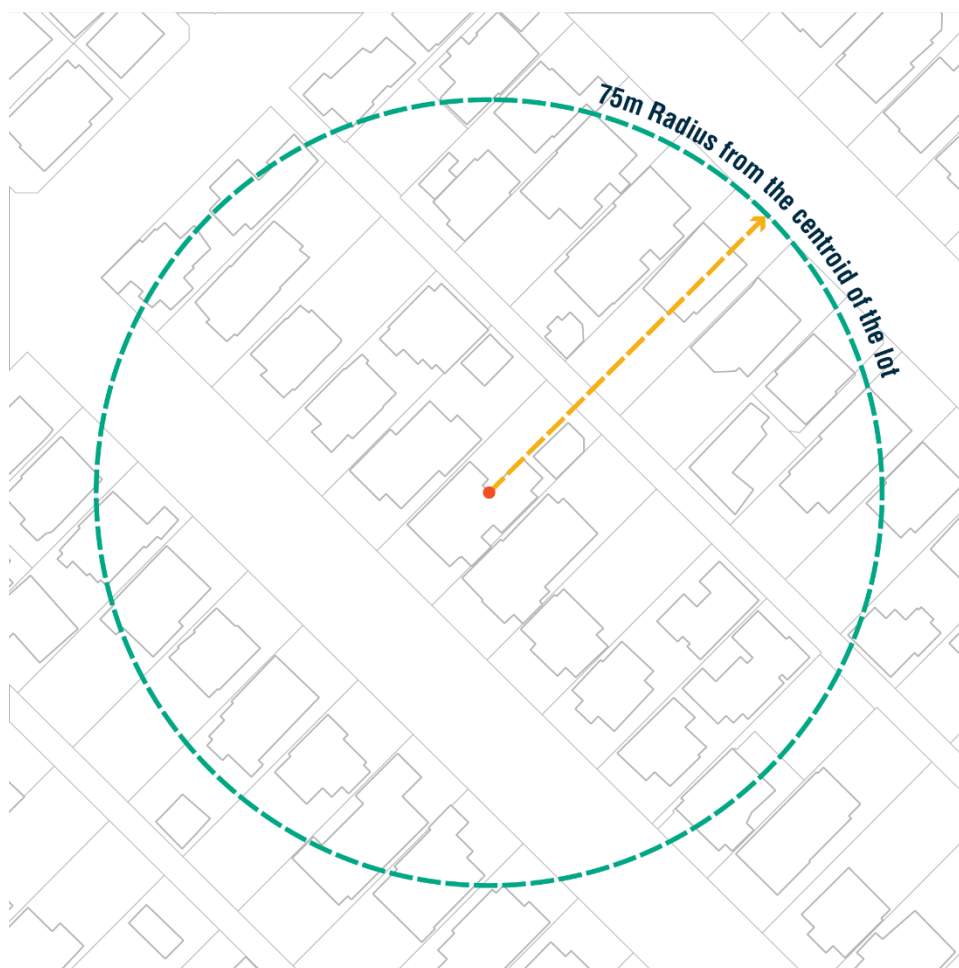


Figure 2 – How 'Locality' is determined

1.6 HOW TO USE THESE GUIDELINES

Part 2 of these guidelines provides an analysis of Inglewood, explaining why it has its special heritage character. This considers the area, including the characteristics of the streetscape and the features typical of the buildings in the area. This aim is to provide a context for new development as well as informing applicants of why there is a need to ensure that the development complements the existing buildings and character of the area.

The Guidelines apply to all types of development within the Inglewood Heritage Protection Areas, including the conservation of existing buildings, additions to existing buildings, new development, fences, carports and garages. These guidelines provide principles and specific requirements for detailed design, focusing on key elements such as the built form and streetscape.

All new development must meet the objectives of the relevant section and the overall objectives of the policy.

The City will use the guidelines to assist in determining whether proposed development is in keeping with the heritage character of the area.

1.7 RELATIONSHIP TO OTHER PLANNING DOCUMENTS

In preparing development proposals, these guidelines should be read in conjunction with the following planning documents:

- a) City of Stirling Local Planning Scheme No.3
- b) Residential Design Codes of Western Australia Volume 1 and 2
- c) City of Stirling Heritage List
- d) The City of Stirling local planning policies, specifically including those relating to residential development (e.g.; Residential Building Height and Development Abutting Rights of Way)
- e) The Beaufort Street Local Development Plan, and
- f) State Planning Policy 3.5 Historic Heritage Conservation.

Where any conflict exists between these guidelines and the Deemed-to-Comply and/or Element Objectives of the *Residential Design Codes*, the provisions of these guidelines shall prevail with due regard given to the Performance Criteria of the *Residential Design Codes*.

The words and expressions used in the Guidelines have the same meaning as those Local Planning Scheme No.3, unless otherwise defined in this policy.

1.7.1 RELATIONSHIP OF LOCAL PLANNING POLICY 3.1A TO THE BEAUFORT STREET LOCAL DEVELOPMENT PLAN

- a) The Beaufort Street Local Development Plan Area remains subject to Local Planning Policy 3.1A.
- b) The Beaufort Street Local Development Plan prevails if there is any inconsistency with Local Planning Policy 3.1A.

- c) The Beaufort Street Local Development Plan controls the built form and architectural style of new mixed use, non-residential, and residential multiple dwelling development within the local development plan area.
- d) All other matters shall be in accordance with the relevant provisions of this Local Planning Policy.

PART 2 - RESIDENTIAL CHARACTER ANALYSIS

2.1 INGLEWOOD HERITAGE PROTECTION AREA

2.1.1 DESCRIPTION OF THE AREA

The Inglewood Heritage Protection Area is bounded by Central Avenue, Carrington Street, Oxford Street, York Street, the City of Stirling boundary, Walter Road West, Dundas Road and Hamer Parade (refer **Figure 1**).

Streets referred to as '**Character Streets**' are shown in **Figure 1**.

2.1.2 HISTORY OF INGLEWOOD

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

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

2.1.3 SIGNIFICANCE

Inglewood is an area of considerable significance.

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

- a) It is a typical example of the rectangular grid road and subdivision pattern; and
- b) It contains good examples of housing from the early 1900s and inter-war period, including very good examples of Federation Bungalow and Californian Bungalow styles.

2.1.4 INGLEWOOD STREETSCAPES/ CHARACTER STATEMENT

Inglewood is laid out in a rectangular grid pattern with lots of predominantly equal size in individual streets, but with some noted variation across the area. Traditional lot sizes vary throughout the area; however, the majority are between 650 and 750 square metres, with street frontages between 13 and 15 metres.

The area comprises predominantly single residential buildings with one dwelling to each lot, although this is changing since the upcoding of the area occurred. Dwellings are generally single storey, located towards the front of the lot and with the front door facing the street. Dwellings are set back an equal distance from the front boundary generally ranging from 5 to 9 metres in individual streets. Dwellings have front gardens with exotic plantings that reflect the period of construction. A range of fencing heights exist through the area, with

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front fences built in a range of styles including timber pickets, woven wire and low masonry fences. Mature trees, particularly in back gardens, provide an attractive tree canopy throughout the area (refer **Figure 3**).

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

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

There are several areas where the character of the traditional streetscape has been altered by the amalgamation or subdivision of lots for unit development which do not follow established setbacks, etc. These developments are considered to have 'intrusive' or 'neutral' impacts on the **character street**. This is the same for homes which were constructed during the 1960's to present.

Houses are setback an equal distance from the street with exotic plantings in front gardens

Streets have pavements, verges and street trees



Low front fences allow houses to be seen from the street

Houses have a single crossover

Mature trees in backgardens provide tree canopy

Figure 3 – Layout of Inglewood Streets

2.1.5 TRADITIONAL INGLEWOOD DWELLINGS

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

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

Federation Bungalow - c.1890-c.1915

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

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

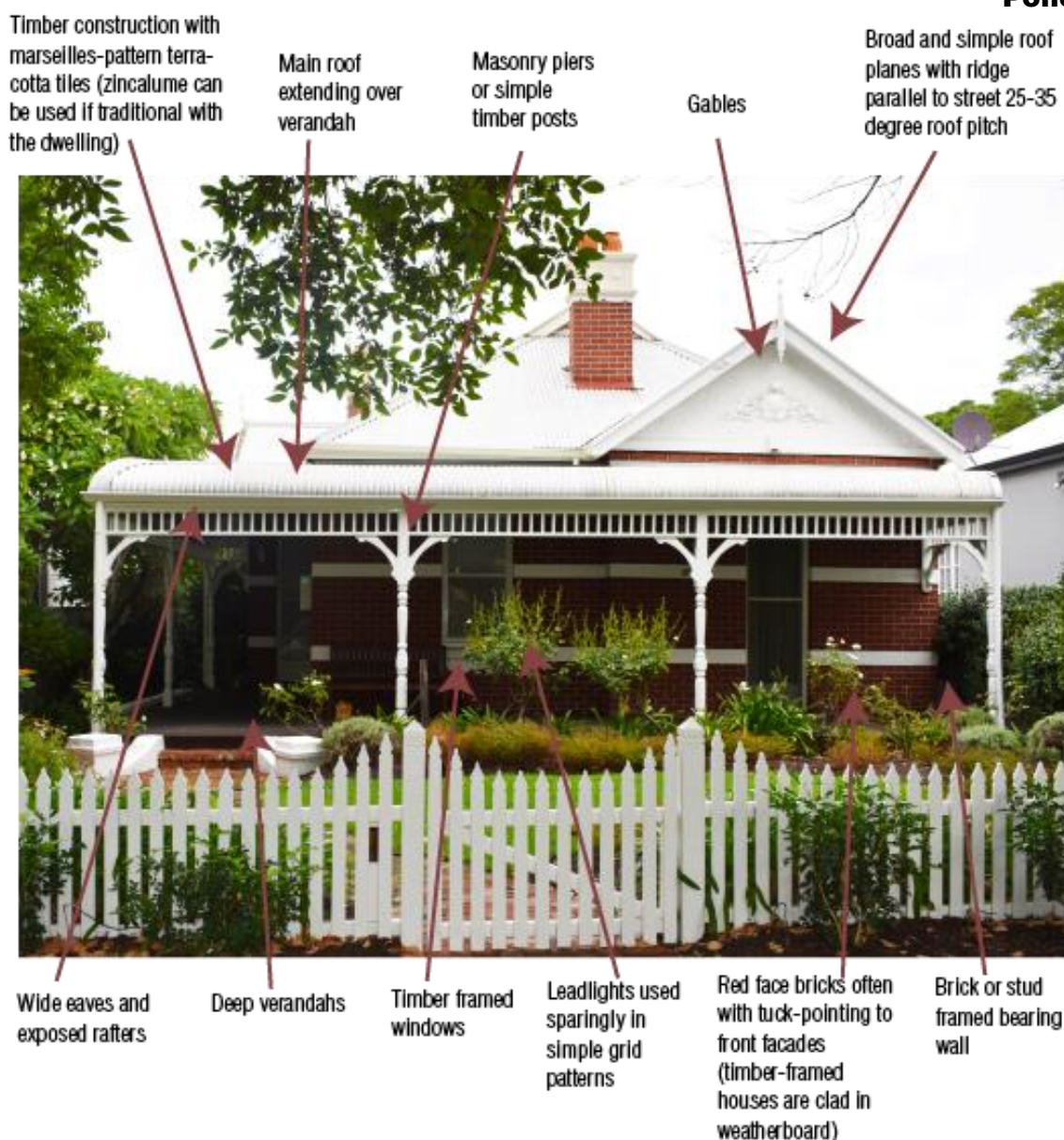


Figure 4 – Example of a Federation Bungalow

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

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

Australian architects were designing individual interpretations of the Californian Bungalow, during the early years of the twentieth century and by the early 1920s many builders had embraced the style. In Australia, the Inter-war California Bungalow was generally built in brick with chunky carpentry details, rather than the fully timber construction that characterised the style in the United States. Residences built in this style are usually free-standing, single storey set on suburban blocks with informal lawns and gardens, often using natural materials and finishes. Examples are shown below and in **Figure 5**.

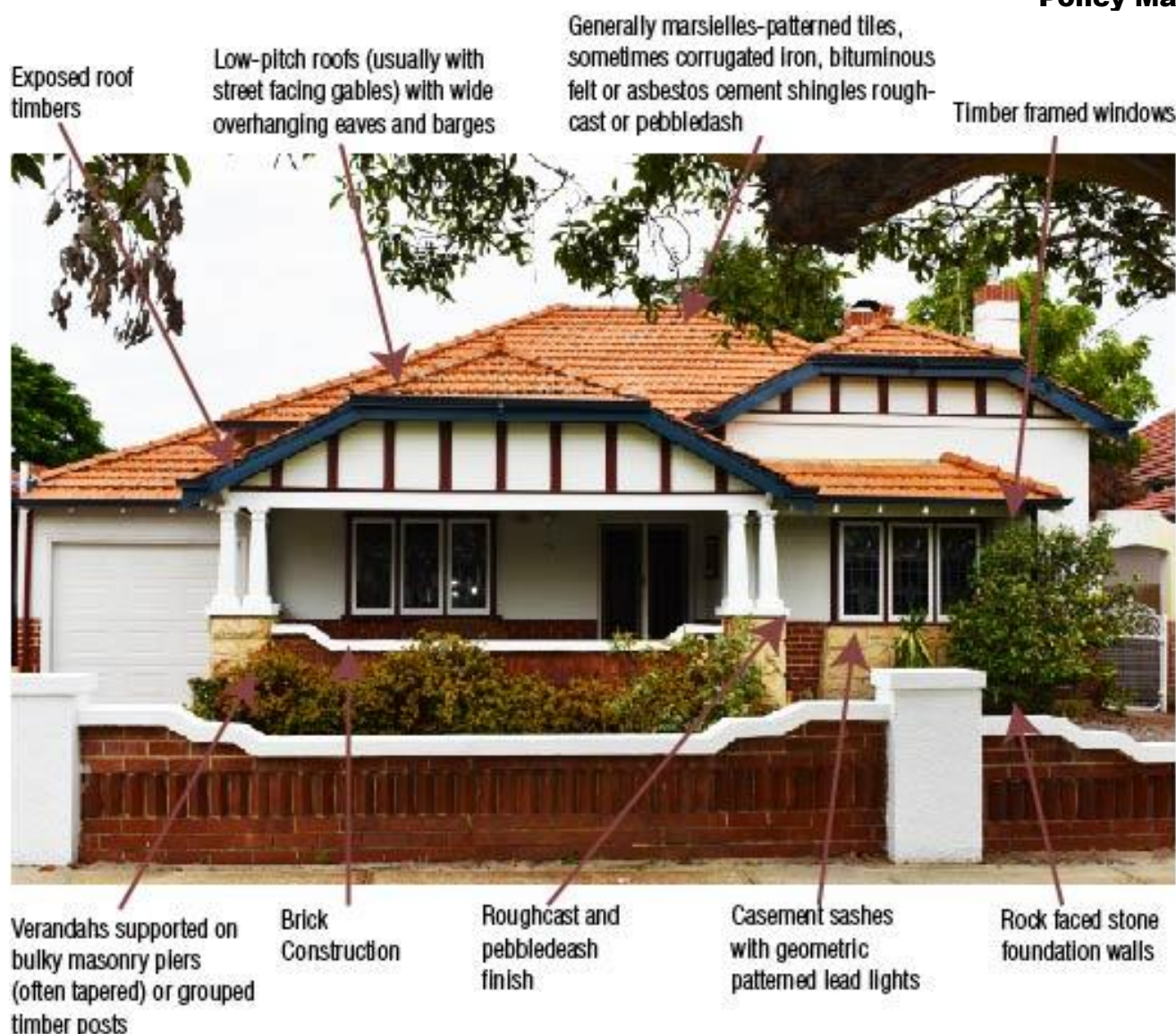


Figure 5 – Example of an Inter-War California Bungalow

Austerity Cottage - Late 1940s and 1950s

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

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

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

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

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

Please refer to **Figure 6** for an example of the Austerity Cottage style.



Figure 6 – Example of an Austerity Cottage

PART 3 - DEMOLITION OF BUILDINGS

Objective

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

Applicants wishing to demolish a building within the Heritage Protection Area are required to lodge an application for development approval under Part 8 of Local Planning Scheme No. 3. The application should include a written justification for the proposed demolition addressing the points below.

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

3.1 PARTIAL DEMOLITION OF A BUILDING

Demolition of a minor portion of a traditional building may be considered in the case of a development application for an addition to that building. The proposal must meet the objectives of *Part 4 'Residential Development'* or section *6.1 'Commercial & Mixed-Use Development'* of these guidelines.

Demolition of large portions of a traditional building, or removal of original features from the front façade to facilitate a new addition will not be considered.

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

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

The details are to include and not limited to:

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

PART 4 - RESIDENTIAL DEVELOPMENT PROVISIONS

The retention of the character of traditional buildings in the 'Character Streets' of Inglewood is a key objective of these guidelines. To retain these streetscapes while allowing design flexibility, different levels of design control apply to different parts of the lot as described below, while ensuring traditional buildings remain the dominant feature of the streetscapes.

This approach allows increased design flexibility the further the development is located from the 'Character Street'. Development will not be supported in the 'Foreground' part of a lot that does enhance and retain the character of the traditional dwelling.

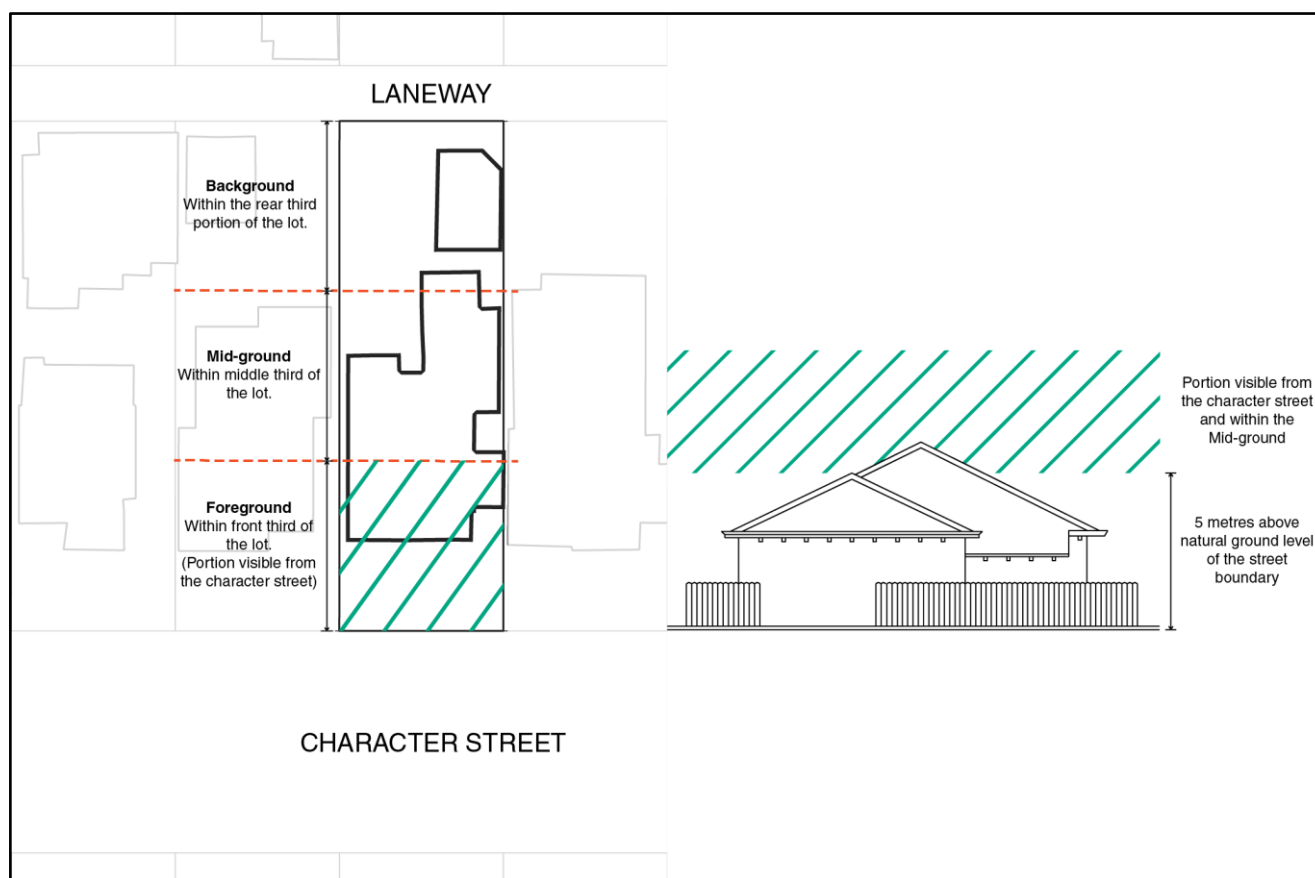


Figure 7 – Diagram of Visibility and Sections fronting Character Streets

*Note: Where a property abuts two **character streets** the same principles apply to both **character streets***

4.1. DEVELOPMENT WITHIN THE FOREGROUND AREA

This section applies to development within the foreground (refer to **Figure 7**). This includes conservation of and additions to, traditional and non-traditional dwellings and new buildings.

Objectives

- Retain traditional dwellings with minimal alterations visible from the Character Street
- Ensure conservation works retain and enhance the original character of the traditional dwelling;
- Development is to be designed to ensure the original traditional dwelling remains the prominent element in the Character Streetscape;

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- *Additions to traditional dwellings must reflect the heritage character of the area and the style of traditional dwelling to which they belong;*
- *Ensure alterations and additions to existing non-traditional dwellings respect the traditional character of the area;*
- *Ensure alterations and additions to existing non-traditional dwellings support environmentally sustainable design which respects the traditional character of the area.;*
- *Ensure that design of new buildings respects the style, and character of the surrounding **Locality** and fit into the streetscape;*
- *Ensure the scale and form of new buildings respects that of surrounding traditional dwellings and the street pattern;*
- *Retain the articulation between the ground and upper floor of two storey-built form as viewed from the **Character Street**; and*
- *Ensure existing levels on site are retained as far as practical to maintain the existing natural progression of the land.*

4.1.1 STREET SETBACKS

This section augments the requirements of Clause 5.1.2 *Street Setback* of the *Residential Design Codes*.

For requirements for Carports and Garages refer to Section 4.4.

- No additions and/or alterations to the traditional dwellings shall occur forward of the traditional dwelling, unless restoring an original feature in the original architectural style (e.g.; a verandahs);
- Any single storey additions are to be setback a minimum of 2 metres back from the Predominant Building Line of the traditional dwelling;
- The ground floor of new buildings shall follow the established street setback, for both primary and secondary streets irrespective of the relevant Residential Design Code Clause 5.1.2 Street Setback (refer **Figure 8**);
- Where the street pattern varies, the building setback average of the adjacent properties fronting the same street will be used to determine the setback;
- Second storey additions to traditional dwellings are to be located behind the ridgeline of the traditional dwelling; and
- Second storeys to new dwellings are to be setback a minimum of 4 metres from the **Predominant Building Line**.

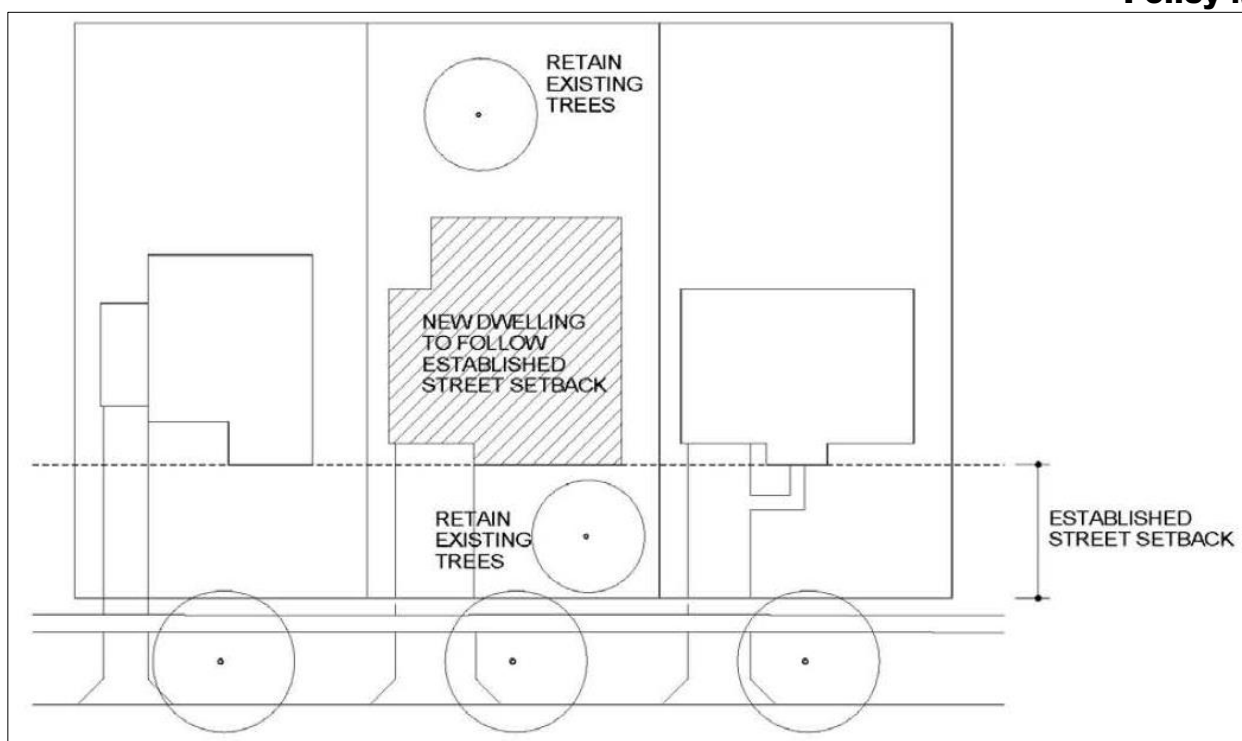


Figure 8 - Streetscape

4.1.2 LEVELS

This section augments the requirements of 5.3.7 *Site Works* of the *Residential Design Codes*.

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

4.1.3 DESIGN

- a) Additions to traditional dwellings are to reflect the architectural style, form, colour and materials of the dwelling;
- b) Additions to traditional dwellings are to be designed to ensure the original part of the building remains the prominent element in the Character Streetscape;
- c) New buildings are to be traditional in design and reflect the heritage style and scale of traditional dwellings within the streetscape (refer *Part 2 – Residential Character Analysis* of these guidelines); and
- d) The visual bulk of two storey buildings should be minimised through articulation of larger wall lengths, and the stepping back of upper storey walls from the front and side boundaries (Refer **Figure 9**).

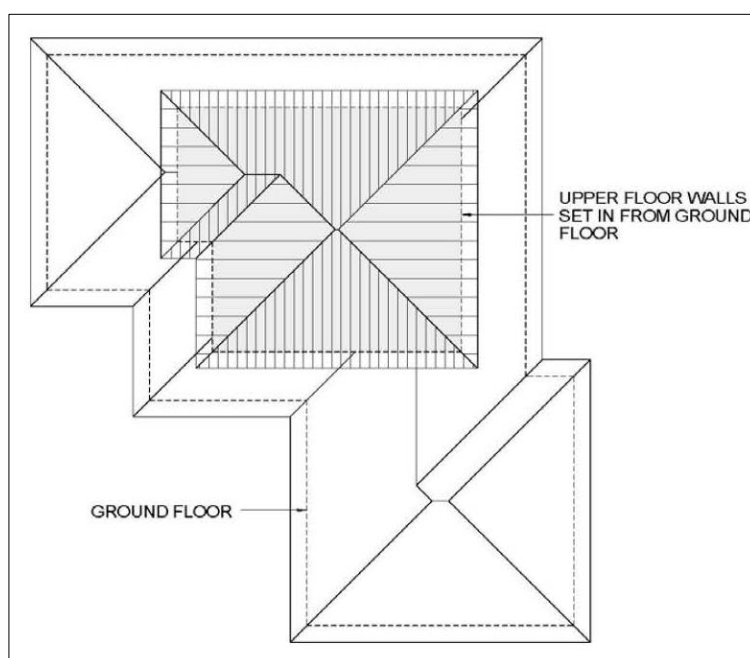


Figure 9 - Upper Storey setbacks

4.1.4 BUILDING HEIGHT

This section augments the requirements of 5.1.6 Building Height of the Residential Design Codes.

- a) The wall heights of single-storey additions are to match the traditional dwelling; and
- b) The ridge and wall heights of second-storey additions and new buildings are to be in accordance with the City's Residential Building Heights Policy. Consideration may be given to nominal height increases, but only where such increases facilitate traditional ceiling/plate heights.

4.1.5 ROOF PITCH

- a) New roofing for additions are to match the roof pitch of the original traditional dwelling;
- b) Roof pitches for new dwellings are to be a minimum of 25 degrees, to a maximum of 35 degrees;
- c) Verandahs to new dwellings may have a lower pitch where this reflects the existing style in the streetscape;
- d) Roofs to new dwellings may be hipped or gabled. Gables shall have traditional timber detailing such as battens, and treatment as per *Part 2: Residential Character Analysis*; and
- e) Barrel vault, curvilinear and low skillion roofs are not permitted.

4.1.6 EAVES

- a) Eaves are to overhang by a minimum of 300mm;

- b) The eaves line of the addition shall not be lower than the eaves line of the traditional dwelling; and
- c) Eaves shall not be boxed and shall have exposed rafters, except where boxed eaves are a feature of the architectural style of the traditional dwelling – for example ‘Austerity Cottage’.

4.1.7 VERANDAHS

- a) Where a verandah is being re-instated, the verandahs form, scale and features (e.g. posts) should be consistent with the architectural style of the traditional dwelling (refer *Part 2 - Residential Character Analysis* of these Guidelines);
- b) Verandahs to new dwellings fronting the **Character Street** are to be a minimum of one-third the width of front elevation; and
- c) Verandahs to new dwellings are to have a minimum depth of 2 metres.

4.1.8 OPENINGS

- a) Windows are to have a vertical emphasis. That is, the height of the windowpane should be visibly greater than its width (refer **Figure 10**);
- b) Window frames are to be constructed in timber (preferred) or wide-profile aluminium or steel where visible from the street;
- c) Windows to the front facades of a second storey addition are to reflect the configuration and grouping of the traditional dwelling windows facing the street;
- d) Window frames in non-masonry walls are to be recessed;
- e) Window frame colours are to be white or cream. Other colours may be considered acceptable where evidence is provided demonstrating the proposed colour scheme is reflective of the existing traditional dwelling or the original colour palette; and
- f) Dormer windows are not permitted.



Figure 10 – Window Design

4.1.9 MATERIALS & DETAILS

- a) The original materials of the traditional dwelling are to be conserved as far as practically possible;
- b) Where original materials of the traditional dwelling have previously been removed, restoration to original is required;
- c) Restoration of the traditional dwelling shall be based on original drawings and photographs where possible;
- d) Where replacement of materials of the traditional dwelling such as the roof and joinery are necessary, they are to be replaced with materials to match the existing;
- e) New walls and roofing to additions are to match the colours and materials of the traditional dwelling;
- f) For new buildings, traditional materials of face brick and / or render are to be used for the solid wall surface of the façade. The proportions and detailing of these should reflect the traditional dwellings in the streetscape (refer *Part 2 – Residential Character Analysis* of these guidelines);
- g) Bricks used for new buildings are to be in the red colour range and not be scorched or feature colour blends. Recycled or handmade bricks are preferred. Mortar shall be in traditional colours (typically white or cream);
- h) Render used for new buildings are to be in a traditional finish and colour (typically white or cream) and proportions, and consistent with the traditional dwellings in the streetscape;
- i) Where limestone is used, it is to be located at the base of the building and are not to exceed more than 20% of the solid wall surface of the façade (limestone in this instance refers to the use of stone or limestone cladding – limestone coloured bricks are not permitted);

- j) Roof cover may be constructed with tiles in red or terracotta hues or corrugated iron or pre-finished roof sheeting in zincalume; and
- k) Balustrades, verandah posts and the like, are to be constructed in timber or painted metal. Brick or rendered brick verandah posts and balustrading may be appropriate in some instances where it meets the objectives of these guidelines.

4.2 DEVELOPMENT WITHIN THE MID-GROUND AREA

The requirements of *section 4.1- Development within the Foreground* apply to the façade of development facing the **Character Street** for additions to a traditional dwelling and new buildings within the mid-ground which are 5 metres or greater above natural ground level (refer to **Figure 7**).

For all other development within the midground, the requirements of *4.3 Development – within the Background or fronting non-Character Streets* apply.

4.3 DEVELOPMENT WITHIN THE BACKGROUND AND/OR FRONTING NON-CHARACTER STREETS

This section applies to additions to a traditional dwelling within the 'Background' area of a lot (refer to **Figure 7**). These provisions are also applicable to infill development, dwellings and associated structures constructed fronting a non-**Character Street** (for example, laneways or Rights of Way). Development within these areas should respect and harmonise with traditional dwellings within the **Locality** (refer to **Figure 2**) but do not have to mimic the design of the buildings.

Objectives

- *Developments are to be designed to ensure the original traditional dwelling remains the prominent element in the Character Streetscape.*
- *Additions to traditional dwellings must respect the heritage character of the area and the style of traditional dwellings within the **Locality**.*
- *Support environmentally sustainable design which respects the traditional character of the area.*
- *Ensure that design of new buildings respect the style, and character of the surrounding **Locality** and fit into the streetscape.*
- *Ensure the scale and form of new buildings respects that of surrounding traditional dwellings.*
- *Retain the appearance of a single storey-built form as viewed from the **Character Street** front and reduce the impacts of two storey development on the Character Streetscape.*
- *Ensure existing levels on site are retained as far as practical to maintain the existing natural progression of the land.*

4.3.1 SETBACKS

This section augments the requirements of *5.1.2 Street Setback* and *5.1.3 Lot Boundary Setback* of the *Residential Design Codes*.

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- a) Street setbacks for new dwellings fronting onto non-**Character Streets** are as per the Residential Design Codes and the City's Local Planning Policy for Development Abutting Rights of Way.
- b) The setback of new development above plate height of the existing dwelling situated on the same **Original Traditional Lot** should correspond with the predominant side setback of the traditional dwelling.

Note: The intent of clause b) is to ensure that new development is located behind the traditional dwelling, and that the traditional dwelling is the dominant feature in the streetscape.

4.3.2 LEVELS

This section augments the requirements of 5.3.7 *Site Works* of the *Residential Design Codes*.

- a) The natural ground level of the site is to be retained.

4.3.3 ORIENTATION

- a) A maximum of one dwelling is to directly front the **Original Traditional Lot** frontage. New dwellings are to be oriented to front a laneway or Right of Way where possible or be located one behind another, rather than side by side (refer **Figure 11**).

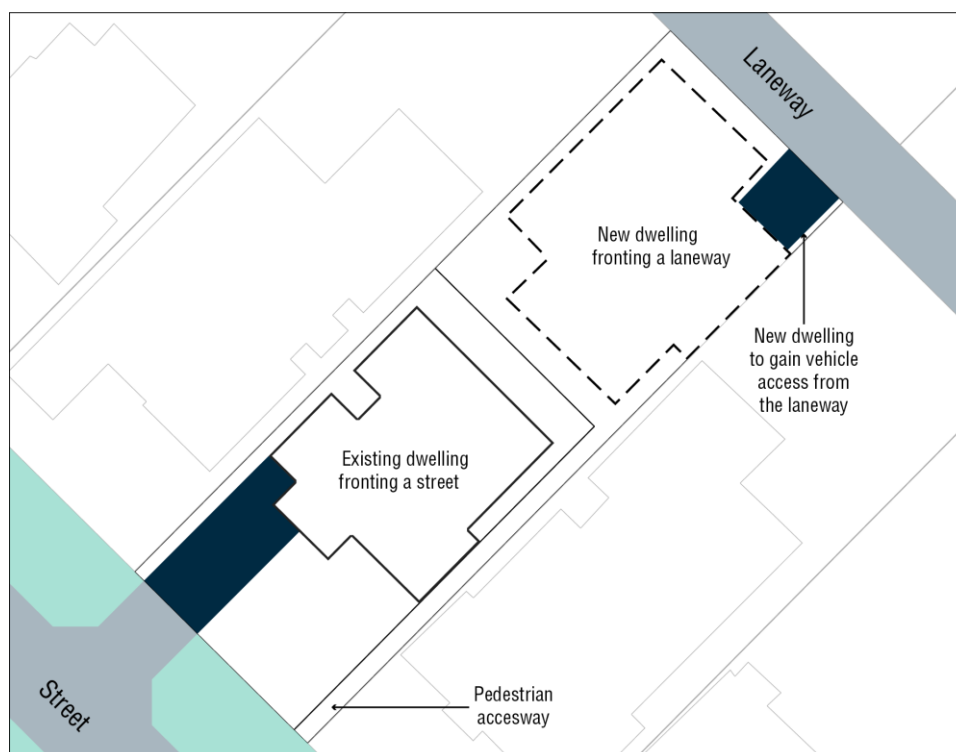


Figure 11 – Example of Infill Development

4.3.4 BUILT FORM AND DESIGN

This section augments the requirements of 5.1.3 *Lot Boundary Setback* of the *Residential Design Codes*.

Applications for development approval the applicant will need to demonstrate that the design achieves the design elements below.

- a) New development is to respond appropriately to the surrounding **locality** through consistent scale and bulk; and
- b) Built form is to reference and respect (without the requirement to mimic) 3 out of the 4 below built form elements of traditional dwellings within the **Locality** (refer to **Figure 2**).
 - 1.0 Traditional roof form;
 - 2.0 Traditional building materials;
 - 3.0 Traditional colours; or
 - 4.0 Traditional window design.

Note: Where a traditional dwelling has been significantly altered from its original condition it cannot be used to justify the design criteria above, at the City's discretion.

4.4 CARPORTS AND GARAGES

Objectives

- To prevent carports, garages, and parking areas from visually dominating the streetscape;
- To ensure where carports and garages are proposed, they are to be designed to ensure the traditional dwelling remains the prominent element in the Character Streetscape;
- To ensure the appearance of carports, garages and parking areas are in keeping with, and respectful to, the dwellings to which they belong; and
- To reduce the impact of vehicle access and parking on the existing streetscape.

4.4.1 LOCATION

This section augments the requirements of 5.2.1 *Setback of garages and carports* of the *Residential Design Codes*.

- a) Garages shall be located to the rear or side of dwellings, setback (a minimum of 0.5m) behind the **Predominant Building Line**;
- b) Garages shall not be located in the front setback area of the character street; and
- c) Carports fronting a **Character Street** may be considered within the front setback area to a minimum setback of 1.5 metres from the street boundary line where they occupy less than one-third of the lot frontage. Such carports shall not be fitted with any style of roller or tilt-up panel door.

4.4.2 DESIGN

- a) Carports and garages are to be of the same style, design, materials and roof pitch (to a minimum of 25 degrees) and form to the traditional dwelling to which it belongs;
- b) The design provisions of *Part 4 "Residential Development"* of these guidelines shall apply to new carports and garages fronting non-**Character Streets**; and
- c) Notwithstanding (a) flat roofed carports may be considered appropriate where they are open in style and allow an unobstructed view of the traditional dwelling from the street.

4.4.3 CROSSOVERS

- a) A maximum of one crossover per lot per street frontage are permitted; and
- b) Crossovers are restricted to a maximum of one-third the width of the front boundary.

4.5 FENCES AND GARDENS

Objectives

- To ensure that front fences, and gardens fit in with the streetscape;

- To retain and maintain open front gardens; and
- To ensure the retention and conservation of existing traditional fences;
- To ensure new fencing forward of the building alignment are of a design, material and colour that is complementary to the style and character of the area.

4.5.1 FENCING CHARACTERISTICS AND DESIGN STANDARDS

For fencing characteristics in the Inglewood Heritage Protection Area refer to *Part 2 Residential Character Analysis – Inglewood Heritage Protection Area – Inglewood Streetscapes*.

Fencing is to comply with the following provisions:

- a) Fencing is to be compatible with the style and character of the dwelling in terms of design and detail;
- b) Solid fences or screen walls along the front lot boundary shall not exceed 750mm in height and are to be constructed of a high-quality material such as masonry;
- c) The height of any open-style fencing may be increased to a maximum of 1.8m above natural ground level, but only where the fencing is constructed in high quality materials, such as wrought-iron infill (rather than timber picket infill) (refer **Figure 12**); and
- d) Alternative forms of fencing (such as colorbond and timber lap) forward of the dwelling are permitted on the side boundaries only to a maximum height of 1.2m. The colour of the fence is to be in strict accord with the traditional dwelling and streetscape to which it belongs.

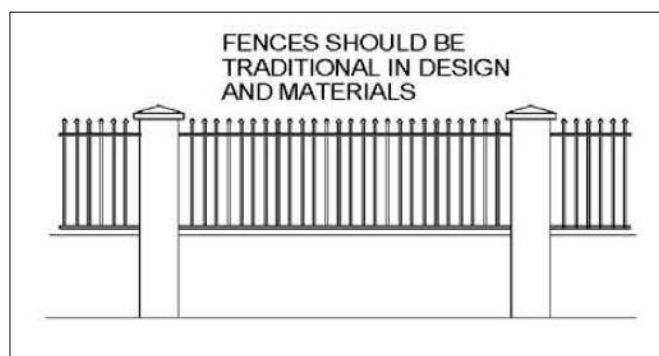


Figure 12 – Example of Open-Style Fencing

4.5.2 GARDEN DESIGN

- a) Existing front gardens, mature trees, and street trees shall be retained and maintained;
- b) Where trees are to be removed, the applicant shall demonstrate justification for removal, and satisfy the City that alternative measures such as pruning are impractical; and
- c) Where mature trees are to be removed, planting and maintenance of replacements are to be planted elsewhere on the site.

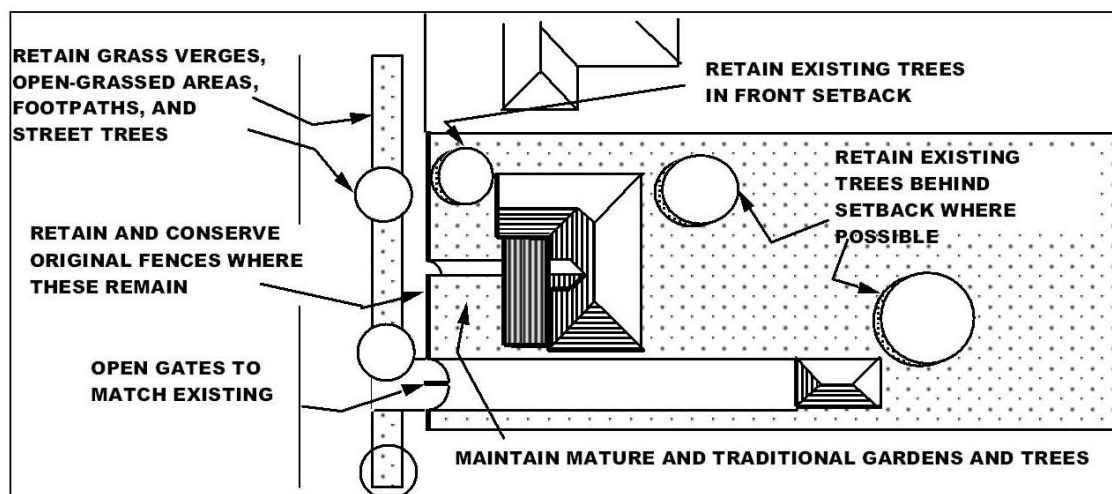


Figure 13 – Example of Traditional Garden Design

4.6 INCIDENTAL DEVELOPMENT

Objectives

- Encourage sustainable design while minimising amenity impacts on the character streetscapes.

4.6.1 SOLAR PANELS

Solar panels are exempt from requiring development approval in the following instances:

- the solar collector is not visible from the character street; or
- if the solar collector is located on the main frontal roof plane fronting a character street where it is fitted flush to the roof; is not raised on a frame and does not project beyond the edge of the roof.

PART 5 - COMMERCIAL CHARACTER ANALYSIS

5.1 TWO STOREY COMMERCIAL

There are a number of prominent early two storey commercial or mixed-use developments within the Inglewood Heritage Protection Areas. Whilst representing a variety of architectural styles, these sites are generally consistent in being key landmarks for the area located along the main commercial spine of Beaufort Street, and generally with more distinctive detailing than their modest single storey counter-parts.

The majority of the early two storey commercial buildings are located at the southern end of Beaufort Street, close to Walcott Street, as this was the earliest commercial strip to develop in the **Locality**, encouraged by the construction of the tramline from the Barrack Street jetty to Walcott Street, completed in 1902. They reflect two key periods of commercial development in the **Locality** – 1905 to 1914 and 1935 to 1940.

Key sites include:

- Civic Theatre (fmr) (1936), at the corner of Beaufort Street and Dundas Road, Inglewood.

Additionally, there are two early two-storey hotels located within the Heritage Protection Areas – both on Beaufort Street:

- The Civic Hotel (1940), at the corner of Wood Street, Inglewood.

5.2 SINGLE STOREY SHOP

Early single storey shops, dating from the late nineteenth and early twentieth century, are predominantly located along the main commercial strip of Beaufort Street Inglewood Heritage Protection Area.

Beaufort Street was the main thoroughfare to the rapidly developing residential areas of Mt Lawley and later Inglewood. Commercial development spread northward along the street, encouraged by the construction of the tramline from the Barrack Street jetty to Walcott Street, completed in 1902.

Single storey shops of this era are generally consistent in their style, being modest single storey buildings with simple detail to parapet walls, and awnings over the footpath.

Common features include:

- Single storey;
- Often in small groups of two to four shops built at the same time;
- Recessed entry door, usually centrally located;
- Rendered brick parapet wall to street facades generally with vertical piers separating each individual shop and simple articulation;

- Flat awning projecting over the footpath;
- Large windows;
- Corrugated metal roof hidden behind parapet.

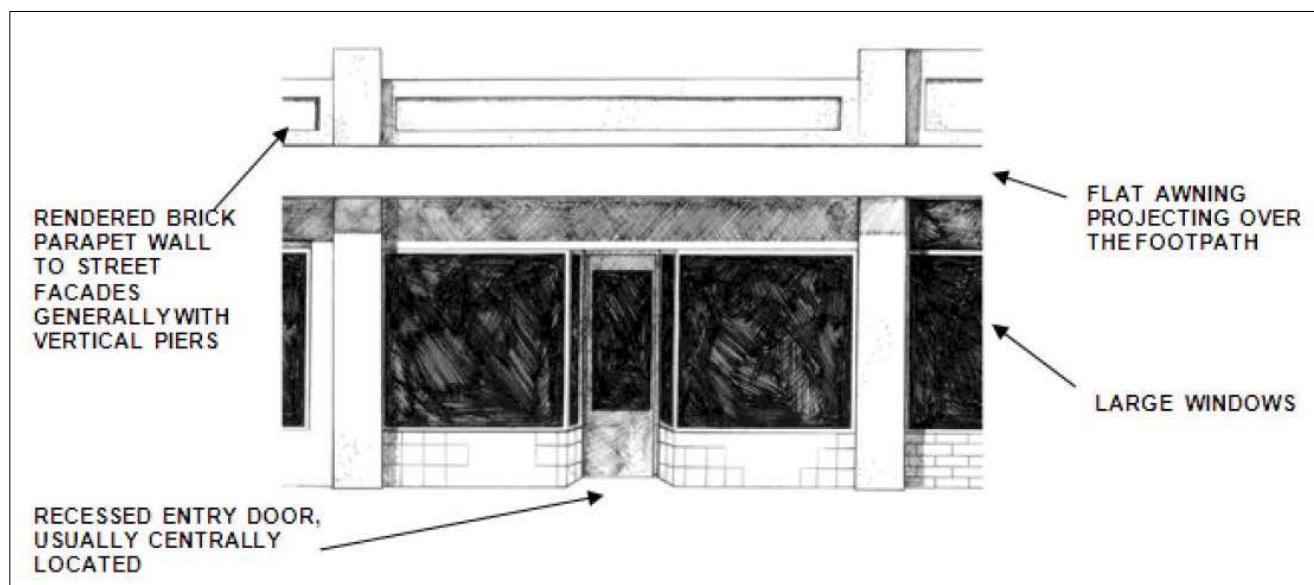


Figure 14 – Single Storey Shop

5.3 THE CORNER STORE

Corner stores, strategically located within the heart of a community, have traditionally catered for the necessities of life – a loaf of bread, the newspaper, perhaps a few purchases – as well as being an important meeting place for the local community.

Historic corner stores dating from the late nineteenth and early twentieth century are scattered throughout the Inglewood Heritage Protection Area, though the majority are located along Beaufort Street. They form an important part of the built heritage and contribute to the distinctive feel of a street, providing familiar landmarks and a sense of the past. The physical features, and particularly the external appearance, of many have changed very little since they first opened their doors.

Corner stores of this era are generally consistent in their style, being modest single storey buildings with corner truncations and simple detail to parapet walls.

Common features include:

- Single storey;
- Corner truncation with entry door;
- Parapet wall to street facades, sometimes stepping down away from the corner, with vertical piers and simple articulation;
- Rendered brick facades;
- Flat awning projecting over the footpath;
- Large windows (some have in more recent times been bricked in);
- Corrugated metal roof hidden behind parapet.

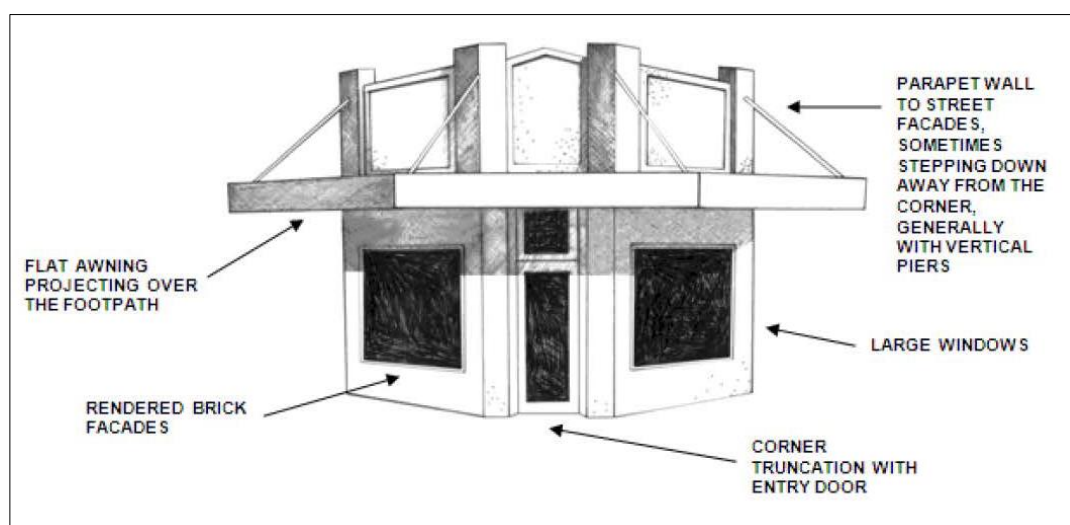


Figure 15 – Corner Shop

PART 6 - COMMERCIAL DEVELOPMENT PROVISIONS

This part of the guidelines only applies to those sites that allow mixed use and non-residential development outside of the area covered by the Beaufort Street local Development Plan.

6.1 COMMERCIAL AND MIXED - USE DEVELOPMENT

Objectives

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

6.1.1 STREETSCAPE

Ground Floor Setbacks

- a) Additions to traditional buildings, and new commercial and mixed-use buildings shall have nil front setbacks to any street frontage (Note: some properties may be subject to regional road widening).
- b) Where a site has frontage to a primary and secondary street, a minor setback will be considered for alfresco dining on the secondary street. Such setback areas shall be designed to match the existing footpath in terms of levels and paving treatment; and
- c) Continuous awnings or verandahs of traditional scale, form and design shall be provided over the street, and be functional to provide appropriate weather protection.

Upper Floor Setbacks

- a) Upper floor additions to traditional buildings shall be setback a minimum of 3 metres from the **Predominant Building Line** of the original building's street facade;
- b) Nil setbacks for upper floors of new commercial and mixed-use buildings may be considered subject to compliance with the objectives of this section provided these floors are no higher than three storeys.

Orientation

- New buildings shall address the street;
- Main entrances to buildings shall face the street, and in the case of corner sites shall face the corner, and shall be maintained in operation; and
- On-site car parking shall be located to the rear of buildings.

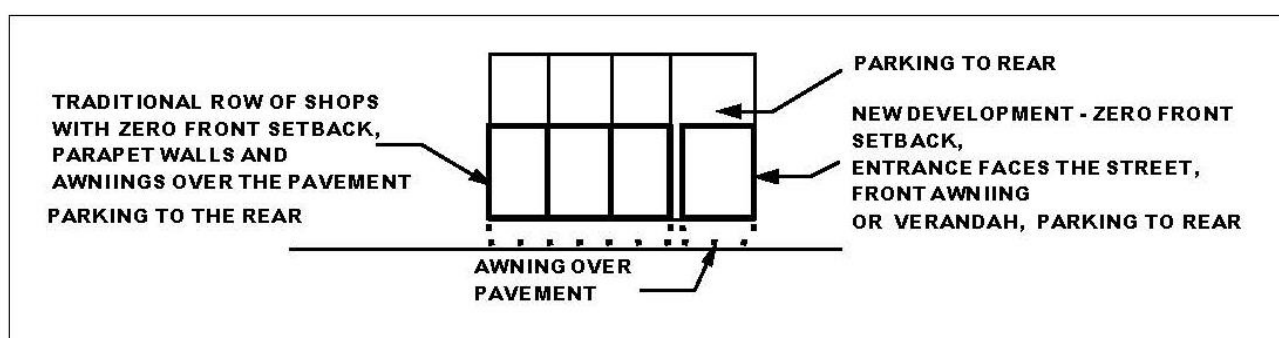


Figure 16 – Example of Traditional Commercial Layout

6.1.2 TRADITIONAL DWELLINGS USED FOR NON-RESIDENTIAL USES

- a) Traditional dwellings used for non-residential purposes shall maintain a residential-style appearance, with parking areas located to the rear of buildings and signage integrated into the design of the building;
- b) No additions to the traditional dwelling shall occur within the front setback area, unless restoring an original feature in the original architectural style (e.g., a verandah);
- c) The provisions of *Part 4 "Residential Development Provisions"* of these guidelines shall apply to any works proposed to the traditional dwelling.

6.1.3 BUILT FORM & DESIGN

- a) New commercial and mixed-use buildings shall be of traditional style and reflect the design, colours, and materials of traditional buildings within the streetscape;
- b) New commercial and mixed-use buildings shall have similar facade treatments and architectural detailing / articulation as traditional buildings;
- c) New commercial and mixed-use buildings shall have similar sill and awning heights to traditional buildings;
- d) Window frames shall be constructed in timber (preferred) or wide-profile metal. Shop fronts shall reflect traditional shop fronts with timber or metal framing; and
- e) Refer to the City's Beaufort Street Local Development Plan for additional requirements, particularly:

- Mount Lawley mixed use precinct for heights;
- Mixed use standards;
- General standards;
- Architectural styles; and
- Frontage styles.



Figure 17 – Example of New and Existing Development

6.1.4 SIGNAGE

- Signage shall not cover any architectural features or detailing of a building and should not dominate the shopfront or building frontage. Signage is to be positioned and designed to fit within spaces created by architectural elements on the building in particular the awnings and pediments;
- Multi-tenancy developments should provide a coordinated signage strategy as part of the development application; and
- Signage within the Inglewood Heritage Protection Areas and the area of the Beaufort Street Local Development Plan:
 - is subject to the signage provisions of Local Planning Scheme No. 3; and
 - The signage provisions of the City's Advertising Signs Local Planning Policy.

PART 7 - DEVELOPMENT ON RESERVES AND PRIVATE INSTITUTION ZONES

Objectives

- Ensure that any new development does not adversely affect the heritage character and amenity of surrounding properties; and
- Ensure that any new development be of similar scale, form, and bulk of surrounding properties, and is respectful to the heritage character of the **Locality**.

7.1 BUILT FORM AND DESIGN

- a) New buildings shall be respectful to the design, form, and scale of traditional buildings within the streetscape; and
- b) New buildings shall have similar facade treatments/detail as traditional buildings and incorporate architectural detailing that respects the traditional buildings.

7.2 SETBACKS

- a) Where adjoining sites are zoned Residential, new development shall be setback from the street to match the setback of the traditional buildings within the streetscape;
- b) Where adjoining buildings on either side of new development have varying setbacks from the street, new development may incorporate a 'stepped' setback from the street (in order to align with the existing buildings on both sides);
- c) Where adjoining sites are zoned Residential, new development shall be setback from those common boundaries (side and rear) in accordance with the Residential Design Codes; and
- d) Where adjoining sites are zoned non-residential, the side and rear setbacks of new development shall match those of the adjoining lots.

8. VARIATIONS

Variations to these Guidelines will only be considered where the applicant has demonstrated, via a written submission and supporting documentation, that the requested variation complies with the objectives of these Guidelines.

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Adopted	0821/044	7 Sep 2021

3.2 CIVIC PRECINCT RESIDENTIAL DESIGN GUIDELINES

INTRODUCTION

Where the requirements of these Guidelines are inconsistent with the provisions of a specific policy, then the provisions of these Guidelines will prevail. Remaining development standards such as dwelling height, site levels, site cover, visual privacy, incidental fixtures, overshadowing, visual and building truncations and open space are outlined within the relevant policies of the City and the R-Codes.

The area the subject to these Guidelines is zoned Development and is illustrated in Figure 1.

Guideline Area

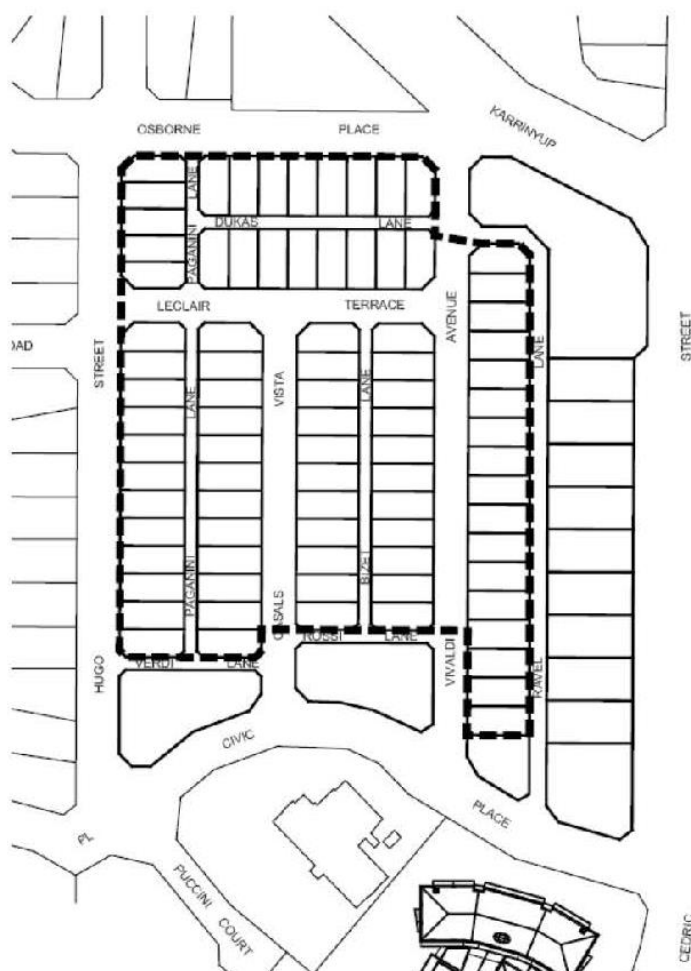


Figure 1 – Civic Precinct - Guideline Area

Applications Subject of these Guidelines

All applications within the guideline area are subject to these guidelines.

DEVELOPMENT GUIDELINES

The following development guidelines constitute variations to the provisions of the R-Codes and other planning policies.

Built Form

Dwelling orientation

- All developments shall address the street in a traditional manner with the primary entry to the dwellings and at least two (2) habitable room windows facing the street.

Setbacks

Front

- Minimum shall be 3.0m; and
- Average shall be 4.0m.

Rear

- To car parking structures shall be 1.0m; and
- To upper floors shall be 4.0m.

Side

- To north west ground floor shall be nil;
- To south east ground floor shall be 1.5m; and
- To south east upper floor shall be 2.0m or in accordance with the R-Codes whichever is the lesser.

Secondary Street

- Shall be 1.5m

Note: Buildings up to the Boundary

Building walls built up to the boundary should not compromise the amenity of the adjoining lot or the appearance of the streetscape and should comply with the following:

1. Be constructed of brick or masonry; and
2. Not intrude into the front setback area; and
3. Integrate with proposed (dividing) fences of the development; and
4. Walls not higher than 3.0 metres (with an average of 2.7 metres) and not exceed 50% of the balance of the boundary behind the front setback.

Roofpitch

- Roofs shall have a minimum pitch of 25° for a minimum of 50% of the roof area.

Streetscape Relationship

Fencing

Front Setback Area

- Fencing along the front boundary and both side boundaries up to the primary building line of the dwelling shall be a maximum height of 750mm from Natural Ground Level (NGL) and may be constructed with open (visually permeable), or, solid (visually impermeable) section/s up to this maximum height.

Secondary Street, Internal or Dividing Fences

- Solid or visually impermeable fences to a maximum height of 1.8m from NGL are permitted to be constructed on side boundaries and secondary street frontages between the rear boundary of the property and the primary building line of the dwelling.

Rear

- Maximum height shall be 1.8m from NGL with solid or visually impermeable sections to this height

Corner Visual Truncations

- All properties on the corner of two laneways shall provide a 3.0m x 3.0m corner truncation; and
- All properties on the corner of a laneway and the street shall provide a 2.0m x 2.0m corner truncation.

Note: Landowners will be required to affix balustrades (in accordance with the requirements of the Building Code of Australia) to any retaining walls in excess of 1.0m in height. This is to provide for user safety.

Access & Parking

Number of Car Parking Bays

- A minimum of two (2) car parking bays shall be provided on each lot.

Car Parking Location

- Parking structures shall be located at the rear of the lot and shall not be visible from the primary street.

Vehicle Access

- Shall be provided solely from the rear laneway.

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Modified	0814/041	2 Sep 2014

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3.3 CIVIC PRECINCT R40 RESIDENTIAL DESIGN GUIDELINES

- REVOKED 13 May 2014

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Revoked	0414/035	13 May 2014

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3.4A ECU DESIGN GUIDELINES – STAGE 1 & 2

- REVOKED 1 Mar 2023

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Revoked	0223/021	1 Mar 2023

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3.4B ECU DESIGN GUIDELINES - STAGE 4

- REVOKED 1 Mar 2023

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Adopted	0910/048	19 Oct 2010
Revoked	0223/021	1 Mar 2023

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3.4C ECU DESIGN GUIDELINES STAGE 5

- REVOKED 1 Mar 2023

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Adopted	0211/010	12 Apr 2011
Revoked	0223/021	1 Mar 2023

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3.4D ECU DESIGN GUIDELINES STAGE 5B
- REVOKED 1 Mar 2023

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Adopted	0611/059	12 Jul 2011
Revoked	0223/021	1 Mar 2023

INTENTIONALLY
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3.5 ELIEFF DESIGN GUIDELINES

– REVOKED 9 Jul 2013

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Revoked	0413/055	9 Jul 2013

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3.6 GWELUP DESIGN GUIDELINES

- REVOKED 1 Mar 2023

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Revoked	0223/021	1 Mar 2023

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3.7 MONTCLAIR DESIGN GUIDELINES

- REVOKED 1 Mar 2023

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Revoked	0223/021	1 Mar 2023

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3.8 NORTHWOOD GROVE
- REVOKED 1 Mar 2023

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Revoked	0223/021	1 Mar 2023

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OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Revoked	0223/021	1 Mar 2023

INTENTIONALLY
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3.10 OCEAN RISE DESIGN GUIDELINES

- REVOKED 1 Mar 2023

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Revoked	0223/021	1 Mar 2023

INTENTIONALLY
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3.11 PRINCETON (PHASE 1) DESIGN GUIDELINES

- REVOKED 1 Mar 2023

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Revoked	0223/021	1 Mar 2023

INTENTIONALLY
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3.12 PRINCETON (PHASE 2) DESIGN GUIDELINES

- REVOKED 1 Mar 2023

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Revoked	0223/021	1 Mar 2023

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3.13 ROSELEA ESTATE DESIGN GUIDELINES

- REVOKED 1 Mar 2023

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Revoked	0223/021	1 Mar 2023

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3.14 TALIA GARDENS DESIGN GUIDELINES

INTRODUCTION

Development and building guidelines have been prescribed to assist in ensuring high minimum standards of residential development within the Estate. The guidelines are applicable to all of the housing lots (deposited plan 35120) within the estate and prescribe how discretion granted within the Residential Design Codes is to be applied to development.

All other aspects of development not addressed within these guidelines will be assessed under the provisions of the Local Planning Scheme and the Residential Design Codes, and all other City of Stirling policy and building requirements.

Guideline Area

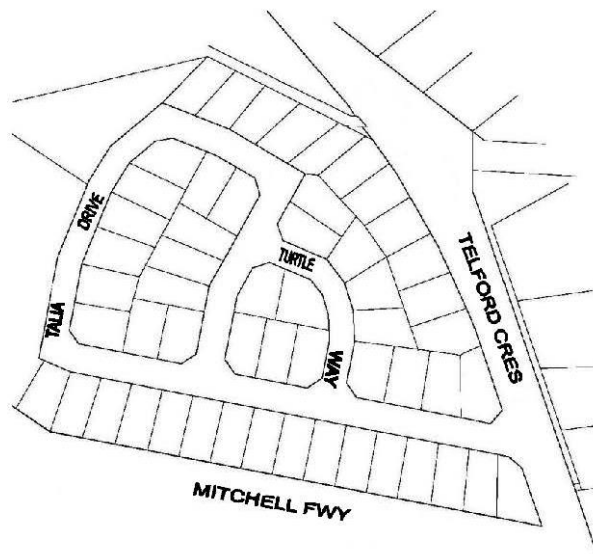


Figure 1 – Talia Design Guideline Area

Applications Subject of this Policy

This Policy applies to all residential development within the guideline area.

DEVELOPMENT GUIDELINES

Built Form & Design

Residential Density

- The land shall be used solely for a single residential dwelling. The dwelling may be either single or double storey.

Building Height

Single Storey

- Ground floor to roof ridgeline shall be 6.5 metres; and
- Ground to the underside of roof eaves where cross exterior wall shall be 3.0 metres.

Two Storey

- Ground to roof ridge line shall be 9 metres; and
- Ground to the underside of roof eaves where cross exterior wall shall be 6.0 metres.

Setbacks

Front

- Average shall be 4.0m to ground floor and second storey;
- Minimum shall be not less than 3.0m; and
- A minimal visual truncation of 4.0m shall be provided.

Rear

- Minimum shall be 1.0m.

Secondary Street

- Minimum shall be 1.5m to both ground floor and upper storey.

Side

- Zero lot lines with a maximum length of 9.0m shall be permitted on the northern boundaries of Lots 31, 32 and 33, and the western boundary of Lot 39.

Garages/Carports

- Minimum to carports shall be 3.0m; and
- Minimum to garages shall be 4.5m; and

Site Coverage

Single storey

- Shall be 60%

Two Storey

- Shall be 50% where the upper floor area does not exceed 45% (excluding voids); and
- The ground floor area may be increased to 55%.

Roof Pitch

- Shall be a minimum 20 degrees.

Materials

Walls

- Shall be brick, stone, or concrete

Roofing

- Clay tiles, concrete tiles or colour bond metal roofing. (Note – Zincolume not permitted).

Streetscape Relationship

Orientation

- Lots 12 and 39 shall be orientated to front onto, and gain driveway access from Talia Drive.

Courtyard

- Courtyard of a minimum area of 36m² and a minimum dimension of 4.0 metres located behind the building setback is to be provided.

Fencing

Side and Rear

- Maximum height of 1.8metres, which shall be installed at completion of building construction and prior to occupancy of dwelling.
- Fences shall be constructed of brick, stone, concrete, timber or capped colour bond. No fibro cement fencing permitted.

Forward of Building Line

- Solid fencing shall have a maximum height of 0.75 metres.

Corner Blocks

- All street facing fencing shall be constructed of brick, stone and concrete blocks or similar materials to the dwelling.

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
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3.15 THE WILLOWS DESIGN GUIDELINES

- REVOKED 1 Mar 2023

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Revoked	0223/021	1 Mar 2023

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3.16 WILLOW HEIGHTS DESIGN GUIDELINES

- REVOKED 1 Mar 2023

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Revoked	0223/021	1 Mar 2023

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3.17 STIRLING ON PRINCETON DESIGN GUIDELINES

- REVOKED 1 Mar 2023

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Adopt	0713/031	8 July 2014
Revoked	0223/021	1 Mar 2023

INTENTIONALLY
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3.18 STIRLING GREEN DESIGN GUIDELINES

- REVOKED 1 Mar 2023

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Adopt	0615/069	25 August 2015
Revoked	0223/021	1 Mar 2023

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4.1 RESERVES & OTHER ZONES DESIGN GUIDELINES

Introduction

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

Objectives

- To ensure that any development does not adversely affect the amenity of surrounding properties;
- To ensure that any development be of a similar scale and bulk of surrounding properties; and
- To ensure that any new uses do not have an adverse impact on the amenity of surrounding properties.

Applications Subject of this Policy

This policy applies to all development in the following zones & reserves:

- Civic;
- Special Use;
- Local Reserves; and
- Public Use Reserves.

Acceptable Development Provisions

Built Form & Design

Building Height

New buildings, additions and alterations shall be of similar height to adjoining sites.

Setbacks

Street Setbacks

- Where adjoining sites are zoned Residential, all development shall be setback from the street to match the setback of the adjoining residential building; and
- Where adjoining buildings have greater street setbacks a stepping back of the building may be appropriate.

Side and Rear Setbacks

- Where adjoining residential properties all side and rear setbacks of all development shall be calculated in accordance with the Residential Design Codes of W.A;
- Where adjoining non residential uses, setbacks of all development shall match those of adjoining lots.

Streetscape Relationship

Uses

- New uses shall be compatible with adjoining land uses and not cause a detrimental impact on the amenity of the surrounding lots in terms of noise, dust vibration, odour and the like.

Levels

- The levels of sites shall generally match the levels of adjoining sites; and
- No more than 500mm of fill shall be permitted.

Fencing & Gates

- Where required, gates & fences shall be open style to 1.8m; and
- No barbed wire or electric fencing shall be permitted.

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Modified	0511/010	24 May 2011

4.2 MIXED USE DESIGN GUIDELINES

This document has been prepared under Schedule 2 of the 'Planning and Development (Local Planning Schemes) Regulations 2015' and the City of Stirling 'Local Planning Scheme No.3'.

1. INTRODUCTION

This Policy is intended to promote high quality built form and attractive streetscapes for non-residential and mixed use development within the City's Activity Centres and other commercial sites. It also supplements the requirements of State Planning Policy 7.3 Residential Design Codes for residential components of mixed use development.

2. DESIGN PRINCIPLES AND POLICY OBJECTIVES

All non-residential and mixed use development proposals will be assessed against the 10 Design Principles contained in State Planning Policy 7.0 Design of the Built Environment. In addition, the following Objectives of this Policy are to be applied:

Objective 1: Building Setbacks

- To ensure that building setbacks provide streetscape continuity and a suitable transition between land uses.

Objective 2: Landscaping and Fencing

- To improve the visual appeal of development and provide landscaping to increase tree canopy cover.

Objective 3: Building Height

- To ensure the height of buildings does not adversely impact on the street-scape and amenity of adjoining residents by minimising building bulk and maintaining daylight and solar access.

Objective 4: Car Parking (Design, Location and Screening)

- To ensure car parking areas do not detract from the amenity of the streetscape.

Objective 5: Service Access and Waste Facilities

- To ensure sufficient space is provided for the delivery of goods and the removal of waste materials. These areas are to be located to minimise the impacts of service and waste areas on residential properties.

Objective 6: Safety and Lighting

- To ensure outdoor public spaces are safe, secure and enable community interaction and reduce opportunities for concealment or entrapment.

Objective 7: Ground Floor Frontage, Activity and Weather Protection

- To ensure that buildings provide an active, safe and sheltered frontage / facade.

Objective 8: Building Façade, Parapets and Balconies

- To ensure buildings provide architectural interest and positively contribute to streetscapes.

3. APPLICATIONS SUBJECT OF THIS POLICY

APPLICABLE ZONES

- This Policy applies to all non-residential, mixed use and residential multiple dwelling development in the following Zones:
 - Business;
 - District Centre;
 - Hotel;
 - Local Centre;
 - Mixed Use;
 - Neighbourhood Centre; and
 - Service Station.

- This Policy does not apply to developments within the Local Centre Zone which increase the non-residential floor area of a site by less than 50%.

These developments will be assessed against the objectives of the Local Centre Zone. This will allow development within Local Centre Zones to retain the existing characteristics of a Centre (such as building setbacks).

- Where the development is within an existing local centre and impacts only a portion of the buildings in that local centre (i.e. 50% or less), the new development will be expected to fit in with the existing local context (particularly with regard to street setback and parking locations) and will be assessed against the objectives of the Local Centre Zone.

MINOR DEVELOPMENT

- Minor Development is exempt from compliance with the design element requirements of this Policy.
- Minor Development (for the purposes of this Policy) includes, but is not limited to:
 - changes of use (with no works proposed);
 - additions (up to 20m² gross floor area) to existing buildings;
 - changes to car parking areas that do not reduce the number of bays approved; or
 - incidental structures (as defined in the City's Local Planning Scheme No.3).

RESIDENTIAL DESIGN CODES

- The Residential Density Code applicable to development subject to this Policy is R80 (as per Clause 5.3.2 of Local Planning Scheme No. 3).
- This Policy replaces or amends the Acceptable Outcomes of State Planning Policy 7.3 Residential Design Codes Volume 2 - Apartments relating to:
 - Building Heights;
 - Street Setbacks;
 - Side and Rear Setbacks;
 - Public Domain Interface; and
 - Vehicle Access.
- Unless otherwise stated, all other provisions of the State Planning Policy 7.3 Residential Design Codes Volume 2 - Apartments apply.

OTHER PLANNING INSTRUMENTS

Where this Policy is inconsistent with a Local Planning Policy, Local Development Plan, Activity Centre Plan or Structure Plan applying to an individual site or particular area (e.g. Heritage Protection Area), the provisions of that planning instrument shall prevail.

Note: All development (except 'Minor Development') may be subject to a design review process through the City's Design Review Panel.

4. ACCEPTABLE DEVELOPMENT PROVISIONS (DESIGN ELEMENTS)

The following provisions apply to all development:

4.1 BUILT FORM AND DESIGN

Note: For multiple dwellings, the following requirements replace the Primary Controls outlined in Table 2.1 of State Planning Policy 7.3 Residential Design Codes Volume 2 - Apartments in relation to Building Height, Boundary Wall Height, Primary and Secondary Street Setbacks, Side Setbacks and Rear Setbacks.

BUILDING HEIGHTS

Design Intent - To ensure a building's height is consistent with the streetscape, neighbouring sites and the character of the area.

Requirements

- The maximum building height for all development is 3 storeys.
- Where adjoining sites are zoned Residential, floors above 2 storeys shall be setback 6.0m from the common lot boundary, except where the adjoining residential building is 3 storeys or higher.
- The maximum building height may be varied through the adoption of a Local Development Plan prepared for a Centre. The Local Development Plan must meet the Design Principles, Objectives and design intent of this Policy. A Local Development Plan may be prepared for a portion of a Centre, at the discretion of the local government.

Note: Building heights in Local Planning Policy 2.6 are applicable only to the Residential Zone.

BUILDING SETBACKS

Design Intent - To facilitate streetscape continuity and minimise adverse impacts of buildings to adjoining sites.

Requirements

Street Setbacks:

- Buildings shall have a Nil setback to primary and secondary streets.
 - Where adjoining sites are zoned Residential or abut a residential landuse, buildings street setback shall be stepped back when appropriate from the:

6 Street; and

7 Side Boundary, the distance of the street setback,

as per the street setback requirements of that adjoining residential development (refer Figure 1 below).

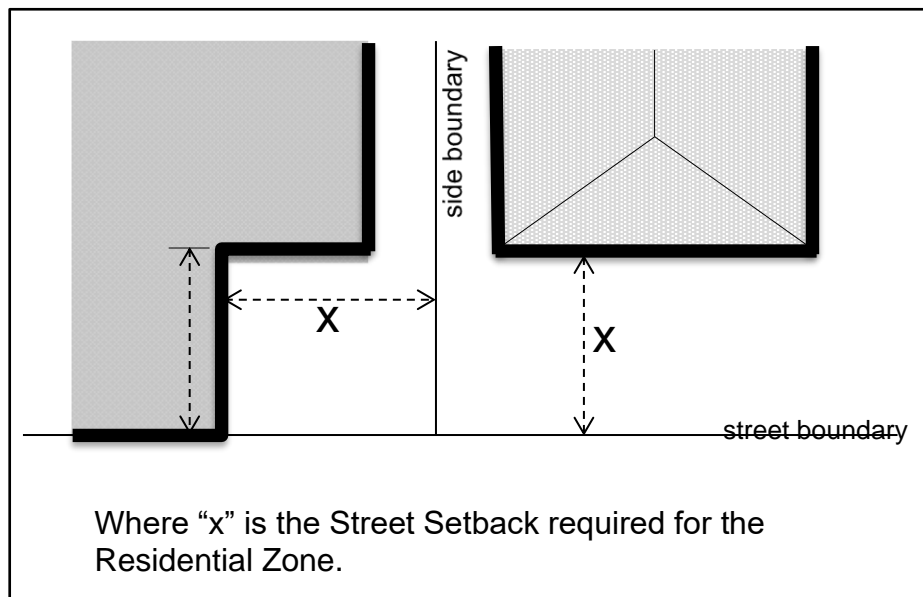


Figure 1 - Street

Setback

- Redevelopment of existing '*big box style*' commercial centres are to provide a 'Main Street' frontage (i.e. a Nil setback) to at least one street.

Side and Rear Setbacks:

- Buildings shall have a Nil setback to side boundaries, except where adjoining sites are zoned Residential.
- Where adjoining sites are zoned Residential or abut a residential landuse, side setbacks shall be calculated as per the R-Codes applicable to the adjoining site.
- Buildings shall have the following minimum setback to rear lot boundaries:
 - 6m – Abutting lots coded R60 and under;
 - 3m – Abutting lots coded R80 and over, or Corner lots abutting lots coded R60 and under; or
 - Nil – Corner lots abutting lots coded R80 and over.

BUILDING APPEARANCE

Design Intent - To ensure the appearance of buildings adds visual interest and minimises building bulk on streetscapes and nearby sites.

Requirements

- Glazing limited to a maximum of 75% of the surface area per storey of all façades of a building;
- The facade above ground floor level for all buildings provide at least four of the following:
 - openings;
 - balconies;
 - awnings over windows;
 - different colours and textures; and
 - indentations, extrusions and wall/floor articulations to break the building into individual elements; and
- Air conditioning units, ducts and other services be screened from view from abutting sites and not located on the building façade facing the street.

4.2 STREETSCAPE RELATIONSHIP

Note: For multiple dwellings, this section replaces Acceptable Outcomes A3.6.2, A3.6.4 and A3.6.6 of State Planning Policy 7.3 Residential Design Codes Volume 2 - Apartments at Element 3.6.

GROUND FLOOR FRONTAGE AND STREET PARAPETS

Design Intent - To ensure the ground floor frontage of a building provides an attractive and active street frontage and pedestrian shelter.

Requirements

- The ground floor building facade shall:
 - be at least 50% clear glazed of the surface area of that storey;
 - provides a mixture/combination of openable and fixed windows and doors;
 - provides active and passive surveillance;
 - not include roller shutter screens unless they are a minimum 75% visually permeable;
 - not contain signage which covers more than 20% of area of individual windows; and
 - in the case of nil setbacks to the street, have a minimum window sill height of 0.5m above finished ground floor level.
- Awnings are to:
 - protrude a minimum of 2.0m from the building;
 - be provided over all footpaths that abut a building, including footpaths to the rear;
 - be provided above all entrances and exits of a building;
 - be of solid construction using materials that are opaque and non-reflective (eg. no glass); and
 - match the height of existing adjacent awnings.

- All buildings with a nil street setback shall contain street parapets which include:
 - indentations;
 - differing materials, colours and textures; and
 - variation in parapet heights and designs for each building so as to provide additional interest to the street.

Note: Street Parapet means the portion of the façade of the building that extends upright above the roof, positioned on street boundaries.

ACTIVITY AND USES

Design Intent - To facilitate pedestrian safety along footpaths and encourage activity between site uses and the street.

Requirements

- Buildings designed to provide passive surveillance of the street.

FENCING

Design Intent - To ensure that fencing does not unnecessarily inhibit interaction between the street and site uses.

Requirements

- Fencing is not:
 - permitted between the building and any street boundary;
 - permitted above 1.8m in height; and
 - to be located where it obstructs access and views to visitor parking bays.

LEVELS

Design Intent - To ensure development generally follows the topography of the land and changes to ground levels will not significantly impact on streetscapes or abutting sites.

Requirements

- On sloping sites development shall be stepped so as to avoid differences between the footpath level and the finished ground floor level of the building;
- There shall be no level difference between the finished ground floor level and the footpath level of a building to ensure pedestrian access; and
- Filling of a site up to 0.5m above Natural Ground Level shall be permitted to enable level sites.

BALCONIES

Design Intent - To enhance internal living and working areas, by providing suitable natural lighting and ventilation, and to articulate a building façade.

Requirements

- Balcony balustrades shall be at least 50% visually permeable.

DESIGN AND LOCATION OF CAR PARKING

Design Intent - To minimise the visual impact of car parking and access from the street so that it does not adversely affect streetscape character.

Requirements

- Parking and vehicle entries should not present as a dominant element when viewed from the street. Appropriate and innovative screening and screen planting should be incorporated where necessary.
- Car parking within buildings should be sleeved, as depicted in Figures 2, 3, 4, 5 and 6. Use of other screening from the street, such as landscaping and / or articulated screening, may be acceptable where an applicant can demonstrate that sleeving is not achievable.
- At grade car parking areas shall be obscured from view from the primary street and not located within the front setback area.

- Note: The primary street will be designated by the local government.

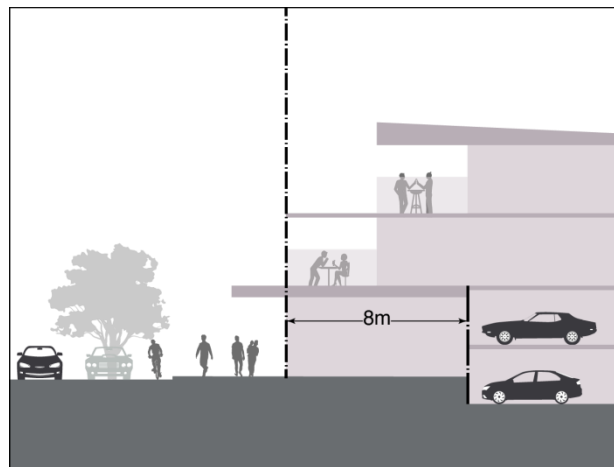


Figure 2 - Permitted parking areas to ground floor level for commercial or mixed use development

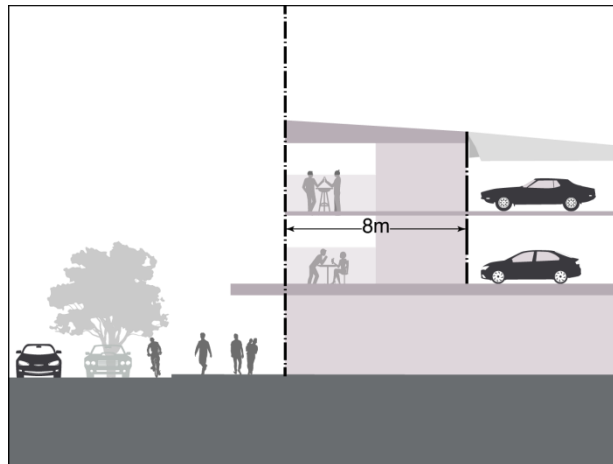


Figure 3 - Permitted parking areas to upper floors for commercial or mixed use development

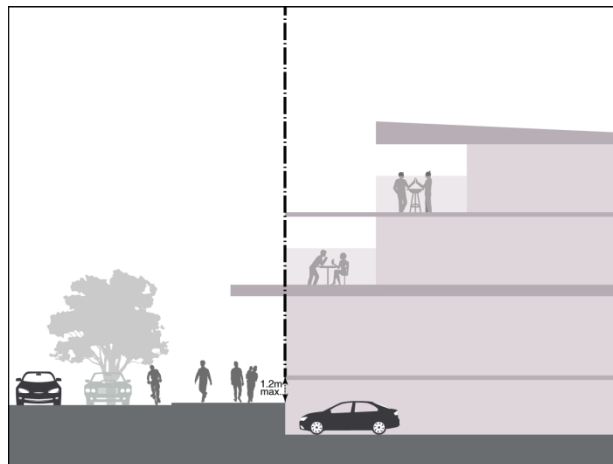


Figure 4 - Permitted parking areas below ground floor level for all development

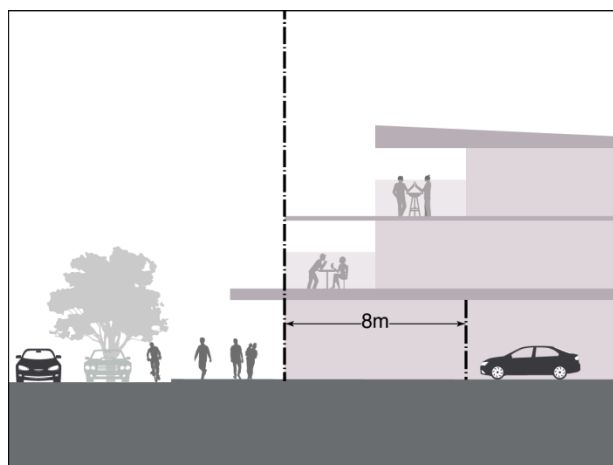


Figure 5 - Permitted parking areas to ground floor level for residential development

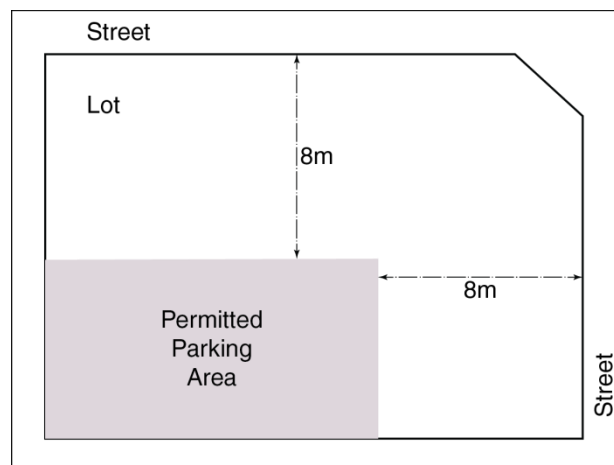


Figure 6 - Permitted parking area behind front setback for parking within a building

4.3 ACCESS

Note: For multiple dwellings, this section provides additional Acceptable Outcomes of State Planning Policy 7.3 Residential Design Codes Volume 2 - Apartments at Elements 3.7 and 3.8.

PEDESTRIAN AND VEHICLE ACCESS

Design Intent - To facilitate safe and direct pedestrian and vehicle movement within a site.

Requirements

- Pedestrian access and footpaths be provided:
 - from parking areas to building entrances and along all street frontages;
 - between the street and rear parking areas;
 - along building frontages; and
 - with clear view corridors from end to end.
- A maximum of two vehicle crossovers be permitted onto a site.

SERVICE ACCESS

Design Intent - To ensure that service access (and facilities) to sites are conveniently located, have minimal impact on the amenity of a site and do not dominate the streetscape.

Requirements

- Parking for service/loading vehicles be:
 - provided on-site;
 - accessed via a Rights of Way where possible; and
 - screened from view from the street and abutting residential sites (eg, sleeved by buildings).
- The provision of parking for service/loading vehicles may be considered off-site in adjacent streets where the Design Intent for Service Access is met.

4.4 SAFETY AND PUBLIC SPACES

Note: For multiple dwellings, this clause provides additional Acceptable Outcomes of State Planning Policy 7.3 Residential Design Codes Volume 2 - Apartments at Element 3.7.

DESIGN AND LIGHTING

Design Intent - To ensure that service areas, accessways and visitor car parking areas are safe, through design, lighting and passive surveillance.

Requirements

- Service/loading areas and accessways:
 - be designed to minimise light and noise nuisance to adjoining landuses;
 - be visible from indoor areas where located behind a building; and
 - do not create:
 - 4 Entrapment areas, blind corners and narrow pathways;
 - 5 Long expanses of blank walls;
 - 6 Dead ends and hidden recesses; and
 - 7 Landscaping which forms a visual barrier between 0.5m and 2.0m above ground level.
- Lighting be provided:
 - under awnings;
 - in parking areas;
 - in service areas;
 - over footpaths;
 - over entry points; and
 - to illuminate elements of buildings and landscaping features.

SHOPPING TROLLEYS

Design Intent - To ensure that shopping trolleys are safely contained within a site and do not impact on surrounding areas.

Requirements

- A Shopping Trolley Management Plan is required for development that utilises shopping trolleys, which addresses such issues as, collection of trolleys from surrounding areas and on-site trolley storage.

SOUND ATTENUATION

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

Requirements

- All mixed-use developments containing residential uses shall submit an acoustic report prepared by a qualified acoustic (noise) consultant.

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

5. VARIATIONS

Variations to this Policy will be assessed against the outcomes and Objectives of this Policy, the relevant Design Principles of State Planning Policy 7.0 Design of the Built Environment and the Intent statements and Element Objectives of State Planning Policy 7.3 Residential Design Codes Volume 2 - Apartments.

6. RELATED DOCUMENTS

LANDSCAPING

- Landscaping shall be provided in accordance with the City's Local Planning Policy 6.6 Landscaping and include a landscape plan to the satisfaction of the City.

VEHICLE ACCESS AND PARKING

- Vehicle access and car parking shall be provided in accordance with Local Planning Policy 6.7 Access and Parking.
- Bicycle parking shall be provided in accordance with Local Planning Policy 6.2 Bicycle Parking.

WASTE FACILITIES

- Waste storage facilities and bins shall be provided in accordance with Local Planning Policy 6.3 Bin Storage Areas.

OTHER DOCUMENTS

- Local Planning Scheme No.3
- Local Planning Policy 2.6 Residential Building Heights
- State Planning Policy 7.3 Residential Design Codes Volume 2 - Apartments

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Modified	1220/005	17 December 2020

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4.3 INDUSTRIAL DESIGN GUIDELINES

INTRODUCTION

Where this Policy is inconsistent with the provisions of a specific Policy or Guidelines applying to a particular site or area, the provisions of that specific Policy or Guidelines shall prevail.

Applications Subject of this Policy

All development within the Industry Zone shall be subject to these guidelines.

Guideline Area

The Guideline encompasses all land within the Industry Zone.

Precincts

The Industry Zone is divided into precincts; each precinct also has a specific Statement of Intent as outlined in the map and precinct descriptions below:



Figure 1: Map of Osborne Park Industrial Precincts

Note: Dianella and Balcatta Precincts are as per Industry Zone in those areas.

Balcatta Precinct

The Balcatta Precinct is designed to allow for larger lots set in landscaped surroundings with greater building setbacks to soften the traditional unsightly appearance of industrial areas. Balcatta is situated within the Gwelup Underground Water Protection Area and developments need to comply with the DoW's Water Quality Protection Note No.25, *Land Use Compatibility in Public Drinking Water Source Areas*.

Herdsman Precinct

The Herdsman Precinct is designed to allow for a broad range of high amenity, employment-generating land uses set in landscaped surroundings. New development proposals should protect the amenity of existing land uses and enhance the streetscape.

Development of the Precinct away from predominantly industrial uses to a greater mix of uses is intended for the future. In the short term, large-scale office uses shall be permitted within 500 metres of Glendalough Train Station, while the remainder of the area will have limited office uses amongst other permitted uses.

Road connectivity should be improved through the provision of new access roads linking Walters Drive to Scarborough Beach Road, in order to improve pedestrian access to the bus services provided along this activity corridor, and improve the economic efficiency of the area.

Osborne Precinct

The Osborne Precinct is all the remaining industrial land not contained within any of the above precincts. This area is designed to allow for a broad range of large scale and small scale industrial uses on a variety of lot sizes. In the short term, large-scale office uses shall be permitted within 500 metres of Glendalough Train Station.

Dianella Precinct

The Dianella Precinct is designed to allow for a broad range of low scale industrial uses on relatively small lots. However, the transition of this Precinct towards a mix of uses is being investigated.

SUBMISSION REQUIREMENTS

- A Water Protection Management Plan may be required for applications for 'Noxious Industry' or 'General Industry' within the Osborne Park and Balcatta Precincts for sites that are unsewered or contained within the Water Protection Area; and
- An Acoustic Report prepared by a qualified noise consultant may be required for applications in the Herdsman Business Park Precinct, where the City deems this to be important.

GENERAL DESIGN GUIDELINES

Lot Layout

Minimum Lot Area

Balcatta & Herdsman Precincts

- Green title lots shall have a minimum lot size of 3000m².

Other Precincts

- Green title lots shall have a minimum lot size of 2000m².

Minimum Width of Lot

- 30m minimum for green title lots.

Built Form & Design

Street Setbacks

Balcatta Precinct

- 6.0m landscaping strip on all street frontages; and
- 18.0m building setback on primary street frontages.
- Secondary Street setbacks to be 9.0m.

Other Precincts

- 1.5m landscaping strip on all street frontages; and
- 9.0m buildings setback on primary street frontages.
- Secondary Street setbacks to be 9.0m and may be reduced to 6.0m on lots less than 2000m² in area.

Street Façade

All Precincts

- The street façade shall be articulated to break-up straight plain facades through the use of at least four of the following in the Herdsman Precinct and three of the following in all other precincts:
 - Openings;
 - Awnings over windows;
 - Use of different colours and textures; and
 - Indentations and extrusions with details to break the building into individual elements.

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- The facades of buildings facing the street shall be constructed of brick, stone, glass or painted or rendered concrete;
- Alternative materials may be approved for the portion of the facade above 3.6m from the ground level; and
- The use of taller parapets and/or awnings is encouraged above the entrance to buildings to clearly identify the entry point;

Roof Features

Objective

To ensure that taller buildings within centres provide landmark features.

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

Corner Sites

Buildings located on corner sites are encouraged to give additional prominence to the street corner by using landmark features such as:

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

Multi-Storey Car Parks

- Stand alone multi-storey car parks accompanying other uses on a site shall not be visible from the street and shall be located behind buildings.
- Multistorey car parks included within the main building shall not be visible from primary streets and shall be located behind buildings.
- Where fronting secondary streets, they shall be screened/treated so as to provide a seamless appearance between the car park and other floors.
- Designers are to provide ground level awnings and landscaping in order to soften the visual impact of these structures in line with the provisions applying to building facades, above.

Streetscape Relationship

Activity and Uses

Herdsmen Precinct

- Office developments with a plot ratio greater than 1.0 shall only be permitted within 500 metres radius of Glendalough Train Station. This applies to existing lots predominantly within the 500m radius area as shown on Figure 2. Office uses outside this 500m catchment area shall not exceed a maximum plot ratio of 1.0; shall have a maximum building height of two storeys; and shall have a maximum gross floor area of 2,000m². In circumstances where an application for a minor amendment to a current approval is lodged, the City may consider variations to these standards subject to a justification being provided to the satisfaction of the City addressing amenity, streetscape, scale, bulk and building design.
- For the purpose of the above provision, minor amendments may be considered provided the maximum allowable gross floor area, and plot ratio is not exceeded by 10%.
- Active commercial uses (such as cafes, restaurants) shall be located on the ground level facing the street;
- Offices and other non active commercial spaces shall be located on upper levels;
- Industrial and commercial uses and buildings shall be located at the rear of buildings; and
- Service vehicle pickup/drop off points are to be clearly demarked and shall not be visible from the street.

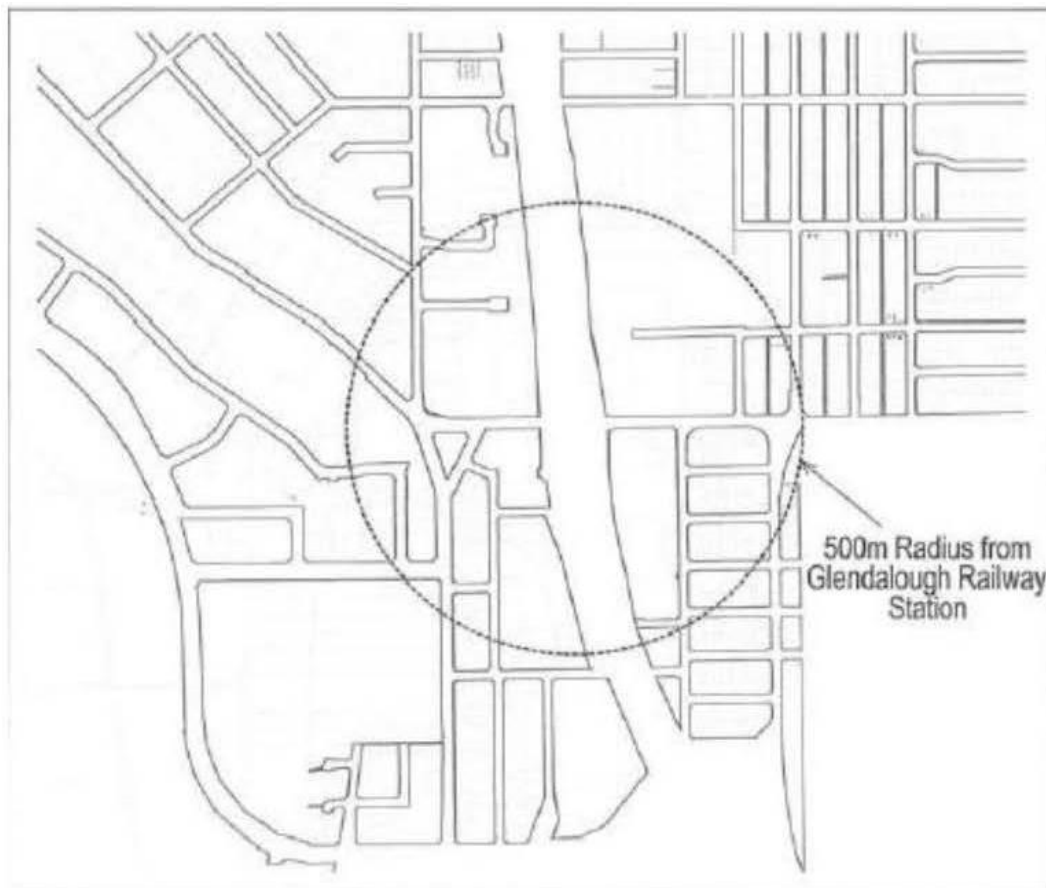


Figure 2: 500 metre radius area from Glendalough Station

Other Precincts

- Office uses shall only be incidental to the predominant use of each tenancy and no greater than 30% of gross floor area of each tenancy. This will enable industrial businesses to provide on-site and “in-house” services such as reception/customer service, payroll/human resources, drafting, and a venue for meeting business customers, while safeguarding the predominantly industrial character of these areas.
- Notwithstanding the above, office developments as a predominant use shall only be permitted within 500 a metres radius of Glendalough Train Station. This applies to existing lots predominantly within the 500m radius area as shown on figure 2. A plot ratio of greater than 1.0 is permitted for office developments within the 500m catchment area.
- In regards to office developments within the 500 metres radius of Glendalough Train Station, active commercial uses (such as cafes, restaurants) shall be located on the ground level facing the street.
- In regards to office developments within the 500 metres radius of Glendalough Train Station, offices and other non active commercial spaces shall be located on upper levels.

Use of Setback Area

- Setbacks shall not be used for the parking of vehicles that are being wrecked or repaired, the storage of materials, products, by-products or wastes or the storage of fuel, except in underground tanks; and
- The primary and secondary setback areas (excluding the landscaping strip) shall only be used for the parking of vehicles, loading/unloading, trade display, landscaping and access, and not for the storage of materials.

Fencing & Gates

Fencing in the Street Setback Area

- Shall not be permitted.
- Fences along secondary streets must be setback behind the required landscaping strip and the primary street building line.

Fencing Behind the Setback Line

- Solid fencing up to a height of 2.0 metres;
- Fencing up to a maximum height of 2.5m (measured from natural ground level), provided that any fencing above 2.0m is of an open-style. Barbed, razor or electric wire can be considered behind the building setback line, but must be mounted on the inside of the fence, so as not to be significantly visible from the street. Electric fencing must display appropriate warning and otherwise comply with all relevant legislation and standards; and
- Service yards visible from a street must be adequately screened.

Non Permitted Fencing Materials

- The use of fibre-cement and timberlap is not permitted in view of the inherent proneness to damage to these materials in an industrial environment.

Fencing on Sites Abutting Non - Industrial Lots

- Fencing shall comply with the standard fencing requirement of the use abutting the site, except for the following instance:
- Where an industrial property abuts a residential zone site, the fencing separating the two properties shall:
- Maintain a minimum height of 2.0m;
- Be constructed of masonry, concrete or the like,
- Have a finish to the satisfaction of the City, and
- Shall not obstruct vehicle sightlines.

Landscaping

A landscaping plan shall be submitted for all Industrial Developments in accordance with the City's Landscaping Policy.

Levels

- On sloping sites new developments shall be stepped so as to avoid large differences between the footpath level and the finished level of the building; and
- Filling up to 1000mm shall be permitted.

Weather Protection

Herdsmen Precinct

An awning shall be provided along the frontage of all buildings facing the primary street covering the 1.5m wide footpath in order to afford weather protection for pedestrians.

Access & Parking

- All parking is to be provided in accordance with the City's Parking Policy. The following requirements apply in addition to the provisions of the City's Parking Policy.

Vehicle Access

- All vehicle movements shall be able to enter and exit the site in a forward gear;

Pedestrian Access

- Pedestrian access, in the form of a footpath, shall be provided from the parking area to the entry point of the proposed development.

Crossovers

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

New Major Road & Access Road Connections

Herdsman Precinct

The City is providing development incentives to achieve new major and access road connections between Walters Drive and Scarborough Beach Road as identified in the Herdsman Glendalough Concept Structure Plan.

Specific locations for these roads need detailed assessment by the City's Engineering Department prior to any concessions being granted.

New access roads shall incorporate the following:

- Two traffic lanes (one in each direction), generally within a maximum reservation width of 20 metres;
- Footpath of 2.0m;
- Street lighting; and
- Dedicated cycle lane.

The following development incentives are available to sites that can provide new access road connections:

- 1000m² lot sizes (must front new access road);
- Nil front setback to new access roads; and
- Additional 10 % parking concession.
- For office developments within the Herdsman precinct and outside a 500m radius of Glendalough Train Station, a plot ratio limit of 2.0 shall apply and the building height limit of 2 storeys and the gross floor area limit of 2000m² shall not apply.

New major roads shall incorporate the following:

- Four traffic lanes (two in each direction), generally a dual carriageway configuration within a minimum reservation width of 20 metres.
- Footpath of 2.0m;
- Street lighting; and
- Dedicated cycle lane

The following development incentives are available to sites that can provide new major road connections:

- 1000m² lot sizes (must front new access road);
- Nil front setback to new access roads; and

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- Additional 20% parking concession.
- For office developments within the Herdsman precinct and outside a 500m radius of Glendalough Train Station, a plot ratio limit of 3.0 shall apply and the building height limit of 2 storeys and the gross floor area limit of 2000m² shall not apply.

Any road connection is to be constructed at the owners/applicants cost.

Bin Storage

Shall be in accordance with the City's Bin Storage Area Policy.

Other Considerations

Sustainability Design Standards

In order to optimise the sustainability of buildings, applicants are required to provide the following features in new buildings:

- AAA rated showerheads, tap ware and low flow regulators, dual flush toilets;
- Low flow triple dripper or coarse sprays and timer connection;
- High efficiency lighting; and
- Gas/solar hot water system.

Safety & Surveillance

Objective

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

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

- Entrapment areas, blind corners and narrow pathways;
- Long expanses of blank walls (treatment with anti graffiti paint required where permitted);
- Dead ends and hidden recesses shall be avoided;
- Landscaping and other elements shall not create a visual barrier between 0.5 and 2.0m above finished floor levels or ground level as applicable;
- Rear loading shall be secure at night and preferably enclosed to reduce light and noise spill during night loading;
- Loading bay access lanes and other areas that may be dead ends at night shall be secured; and
- Rear parking and pick-up/delivery areas shall be under passive surveillance from active indoor areas.

SPECIFIC PROVISIONS FOR INDUSTRIAL UNITS

Permitted Uses

- No industrial unit shall be used for Wrecking or Industry Noxious without the approval of the Council.

Unit Sizes

- The floor area of any unit is not less than 150m²; and
- Neither the width nor the length of any unit is less than eight metres.

Bin Enclosures

- Each unit shall be provided with a bin storage area in accordance with the City's Bin Storage Policy.

Internal Walls

Industrial units shall be separated from each other by an internal wall or walls constructed of brick, stone or concrete in accordance with the Building Code of Australia. Where Strata Titles are involved these walls shall form a parapet through the roof.

Internal partitions within an industrial tenement building are not altered or removed without the consent of the Council.

Common Facilities

Each unit the subject of a Strata Title contains its own toilets within the "lot" and not in the "common property" ("lot" defined as per Strata Titles Act). Communal facilities such as a canteen may be provided as part of the "common property" with the consent of the Council, but the common property shall not be used for that purpose without that consent.

SPECIFIC PROVISIONS FOR SHARED WORKSPACE UNITS

To encourage and support new business enterprises to establish and operate at minimal cost utilising shared management and administrative facilities through the development of Shared Workspace Centres in industrial areas.

Permitted Uses

Council will not consider uses that pose a general health risk or are prone to generating excessive noise (e.g. fibre-glassing, panel beating/ spray painting) or uses which require large storage areas (e.g. motor wreckers).

Unit Sizes

Workspaces should not be less than 10m² nor greater than 100m² in area. The majority of workspaces should fall within the range of 30m² to 75m². Council is prepared to consider purpose built workspaces for motor vehicle trades (other than panel beating / spray painting) provided that adequate provision is made for customer vehicles and the storage of vehicles being worked upon. In such cases, the spaces required shall be in addition to the minimum parking requirement. Provision should also be made for the storage of raw materials of a bulky nature and particularly for heavier fabrication industries. Tenant storage may be achieved by the provision of a shared storage yard.

Storage Units

Council will encourage the provision of a limited number of small storage units, ranging in size from 5m² to 15m², for the purpose of leasing to persons other than those in occupancy within the Centre. Such units will not be included in the calculation of parking.

Support Services

The applicant will be required to provide and maintain the following support services to all occupants:

- Reception services;
- Telephone answering, particularly in the absence of the occupant;
- Typing, document reproduction and general secretarial services;
- Meeting room and product display facilities; and
- Central management, security, maintenance, insurance and cleaning of all common areas within the building and all areas external to the building.

Provision should also be made for accommodating business management and advisory services, either as a direct support service or as individual tenancies within the Centre.

Strata Title

As a general principle, Council will not support the Strata Titling of Shared Workspaces.

Legal Agreement

Approval for shared workspace units shall be subject, inter alia, to the applicant entering into a Legal Agreement with the Council in respect of:

- The provision and maintenance of Support Services; and
- Agreement that Strata Titles will not be sought over the Centre.

It will be a requirement that the Agreement be entered into prior to the issue of a Building Licence and the Agreement shall be supported by a Caveat and Bank Guarantee of not less than \$10,000. The Bank Guarantee shall not be refundable until such time as the support services have been established and are operational.

VARIATIONS

Variations to this policy will be assessed against the relevant statements of intent for each precinct of this policy and the objectives of the zone as contained within Local Planning Scheme No.3.

OFFICE USE ONLY:**Local Planning Scheme No.3 – Local Planning Policy History:**

Action	Resolution Number	Effective Date
Modified	0311/058	12 Apr 2011
Modified	0512/009	22 May 2012
Modified	0814/041	2 Sep 2014

4.4 MIXED BUSINESS DESIGN GUIDELINES

INTRODUCTION

Where this Policy is inconsistent with the provisions of a specific Policy or Guidelines applying to a particular site or area, the provisions of that specific Policy or Guidelines shall prevail.

Objectives

- To facilitate a development mix of showrooms and service industry of a higher aesthetic quality located on major traffic routes.
- To provide a more intense commercial business development form within established industrial areas of the City.
- To ensure that the Mixed Business areas are accessible by all modes of transport.
- To create attractive and well maintained landscaped areas between the setback line and the street; and
- To ensure that buildings facing the street maintain an attractive façade that enhances the amenity of the streetscape.

Applications Subject of this Policy

All development within the Mixed Business Zone shall be subject to these guidelines.

GENERAL DESIGN GUIDELINES

Lot Layout

Minimum Lot Area

- Green title and Strata lots shall have a minimum lot size of 2000m².

Minimum Width of Lot

- 30m minimum

Built Form & Design

Street Setbacks

- 1.5m landscaping strip on all street frontages; and
- 20.0m building setback on primary street frontages*

* Secondary Street setbacks may be reduced to 6.0m on lots less than 2000m² in area.

Street Façade

- The Street façade shall be articulated to break-up straight plain facades through the use of at least three of the following:
 - Openings;
 - Awnings over windows;
 - Use of different colours and textures; or
 - Indentations and extrusions with details to break the building into individual elements.

- The facades of buildings facing the street shall be constructed of brick, stone, glass or painted or rendered concrete;
- Alternative materials may be approved for the portion of the facade above 3.6m from the ground level; and
- The use of taller parapets and/or awnings is encouraged above the entrance of buildings to clearly identify the entry point;

Corner Sites

Buildings located on corner sites are encouraged to give additional prominence to the street corner by using landmark features such as:

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

Roof Features

Objective

To ensure that taller buildings within centres provide landmark features.

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

Multi-storey car parks

Stand alone multi-storey car parks shall not be visible from the street and shall be located behind buildings. Multistorey car parks included within the main building shall be screened/treated so as to provide a seamless appearance between the car park and other floors. Designers are to provide ground level awnings and landscaping in order to soften the visual impact of these structures in line with the provisions applying to building facades, above.

Streetscape Relationship

Activity and Uses

- Showroom and other active commercial uses shall be located on the ground floor level; and
- Office and other non-active uses shall be located on upper levels.

Use of Setback Area

- Setbacks shall not be used for the parking of vehicles that are being wrecked or repaired, the storage of materials, products, by-products or wastes or the storage of fuel, except in underground tanks; and
- The primary and secondary setback areas (excluding the landscaping strip) shall only be used for the parking of vehicles, loading/unloading, trade display, landscaping and access, and not for the storage of materials.

Fencing & Gates

Fencing in the Street Setback Area

- Shall not be permitted.

Fencing Behind the Setback Line

- Solid fencing up to a height of 2.0 metres;
- Fencing up to a maximum height of 2.5m (measured from natural ground level), provided that any fencing above 2.0m is of an open-style. Barbed, razor or electric wire can be considered behind the building setback line, but must be mounted on the inside of the fence, so as not to be significantly visible from the street. Electric fencing must display appropriate warning and otherwise comply with all relevant legislation and standards.
- Service yards visible from a street must be adequately screened.

Non Permitted Fencing Materials

- The use of fibre-cement and timberlap is not supported, in view of the inherent proneness to damage to these materials in an industrial environment.

Fencing on Sites Abutting Non - Industrial Lots

- Fencing shall comply with the standard fencing requirement of the use abutting the site.

Landscaping

A landscaping plan shall be submitted for all Developments in accordance with the City's Landscaping Policy.

Levels

- On sloping sites new developments shall be stepped so as to avoid large differences between the footpath level and the finished level of the building; and
- Filling up to 1000mm shall be permitted.

Weather Protection

An awning shall be provided along the frontage of all buildings facing the primary street covering the 1.5m wide footpath in order to afford weather protection for pedestrians.

Access & Parking

Vehicle Access

- All vehicle movements shall be able to enter and exit the site in a forward gear;

Pedestrian Access

- Pedestrian access, in the form of a footpath, shall be provided from the parking area to the entry point of the proposed development.

Crossovers

A maximum of two crossovers shall be permitted on any one site (i.e. one for entry and one for exiting).

Design of Parking Bays

Parking bays shall be designed in accordance with the relevant Australian Standard.

Reciprocal Parking

Reciprocal parking and access may need to be provided on some lot frontages. It is envisaged that in the near future an engineering concept plan will be prepared for the City providing guidance on suitable vehicle access arrangements for Scarborough Beach Rd. This will enable the City to require access easements to be lodged on titles that will allow for reciprocal parking and access on lot frontages, in order to provide better vehicle access, reduce the number of crossovers and improve pedestrian safety.

New Access Road Connections

The City is providing development incentives to achieve new access road connections between Walters Drive and Scarborough Beach Road.

Specific locations for these roads need detailed assessment by the City's Engineering Department prior to any concessions being granted.

New access roads shall incorporate the following:

- Footpath of 2.0m;
- Street lighting; and
- Dedicated cycle lane

The following development incentives are available to sites that can provide new access road connections:

- 1000m² lot sizes (must front new access road);
- Nil front setback to new access roads; and
- Additional 10 % parking concession.

Bin Storage Areas

- Shall be in accordance with the City's Bin Storage Area Policy.

Other Considerations

Sustainability design standards

In order to optimise the sustainability of buildings, applicants are required to provide the following features in new buildings:

- AAA rated showerheads, tap ware and low flow regulators, dual flush toilets.
- Low flow triple dripper or coarse sprays and timer connection.
- High efficiency lighting
- Gas/solar hot water system.

VARIATIONS

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

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
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4.5 PRIVATE INSTITUTION DESIGN GUIDELINES

1.0 Introduction

Where this Policy is inconsistent with the provisions of a specific Local Planning Policy, Local Development Plan, Activity Centre Plan or Structure Plan applying to a particular site or area (e.g. Character Retention Guidelines), the provisions of that specific planning instrument shall prevail.

2.0 Objectives

- To ensure that development does not adversely affect the amenity of surrounding properties;
- To encourage development that is sympathetic to the scale and bulk of surrounding properties;
- To ensure that the efficiency of the local transport network is not encumbered by development;
- To support the provision of viable and high quality retirement and aged care developments; and
- To ensure that development is well integrated with the surrounding community.

3.0 Applications Subject of this Policy

This Policy applies to all developments within the Private Institution zone.

4.0 Acceptable Development Provisions

4.1 Land Uses

All applications for development shall be accompanied by a Local Development Plan for the site, as per Clause 5.12 of Local Planning Scheme No.3, with the exception of:

- Single storey proposals;
- Additions to existing buildings less than 10% of the subject lot area; and
- Family Day Care and Rural Pursuit.

Note: The Planning and Development (Local Planning Schemes) Regulations 2015 require the agreement of the Western Australian Planning Commission for the preparation of a Local Development Plan.

4.2 Built Form

Orientation

The portion of the development fronting the street shall be orientated towards the street (e.g. entrances, windows and balconies facing the street) to soften the 'institutional' feel of developments and achieve greater consistency with surrounding developments.



Figure 1: Appropriate articulation of building orientated towards the street, with windows, balconies and an easily identifiable entrance

Building Height

- 7 Development shall be restricted to two (2) storeys (6.0 metres wall height) above natural ground level within 10 metres of any residential lot or street boundaries in areas coded R50 or below and a maximum of four (4) storeys (12.0 metres wall height) above natural ground level on the remainder of the site;
- 8 Where buildings over two (2) storeys above natural ground level are proposed, an application shall include justification which addresses the impact of the proposal having regard to matters such as amenity, overshadowing, wind impacts and building design, siting, bulk, materials, scale and colour;
- 9 Where buildings over 6.0 metres in height are proposed:
 - 9.2 An application requiring the approval of the Council under Clause 8.1 of the Scheme shall include information which addresses the impact of the proposal having regard to matters such as amenity, overshadowing, wind impacts and building design, siting, bulk, scale and colour.
 - 9.3 Before the determination of an application requiring the approval of the Council under Clause 8.1 of the Scheme, the Council shall cause the provision of Clause 9.4 (advertising for public comment) of the Scheme to be invoked in respect of the application.

Note: The calculation of building heights shall be in accordance with Local Planning Policy 2.6 Residential Building Heights.

Front Setbacks

Subject to the following, front setbacks shall be 6.0 meters:

- Where adjacent sites have a lesser front setback, the setback requirement may match that of the adjacent site

Side and Rear Setbacks

- Where adjacent to residential properties all side and rear setbacks of all development shall be calculated in accordance with State Planning Policy 7.3 Residential Design Codes ;
- Where adjoining non -residential uses, setbacks of all development shall match those of adjacent and/or adjoining lots; and
- Where adjacent and/or adjoining Public Open Space, the applicant shall demonstrate adequate passive surveillance of and pedestrian access to Public Open Space.

On-Site Open Space and Amenities

Retirement Complex developments shall address landscaping, the provision of on-site amenities such as recreational and entertainment areas for residents and visitors, and facilities such as meeting rooms and club houses within required Local Development Plans. Such development is to also comply with the Acceptable Outcomes of Element 4.12 Landscape Design of State Planning Policy 7.3 Residential Design Codes Volume 2 - Apartments.

4.3 Streetscape Relationship

Uses

New uses shall not cause a detrimental impact on the amenity of the surrounding lots in terms of traffic and parking impacts, noise, dust, vibrations, odour and the like.

Levels

- The levels of sites shall generally match the levels of adjoining sites; and
- No more than 500mm of fill shall be permitted unless acceptable justification is provided

Fencing

- Fencing shall be compatible with that of surrounding properties; and
- Fencing abutting Public Open Space reserves shall promote passive surveillance from the site to the reserve.

4.4 Access and Parking

Parking

- Parking bays for cars and other vehicles shall be provided for in accordance with the City's Parking Policy.
- Applicants for retirement complex developments shall liaise with the City on the provision of long-term storage of recreational vehicles such as caravans and campervans in required Local Development Plans to the satisfaction of the City; and
- Service and delivery vehicle loading areas shall be located away from dwellings and out of view of the street.

Traffic Management Plan

As required by the City's Parking Policy, applications for developments shall be accompanied by a Brief Transport Statement, or by a Full Transport Statement, as the case may be.

Note: For full details on submission requirements please refer to the Transport Assessment Guidelines for Developments from Department of Planning.

Emergency Vehicle and Service Access

Applicants are required to demonstrate sufficient access and manoeuvring space for emergency vehicles (such as ambulances and fire engines) and service vehicles (delivery and pickup).

4.5 Other Considerations

Sustainability Design Standards

In order to optimise the sustainability of buildings, applicants are required to:

- For residential development, ensure that all development complies with the Acceptable Outcomes of Element 4.15 Energy Efficiency of State Planning Policy 7.3 Residential Design Codes Volume 2 - Apartments; and
- For non-residential development, provide low flow triple dripper or coarse sprays and timer connection and high efficiency lighting

5.0 Variations

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

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Adopted	0511/010	24 May 2011
Modified	0316/038	26 Apr 2016
Modified	1119/004	19 Dec 2019

5.1 STIRLING CIVIC MIXED USE PRECINCT DESIGN GUIDELINES

- REVOKED 1 Mar 2023

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Revoked	0223/021	1 Mar 2023

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5.2 INGLEWOOD TOWN CENTRE DESIGN GUIDELINES

– REVOKED 11 Dec 2018

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Revoked	0516/039	11 Dec 2018

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5.3 MAIN STREET PLAZA DESIGN GUIDELINES

- **Introduction**

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

- **Objectives**

- To create vibrant and active mixed use centre by locating facilities such as housing, employment places and retail activities together;
- To permit the development of office and/or residential uses;
- To promote a high quality built form that creates a distinctive urban form and enables safety and security through passive surveillance;
- To improve the visual amenity of the area through the provision of an integrated car parking and landscaping facility;
- To minimise the impact of buildings upon existing residential properties in regard to bulk and scale; and
- To facilitate the development of safe and adequate parking facilities.

- **Applications Subject of this policy**

All development within the Main Street Plaza Precinct is subject to the provisions of these guidelines as per figure 1 below:

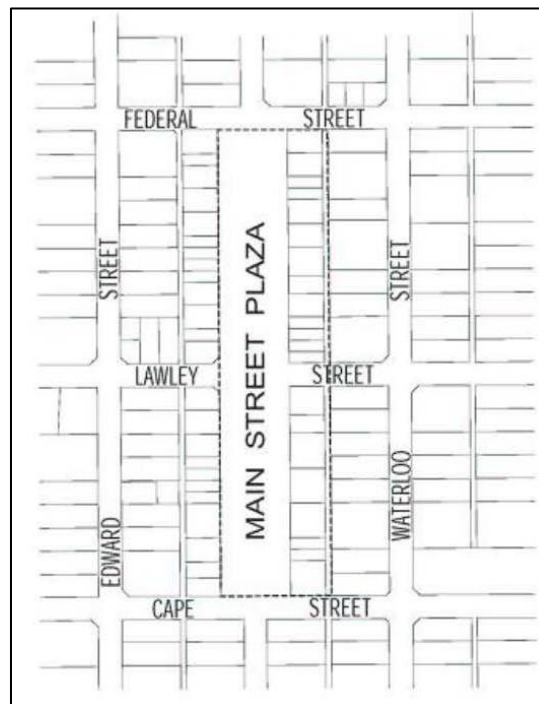


Figure 1 – Main Street Plaza Guideline Area

- **Design guidelines**

4.1 Built Form

Setbacks

- The minimum Front Street Setback shall be 3.0m. Balconies and architectural features above ground level may project into the 3.0 setback.
- The minimum rear setback shall be 2.0m. (No 'wing' walls to project into this setback).
- Where adjoining sites are zoned residential, side/rear setbacks shall be calculated as per the State Planning Policy 7.3 Residential Design Codes (Volume 1 or 2 as the case may be).

Building Height

Buildings shall be a maximum of two (2) storeys and be no greater than 8.0m in height.

Corner Sites

Buildings located on corner sites shall include architectural roof features that protrude above the normal roof line.

4.2 Streetscape Relationship

Development within the Street Setback Area

The following shall not be permitted within the setback area:

- Fencing above 1.0m in height;
- Car parking bays;
- Access driveways.

Landscaping

A landscaping plan is required to be submitted for all non-residential development in accordance with the City's Landscaping Policy.

- **Car Parking**

Parking

All parking bays at the rear to be setback a minimum of 2m from the rear Rights of Way.

Parking Ratio

Minimum On-Site Car Parking Ratio shall be 1 bay per 100m² of site area plus additional parking bays in accordance with State Planning Policy 7.3 Residential Design Codes Volume 2 - Apartments Table 3.9 per dwelling with all bays having access off the rear Rights of Way.

- **Vehicular and Pedestrian Access**

Vehicular Access

All vehicular access is to be in accordance with the City's Parking and Access Policy

Pedestrian Access

Policy Manual

- Pedestrian access, in the form of a footpath, shall be provided from the parking area to the entry point of the proposed development and along street frontages
- Pedestrian routes shall be as direct and level as possible;

Universal Design

- 20 percent of all dwellings, across a range of dwelling sizes, meet Silver Level requirements as defined in the *Liveable Housing Design Guidelines* (Liveable Housing Australia); or
- 5 percent of all dwellings are designed to Platinum Level as defined in the *Liveable Housing Design Guidelines* (Liveable Housing Australia).

Variations

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

Note: Development Contributions are to be made in accordance with Local Planning Scheme No 3 Schedule 11.

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Modified	0613/046	8 July 2014
Modified	1119/004	19 Dec 2019

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5.4 MIRRABOOKA REGIONAL CENTRE DESIGN GUIDELINES

– REVOKED 15 Dec 2015

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Modified	0413/045	14 May 2013
Revoked	1114/016	15 Dec 2015

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**5.5 SCARBOROUGH DESIGN GUIDELINES – SPECIAL BEACH
DEVELOPMENT ZONE DESIGN GUIDELINES** - *SUPERSEDED by
Interim Scarborough Redevelopment Scheme (MRA) Effective 2 July 2014*

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Superseded by Interim Scarborough Redevelopment Scheme (MRA)	N/A	2 Jul 2014

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5.6

**SCARBOROUGH DESIGN GUIDELINES – SCARBOROUGH
REDEVELOPMENT ZONE** - *SUPERSEDED by Interim Scarborough
Redevelopment Scheme (MRA) Effective 2 July 2014*

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Superseded by Interim Scarborough Redevelopment Scheme (MRA)	N/A	2 Jul 2014

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5.7 KARRINYUP REGIONAL CENTRE GUIDELINES

INTRODUCTION

Where this Policy is inconsistent with the provisions of a general Policy or Guidelines applying to a particular site or area (eg Parking Policy), the provisions of this specific Policy shall prevail. It is the ultimate intention to extend a mixed-use zone to all lots around the Karrinyup Regional Centre after thorough community consultation and urban design studies have been completed.

Objectives

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

Guideline Area

This policy applies to development on areas zoned regional centre, civic and residential (with additional use) in the following area:

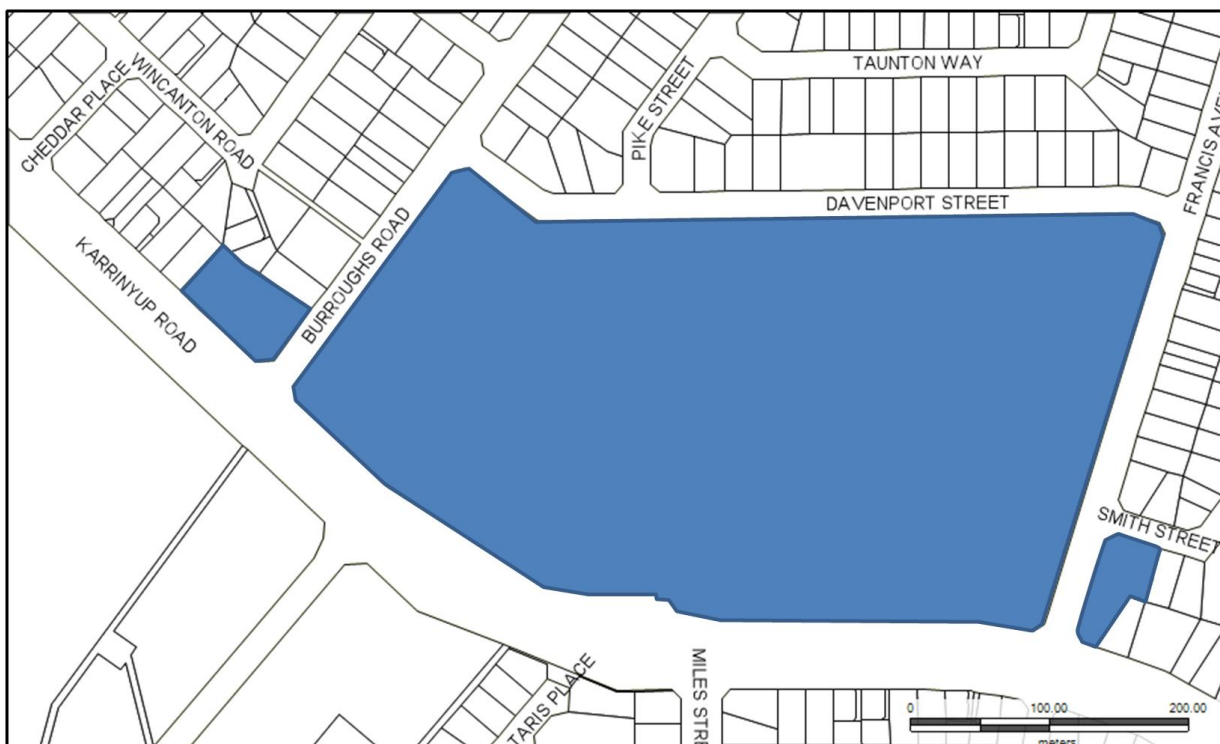


Figure 1 – Karrinyup Regional Centre Guidelines Area

DESIGN GUIDELINES

Built Form & Design

Heights

Objective

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

- New buildings shall be between 2 and 3 storeys;
- Higher buildings on landmark sites / corner sites and sites larger than 5000m² may be permitted subject to the following:
 - Not have a significant detrimental impact on the amenity of the area;
 - Have podium buildings of 2 to 3 storeys on facing the periphery roads (Burroughs Road, Francis Street and Davenport Street) with higher buildings setback 15.0m from the boundary; and
 - Living areas on the affected site are afforded at least three hours of solar access between the hours of 9 am and 3 pm on the shortest day of the year.

Note: Where undercroft parking is provided and 50% is below natural ground level it will not be included in the calculation of building height.

Setbacks

Objective

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

Street Setbacks

- Commercial buildings shall have a nil setback to both primary and secondary streets;
- Residential buildings shall be setback from adjoining streets in accordance with Figure 2 below:

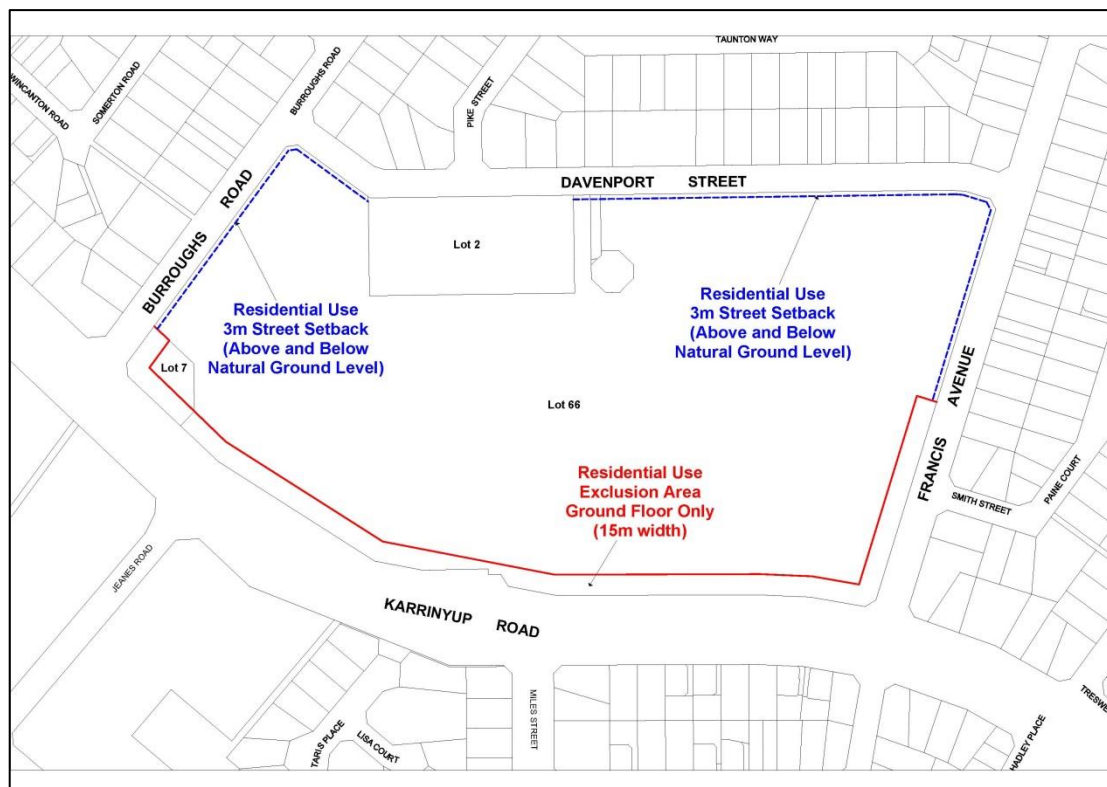


Figure 2 - Residential Street Setbacks

Note:

1. Refer Scheme Text 'Table 1: Zoning Table' Condition 4
2. Uses ancillary to permitted residential uses (for example, but not limited to building entrances and entrance lobbies) are not subject to the 15m residential exclusion area'.

- Where adjoining sites are zoned residential, street setbacks shall be stepped back from the residential site to match the setback of the residential building;
- Where adjoining buildings have greater street setbacks a stepping back of the building may be appropriate; and
- The Existing shopping centre shall have nil setbacks to Burroughs Road, Francis Street and Davenport Street.

Side and Rear Setbacks

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

Corner Sites

Objective

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

Buildings located on corner sites shall include:

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

Multi Storey Car Parks

Objective

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

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

Facades

Objective

To ensure that building facades are architecturally interesting.

- Maximum 75% glazing on any façade; and
- The second level and subsequent levels above, of facades shall be articulated to break-up straight plain facades through the use of at least four of the following:
 - Openings;
 - Protruding balconies;
 - Awnings over windows;
 - Use of different colours and textures; and
 - Indentations and extrusions with details to break the building into individual elements.

Parapets

Objective

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

New buildings that contain parapets shall include:

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

Balconies

Objective

To ensure that the bulk of buildings is reduced.

- Balcony balustrades shall be 50% visually permeable.

Roof Features

Objective

To ensure that taller buildings within centres provide landmark features.

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

Colours & Materials

Objective

To ensure the use of appropriate colours and quality materials.

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

Streetscape Relationship

Ground Floor Frontage *Objective*

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

- Being predominantly clear glazed with a mixture of openings, display windows and shopfronts that allows passive surveillance of the street and the tenancies; and
- Minimising the amount of signage on individual windows to no more than 20%.

Entry Points

Objective

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

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

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

Activity & Uses

Objective

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

- Active and lively street fronts shall be provided that encourage pedestrian activity and vitality of the centre by:
 - Locating retail and other active commercial uses on the ground floor level; and
 - Locating office and other non-active uses (residential) on upper levels.

Weather Protection

Objective

To support a comfortable external environment for pedestrians.

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

Levels

Objective

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

- On sloping sites new developments shall be stepped so as to avoid large differences between the footpath level and the finished level of the shop front;
- There shall be no difference between the ground floor level and the footpath level of a building to ensure pedestrian access; and
- Filling up to 500mm shall be permitted to enable flat level sites

Fencing & Gates

Objective

To provide an open, accessible and attractive urban environment.

- Fencing between the building and the front and secondary boundary shall not be permitted;
- Fencing behind the building line shall generally not be permitted where it obstructs access to public parking areas;
- Where required, gates & fences shall be open style to 1.8m; and

- No barbed wire or electric fencing shall be permitted.

Landscaping

Objective

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

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

Access & Parking

Parking

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

Vehicle Access

Objective

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

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

Pedestrian Access

Objective

To create a pedestrian network that is safe and direct.

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

Crossovers

Objective

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

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

Design & Location of Car Parking Spaces

Objective

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

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

Bicycle Parking Facilities

- The provision of bicycle parking facilities in accordance with the States Guidelines.

Service Access and Facilities

Objective

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

- The provision of service access to all commercial premises shall be provided for loading and unloading goods;
- Bin storage areas shall have the following minimum sizes:
 - Size 10m²*; and
 - Width 3.5m.

Note: *A larger area may be required for the turning of a refuse truck.

- Bin storage areas shall be screened from view to a minimum height of 1.8m so that it is not be visible from the street, materials shall match with the building, shall be sealed and regularly cleaned and maintained and stormwater and effluent drainage facilities shall be contained within this area.

Lighting, Safety & Security

Lighting

Objective

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

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

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

Safety & Surveillance

Objective

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

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

- Entrapment areas, blind corners and narrow pathways;
- Long expanses of blank walls;
- Dead ends and hidden recesses shall be avoided;
- Landscaping and other elements shall not create a visual barrier between 0.5 and 2.0m above finished floor levels or ground level as applicable;
- Rear loading shall be secure at night and preferably enclosed to reduce light and noise spill during night loading;
- Loading bay access lanes and other areas that may be dead ends at night shall be secured; and
- Rear parking and pick-up/delivery areas shall be under passive surveillance from active indoor areas.

Roller Shutter Doors

Objective

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

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

Screening

Objective

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

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

Other Considerations

Signage

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

Sound Attenuation

Objective

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

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

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

Adaptability

Objective

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

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

VARIATIONS

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

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Modified	1115/039	10 May 2016
Modified	0217/040	21 Mar 2017
Modified	0616/014	28 Nov 2017
Modified	1017/010	15 May 2018

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5.8 STIRLING CITY CENTRE PARKING

Introduction

Where this Policy is inconsistent with the provisions of a parking Local Planning Policy applying to the whole of the Scheme area, the provisions of this local planning policy shall prevail. This Policy shall be read in conjunction with Part 3 of the Stirling City Centre Activity Centre Plan. Some of the provisions in this policy repeat provisions included the Stirling City Centre Activity Centre Plan. The parking dispensations available under Clause 5.5 of the City's Parking and Access Policy do not apply within this Policy area.

Objectives

- To facilitate the provision of adequate car, bicycle and motorcycle parking facilities within the policy area.
- To prioritise access to the city centre by public transport, walking and cycling.
- To ensure that parking is provided for various services, facilities and developments at a rate that is appropriate for an inner city environment, and to efficiently manage parking supply and demand.
- To ensure that the number of parking bays and the resultant traffic does not exceed the capacity of the road network.
- To assist in the funding of the necessary upgrade of the parking facilities and public transport network associated with the redevelopment of Stirling City Centre.

Applications Subject of this Policy

This Policy applies to all development within the policy area as defined in Figure 1.

Definitions and Interpretations

Definitions in this Policy shall be as per Local Planning Scheme Number 3, Stirling City Centre Structure Plan and those outlined below:

End-of-Journey Facilities:

Are secure bicycle storage and other secure 'end of trip' facilities such as lockers and showers.

Net Site Hectare:

Means the total area of the site upon which the development or use is approved as contained in the certificate of title or titles for the land if the whole of a lot (or if a portion of a lot, the area occupied by the approved development), including all landscaping and ancillary development, as a proportion of 10,000m².

Public Parking:

Public Parking means parking that is provided or offered to members of the public whether or not upon payment of a fee or subject to other condition, but does not include parking that involves the use of a reserved or dedicated parking bay.

Short Stay Parking:

Short Stay Public Parking Bays means bays that are available to the public where at least 50% of vehicles stay less than 4 hours and at least 90% stay less than 6 hours.

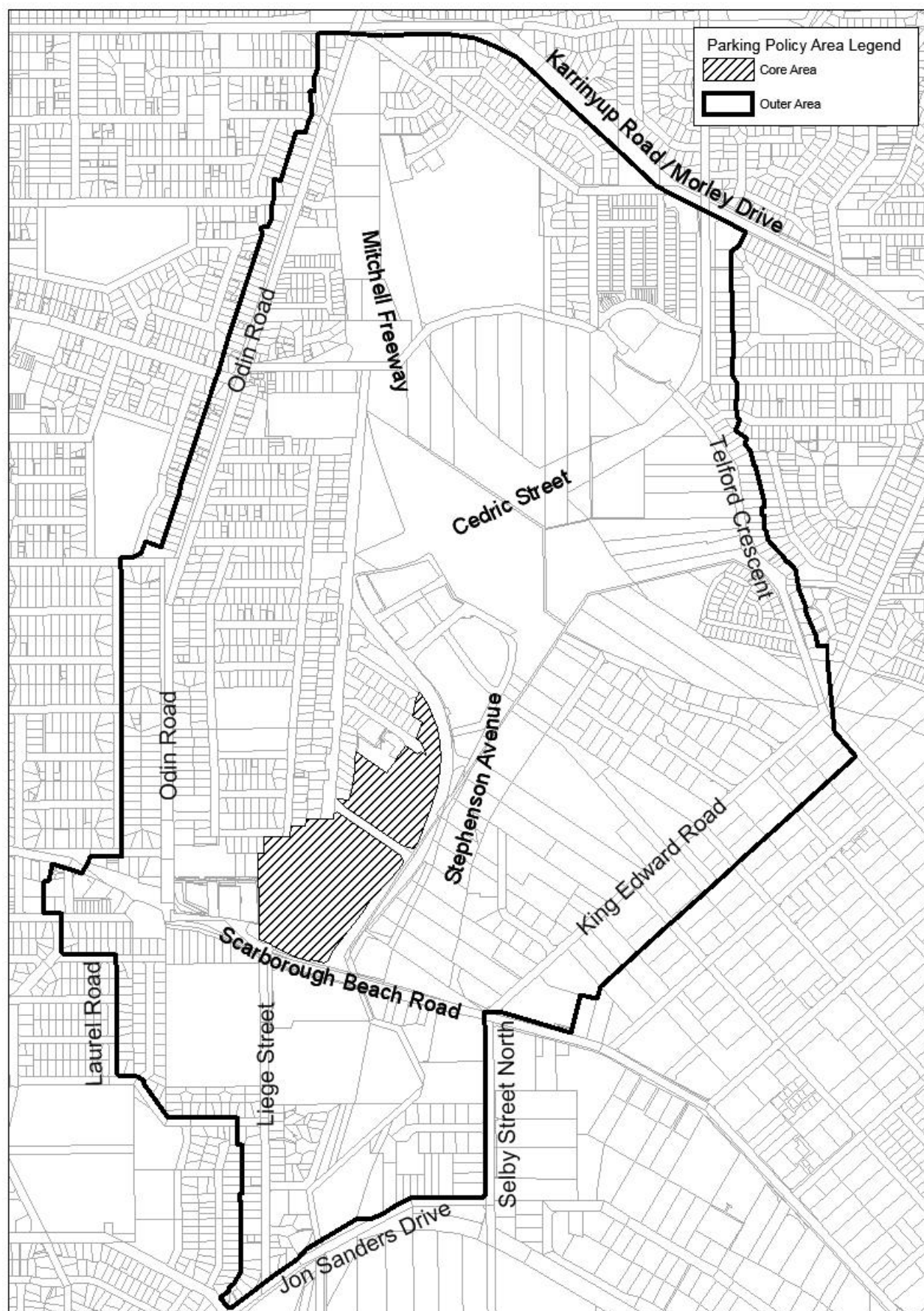


Figure 1 – Parking Policy Area

Policy Provisions

• Non-residential Development

Car parking bays for non-residential development shall be provided on the site in accordance with Table 1.

Size Of Development	Max	Min Public Parking	Min Short Stay Parking
Core Area			
Development with plot ratio over 1.0 of non-residential floor space	400 bays per hectare	350 bays/ hectare	60%
Development with a plot ratio of 1.0 or less of non-residential floor space	2.5 bays per 100m ² of non-residential floor space	1.25 bays per 100m ² of non-residential floor space	60%
Outer Area			
Development with plot ratio over 1.0 of non-residential floor space	300 bays per hectare (250 bays per hectare after 31 December 2016)	125 bays/ hectare	60%
Development with a plot ratio of 1.0 or less of non-residential floor space	2.5 bays per 100m ² of non-residential floor space	1.25 bays per 100m ² of non-residential floor space	60%

Table 1 – Non-residential development

• Redevelopment of Existing Developments

Where an existing non-residential and non-short stay development, with approved parking in excess of the provisions set out in Table 1 of this policy applies for redevelopment, the City may, at its discretion, permit the existing level of parking to remain, subject to all of the parking in excess of the permitted level of car parking being provided and managed as Public Parking as outlined in Table 1.

• Residential Development and Short Stay Accommodation

3.1 The required number of car bays for residential development and short-stay accommodation shall be calculated as follows:

- Parking for residential development shall be in accordance with the Residential Design Codes, unless these standards are varied in an adopted Local Development Plan;
- Parking for short stay accommodation shall be provided at a ratio of 1 bay per 2 accommodation units.

3.2 All other car parking requirements with the Stirling City Centre Special Control Area shall be in accordance with the adopted Stirling City Centre Activity Centre Plan, Local Development Plans and Local Planning Policy, and shall be guided by State Planning Policy 4.2 – Activity Centres for Perth and Peel.

Note: These requirements were inserted into the Scheme Text (Clause 6.11.18) as part of Scheme Amendment No.84.

3.3 Residential visitor bays may be provided on-street at the expense of the applicant and in accordance with the Stirling City Centre Urban Design and Landscape Strategy. The constructed bays may be used for paid parking.

- **Calculation of Car Parking Provision Requirements**

- a. All parking requirements for non-residential development are to be calculated by rounding to the nearest whole number. In the case of exactly 0.5, the requirement shall be rounded down to the nearest whole number. All parking requirements for residential development are to be calculated by rounding up to the nearest whole number.
- b. Where reciprocal parking arrangements are proposed within a parking facility where different uses (such as office and residential) will generate parking demand at different times, the proposal must demonstrate that this will result in the efficient use of parking resources and will support the objectives of this policy.

- **Special Purpose Car Parking**

In addition to the provision of car parking bays in accordance with Table 1, the approval of a development or use may require the on-site provision of parking reserved exclusively for the use of disabled motorists, delivery and servicing vehicles, couriers, taxis, buses and coaches, park and ride and kiss and ride at train stations at the discretion of the City of Stirling.

- **Use and Management of Car Parking Bays**

- A minimum of 60% of the public parking bays provided on site in accordance with Table 1 shall be used as Short Stay Public Parking.
- Applications for new or redeveloped parking or for change of use of parking bays shall be required to be accompanied by a detailed Parking Management Plan to ensure the development is in accordance with this policy.
- The Parking Management Plan shall describe how the onsite parking will be managed to ensure compliance with the Parking Policy and may include, but not be limited to, the following matters:
 - How will access to the facility be controlled?
 - How will different types of parking within the facility be managed and controlled?
 - What management will be imposed on public parking to reflect short stay or long stay parking restrictions?
 - What methods will be used to police and enforce compliance with the relevant planning approval and this Parking Policy?
 - How will evidence be collected and reported to demonstrate compliance?
 - What safety and security measures will be implemented to protect those using the facility and their property?

- **Cash-in-lieu of Public Parking Provision**

7.1 In accordance with the minimum number of public parking bays to be provided on site under Table 1, the City may approve a 20% reduction in the minimum amount of public

Policy Manual

parking required subject to the owner making a payment to the City prior to the issue of a building permit for development or the approval of a deposited plan for a subdivision or amalgamation or of a strata plan or survey strata plan, whichever occurs first, as a cash-in-lieu payment of public parking provision to meet the cost of the requirement for public parking bays. The cash-in-lieu payment will be calculated in accordance with Clause 5.8 of Local Planning Scheme No. 3.

7.2 Where payment is received by the City for the provision of public parking bays, these bays shall not be provided on the site the subject of the approval.

7.3 The cash-in-lieu payment shall be used to fund:

7 Construction of public parking on part of lot 206 Ellen Stirling Boulevard and Lot 7427 Staveley Place, Innaloo;

8 Purchase of additional land in the vicinity of the above sites to provide public parking in Innaloo;

9 Additional on-street public parking in Innaloo, Woodlands and Stirling;

- Rate of Bicycle Parking Provision**

The following levels of bicycle parking shall be provided on site as outlined in Table 2:

Activity/ Use	No. Bicycle Parking Spaces For Employees/Residents	No. Bicycle Parking Spaces For Customers/Visitors
Residential	0.5 space per dwelling (storage Unit)	1 space per 10 dwellings
Office	0.75 spaces per 100m ² of NLA	0.1 spaces per 100m ² of NLA
Other Non – Residential Uses	0.25 spaces per 100m ² of NLA	0.1 spaces per 100m ² of NLA

Table 2 – Rate of Bicycle Parking Provision

- Rate of Motorcycle/Scooter Parking Provision**

The following levels of motor cycle/scooter parking shall be provided on site as outlined in **Table 3**:

Activity/ Use	No. Motorcycle/Scooter Parking Spaces For Employees/Residents	No. Motorcycle/Scooter Parking Spaces For Customers/Visitors
Residential	Development exceeding 20 dwellings provide 1 motorcycle/scooter space for every 10 car bays (for each 5 motorcycle/scooter parking bays provided, car parking bays may be reduced by 1 bay)	Not Applicable
Office	0.2 space per 100m ² of NLA	0.1 spaces per 100m ² of NLA
Other Non – Residential Uses	0.1 spaces per 100m ² of NLA	0.1 spaces per 100m ² of NLA

Table 3 – Rate of Motorcycle Parking Provision

- **Variations**

No variations will be permitted on the following clauses:

- 7 Table 1 - maximum parking in Core Area;
- 8 Table 1 - maximum parking and minimum short stay parking in Outer Area; and
- 9 Clause 7 - payment of cash-in-lieu for shortfall of minimum public parking.

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Adopt	1115/036	15 December 2015
Modified	0217/039	18 July 2019
Modified	1119/004	19 Dec 2019

5.9 MIRRABOOKA TOWN CENTRE PARKING

Introduction

Where this Policy is inconsistent with the provisions of a parking Local Planning Policy applying to the whole of the Scheme area, the provisions of this local planning policy shall prevail. This Policy shall be read in conjunction with the Mirrabooka Town Centre Activity Centre Plan. The parking dispensations available under Clause 5.5 of the City's Parking and Access Policy do not apply within this Policy area.

Objectives

- To facilitate the provision of adequate car, bicycle and motorcycle parking facilities within the policy area.
- To prioritise access to the town centre by public transport, walking and cycling.
- To provide a balanced parking supply, with sufficient publically accessible and timed parking to prevent over supply of parking infrastructure.
- To ensure that parking is provided for various services, facilities and developments at a rate that is appropriate for a town centre environment, and to efficiently manage parking supply and demand.
- To assist in the funding of the necessary upgrade of the parking facilities associated with the redevelopment of the Mirrabooka Town Centre.

Applications Subject of this Policy

This Policy applies to all development within the area as defined in Figure 1.

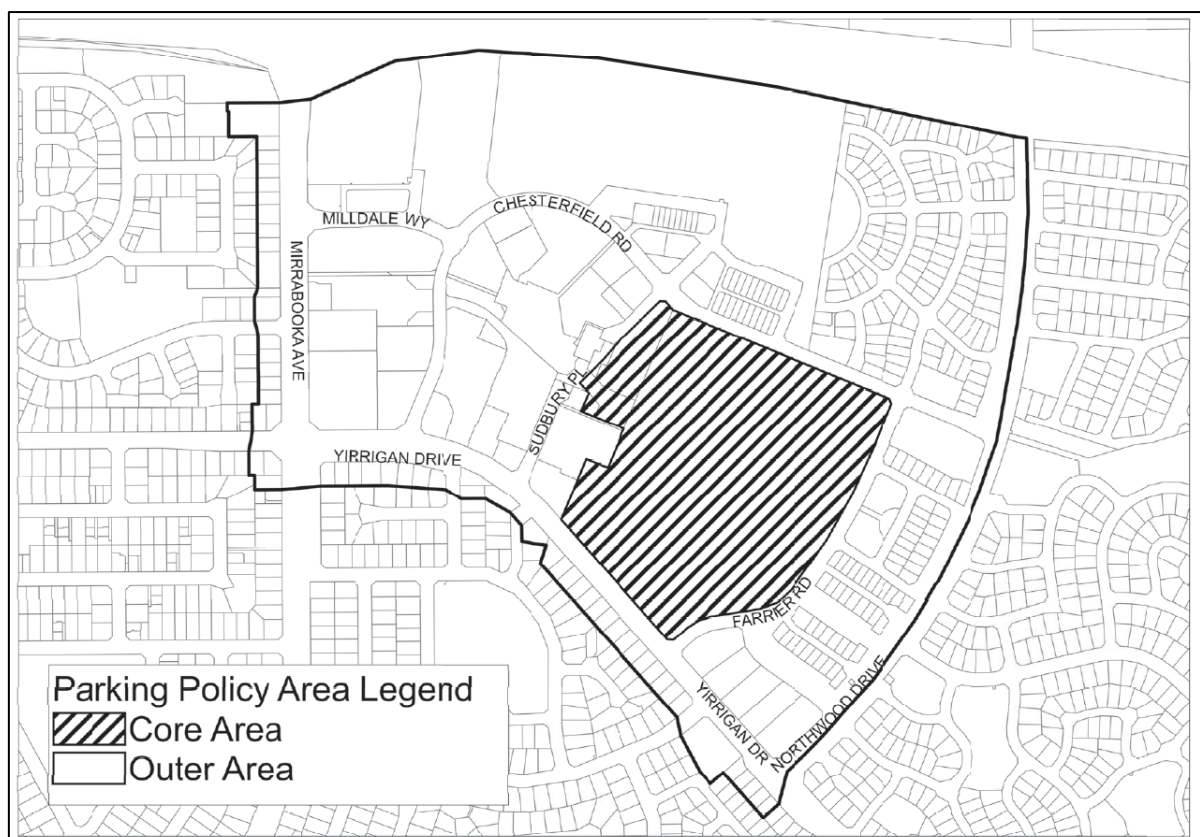


Figure 1 – Parking Policy Area

Definitions and Interpretations

Definitions in this Policy shall be as per Local Planning Scheme Number 3, Mirrabooka Town Centre Structure Plan and those outlined below:

End-of-Journey Facilities: are secure bicycle storage and other secure 'end of trip' facilities such as lockers and showers.

Net Site Hectare: means the total area of the site upon which the development or use is approved as contained in the certificate of title or titles for the land if the whole of a lot (or if a portion of a lot, the area occupied by the approved development), including all landscaping and ancillary development, as a proportion of 10,000m².

Public Parking: means parking that is provided or offered to members of the public whether or not upon a payment of a fee or subject to other condition, but does not include parking that involves the use of reserved or dedicated parking bay.

Short Stay Parking: means bays that are available to the public where a minimum of 50% of vehicles stay less than 4 hours and a minimum of 90% stay less than 6 hours.

POLICY PROVISIONS

1. Non - Residential Development - Core Area Car Parking Provisions

Car parking bays for non-residential development shall be provided on the site in accordance with Table 1.

Size Of Development	Max	Min Public Parking	Min Short Stay Parking
Core Area			
Development with plot ratio over 1.0 of non-residential floor space	200 bays per hectare	100 bays/ hectare	60% of public parking*
Development with a plot ratio of 1.0 or less of non-residential floor space	2.0 bays per 100m ² of non-residential floor space	1.0 bays per 100m ² of non-residential floor space	60%*
Outer Area			
Development with plot ratio over 1.0 of non-residential floor space	400 bays per hectare	200 bays/ hectare	60% public parking*
Development with a plot ratio of 1.0 or less of non-residential floor space	4.0 bays per 100m ² of non-residential floor space of gross floor area	2.0 bays per 100m ² of non-residential floor space of gross floor area	60% public parking*

*May include on-street parking directly abutting the site.

Note: Parking requirements for 'Nursing Home' uses to be assessed in accordance with Local Planning Policy 6.7 'Parking and Access'

Table 1 - Non - Residential Development

2. Redevelopment of Existing Developments

Where an existing non-residential development, with approved parking in excess of the provisions set out in Table 1 of this policy applies for re-development, the City may, at its discretion, permit the existing level of parking to remain, subject to all of the parking in excess of the permitted level of car parking being provided and managed as Public Parking as outlined in Table 1.

3. Residential Development

3.1 Car parking bays for residential development in areas allocated density codes of between R20 and R160 in an approved Activity Centre Plan shall be in accordance with State Planning Policy 7.3 Residential Design Codes.

3.2 Parking for multiple dwellings (apartments) with an R-ACO code shall be in accordance with Table 2.

Dwelling Size	Minimum Car Parking Bays / Dwelling
Small (less than 75m ² or 1 bedroom)	0.75 bays / dwelling
Medium (75 – 110m ²)	1 bay / dwelling
Large (more than 110m ²)	1.25 bays / dwelling
<i>Note: These parking ratios are as per Local Planning Scheme No.3 requirements</i>	

Table 2 – Multiple Dwelling Car Parking Ratios for Areas Coded R-ACO

3.3 Residential visitor bays may be provided on-street at the expense of the applicant directly abutting the site.

4. Calculation of Car Parking Provision Requirements

4.1 All parking requirements for non-residential development are to be calculated by rounding to the nearest whole number. In the case of exactly 0.5, the requirement shall be rounded down to the nearest whole number. All parking requirements for residential development are to be calculated by rounding up to the nearest whole number.

5. Special Purpose Car Parking

In addition to the provision of car parking bays in accordance with Table 1, the approval of a development or use may require the on-site provision of parking reserved exclusively for the use of disabled motorists, delivery and servicing vehicles, couriers, taxis, buses and coaches, park and ride and kiss and ride at train stations at the discretion of the City of Stirling.

6. Use and Management of Car Parking Bays

6.1 A minimum of 60% of the public parking bays provided on site in accordance with Table 1 shall be used as Short Stay Public Parking.

6.2 Applications for new or redeveloped parking or for change of use of parking bays shall be required to be accompanied by a detailed Parking Management Plan to ensure the development is in accordance with this policy.

6.3 The Parking Management Plan shall describe how the onsite parking will be managed to ensure compliance with the Parking Policy and may include, but not be limited to, the following matters:

- How will access to the facility be controlled?
- How will different types of parking within the facility be managed and controlled?
- What management will be imposed on public parking to reflect short stay or long stay parking restrictions?
- What methods will be used to police and enforce compliance with the relevant planning approval and this Parking Policy?
- How will evidence be collected and reported to demonstrate compliance?
- What safety and security measures will be implemented to protect those using the facility and their property?

6.4 Transport Assessments are required in accordance with the City's Parking and Access Policy.

7. Cash-in-lieu of Public Parking Provision

7.1 In accordance with the minimum number of bays to be provided on site for public parking, under Table 1, the City may approve a 20% reduction in the minimum amount of public parking required subject to the owner making a payment to the City prior to the issue of a building permit for development or the approval of a deposited plan for a subdivision or amalgamation or of a strata plan or survey strata plan, whichever occurs first, as a cash-in-lieu payment of public parking provision to meet the cost of the requirement for public parking. The cash-in-lieu payment will be calculated in accordance with Clause 5.8 of Local Planning Scheme No.3.

7.2 Where payment is received by the City for the provision of public parking bays, these bays shall not be provided on the site the subject of the approval.

7.3 The cash-in-lieu payment shall be used to fund or partially fund:

- Construction of public parking on part of lot 603, Sudbury Road and part of Lot 507 Sudbury Road, Mirrabooka;
- Purchase of part of lot 507 Sudbury Road, Mirrabooka
- Additional on-street public parking in the Mirrabooka Town Centre.

8. Rate of Bicycle Parking Provision

The following levels of bicycle parking shall be provided on site as outlined in Table 3:

Activity/ Use	No. Bicycle Parking Spaces For Employees/Resident	No. Bicycle Parking Spaces For Customers/Visitors
Residential	0.5 space per dwelling (storage Unit)	1 space per 10 dwellings
Office	0.75 spaces per 100m ² of GFA	0.1 spaces per 100m ² of GFA
Other Non – Residential Uses	0.25 spaces per 100m ² of GFA	0.1 spaces per 100m ² of GFA

Table 3 – Rate of Bicycle Parking Provision

9. Rate of Motorcycle/Scooter Parking Provision

In all developments, the following minimum levels of motor cycle parking (including scooters) shall be provided on-site in addition to Standard Car Parking Bays as follows:

Activity/ Use	No. Motorcycle Parking Spaces For Employees/Residents	No. Motorcycle Parking Spaces For Customers/Visitors
Residential	Development exceeding 20 dwellings provide 1 motorcycle/scooter space for every 10 car bays (for each 5 motorcycle/scooter parking bays provided, car parking bays may be reduced by 1 bay)	Not Applicable
Office	0.2 space per 100m ² of GFA	0.1 spaces per 100m ² of GFA
Other Non – Residential Uses	0.1 spaces per 100m ² of GFA	0.1 spaces per 100m ² of GFA

Table 4 – Rate of Motorcycle Parking Provision

10. Variations

Variations will be limited to the following percentages for the clauses listed below:

- Table 2, maximum car parking rates may be increased by 20% for tavern and hotel uses only.

No variations will be permitted on the following:

- Table 1 - Maximum parking for non-residential development;
- Table 1 – Minimum short stay parking;
- Clause 7 – Payment of cash-in-lieu for shortfall of minimum public parking.

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Adopt	1215/035	26 January 2016
Modified	0217/041	12 June 2018
Modified	119/004	19 December 2019

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6.1 ADVERTISING SIGNS

This document has been prepared under Schedule 2 of the 'Planning and Development (Local Planning Schemes) Regulations 2015' and the City of Stirling 'Local Planning Scheme No.3.

1. INTRODUCTION

This Policy outlines the development requirements for advertising signs on land. The Policy aims to ensure that advertising signs are in keeping with the scale and form of the buildings they relate to and do not cause an adverse impact on the streetscape or surrounding land.

2. OBJECTIVES

The objectives of this policy are:

- a) To ensure advertising signs do not pose a safety threat and do not prevent passive surveillance;
- b) To ensure businesses can display advertising signs without, in certain circumstances, the need to obtain development approval;
- c) To ensure that the display of advertising signs does not adversely impact on the amenity of surrounding land and streetscapes;
- d) To ensure advertising signs are appropriately scaled for their setting;
- e) To avoid the proliferation of advertising signs on individual sites and buildings to minimise visual clutter;
- f) To encourage the incorporation of advertising signs into the design consideration of buildings and avoid obscuring or detracting from prominent architectural features; and
- g) To ensure advertising signs only relate to services and products available on the site.

3. APPLICATION OF THIS POLICY

All advertising signs that are intended to be visible from external locations to a building are subject to the provisions of this Policy.

This Policy does not apply to general traffic wayfinding signage, street numbering, election signage or painted wall murals which do not contain any advertising material.

3.1 ASSIGNING SIGN TYPE

Where a sign could be considered as multiple sign types, the requirements of the more specific sign type as determined by the City, is to apply.

If a particular type of advertisement or advertising sign type is not listed or cannot be reasonably determined as falling within the general terms of one of the definitions or is not otherwise mentioned in this Policy, such advertisement will require development approval from the City and shall be considered on its merits against the objectives of this Policy.

3.2 DEVELOPMENT APPROVAL

All advertising signs that seek to vary the 'Acceptable Development Standards' of this Policy require development approval, with consideration against the 'Objectives' of this Policy.

Subject to the conditions of the *Planning and Development (Local Planning Schemes) Regulations 2015* Deemed Provisions Cl. 61 (1) Table Item 11, works to change the content of an authorised advertising sign do not need development approval.

Subject to the conditions of the *Planning and Development (Local Planning Schemes) Regulations 2015* Deemed Provisions Cl. 61 (1) Table Item 10, all advertising signs that meet the 'Acceptable Development Standards' requirements of this Policy do not need development approval.

3.3 OTHER APPROVALS

Other approvals may be required for signs including but not limited to a Building Permit, Footpath Trading and Activation Permit or approval from Main Roads Western Australia.

3.4 CONSISTENCY WITH OTHER PLANNING INSTRUMENTS

Where this Policy is inconsistent with the provisions of a specific Local Planning Policy, Local Development Plan or Structure Plan applying to a particular site or area (e.g. Character Retention Guidelines), the provisions of that specific planning instrument shall prevail.

3.5 DEVELOPMENT ZONE

For advertising signs proposed within a Development Zone, where the Western Australian Planning Commission has endorsed a Structure Plan that assigns zoning, the permissibility is to align with the zoning outlined in the Structure Plan.

4. ACCEPTABLE DEVELOPMENT STANDARDS

4.1 GENERAL DEVELOPMENT STANDARDS

The following provisions apply to all signs.

4.1.1 SAFETY

Signs are to:

- a) not obstruct any access or manoeuvring areas for vehicle or pedestrian;
- b) not be located within 1.5 metres of any part of a street truncation, unless attached flush to an authorised building or solid fence;
- c) maintain clear vehicle and pedestrian sightlines within a 2 metres (along the street boundary) x 2.5 metres (into the property) truncation where vehicle access points meet the lot boundary, unless attached flush to an authorised building or solid fence;
- d) not interfere with or imitate traffic control signals or signage; and
- e) have a minimum ground clearance of 2.75 metres where projecting over or encroaching on a public thoroughfare, unless attached flush to an authorised structure.

4.1.2 DESIGN AND CONTENT

Signs must:

- a) not conceal architectural features of a building located in the Heritage Protection Area, the City's Heritage List or the State Heritage Register;
- b) not extend beyond any boundary of a lot unless otherwise stated in the 'Specific Sign Type Standards' requirements; and
- c) not advertise services or products other than those available on the lot.

4.1.3 ILLUMINATED AND DIGITAL FORMAT SIGNS

The following provisions apply to signs that are illuminated or digital (such as video screens) and is in addition to the requirements of the 'Specific Sign Type Standards':

- a) illumination of signage to meet the relevant Australian Standard;
- b) maximum luminance not to exceed 300 cd/m²;
- c) not incorporate running, flashing or pulsating lights, or rapid changes to images on a screen;
- d) digital format signage to contain only static words and objects and not include video or animation;
- e) notwithstanding any other provision of this Policy, digital format signs may be located in the following zones and reserves:
 - Industry, Mixed Business and Reserves; and
- f) notwithstanding any other provision of this Policy, digital format signs may only be located in the following zones where constituting a Window Sign:
 - District Centre, Local Centre, Mixed Use, Neighbourhood Centre, Regional Centre, and Mixed Use.

4.2 SPONSORSHIP SIGNS ON LOCAL RESERVES

The following provisions are in addition to the 'General Development Standards' requirements and the 'Specific Sign Type Standards' requirements of this Policy. These provisions only relate to signs on land reserved as Public Open Space and Local Authority Purposes under the City's Local Planning Scheme No. 3.

Proposals are also subject to the *Thoroughfares and Public Places Local Law 2009*.

Where there is a conflict between the provisions outlined below and other provisions contained in this Policy, the provisions outlined below will prevail for these specific areas.

4.2.1 MOVEABLE SPONSORSHIP SIGNS

There is no limit as to how many moveable sponsorship signs can be displayed on a Local Reserve. A moveable sponsorship sign may:

- a) be displayed for a maximum eight hours per day; and
- b) not be erected, placed or maintained on or over a public street or thoroughfare.

4.2.2 FIXED SPONSORSHIP SIGNS

A fixed sponsorship sign is to:

- a) to be removed at the expiration of the sponsorship agreement;
- b) be restricted to a maximum of three per club; and
- c) be restricted to a maximum number of six signs, where there are two or more clubs on one reserve.

4.3 SPECIFIC SIGN TYPE STANDARDS

Tables 1, 2, 3 and 4 define specific advertising sign types, where they are permitted, outlines the development standards that apply and show example images of each specific sign type:

- Table 1 identifies incidental signs;
- Table 2 identifies free-standing signs;
- Table 3 identifies signs affixed to buildings and other structures; and
- Table 4 identifies signs that are not affixed permanently.

TABLE 1 – INCIDENTAL SIGNS




DEFINITION AND PERMITTED LOCATION	SPECIFIC DEVELOPMENT STANDARDS
<p>4.3.1.1 DEVELOPMENT SITE FENCING SIGN</p> <p>Definition</p> <p><i>A sign which is fixed to and contained within the confines of construction site hoarding or perimeter fencing and contains only details and graphics of the name of the development, the developer or builder undertaking the works and is only displayed for the duration of the development works.</i></p> <p>Permitted Locations (Zones, Reserves and No Zone)</p> <ul style="list-style-type: none"> - All Zones; - All Reserves; and - No Zone. 	<p>a) May be located outside of the lot boundary.</p> 
<p>4.3.1.2 FLOOR SIGN</p> <p>Definition</p> <p><i>A sign which is adhered, painted or printed directly onto the floor or ground and is not raised from the floor or ground.</i></p> <p>Permitted Locations (Zones, Reserves and No Zone)</p> <ul style="list-style-type: none"> - All Zones; - All Reserves; and - No Zone. 	<p>a) May be located outside of the lot boundary.</p> 
<p>4.3.1.3 FURNITURE SIGN</p> <p>Definition</p> <p><i>A sign which is displayed on or forms part of a furniture installment such as an umbrella, canvas awning, table setting, seating, alfresco sidewalk barrier, bollard, bin or similar.</i></p> <p>Permitted Locations (Zones, Reserves and No Zone)</p> <ul style="list-style-type: none"> - All Zones; - All Reserves; and - No Zone. 	<p>a) May be located outside of the lot boundary.</p> 

TABLE 2 – FREE-STANDING SIGNS



DEFINITION AND PERMITTED LOCATION	SPECIFIC DEVELOPMENT STANDARDS
<p>4.3.2.1 DEVELOPMENT AND REAL ESTATE SIGN</p> <p>Definition</p> <p><i>A free-standing advertisement which specifically relates to and is limited to the promotion or advertisement of a construction site, development site, display home or real-estate transaction. Such a sign may contain details including the name of the project, the name of the contractor, real-estate agent or leasing agent and information relating to the sales, leasing, auction or viewing times.</i></p> <p>Permitted Locations (Zones, Reserves and No Zone)</p> <ul style="list-style-type: none"> - All Zones; - All Reserves; and - No Zone. <div data-bbox="102 1003 608 1339" data-label="Image">  </div> <div data-bbox="102 1348 608 1697" data-label="Image">  </div>	<p>a) Development and Real Estate Signs are:</p> <ol style="list-style-type: none"> to be in place for the duration of the construction works / development / transaction period only; limited to a maximum one sign per lot; and not to exceed the following sizes: <ul style="list-style-type: none"> - 2m² for Single and Grouped Dwelling development and subdivision involving 10 lots or less; - 10m² for Multiple Dwellings, Mixed Use and Non-Residential development and subdivision involving more than 10 lots; and - 20m² for development involving buildings that exceed 3 storeys in height and Shopping Centres. <p>b) Where Development and Real Estate Signs are located on the same lot as a Display Home:</p> <ol style="list-style-type: none"> one 2m² sign for each dwelling on display is permitted; and one additional 3m² sign for each group of dwellings displayed by a single builder is permitted.

TABLE 2 – FREE-STANDING SIGNS



DEFINITION AND PERMITTED LOCATION	SPECIFIC DEVELOPMENT STANDARDS
<p>4.3.2.2 GROUND BASED SIGN</p> <p>Definition</p> <p><i>A free-standing sign with a maximum height of 1.2m above ground level.</i></p> <p>Permitted Locations (Zones, Reserves and No Zone)</p> <ul style="list-style-type: none"> - All Zones excluding Residential Zone and Suburban Residential Category; - All Reserves; and - No Zone.  	<ul style="list-style-type: none"> a) Ground Based Signs which are not portable: <ul style="list-style-type: none"> (i) are limited to a maximum of one sign per frontage of each tenancy on a lot; (ii) are not permitted if the tenancy has a portable ground based sign; and (iii) may have a maximum horizontal dimension of 1.2 metres and a maximum area of 1.5m². b) Ground Based Signs which are portable: <ul style="list-style-type: none"> (i) may be located outside the lot boundary; (ii) may be displayed only during the normal business hours of the business to which the sign relates; (iii) are limited to a maximum of one sign per tenancy on a lot; (iv) are not permitted if the tenancy has a non-portable ground based sign; (v) are not permitted to have moving parts once the sign is in place; (vi) may have a maximum horizontal dimension of 1 metre and have an area of not more than 0.6m²; and (vii) for 'A' frame signs, have a maximum 0.6m² per side.

TABLE 2 – FREE-STANDING SIGNS


DEFINITION AND PERMITTED LOCATION	SPECIFIC DEVELOPMENT STANDARDS
<p>4.3.2.3 HOARDING SIGN</p> <p><u>Definition</u></p> <p><i>A free-standing sign greater than 1.2m in height measured from ground level. Which has a horizontal dimension (inclusive of the supports) greater than the vertical dimension. May be uniform in shape from the base to top and consist of a number of modules, or be supported by one or more posts.</i></p> <p><u>Permitted Locations (Zones, Reserves and No Zone)</u></p> <ul style="list-style-type: none"> - All Zones excluding Residential Zone, Suburban Residential Category and Development Zone; - All Reserves; and - No Zone. 	<p>a) Hoarding Signs are:</p> <ul style="list-style-type: none"> (i) limited to a maximum of one sign per lot; (ii) not permitted if there is a tower sign on the same lot; (iii) have a maximum area of 6m²; and (iv) have a maximum height of 2 metres from ground level. <p>b) Hoarding Signs within a Mixed Business, Industry, District Centre or Regional Centre Zone not situated between the front façade of a building and a street boundary may:</p> <ul style="list-style-type: none"> (i) have a maximum area of 20m²; and (ii) have a maximum height of 6 metres from ground level.

TABLE 2 – FREE-STANDING SIGNS

DEFINITION AND PERMITTED LOCATION	SPECIFIC DEVELOPMENT STANDARDS		
4.3.2.4 TOWER SIGN	a) Tower Signs are:		
Definition	(i) limited to a maximum one sign per lot;		
<i>A free-standing sign greater than 1.2m in height measured from ground level. Which has a vertical dimension (inclusive of the supports) greater than its horizontal dimension. May be uniform in shape from the base to top and consist of a number of modules, or be supported by one or more posts.</i>	(ii) not permitted where a hoarding sign is located on the same lot;		
	(iii) to have a maximum depth of 0.5 metres; and		
	(iv) not to exceed the following requirements:		
Permitted Locations (Zones, Reserves and No Zone)	Lot Frontage	Height (from ground level)	Width
- All Zones excluding Residential Zone, Suburban Residential Category and Development Zone;	Less than 50m with a single tenancy on the lot	6m	2m
- All Reserves; and	Less than 50m with multiple tenancies on the lot	6.5m	2.5m
- No Zone.	Between 50m and 75m	7m	3m
	Greater than 75m	9m	3.5m


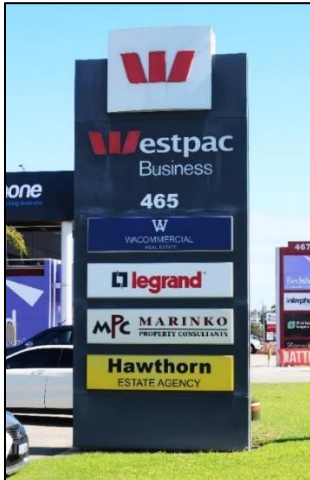


TABLE 3 – AFFIXED TO BUILDINGS AND OTHER STRUCTURES


DEFINITION AND PERMITTED LOCATION	SPECIFIC DEVELOPMENT STANDARDS								
<p>4.3.3.1 FENCE SIGN</p> <p>Definition</p> <p><i>A sign which is affixed to a freestanding wall or fence but does not include a Tower Sign or Hoarding Sign.</i></p> <p>Permitted Locations (Zones, Reserves and No Zone)</p> <ul style="list-style-type: none"> - All Zones; - All Reserves; and - No Zone. 	<p>a) Fence Signs are not to obstruct a fence required to be visually permeable or open.</p> <p>b) Fence Signs (except where located in the Residential Zone and Suburban Residential Category):</p> <ul style="list-style-type: none"> (i) are limited to a maximum one sign per lot; (ii) to have a maximum vertical dimension of 2 metres; (iii) to have a maximum area of 5m²; and (iv) to have a maximum height of 3 metres from ground level. <p>c) Fence Signs located in the Residential Zone and Suburban Residential Category:</p> <ul style="list-style-type: none"> (i) are limited to a maximum one sign per lot; (ii) may have a maximum height of 1.8 metres from ground level; and (iii) for the following uses, do not exceed the following sign area: <table border="1"> <thead> <tr> <th>Associated Use</th><th>Area</th></tr> </thead> <tbody> <tr> <td>Home Occupation</td><td>0.2m²</td></tr> <tr> <td>Home Business and Short Stay Accommodation</td><td>0.5m²</td></tr> <tr> <td>All other Non-Residential land uses</td><td>1.5m²</td></tr> </tbody> </table>	Associated Use	Area	Home Occupation	0.2m ²	Home Business and Short Stay Accommodation	0.5m ²	All other Non-Residential land uses	1.5m ²
Associated Use	Area								
Home Occupation	0.2m ²								
Home Business and Short Stay Accommodation	0.5m ²								
All other Non-Residential land uses	1.5m ²								

TABLE 3 – AFFIXED TO BUILDINGS AND OTHER STRUCTURES



DEFINITION AND PERMITTED LOCATION	SPECIFIC DEVELOPMENT STANDARDS
<p>4.3.3.2 PROJECTING SIGN</p> <p>Definition</p> <p><i>A sign which is affixed to a building and:</i></p> <ul style="list-style-type: none"> - protrudes from a wall of the building; - affixed to the fascia of an awning or the like; or - protrudes below or above an awning or the like. <p>Permitted Locations (Zones, Reserves and No Zone)</p> <ul style="list-style-type: none"> - All Zones excluding Residential Zone and Suburban Residential Category; - All Reserves; and - No Zone. <div data-bbox="134 862 735 1809">   </div>	<ul style="list-style-type: none"> a) Projecting Signs are: <ul style="list-style-type: none"> (i) limited to a maximum of one Projecting Sign per tenancy on a lot in addition to any Projecting Signs which are attached to the fascia of an awning; (ii) able to be located outside of the lot boundary provided that they are affixed to or project from an awning or the building; and (iii) not permitted to project above the top of the wall to which they are attached. b) Projecting Signs attached to a building are: <ul style="list-style-type: none"> (i) not to project more than 1 metre from the wall of the building; and (ii) not to exceed 4m² in area. c) Projecting Signs attached to the fascia of an awning are: <ul style="list-style-type: none"> (i) not to exceed a vertical dimension of 1 metre; and (ii) not to extend beyond the outer frame of the fascia. d) Projecting Signs attached above or to the underside of an awning are: <ul style="list-style-type: none"> (i) not to exceed 2.4 metres in length; (ii) not to exceed 0.5 metres in vertical dimension; (iii) not to be within 3 metres of another such sign attached above or to the underside of the same awning; and (iv) not to extend beyond the outer frame of the awning.

TABLE 3 – AFFIXED TO BUILDINGS AND OTHER STRUCTURES



DEFINITION AND PERMITTED LOCATION	SPECIFIC DEVELOPMENT STANDARDS
<p>4.3.3.3 ROOF SIGN</p> <p><u>Definition</u> <i>A sign which is on the roof of the building.</i></p> <p><u>Permitted Locations (Zones, Reserves and No Zone)</u> - Not Permitted in any Zone, Reserve or No Zone.</p> 	<p>There are no Specific Development Standards, as Roof Signs are not permitted in the City.</p>
<p>4.3.3.4 WALL SIGN</p> <p><u>Definition</u> <i>A sign which is affixed to the external part of a wall of a building.</i></p> <p><u>Permitted Locations (Zones, Reserves and No Zone)</u> - All Zones; - All Reserves; and - No Zone.</p> 	<p>a) Wall Signs are not to extend more than 0.3 metres beyond the edges of a wall.</p> <p>b) Wall Signs (except within the Residential Zone and Suburban Residential Category) are:</p> <ul style="list-style-type: none"> (i) limited to a maximum two signs per tenancy on a lot; and (ii) not to cover more than 30% of the visible area of any one façade per tenancy, excluding glazed portions and awnings. <p>c) Wall Signs located in the Residential Zone and Suburban Residential Category:</p> <ul style="list-style-type: none"> (i) are limited to one sign per building with an area no greater than 0.2m² in area where the building is used predominantly for residential purposes; and (ii) where the building is predominantly used for non-residential purposes are to be limited to one sign per lot and does not exceed 1.2m².

TABLE 3 – AFFIXED TO BUILDINGS AND OTHER STRUCTURES


DEFINITION AND PERMITTED LOCATION	SPECIFIC DEVELOPMENT STANDARDS
<p>4.3.3.5 WINDOW SIGN</p> <p><u>Definition</u></p> <p><i>A sign which is affixed to either the interior or exterior surface area of a window or is tethered to or displayed or projected over the surface area of a window.</i></p> <p><u>Permitted Locations (Zones, Reserves and No Zone)</u></p> <ul style="list-style-type: none"> - All Zones excluding Residential Zone and Suburban Residential Category; - All Reserves; and - No Zone. 	<p>a) Window Signs are not to cover more than 30% of the total glazed area of any one façade.</p>

TABLE 4 – UNFIXED SIGNS


DEFINITION AND PERMITTED LOCATION	SPECIFIC DEVELOPMENT STANDARDS
<p>4.3.4.1 COMMUNITY SERVICE SIGN</p> <p>Definition</p> <p><i>A sign that advertises non-profit, short-term events such as a fete, fair, or festival for charitable, religious, education, child care, sporting organisations or the like, that is not wayfinding to the event.</i></p> <p>Permitted Locations (Zones, Reserves and No Zone)</p> <ul style="list-style-type: none"> - All Zones; - All Reserves; and - No Zone. 	<p>a) Community Service Signs are:</p> <ul style="list-style-type: none"> (i) to be located on the site of the event or on the property of the organisation holding the event to which the sign relates; (ii) not to be displayed more than two weeks prior to the date of the event advertised and must be removed by the end of the day following the event. (iii) limited to a maximum of one sign per frontage on a lot; (iv) not to be illuminated; and (v) limited to a maximum area of 10m².

TABLE 4 – UNFIXED SIGNS




DEFINITION AND PERMITTED LOCATION	SPECIFIC DEVELOPMENT STANDARDS
<p>4.3.4.2 VEHICLE DISPLAY SIGN</p> <p>Definition</p> <p><i>A sign, product or object displayed for the purposes of advertising which is attached to or placed on a vehicle but excludes printed advertisements that are affixed directly to the body of a vehicle.</i></p> <p>Permitted Locations (Zones, Reserves and No Zone)</p> <ul style="list-style-type: none"> - Industry Zone; - Mixed Business Zone; - All Reserves; and - No Zone. <div data-bbox="150 878 392 1216">  </div> <div data-bbox="405 878 721 1216">  </div>	<p>a) Vehicle Display Signs are:</p> <ul style="list-style-type: none"> (i) limited to a maximum one sign per lot; (ii) not to have moving parts; (iii) limited to a maximum vertical dimension of 2 metres and a horizontal dimension of 3 metres; and (iv) not to occupy more than one car parking bay. <p>b) Vehicle Display Signs that are digital format are:</p> <ul style="list-style-type: none"> (i) not to be visible from a Primary Regional Road or Other Regional Road as identified under the Metropolitan Region Scheme; (ii) not to be displayed on any one lot for more than fourteen (14) days in aggregate within any 12 month period; and (iii) only to be in operation during business hours.

TABLE 4 – UNFIXED SIGNS

DEFINITION AND PERMITTED LOCATION	SPECIFIC DEVELOPMENT STANDARDS
<p>4.3.4.3 TETHERED SIGN</p> <p><u>Definition</u></p> <p><i>A sign which is suspended from or tethered to any structure, tree or pole (with or without supporting framework) and made of paper, plastic, fabric or similar materials. The term includes lighter than air aerial devices, inflatables, bunting, banners, flags and kites but does not include signs tethered against a wall.</i></p> <p><u>Permitted Locations (Zones, Reserves and No Zone)</u></p> <ul style="list-style-type: none"> - Business Zone; - District Centre Zone; - Hotel Zone; - Local Centre Zone; - Mixed Business Zone; - Neighbourhood Centre Zone; - Regional Centre Zone; - Service Station Zone; - All Reserves; and - No Zone. 	<p>a) Tethered Signs (excluding inflatable objects) are:</p> <ul style="list-style-type: none"> (i) limited to a maximum one sign per lot; (ii) limited to a maximum vertical dimension of 0.75 metres and a maximum area of 2m²; (iii) not to be higher than 8 metres from ground level; and (iv) not located within 10 metres of a Tower Sign. <p>b) Tethered Signs that are inflatable objects are:</p> <ul style="list-style-type: none"> (i) not to be displayed for more than 14 days in aggregate for any one calendar year; (ii) limited to one sign per lot; (iii) not to exceed 7 metres in diameter; and (iv) not to exceed 9 metres in height.

5. CONTROL AND MAINTENANCE OF ADVERTISING SIGNS

5.1 MAINTENANCE OF EXISTING ADVERTISING SIGNS

Clause 80 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* allows the City to order the removal or repair of existing advertising signs if it is considered that the signs have deteriorated to a point where they cease to be effective.

5.2 REMOVAL OF ADVERTISING SIGNS THAT IS NOT AUTHORISED

Section 214 and 215 of the *Planning and Development Act 2005* allows the City to remove or order the removal of advertising signs which have been erected or displayed without the appropriate approval.

Clause 11.2.2 of the City's Local Planning Scheme No.3 allows the City to order the removal, relocation, repair or modification of an existing advertising sign where it is deemed to be in conflict with the amenity of the locality.

The City's Local Law relating to Signs, Hoardings and Billpostings enables the City to remove advertising signs that are not authorised within road reserves where, the advertising signs which have been erected without approval, are considered to be dangerous or placed on a thoroughfare.

6. DEVELOPMENT APPLICATION SUBMISSION REQUIREMENTS

Where development approval is required, the following information is to accompany the application:

- a) Completed Development Application Form;
- b) Payment of a development application fee (refer fees and charges information sheet);
- c) Site plan (1:100) showing the location of the proposed sign(s) and all existing signage, all buildings, lot boundaries, street names, north point;
- d) Elevations (1:100) illustrating the location of the proposed sign(s) and location of all existing signs in relation to the building / site;
- e) Illustration (1:50) showing the contents, dimensions (including height above ground), surface areas and structural details of the sign;
- f) The City may also require a signage strategy for new Commercial or Industrial Developments containing:
 - (i) A site plan (1:100) showing the location of all existing and proposed signs, all buildings and neighbouring buildings, lot boundaries, street names and north point;
 - (ii) A perspective or photomontage illustrating the location of all existing and proposed signs, buildings and neighbouring properties;
 - (iii) An illustration (1:50) showing the contents, dimensions (including height above ground), surface areas and structural details of each sign; and
 - (iv) A written justification addressing the objectives of this Policy.

7. OTHER MATTERS TO CONSIDER

This Policy should be read in conjunction with the following documents:

- a) Main Roads Policy and Application Guidelines for Advertising Signs.
- b) City of Stirling Thoroughfares and Public Places Local Law 2009
- c) City of Stirling Local Planning Policy 4.2 – Mixed Use Design Guidelines
- d) City of Stirling Local Planning Policy 6.14 – Footpath Trading and Activation.
- e) Any other Structure Plan or Local Development Plan that applies to the development site.

8. DEFINITIONS

The following definitions apply to the Policy.

Advertising Sign :	<i>Has the same meaning that Advertisement is given in the Planning and Development (Local Planning Schemes) Regulations 2015.</i>
Authorised:	<i>Means an approval has been granted, or an approval is not required for the lawful undertaking.</i>
Digital Format:	<i>Advertisement based on light emitting diode or fibre optic matrix technology that is capable of displaying a range of static or animated text graphical images, or which can be electronically changed by remote or automatic means.</i>
Furniture:	<i>Tables and chairs, decorative objects, goods displays (e.g. clothing racks, card stands, shelves etc.), screens and barriers, blinds and weather barriers, umbrellas, lighting, public art, heating devices, planter boxes, pot plants, bike racks, street furniture, and the like.</i>
Ground Level:	<i>The existing natural ground level of the site preceding the proposed development.</i>
Vehicle:	<i>Includes a car, truck, boat, trailer, caravan, piece of machinery or similar, whether moveable or not.</i>

Definitions for individual sign types are provided in the 'Acceptable Development Standards' section of this Policy.

OFFICE USE ONLY:

Local Planning Scheme No.3 - Local Planning Policy History:

Action	Council Date	Resolution No	Effective Date
Modified by removal of Scarborough Redevelopment Scheme area	N/A	N/A	2 July 2014
Modified	16 February 2016	0216/042	1 November 2016
Modified	21 February 2023	0223/020	28 March 2023

6.2 BICYCLE PARKING

– REVOKED 20 Jan 2023

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Modified	0414/033	20 May 2014
Revoked	1122/014	20 Jan 2023

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6.3 BIN STORAGE AREAS

Objectives

- To provide sufficient space for the storage of bulk refuse bins; and
- To ensure that bin areas are screened from the street and are in harmony with the materials and finishes of the building.

Applications Subject of this Policy

This Policy applies to Grouped, Multiple Residential Development applications containing 13 or more dwelling units and all non-residential development.

Development Provisions

Bin Storage Area Size

Residential Zones

- Bin storage areas for bulk bins in residential zones shall have the following minimum sizes:
 - width: 3.5m per bulk bin; and
 - depth 2.5m

Non Residential Zones

- Bin storage areas in non-residential zones shall have the following minimum sizes:
 - Size 10m²*; and
 - Width 3.5m.

Note: *A larger area may be required for the turning of a refuse truck.

Location of Bin Storage Area

- shall be located behind the building setback line; and
- shall ensure that adequate space is available for the bulk refuse truck to access the bin area and manoeuvre.

Design of Bin Storage Area

- shall be screened from view to a minimum height of 1.8m so that it is not be visible from the street;
- materials shall match with the building;
- shall be sealed and regularly cleaned and maintained; and
- stormwater and effluent drainage facilities shall be contained within this area.

Bulk Bin Sizes

- For residential developments containing 13 or more dwelling units provision is required to be made for a bulk refuse bin of 1.53m², plus 0.38m³ per three dwellings in excess of 13. *

Note *Alternative arrangements may be made for the use of MGB's (Green Bins) in consultation with the City's Sanitation Unit.

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
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6.4 CHILD CARE PREMISES

This document has been prepared under Schedule 2 of the 'Planning and Development (Local Planning Schemes) Regulations 2015' and the City of Stirling 'Local Planning Scheme No.3'.

1. CITATION

This Policy may be cited as 'Local Planning Policy 6.4 - Child Care Premises'.

2. APPLICATION OF THIS POLICY

- a) This Policy applies to all Child Care Premises developments.
- b) Where this Policy is inconsistent with the provisions of a specific Local Development Plan or Structure Plan applying to a particular site, the provisions of that document shall prevail.

3. PURPOSE

This Policy promotes the provision of Child Care Premises in areas located close to activity centres and along urban corridors to encourage multi-purpose trips. This Policy seeks to ensure that Child Care Premises are designed and located in a way that considers and preserves the existing and future amenity of an area where the use is proposed.

4. OBJECTIVES

- a) Prioritise the location of Child Care Premises close to activity centres and along urban corridors.
- b) Ensure new buildings respect the existing or future built form, scale and character of the area.
- c) Provide landscaping to mitigate development impacts on the amenity of the surrounding area.
- d) Ensure developments in residential areas are located along roads that can carry anticipated traffic volumes and minimises the impact on the function and safety of the local road network.
- e) Ensure Child Care Premises operate in a manner that mitigates the impacts of amenity on people living in nearby dwellings with regard to intensity of use, hours of operation, noise, traffic impacts, light spill, waste management and the provision of facilities.
- f) Require buildings to be designed in a way which minimises the impacts of noise, overlooking, overshadowing, traffic, car parking and access.
- g) Provide a safe and connected environment for pedestrians both on and around the site.

5. GENERAL PROVISIONS

5.1 AMENITY IMPACT STATEMENT

All proposals for Child Care Premises must include a written and illustrated amenity impact statement which demonstrates how the proposal preserves the existing and future amenity of the area.

The requirements of the amenity impact statement are provided in Appendix 1.

5.2 OPERATION

- a) The hours of operation are to be between:
 - i. 7.00am to 6.30pm on weekdays; and
 - ii. 8.00am to 6.00pm on weekends.

5.3 FENCING

- a) Front fences to be visually permeable above 1.2m above natural ground level, subject to the need for noise mitigation and security.

5.4 LANDSCAPING

- a) Outdoor play areas should provide shade in the form of trees or shade structures to provide protection from natural elements.
- b) Play spaces are not to be included as part of the landscaping calculation.
- c) Artificial/synthetic turf doesn't contribute towards the required landscape area.
- d) A 2m minimum landscaping buffer is to be provided within the street setback area to allow for the planting of mature trees.
- e) Shade trees to be planted and maintained in open car parking areas at the rate of one tree for every four (4) car parking bays.

5.5 PARKING AND ACCESS

- a) Car parking areas are designed and landscaped to mitigate visual impacts when viewed from the street.
- b) Car parking bays should be easily accessed by customers, and the least visible or accessible bays should be allocated for staff use.
- c) Crossover widths are to be a maximum of 6m.
- d) The use of the verge for parking is not permitted.

5.6 WASTE FACILITIES

- a) Bin storage areas are to be located behind the building setback line and are to be screened from view from the street or adjacent property.
- b) Bin storage areas are not permitted abutting a residential property.
- c) Adequate space is to be provided to ensure a bulk refuse truck can access the bin storage area and manoeuvre.

6. SPECIFIC PROVISIONS

6.1 PREFERRED LOCATIONS

- a) Child Care Premises are to be located:
 - i. On a private or public-school site;
 - ii. Within 100m of a Centre identified in the Local Planning Strategy (Refer to Figure 1 in Appendix 2); or
 - iii. Fronting a Corridor Class 1, Class 2 and Class 3 road as identified in the Local Planning Strategy (Refer to Figure 1 in Appendix 2).
- b) Child Care Premises are not to be located in the following locations/type of sites:
 - i. Sites on cul-de-sacs;
 - ii. Sites with sole vehicular access from an undedicated or predominantly residential right-of-way, or laneway;

to prevent conflict with residential amenity, traffic and access, and where located on Corridors to orientate and activate the Corridor.

6.2 WITHIN AND/OR ABUTTING RESIDENTIAL ZONES

- a) Have a minimum site area of 1,000m².
- b) Development is to comply with the development provisions applicable to the residential density coding of the site for building height, open space, lot boundary setbacks, visual privacy and overshadowing.
- c) Boundary fencing is to be constructed from masonry materials to minimise noise impacts to the residential neighbours.
- d) Buildings set back from the street boundary are to correspond to the average of the setback of existing dwellings on each adjacent property fronting the same street or minimum as per R-Codes, whichever is greater.
- e) Buildings must address the street with a clearly defined entry point visible and accessible from the street.
- f) Where abutting a residential boundary a minimum 1.5m landscaping buffer is required.

7. VARIATIONS

Where a Child Care Premises development does not meet the provisions of this Policy, the proposal will be assessed against the Purpose and Objectives of this Policy.

8 OTHER RELEVANT DOCUMENTS

- Local Planning Scheme No.3 Scheme Text
- Local Planning Policy 4.2 Mixed Use & Commercial Centre Design Guidelines
- Local Planning Policy 4.5 Private Institution Design Guidelines
- Local Planning Policy 6.1 Advertising Signs
- Local Planning Policy 6.6 Landscaping
- Local Planning Policy 6.7 Parking and Access
- State Planning Policy 7.3 Residential Design Codes
- Planning and Development (Local Planning Schemes) Regulations 2015 – Clause 67, Part 9, Schedule 2

APPENDIX 1 – AMENITY IMPACT STATEMENT

The Amenity Impact Statement is to demonstrate how the design of the proposal engages with and responds to its location and surrounding context. The Amenity Impact Statement is to:

DESCRIBE

Identify the site and context area (physical and non-physical) using research, observation and surveys (where appropriate) and describe in a report and plan.

Explain how the site and context area has been determined.

ANALYSE

Assess the characteristics of the site and surrounding context. It may be useful to visit the site and surrounding area to gain a better understanding of the context. Some aspects of analysis can be measured and factually recorded but others are about experience of the place.

Explore the impacts the development will have on the site and context.

Identify the key site and context issues.

RESPOND

Explain and illustrate how the design responds to the site and context issues.

DOCUMENT

Document the site and context analysis and design response, including any drawings, photographs, diagrams, maps or plans.

In considering the impact of a proposed development on the amenity of the surrounding locality, the local government will consider the impact of the proposed development upon that amenity including but not limited to:

- Access to daylight and ventilation to outdoor areas and major openings to adjoining sites.
- The effect of noise on outdoor areas and major openings to adjoining sites.
- The sense of confinement resulting from cumulative building bulk.
- The location of existing trees and vegetation.
- Articulation of the elevations in terms of varied setbacks, design features, building materials and treatments.
- Impact upon the existing streetscape.
- Degree to which the development reflects the scale of the existing built form within the streetscape.
- The amount of open space around buildings.
- The design and external appearance, including exterior cladding of any new building or addition and its effect on the amenity of existing buildings and the area generally.
- Any other relevant aspects of the character or site specific characteristics of the adjoining property and/or the surrounding area that may be affected by the proposed development.

APPENDIX 2 – APPLICATION REQUIREMENTS

The following information required:	Provided Yes/No:
<p>Details describing the business, including:</p> <ul style="list-style-type: none"> • The number and age ranges of children to be cared for; • The number of staff; • The hours of operation; and • Any other relevant information 	
<p>Car and bicycle parking, and vehicle access provided in accordance with:</p> <ul style="list-style-type: none"> • Local Planning Policy 6.7 Parking and Access; • Local Planning Policy 5.8 Stirling City Centre Parking; • Local Planning Policy 5.9 Mirrabooka Town Centre Parking; or • Any relevant Local Development Plan. 	
Proposals for new Child Care Premises development are to provide a Transport Impact Statement or Transport Impact Assessment, dependent on the number of children proposed (refer to the Transport Impact Assessment Guidelines published by the Western Australian Planning Commission)	
Proposals to increase the number of children within existing Child Care Premises by more than 10 additional children are to provide a Transport Impact Statement	
A parking management plan is to be provided with all Child Care Premises applications (refer to Appendix 3)	
An acoustic report prepared by a suitably qualified person must be submitted with the application for development approval	
A noise management plan is also required where identified by the acoustic report	
A detailed landscaping plan to be provided which identifies deep soils planting areas to support the growth of mature trees and plantings	
Identify the location of fire boosters on the provided site plan	
A detailed waste management plan to be provided to include the location of bin storage on site	

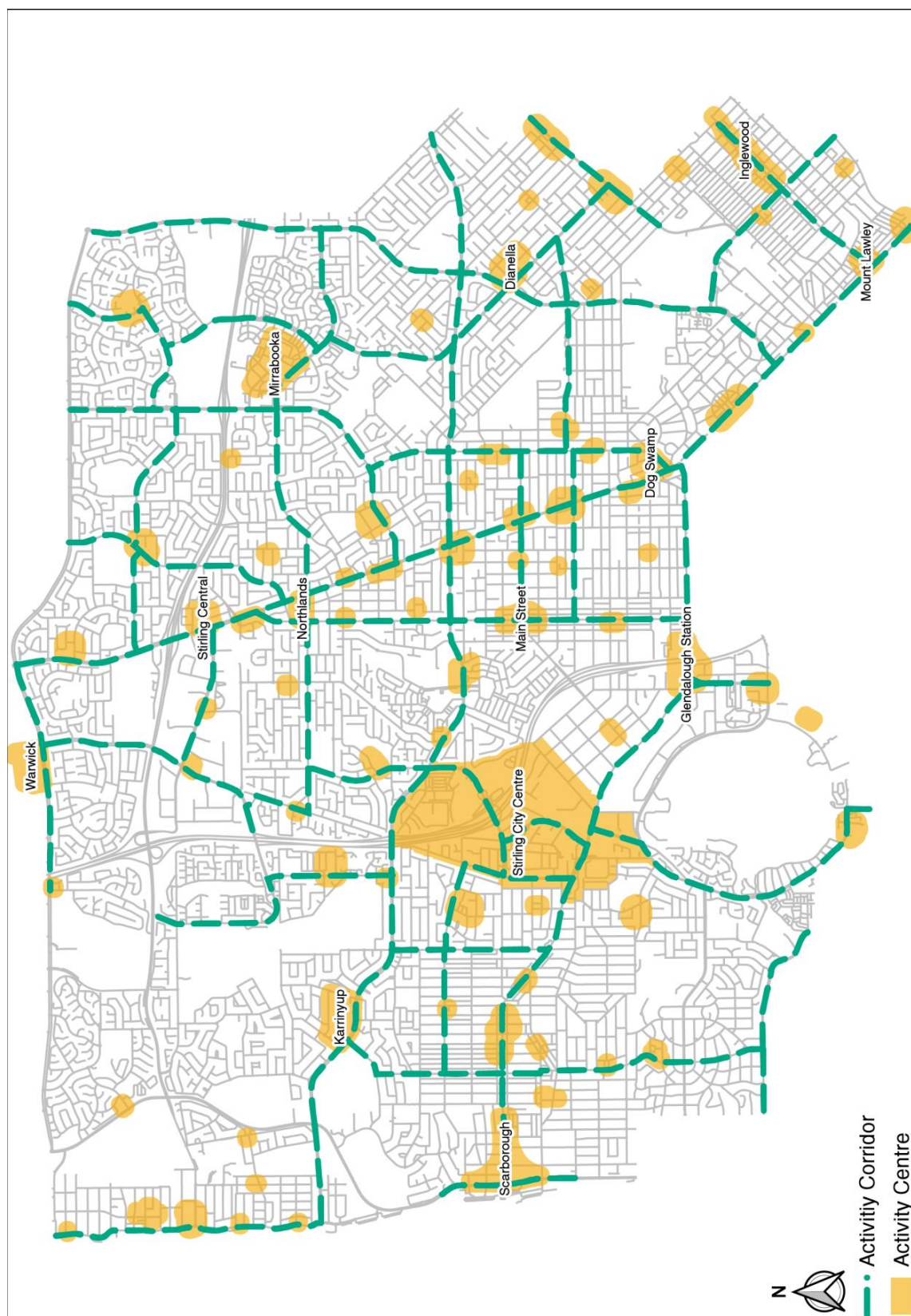


Figure 1: Location of Activity Centres and Urban Corridors

Note: Refer to 'StirlingMaps' on the City's website for the exact permitted locations.

APPENDIX 3 – PARKING MANAGEMENT PLAN

XX Month Year

Name

Address

City/State/Postcode

Attention: City of Stirling Officer

RE: PROPOSED CHILD CARE PREMISES AT HOUSE NUMBER XX, XXXXX STREET, SUBURB - PARKING MANAGEMENT PLAN

INTRODUCTION

Company Name has been engaged by the applicant to prepare a Parking Management Plan (hereafter PMP) for the approved Child Care Premises (hereafter CCP) to be located at House Number XX, XXXXX Street in Suburb, City of Stirling (refer Figure 1).

Insert map

Figure 1: Location of the subject site

BACKGROUND

The development application for the proposed CCP was approved by Relevant Authority on XX Month Year. Condition XX of the approval limit the number of children to be catered for at the site to a total of XX to be looked after by a minimum of XX staff. The approved CCP development plans show a total of XX parking bays on site of which the ratio would most likely be XX staff and XX visitor bays.

The Transport Impact Statement/Assessment (TIS/TIA) prepared by Company Name for the proposed CCP included a parking assessment that demonstrated that XX visitor bays would be sufficient to meet the visitor/parent demand and cater for the needs of the facility.

CHILD CARE OPERATIONS

Based on the information provided to Company Name, the CCP operations will comprise XX permanent staff and XX non-permanent staff for operational reasons. As advised by the operator, the non-permanent staff duties would include the following events:

- *List of duties performed by casual/ancillary staff.*

PARKING MANAGEMENT PLAN MISSION

The objective of the Parking Management Plan (PMP) is to ensure efficient, effective and safe use of the car park and to provide effective management of the different types of car parking needs relating to employees and visitors/parents through the application of pavement markings, signage and communication/education.

MANAGEMENT PLAN

The parking associated with this development is to serve employees and visitors/parents of the CCP including occasional service/waste collection vehicles as needed.

The access to the car park is located so to ensure good view of the car park (on entry), vehicles on abutting roads (on exit) and pedestrian paths. The proposed crossover will be constructed in accordance with the City's 'Local Planning Policy 6.7 – Parking and Access'

and as such would ensure ease of access and egress for site patrons. The proposed car park will be designed in accordance with the provisions of AS2890.1.

The development includes a total of XX parking bays out of which XX bays are proposed to be allocated to visitors and XX to CCP staff. All XX visitor bays are proposed to be located on the northern/eastern/southern/western side of the car park and away from the crossover to reduce the risk of any congestion at the car park entry, and to reduce any impact on XXXX Street traffic operations.

All staff and visitor bays in the car park will be pavement-marked to indicate specific use and avoid unnecessary confusion and internal congestion.

The CCP operator proposes that the premises be staffed with XX permanent staff and XX casual/ancillary staff. A total of XX bays are proposed to meet the parking requirement for all staff. However, as advised by the CCP operator not all staff will be present at the site at all times. The number of staff will fluctuate throughout the typical weekday in accordance with the children's attendance rate but is indicatively envisaged to occur as follows:

- 7am – 7:30am: XX staff rostered;
- 7:30am – 8:30am: Estimated peak drop off period – XX staff rostered;
- 8:30am – 10:00am: XX staff rostered;
- 10:00am – 3:00pm: CCP at full capacity – XX staff rostered (XX permanent staff + XX ancillary staff);
- 3:00pm – 4:30pm: XX staff rostered;
- 4:30pm – 5:30pm: Estimated peak pick-up period – XX staff rostered;
- 5:30pm – 6:30pm: XX staff rostered.

The CCP operator would implement/consider the following principles which would serve to alleviate the demand for staff parking at the subject site:

- *List any measures proposed to reduce staff car parking demand.*

A car park schedule is proposed to be kept to ensure efficient and accurate control of car park utilisation so that there is no unauthorised or random use of car parking bays.

COMMUNICATION & EDUCATION

The car park schedule will be planned, organised and implemented by the CCP director and assistant director. The car park schedule will be considered as part of staff scheduling and monitored by management and staff, to facilitate its orderly implementation. The usage and operation of the car park will be monitored on an ongoing basis.

It is proposed that all permanent and casual staff and visitors/parents be introduced to the PMP principles. This should be done at the time of children enrolment/staff hire by summarising the PMP and including a car park map and induction session.

The CCP management will monitor the operation of the car park and propose improvements and changes to the PMP if required.

Yours sincerely,

Name
Title

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Modified	0421/009	13/05/2021
Modified	0323/033	13/04/2023

6.5 DEVELOPMENTS AND SUBDIVISIONS ABUTTING RIGHTS OF WAY

1. INTRODUCTION

Where there is a conflict between this policy and other policies this policy shall prevail. The following standards are in addition to the Deemed to Comply Development standards contained in the Residential Design Codes of Western Australia ('R-Codes').

2. OBJECTIVES

- 2.1. To facilitate the improved management of Rights of Way ('ROW');
- 2.2. To promote better urban design by encouraging the use of ROW for vehicle access;
- 2.3. More efficient use of individual sites;
- 2.4. Create unique streetscapes along the ROW through sympathetic building orientation and design;
- 2.5. Maintain existing streetscapes, by minimising the need for and impact of additional garages/carports and paved areas within the street setback area, and better allowing the retention of existing buildings and landscaping;
- 2.6. Support the objectives of the City's Rights of Way Management Strategy; and
- 2.7 To facilitate future widening of ROW.

3. APPLICATIONS SUBJECT OF THIS POLICY

This Policy applies to all developments and subdivisions abutting a ROW, a Crown Reserve for ROW purposes or a dedicated road which was originally created as a ROW. Reference to ROW hereinafter includes ROW, a Crown Reserve for ROW purposes and dedicated laneways that were formerly ROW.

4. RELEVANT DOCUMENT

The City's Developments and Subdivisions Abutting Rights of Way Management Practice provides administrative guidance to the implementation of this Policy.

This policy has been formulated to contribute to the achievement of the objectives of the Rights of Way Management Strategy through special development control standards for developments and subdivisions adjacent to ROW. The intent of the policy reflects the City's management approach to each category of ROW as promulgated in the Strategy.

5. RIGHT OF WAY CATEGORIES

5.1 Each ROW within the City is allocated a 'Category' according to the ROW Category Designation System based on assessment of the relative suitability for use and strategic benefits of the ROW. The policy provisions directly relate to the Category allocation and objectives, which are as follows:

5.1.1 Category 1 - Traffic Management and Commercial ROW

Located in areas with significant traffic safety / management issues (including the majority of commercial developments capable of utilising ROW for service and/or parking access) or adjoins properties fronting major roads;

5.1.2 Category 2 - Development Potential ROW

Located in areas where the majority of abutting lots have infill development potential and the ROW is deemed to have the potential to reduce the negative impacts of this infill development (in terms of streetscape amenity, environmental impact, efficient use of land and traffic management).

5.1.3 Category 3 - Heritage / Streetscape Benefit ROW

Located in areas where identified heritage or special streetscape value may be protected and enhanced by the use of ROW for rear access, but where the majority of abutting lots do not have infill development potential.

5.1.4 Category 4 - Minimal Strategic Benefit ROW

Lacking the above potential or values, either through strategic location, development status and/or practical limitations to the use of the ROW for access.

5.1.5 Category 5 - ROW Less Than 5 Metres Wide

All which are under 5.0m in width (and consequently posing specific difficulties for use for access and future management) or other limitations to the use of the ROW which requires individual assessment and management plan to address the constraints.

Note: Plans showing the location and designated category of ROW are available for viewing at the City and online via 'StirlingMaps' or the 'Rights of way management strategy' project on the City's website www.stirling.wa.gov.au. Amendments to ROW categories may occur from time to time as reviews occur or circumstances change.

5.2 The City is seeking to promote the use of Category 1 and 2 ROW for primary access, the use of Category 3 ROW for secondary access where this facilitates protection of the streetscape, and to discourage further use of Category 4 and 5 ROW, to allow for future closure unless closure has been determined to be impossible or the constraints can be overcome.

5.3 Reference to 'primary access' in this policy means a road or ROW which provides the principal access to the major entry (front door) of a dwelling.

5.4 Reference to 'secondary access' in this policy means a road or ROW which provides access to a dwelling other than the primary access.

6. GENERAL PROVISIONS

The following provisions shall apply to developments and subdivisions abutting all ROW.

- 6.1. Provide sufficient reversing and manoeuvring area for vehicular access to the satisfaction of the City (as per Australian Standards AS/NZS 2890).
- 6.2. Provide a minimum 1.5m wide pedestrian / service access to the pre-existing primary street where a development or subdivision uses a ROW for primary access (Refer to 'Service Access' section below).
- 6.3. Provide a 1.5m x 1.5m visual truncation for sightline to vehicular access via a ROW and any existing vehicle access on an adjacent development to a ROW.

- 6.4. Provide corner truncations for visual sightlines including:
 - 6.4.1 3.0m x 3.0m corner truncation for lots at the intersection of two ROW for ROW at least 5.0m wide;
 - 6.4.2 2.0m x 2.0m corner truncations for lots at the intersection of a ROW at least 5.0m wide and a street; and
 - 6.4.3 Corner truncations to City's satisfaction for ROW less than 5.0m wide.
- 6.5. Corner truncations required in clause 6.4 are to be ceded to the Crown free of costs in the following circumstances:
 - 6.5.1. subdivisions;
 - 6.5.2. the development of a new single house, grouped dwelling or multiple dwelling;
 - 6.5.3 a new commercial or mixed-use development; or
 - 6.5.4 a development or a change of use that will, in the opinion of the City, result in increased traffic in the ROW.
- 6.6 The applicant is to seal and drain the ROW to the satisfaction of the City as required unless otherwise agreed by the City.

7. SPECIFIC PROVISIONS

In addition to the General Provisions, the following provisions also apply to the specific categories of ROW.

7.1 Category 1

7.1.1. Objective

Developments and subdivisions are required to utilise Category 1 ROW for access and contribute to the development of a pleasant streetscape along it.

7.1.2. General

Developments and subdivisions are required to orient to and use the ROW for primary access except where the applicant provides adequate justification, clearly illustrating why use of the ROW does not represent the optimum traffic management option and that the development will not detract from the objectives of providing passive surveillance and creating a pleasant streetscape within the ROW.

7.1.3. Commercial and Mixed Use Development

Commercial and mixed use developments are required to provide lighting in parking accessed from the ROW. Developments providing parking accessed from the ROW will be encouraged and may be required to provide pedestrian access from the parking to the building entrance. Developments providing parking accessed from the ROW will be required to integrate this with parking on abutting commercial properties, wherever possible. Consideration of the impact on the development potential and streetscape or the ROW will be required in location and design of abutting buildings, fencing, bin stores, storage etc. The location of multi-storey car parking adjacent to a ROW is not permitted. Bin stores along ROW with residential land opposite should be screened, well maintained and managed to limit noise and odour emissions, and pests.

7.1.4. Residential

- 7.1.4.1. Residential developments and subdivisions are required to use the ROW for primary access.
- 7.1.4.2. Residential lots on the corner of a ROW and primary street are required to use the ROW for vehicle access and orient to the primary street for primary access.
- 7.1.4.3. Where residential developments and subdivisions abut commercial and mixed use developments across a ROW, applications will be assessed on their merits to ensure that residential amenity is protected and traffic problems are avoided. This may involve relaxation of some or all of the provisions below, including the requirement to orient to the ROW. In particular, where a ROW is dominated by commercial and/or mixed use developments or where the significant majority of abutting lots have no development potential, setbacks in accordance with Category 3 ROW may be considered.
- 7.1.4.4. Where a lot uses a ROW for primary access, the R-Codes provisions relating to primary streets shall apply, except where they conflict with the provisions below. This includes the requirement to ensure adequate surveillance between the dwelling and the ROW, but excepting provisions relating to setbacks from that street. Setbacks are specified below.
- 7.1.4.5. Residential developments utilising a ROW for access are required to provide adequate porch or carport lights.

7.1.5. Setbacks

- 7.1.5.1. All buildings are to be setback from the ROW:
 - A minimum of 2.0m at ground floor level;
 - A minimum of 3.0m at upper storey level;
- 7.1.5.1.3 Carports, garages and car-bays to residential developments using a ROW are to be setback a minimum of 5.5m (to allow for two casual visitor parking bays within this setback area as parking is not permitted in the ROW). A reduced setback of 2.0m may be acceptable for multiple dwellings or where primary access to the dwelling is available from the primary street (note: primary access via a pedestrian access leg does not qualify for setback reduction); and
 - Carports, garages and car-bays to commercial and mixed use developments are to be setback a minimum of 2.0m;
- All setback provisions from the ROW are to be determined after allowing for any ROW widening requirement from the lot.

- Where a development orients to the ROW, the location of courtyards in the ROW setback will generally not be permitted unless justified on grounds of maximum solar orientation, because of the need for these to have the ability to be adequately fenced and screened.
- These setbacks apply to all residential, commercial and mixed-use developments. Averaging of setbacks is not permitted. All other setbacks for residential developments are as per the R-Codes. The setback provisions apply to all developments abutting a ROW even if it is not used for access. In case of lots (including lots which have been re-subdivided since the creation of the ROW) abutting more than one ROW or a ROW and a secondary street, the secondary street setbacks specified in the R-Codes apply to the ROW not used for access.
- Where a residential development on a corner lot has direct frontage to a street, the garage / carport setback to the ROW may be reduced to comply with the secondary street setback provision of the R-Codes, whether or not it orients to the street or the ROW, provided that sufficient manoeuvring space is provided to the City's satisfaction.
- Setback to shading structures such as pergolas, patios and sails that are open on the 3 sides closest to the ROW may be reduced to a minimum of 1.0m from the ROW where a 2.0m is unreasonable or impossible due to the location of an existing building. In such cases, the roof component must be setback at least 1.0m from the ROW.
- Landscaping
 - Where a development uses a ROW for primary access, a significant component of soft landscaping within the setback to the ROW will be required in addition to the requirements of Planning Policy 6.6 'Landscaping' in order to contribute to the creation of an attractive streetscape.
 - Commercial and mixed use developments, whether utilising the ROW for access or not, are required to provide a significant component of soft landscaping within the ROW setback area in addition to the requirements of Local Planning Policy 6.6 'Landscaping' where the ROW also provides primary access to residential developments.
 - All landscaping within 0.5m of the ROW is to be no more than 0.75m in height and is not to be of a thorny, poisonous or hazardous nature.
- Fencing & Gates
 - Where a development or subdivision is oriented to a ROW for primary access, fencing and retaining walls must be setback a minimum of 0.5m from the ROW boundary unless land has been ceded from the lot for the widening of the ROW or the ROW is at least 6.0m wide.

- No fencing or gates are to be constructed in front of garages, carports or parking bays in such a fashion as to prohibit casual visitor parking.
- Up-Grading of ROW
Developments and subdivisions are required to comply with the relevant construction and/or development contribution requirements of the Scheme and the Development Contribution Plan for Rights of Way Improvement Works.
- Widening of ROW
 - The City is seeking to widen Rights of Way to which it has committed to upgrading to 6.0m. The City will seek to have lots abutting the Category 1 ROW transfer an appropriate widening (in the majority of cases, 0.5m) along the ROW boundary to the City free of cost as a condition of development or subdivision approval in the following circumstances:
 - 7.1.9.1.1 Subdivisions;
 - 7.1.9.1.2 The development of a new single house, grouped dwelling or multiple dwelling;
 - 7.1.9.1.3 The development of a new commercial or mixed use development; or
 - 7.1.9.1.4 A development or a change of use that will, in the opinion of the City, result in increased traffic in the ROW.
 - Notwithstanding that whilst widening requirements are generally divided equally between properties abutting both sides of the laneway, commercial developments or subdivisions may be required to cede the full width of land required for widening given the traffic generating potential and the benefit the land will derive from using the ROW.

○ **Category 2**

7.2.1 Objectives

Developments and subdivisions are generally required to orient to and use Category 2 ROW for primary access and not to detract from the long term objectives of good traffic management, passive surveillance and creating a pleasant streetscape along the ROW.

7.2.2 General

- 7.2.2.1 Developments and subdivisions not orienting to the ROW for primary access must provide justification for the selected orientation and demonstrate design features that support and address the policy objectives for Category 2 ROWs, including:
 - 7.2.2.1.1 Visually permeable feature fence setback 0.5m from the ROW;
 - 7.2.2.1.2 At least one major opening in one or more habitable room facing a ROW located not more than 5.0m from the ROW;
 - 7.2.2.1.3 Pedestrian access to the ROW; or
 - 7.2.2.1.4 Balcony with line of vision to the ROW.

- 7.2.2.2 Residential lots on the corner of a ROW and primary street are required to use the ROW for vehicle access and orient to the primary street for primary access.
- 7.2.2.3 Where a development uses a ROW for primary access, the R-Codes provisions relating to primary streets shall apply, except where they conflict with the provisions below. This includes the requirement to ensure adequate surveillance between the dwelling and the ROW, but excepting provisions relating to setbacks from that street.
- Setbacks are specified below.
- 7.2.2.4 Residential developments utilising a ROW for access are required to provide adequate porch or carport lights.

7.2.3 Setbacks

- 7.2.3.1 buildings are to be setback from the ROW:
- Minimum of 2.0m at ground floor level;
 - Minimum of 3.0m at upper storey level, and
 - Carports, garages and car-bays to using a ROW are to be setback a minimum of 5.5m (to allow for two casual visitor parking bays within this setback area as parking is not permitted in the ROW). A reduced setback of 2.0m may be acceptable for multiple dwellings or where primary access to the dwelling is available from the primary street (note: primary access via a pedestrian access leg does not qualify for setback reduction).
- Where a development orients to the ROW, the location of courtyards in the ROW setback will generally not be permitted unless justified on grounds of maximum solar orientation, because of the need for these to have the ability to be adequately fenced and screened.
 - These setbacks apply to all residential, commercial and mixed-use developments. Averaging of setbacks is not permitted. All other setbacks for residential developments are as per the R-Codes. The setback provisions apply to all developments abutting a ROW even if it is not used for access. In case of lots (including lots which have been re-subdivided since the creation of the ROW) abutting more than one ROW or a ROW and a secondary street, the secondary street setbacks specified in the R-Codes apply to the ROW not used for access.
 - Where a residential development on a corner lot has direct frontage to a street, the garage / carport setback to the ROW may be reduced to comply with the secondary street setback provision of the R-Codes, whether or not it orients to the street or the ROW, provided that sufficient manoeuvring space is provided to the City's satisfaction.

- Setback to shading structures such as pergolas, patios and sails that are open on the 3 sides closest to the ROW may be reduced to a minimum of 1.0m from the ROW where a 2.0m is unreasonable or impossible due to the location of an existing building. In such cases, the roof component must be setback at least 1.0m from the ROW.
- Garages and outbuildings abutting but not opening onto a ROW are discouraged. However, where the City recognises that they are necessary because no other possible location exists and a 2.0m setback is unreasonable or impossible, a reduced setback of 0.50 metres *may* be permitted. In this case, the design of the building walls must be visually attractive and in keeping with the building style and materials of the house and must comply with the provisions of the Building Code of Australia for a parapet wall (to allow for the option of future widening). This concession will only be applied in exceptional circumstances.
- Landscaping
 - Where a development uses a ROW for primary access, a significant component of soft landscaping within the setback to the ROW will be required in addition to the requirements of Planning Policy 6.6 'Landscaping' in order to contribute to the creation of an attractive streetscape.
 - All landscaping within 0.5m of the ROW is to be no more than 0.75m in height and is not to be of a thorny, poisonous or hazardous nature.
- Fencing & Gates
 - Where a development or subdivision is oriented to a ROW for primary access, fencing and retaining walls must be setback a minimum of 0.5m from the ROW boundary unless land has been ceded from the lot for the widening of the ROW or the ROW is at least 6.0m wide.
 - No fencing or gates are to be constructed in front of garages, carports or parking bays in such a fashion as to prohibit casual visitor parking.
- Up-Grading of ROW

Developments and subdivisions are required to comply with the relevant construction and/or development contribution requirements of the Scheme and the Development Contribution Plan for Rights of Way Improvement Works.

7.3 Category 3

7.3.1 Objective

Developments abutting a Category 3 ROW are required whenever possible to use the ROW for secondary access or demonstrate that their access and parking proposal will not have a negative impact on the streetscape of the primary street. Use of the ROW for primary access will be considered on its merits but is generally only encouraged if it facilitates the retention of an existing dwelling or it is not located far from street access.

7.3.2 General

Residential developments utilising a ROW for access are required to provide adequate porch or carport light, preferably sensor activated.

7.3.3 Setbacks

7.3.3.1 All buildings to be setback as per the R-Codes, to a minimum of 1.0m (or 0.5m for outbuildings or very small intrusions constructed to parapet standard, where no other possible location exists and a 1.0m setback is unreasonable or impossible).

7.3.3.2 Where primary access has been permitted, all buildings are to be setback from the ROW:

- Minimum of 2.0m at ground floor level;
- Minimum of 3.0m at upper storey level;
- Carports, garages and car-bays using a ROW are to be setback a minimum of 5.5m (to allow for casual visitor parking within the setback area as parking is not permitted in the ROW); and
- These setbacks apply to both single houses and strata developments (grouped and multiple dwellings). Averaging of setbacks is not permitted. All other setbacks are as per the R-Codes.

▪ Fencing

Where primary access has been permitted, no fencing or gates are to be constructed in front of garages, carports or parking bays in such a fashion as to prohibit casual visitor parking.

▪ Up-Grading of ROW

Developments and subdivisions are required to comply with the relevant construction and/or development contribution requirements of the Scheme and the Development Contribution Plan for Rights of Way Improvement Works.

○ **Category 4 & 5**

7.1.5 Objective

- 7.1.5.1 Developments and subdivisions abutting Category 4 & 5 ROW are discouraged from using the ROW for access and access may be refused unless closure has been determined to be impossible in the long term and the proponent can show that their use of the ROW is vital to their development and in keeping with the neighbouring properties.
- 7.1.5.2 Developments and subdivisions abutting Category 5 ROW and proposing use of the ROW will be considered if the access constraints can be overcome, such as through the widening of the ROW, and where the access to the ROW is proposed within one lot of street access point.
- 7.1.5.3 The City does not intend to upgrade nor dedicate Category 4 and 5 ROW for management as public roads. Where closure of these ROWs cannot be achieved, the City will progressively arrange for their conversion into Crown ROW reserves to enable management by the City as unsealed lanes as funding permits.

7.1.6 General

Residential developments utilising a ROW for access are required to provide adequate porch or carport light, preferably sensor activated.

7.1.7 Setbacks

- 7.1.7.1 All buildings to be setback in accordance with the R-Codes.
- 7.1.7.2 Where primary access has been permitted, all buildings are to be setback from the ROW:
 - 7.1.7.2.1 Minimum of 2.0m at ground floor level;
 - 7.1.7.2.2 Minimum of 3.0m at upper storey level;
 - 7.1.7.2.3 Carports, garages and car-bays using a ROW are to provide sufficient manoeuvring area to the opposite property boundary plus an additional 5.5 metres (to allow for casual visitor parking as parking is not permitted in the ROW); and
 - 7.1.7.2.4 Averaging of setbacks is not permitted.

7.1.8 Fencing

Where primary access has been permitted, no fencing or gates are to be constructed in front of garages, carports or parking bays in such a fashion as to prohibit casual visitor parking.

7.1.9 Up-Grading of ROW

Where primary access has been permitted, the applicant is required to seal and drain that section of the ROW from the property to the nearest public street, to the satisfaction of the City.

8. SERVICE ACCESS

- 8.1. Notwithstanding whether a ROW has been dedicated or not, adequate provision for service access and rubbish collection must be made. In most instances, where a development or subdivision utilises a ROW for primary access, this is required through provision of a 1.5m wide pedestrian access leg to the street.
- 8.2. Council may waive this requirement where all the following conditions are met:
- 8.2.1. The ROW is dedicated and sealed in its length;
 - 8.2.2. The ROW is at least 5.0m wide;
 - 8.2.3. The ROW has direct vehicular access to a normal public street at both ends (ie it is not at a 'T junction' with another ROW or a dead end) unless the walking distance from the development (or lot accessed from the ROW) to the nearest full-width public street is not more than if the pedestrian access leg was provided; and
 - 8.2.4. The ROW is less than 100m long unless the walking distance from the development (or lot accessed from the ROW) to the nearest full-width public street is not more than if the pedestrian access leg was provided.
- 8.3. Reduction in the width of the pedestrian access leg to 1.0m may only be considered where it is required to allow the retention of an existing house.

9. VARIATIONS

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

10. LIST OF DEFINED TERMS

Feature fence means a fence constructed of materials other than fibro-cement, corrugated sheets, metal deck, flat sheet metal, concrete slot-in, untreated and undressed timber, chainmesh and unfinished utility bricks.

Major opening has the same meaning as defined in the R-Codes.

Mixed use development has the same meaning as defined in the R-Codes.

Right of Way Management Strategy means the City of Stirling Rights of Way Management Strategy document adopted by Council on 10 November 2009.

ROW means a laneway or private street for vehicular purposes and includes Crown Reserves for right of way purposes and dedicated public laneways that were formerly rights of way.

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Modified	0413/044	21 May 2013
Modified	0417/026	6 Jun 2017
Modified	0518/040	21 Aug 2018

6.6 LANDSCAPING

Introduction

Where this Policy is inconsistent with the provisions of a specific Local Planning Policy, Local Development Plan, Activity Centre Plan or Structure Plan applying to a particular site or area (eg Character Retention Guidelines), the provisions of that specific planning instrument shall prevail.

Objectives

The following objectives apply to all development except multiple dwellings:

- To promote improved landscaping provision and design;
- To improve the visual appeal of development, screen service areas and provide a buffer to boundaries;
- To provide shade and 'green relief' in built up areas; and
- To promote more environmentally sustainable landscaping.

The following objectives apply to multiple dwellings:

- Landscape design enhances streetscape and pedestrian amenity; improves the visual appeal and comfort of open space areas; and provides an attractive outlook for habitable rooms.
- Plant selection is appropriate to the orientation, exposure and site conditions and is suitable for the adjoining uses.
- Landscape design includes water efficient irrigation systems and, where appropriate, incorporates water harvesting or water re-use technologies.
- Landscape design is integrated with the design intent of the architecture including its built form, materiality, key functional areas and sustainability strategies.

Applications Subject of this Policy

This policy applies to:

- All non residential developments;
- Non-residential uses in residential areas such as child care centres, etc;
- Grouped Dwelling developments involving 5 or more dwellings; and
- All multiple dwelling (apartments) developments.

The following applications are exempt from this policy:

- A Change of Use;
- Home Occupation and Home Businesses; and
- Minor extensions or changes (with a value of less than \$100,000) to existing developments.

Submission Requirements

All development applications subject of this policy are required to submit a landscaping plan containing the following:

- Scale 1:100 – 1:250;

- North Point;
- Lot boundaries;
- Levels;
- Verge Areas;
- Building layout, including major openings;
- Paved areas, footpaths and driveways;
- Existing vegetation; and
- Proposed vegetation including plant sizes, plant species, number of plants and notation of existing vegetation proposed to be retained.

Development Provisions

The following provisions are in addition (supplementary) to the requirements specified under State Planning Policy 7.3 Residential Design Codes.

Landscaping Areas

The following requirements are applicable to all applications subject of this policy:

- All individual planting areas, excluding those in or adjacent to public car parks, must have a minimum width in any direction of 500mm and a minimum plantable area of two square metres; and
- The inclusion of verge areas (abutting the site) in the overall landscaping design is required.

Plant Numbers & Types

All landscaped areas (beds) are required to be planted with a suitable number of plants that satisfy the objectives of this policy (plant numbers will be assessed with due regard to the eventual size of the species selected). Species should be chosen to suit the climate, environment, location and required function whilst taking into consideration surrounding landscapes. The use of native species is encouraged to reduce water and fertiliser use.

Street Trees

The provision of new street tree(s) are required where no street tree(s) currently exist. Species must be approved by the City.

Retention of Existing Vegetation

Council encourages the retention of existing vegetation and will *consider* the exercise of discretion in its application of scheme requirements and adopted local policies where such a variation would allow for the retention of significant existing vegetation on a site. (Note: Concessions cannot apply to non-discretionary provisions such as residential density).

Reticulation and Mulching

All landscaped areas shall be reticulated unless the applicant can provide satisfactory evidence that reticulation is not necessary. A minimum depth of 75mm of mulch (gravel not permitted) is to be applied to all landscaping beds.

Parking Areas

A minimum of 1 tree per 4 bays for residential development and 1 tree per 6 bays for non-residential development (Minimum 45 litre container for exotics and 11 litre container for natives) is required in open parking areas. Shrubs are generally not permitted as they may interfere with sight lines in and around parking areas and driveways. Acceptable examples of tree planting patterns within car parking areas are shown in the following illustrations.

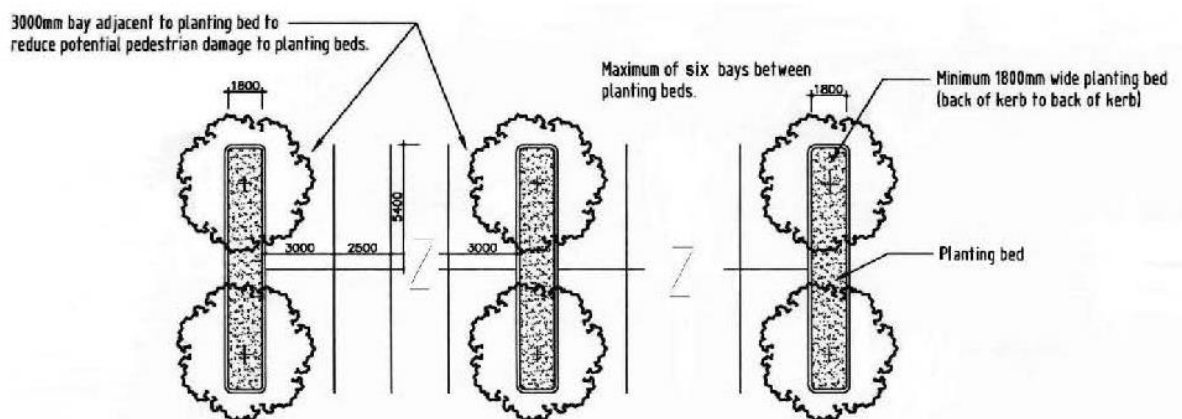


Figure 1 – Preferred Design

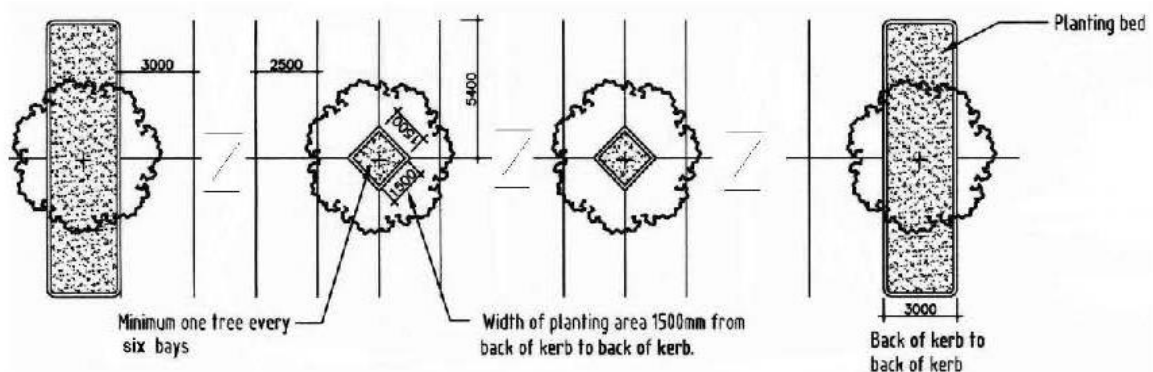


Figure 2 – Acceptable Design

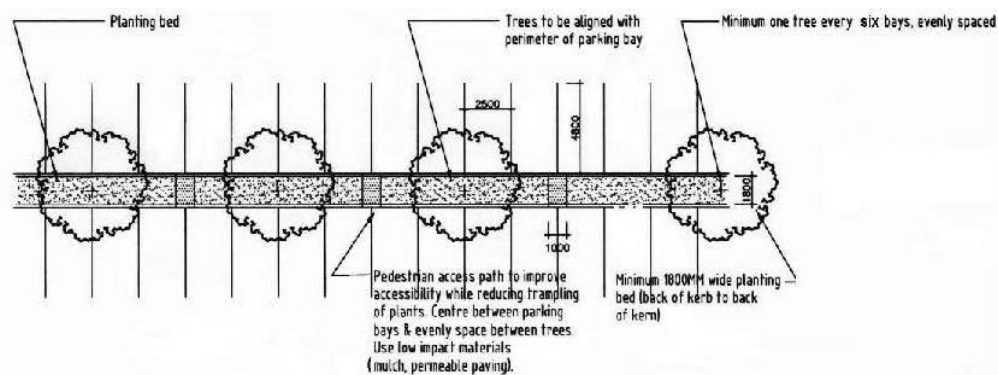


Figure 3 – Acceptable Design

Specific Landscaping Provisions for Commercial Developments

Development applications for commercial development must contain a minimum of 10% landscaping of the total site area. This must include 'soft' landscaped buffers, where setbacks are provided, to adjacent properties with a minimum width of 1.5m.

Specific Landscaping Provisions for Industrial Developments

The following Industrial zones contain specific provisions for landscaping:

- In all industrial precincts (except the Balcatta Precinct), a landscaped area not less than 1.5m wide shall be provided adjoining all street boundaries, primarily as planting bed;
- In the Balcatta Precinct and the Mixed Business zone, a minimum of one-sixth of the gross site area shall be landscaped. Landscaping should be provided primarily as buffers to adjacent properties, and along the street boundary; and
- In the Balcatta Precinct and the Mixed Business zone, a minimum landscaping strip of 6m wide along a primary road and 1.5m wide along a secondary road shall be provided, primarily as planting bed.

Assessment Procedure

Applications subject of this policy will be assessed against this policy by the City's Parks and Sustainability Business Unit. Applicants are encouraged to undertake preliminary discussions with the City's Parks and Sustainability Business Unit. Unsuitable species selection, insufficient numbers of species or inappropriate design (as determined by Parks and Sustainability Business Unit) will require the submission of a revised species list and plant numbers.

Variations

Should an application not comply with the requirements of this Policy, it may be assessed under the appropriate objectives of this Policy.

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Modified	1119/004	19 December 2019

6.7 PARKING AND ACCESS

This document has been prepared under Schedule 2 of the 'Planning and Development (Local Planning Schemes) Regulations 2015' and the City of Stirling 'Local Planning Scheme No.3'.

1. INTRODUCTION

Dependency on cars for private passenger transportation can result in undesirable impacts on an area, such as traffic congestion and a public realm dominated by cars and car parking. Requiring development to provide an appropriate level of car parking while promoting alternative modes of transport (walking, cycling, rideshares, public transport) and behavioural changes can reduce the impact of cars and car parking on an area.

This Policy provides an evidence-based approach to on-site car parking requirements. The policy should be read in conjunction with the *Planning and Development (Local Planning Schemes) Regulations 2015* which provides further requirements and exemptions for car parking.

2. OBJECTIVES

The objectives of Local Planning Policy 6.7 are:

- a) To ensure development provides an appropriate level of car parking, reflecting supply and demand so that a major parking problem is unlikely to occur;
- b) To ensure safe, convenient, and efficient access for pedestrians, cyclists, and motorists;
- c) To prioritise access by public transport, walking and cycling;
- d) To facilitate the provision of adequate bicycle parking and end of trip facilities;
- e) To provide a balanced parking supply that does not exceed the capacity of the road network, with sufficient publicly accessible parking;
- f) To ensure that an oversupply of parking does not occur that discourages alternative forms of transport; and
- g) To ensure the amount of parking is not detrimental to the urban design and character of the locality.

3. APPLICATION OF THIS POLICY

This Policy applies to all development on land within the City of Stirling where Local Planning Scheme No. 3 applies.

Where this policy is inconsistent with the provisions of Local Planning Scheme No. 3, an approved structure plan, local development plan or a local planning policy applying to a particular site or area, the provisions of that planning instrument shall prevail to the extent of the inconsistency.

4. VARIATIONS

Applications seeking variations to this Policy shall be determined by the City in accordance with the objectives of this Policy. This may result in the City seeking the comments of adjoining or nearby neighbours in accordance with Local Planning Policy 6.18 – Public Consultation.

5. CAR PARKING RATIOS

This section outlines how many and what type of car parking bays are required in a development, and potential reductions to those requirements.

5.1 SPECIFIC PURPOSE BAY RATIOS

All non-residential components of developments, where works increase the number of non-residential car parking bays provided on-site, the following specific purpose bays are to be provided.

5.1.1. DELIVERY BAY RATIOS

In non-residential developments with over 500m² of GFA, a minimum of one bay shall be permanently set aside and marked for the exclusive use of delivery, service, and courier vehicles.

5.1.2. EDUCATION FACILITY RATIOS

For all Primary and Secondary Education Establishment developments, at least one 'Kiss and Drive' drop-off/pick-up drive-through facility is to be provided and managed on-site, to the satisfaction of the City.

5.1.3. ELECTRIC VEHICLE CHARGING BAY RATIOS

In non-residential developments with over 500 car parking bays on-site, a minimum of three electric car charging bays shall be provided on the site.

5.2 ACTIVITY CENTRE CAR PARKING RATIOS

Table 1: Activity Centre Car Parking Ratios identifies minimum car parking ratios for non-residential development (including change of uses) unless otherwise approved by the City. Table 1 applies to select District, Neighbourhood and Local Centres identified in the City's Local Planning Strategy. Activity Centres that are subject to Table 1 are identified in Figure 1.

For District Centres, Table 1 applies to any zoned land delineated in the City's Local Planning Strategy.

For Neighbourhood and Local Centres, Table 1 applies to any zoned land (with the exception of land zoned 'Industry' or 'Private Institution') within 200m (measured in a straight line) of the activity centre.

Note: The 200m measurement is from any property within the activity centre that is zoned Business, Civic, Hotel, Local Centre, Mixed Business, Mixed Use, Neighbourhood Centre, Service Station or Special Use.

Alfresco Areas are not required to provide car parking where Table 1 applies to the development.

Table 1 and the car parking ratios do not apply in the follow circumstances:

- a) Where an Activity Centre is not identified in Table 1;
- b) Where car parking ratios are specified in another planning instrument;
- c) To residential components of a residential or mixed use development. The car parking requirements of State Planning Policy 7.3 Residential Design Codes apply to all residential development;
- d) Where new development or redevelopment of a site proposes a net increase to the non-residential floor area by more than 50%. In that instance, Table 2 and 3 applies to all development on the site;
- e) The parking ratio for an Office land use located on the ground floor, will be as per the applicable ratio under Table 1. A parking ratio of 1 bay per 50m² GFA applies to Office land uses on upper floors as per Table 2. Reductions available in Table 3 are also applicable to Office land uses on upper floors;
- f) In regards to LC3 - Balcatta Road and LC19 - Erindale Road, Table 1 does not apply to surrounding properties zoned Mixed Business; and
- g) In regards to LC26 - Hutton Street, Table 1 does not apply to surrounding properties zoned Development.

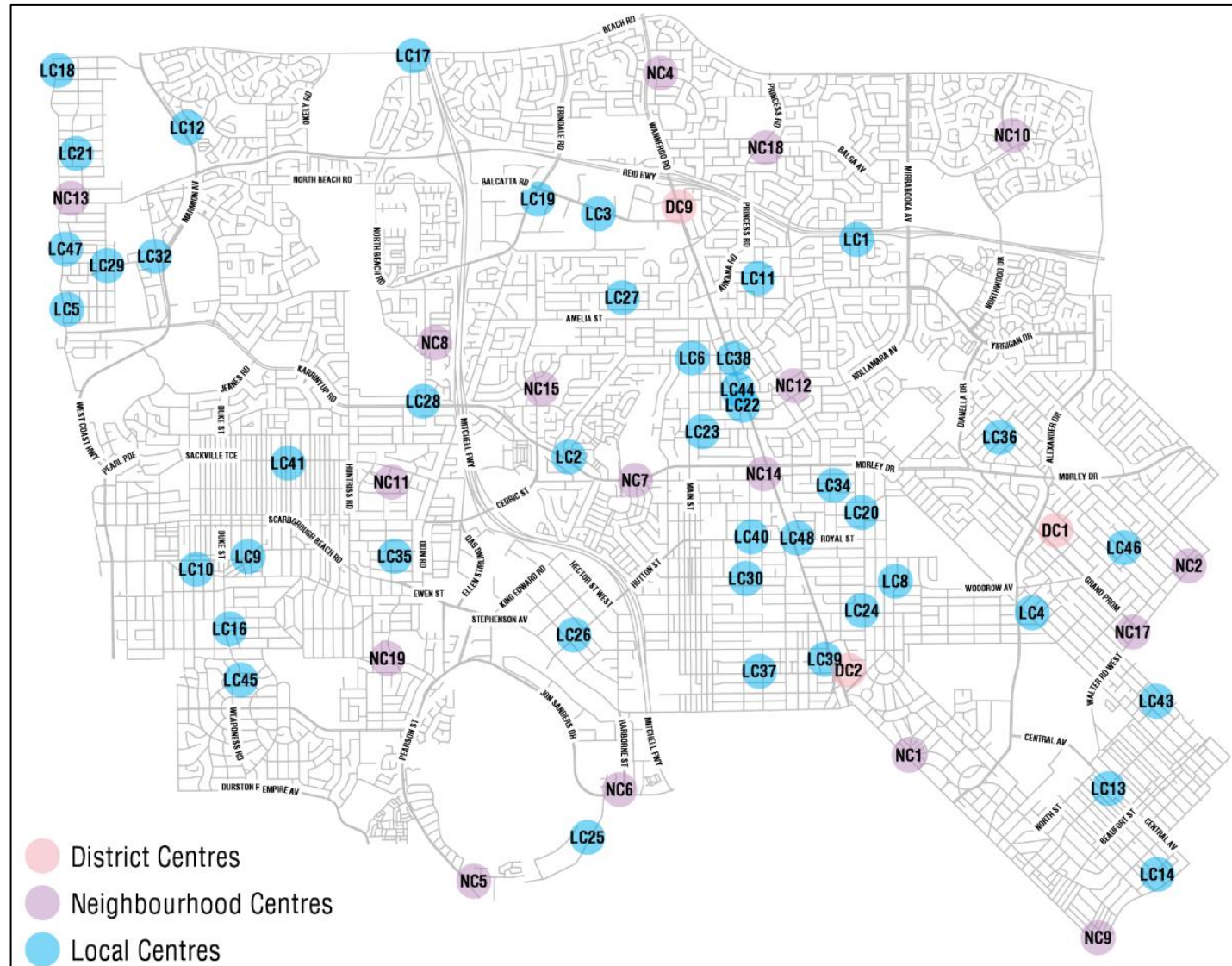


Figure 1 – Location of Activity Centres identified in Table 1

Policy Manual

Table 1: Activity Centre Car Parking Ratios

Ratio	District/Neighbourhood Centre	Local Centre	
1 bay per 12.5m ² GFA	NC5 - Flynn Street	LC8 - Blythe Avenue	LC14 - Coode Street
	NC10 - Mirrabooka Village	LC9 - Brighton Road	LC18 - Elsie Street
	NC15 - Stirling Village	LC10 - Calais Road	LC25 - Herdsman Hotel
	NC19 - Woodlands Village	LC13 - Central Avenue	
1 bay per 20m ² GFA	NC13 - North Beach Plaza		
	NC14 - North Beach Drive		
1 bay per 25m ² GFA	DC1 - Dianella Plaza	LC1 - Arkana Road	LC28 - Karrinyup Road
	DC2 - Dog Swamp	LC2 - Balcatta Fresh	LC29 - Kitchener Street
	DC9 - Stirling Central	LC3 - Balcatta Road	LC30 - Lawley Street
		LC4 - Bayley Street	LC32 - Lynn Street
	NC4 - Fieldgate Square	LC5 - Bennion Street	LC35 - Muriel Avenue
	NC6 - Glendalough	LC12 - Carine	LC36 - Pimlott Street
	NC8 - Gwelup Plaza	LC16 - Doric Street	LC41 - Sackville Terrace
	NC12 - Nollamara	LC17 - Duffy Road	LC45 - The Downs
	NC18 - Balga Plaza	LC20 - Flinders Street	LC46 - The Strand
		LC21 - Flora Terrace	LC47 - West Coast Drive
		LC24 - Hector Street	LC48 - Yokine
1 bay per 33m ² GFA	NC2 - Coode Street	LC6 - Beryl Street	LC34 - Michael Street
	NC7 - Grindleford Drive	LC11 - Canara Road	LC38 - Ravenswood Drive
	NC9 - Lord Street	LC19 - Erindale Road	LC39 - Roberts Street
	NC11 - Morris Place	LC26 - Hutton Street	LC40 - Royal Street
	NC17 - Walter Road West	LC27 - Jones Street	
1 bay per 50m ² GFA	NC1 - Adair Parade	LC22 - Green Avenue	LC43 - St Peters Place
		LC23 - Harrison Street	LC44 - Sylvia Street
		LC37 - Powell Street	

5.3 LAND USE CAR PARKING RATIOS

The minimum number of car parking bays required to be provided for the uses and activities referred to in *Table 2: Land Use Car Parking Ratios* where not covered by Table 1 or another planning instrument, shall be in accordance with the car parking ratios in Table 2.

Where an activity or use is not listed in Table 2, and Table 1 or another planning instrument is not applicable, the parking ratio will be determined by the City, having regard to the objectives of this policy, similar uses, surrounding uses, off-site parking availability and the results of parking surveys at similar use locations if required.

Developments may have different land use car parking ratio applied where different components are not incidental.

Table 2: Land Use Car Parking Ratios (*continued on next page*)

	Activity / Use	Car Parking Ratio
Accommodation	<ul style="list-style-type: none"> Boarding House Hostel Hotel Motel 	1 bay per separately lodged bedroom; or 1 bay per separately lodged bed in a shared room.
	<ul style="list-style-type: none"> Short Stay Accommodation 	<p><u>In zones that are not the Residential Zone -</u> to comply with the multiple dwelling parking requirements of State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments; but</p> <p><u>In Residential Zones -</u> to comply with the parking requirements in State Planning Policy 7.3 Residential Design Codes. Where bedrooms are proposed to be rented individually, an additional bay is required for each bedroom to be used as Short Stay Accommodation.</p>
	<ul style="list-style-type: none"> Child Care Premises 	1 bay per staff member in attendance; and 1 bay per 7 children in attendance.
Commercial	<ul style="list-style-type: none"> Industry - Extractive Industry - General Industry - Light Industry - Noxious Industry - Service Motor Vehicle Repair Office Warehouse 	<p>1 bay per 50m² of GFA; except:</p> <p>Where a retail component of an Industry - Service is permissible and proposed, car parking for this component of the development is to be assessed using the relevant Retail ratio; and</p> <p>Where an Office land use located on the ground floor within an Activity Centre identified in Table 1, the car parking ratio in Table 1 shall apply to the ground floor Office component.</p>
	<ul style="list-style-type: none"> Education Establishment 	<p>Pre-primary / Primary - 1 bay per staff member in attendance; and 3.5 bays per classroom.</p> <p>Secondary - 1 bay per staff member in attendance; and 3 bays per classroom.</p> <p>Tertiary / Technical - 1 bay per 3.5 students in attendance; and 1.25 bays per classroom.</p>

Table 2: Land Use Car Parking Ratios *(continued from previous page)*

	Activity / Use	Car Parking Ratio
Food and Beverage	<ul style="list-style-type: none"> Club Premises Drive-Through Fast Food Outlet Fast Food Outlet Reception Centre Restaurant Small Bar 	1 bay per 10m ² of public floorspace.
	<ul style="list-style-type: none"> Tavern 	1 bay per 6m ² of public floorspace.
	<ul style="list-style-type: none"> Alfresco Area 	0 - 30m ² - no bays required; Greater than 30m ² - 1 bay per 14m ² of alfresco floor area. <i>(Note – for example a 60m² alfresco requires 4.2 bays.)</i>
Medical	<ul style="list-style-type: none"> Consulting Rooms Medical Centre Veterinary Centre 	5 bays for each practitioner in attendance up to 2 practitioners; 2 additional bays for each practitioner in attendance in excess of 2 practitioners; and Any Pharmacist in a co-located Chemist service shall be counted as a practitioner.
	<ul style="list-style-type: none"> Hospital Nursing Home 	1 bay per 2 patient beds; and 1 bay per staff member in attendance.
Public Buildings	<ul style="list-style-type: none"> Place of Worship Public Amusement (Cinema/Theatre) Recreation - Private 	1 bay per 4 persons in attendance.
	<ul style="list-style-type: none"> Residential Development 	As per State Planning Policy 7.3 Residential Design Codes.
Retail	<ul style="list-style-type: none"> Garden Centre Motor Vehicle, Boat or Caravan Sale 	1 bay per 80m ² of display area.
	<ul style="list-style-type: none"> Hardware Showroom Retail Establishment Showroom 	1 bay per 30m ² of GLA.
	<ul style="list-style-type: none"> Convenience Store Personal Care Services Personal Services Shop 	5,000m ² or less - 1 bay per 12.5m ² of GLA. 5,001 - 10,000m ² - 400 bays; and 1 bay per 14.25m ² of GLA in excess of 5,000m ² . 10,000m ² or more - 750 bays; and 1 bay per 16.5m ² of GLA in excess of 10,000m ² .
	<ul style="list-style-type: none"> Service Station 	1 bay per service bay provided; and Any other specific uses are to be as per the relevant activity / use ratio.

5.4 CAR PARKING REDUCTIONS

The number of car parking bays required in accordance with Table 2, only for non-residential development is to be reduced where the criteria in *Table 3: Car Parking Reductions* are satisfied. Certain uses are excluded from having the requirement reduced as surveys undertaken by the City have shown that the reduction does not lead to a reduced car parking demand. Reductions to calculations may be granted cumulatively, to a maximum cumulative reduction of 50% of the number of bays identified by Table 2.

The reductions in parking as outlined in Table 3 are not applicable where another planning instrument specifies the parking ratio.

Table 3: Car Parking Reductions

Reduction %	Criteria	Excluded Activity / Use ^(d)
10% or 20%	The proposed development is within 800 metres ^(a) of a rail station; or The proposed development is within 400 metres ^(a) of a rail station.	
10% or 15%	The proposed development is within 400 metres ^(a) of a stop on a high frequency bus route or a bus station ^(b) ; or The proposed development is within 200 metres ^(a) of a stop on a high frequency bus route or a bus station ^(b) .	<ul style="list-style-type: none"> • Childcare Premises • Consulting Rooms • Medical Centre • Place of Worship • Small Bar • Tavern
5% or 10% or 15%	The proposed development provides at least the number of bicycle bays in line with the requirements in Table 4 (regardless of whether Table 4 ratios apply to the development). or Where the above concession is sought, and 'end-of-journey' facilities are provided as per the Bicycle Parking Facilities requirements. or Where the above two concessions are sought, and the proposed development is within 500 metres ^(a) of a constructed Principal Shared Path (PSP) or Perth Bicycle Network (PBN) – Continuous Signed Route identified by the State Government ^(c) .	<ul style="list-style-type: none"> • Childcare Premises • Consulting Rooms • Medical Centre • Place of Worship • Small Bar • Tavern
10%	The proposed development is within a Regional Centre, District Centre or Neighbourhood Centre as detailed in the City's Local Planning Strategy.	
10%	Where the building/place is listed on the City's Heritage List, Heritage Survey, or the State Register of Heritage Places (subject to the building being appropriately conserved).	

Notes:

- Distances is measured in a straight line from any part of the lot.*
- Information regarding high frequency Bus Routes and Bus Stations can be found at: www.transperth.wa.gov.au*
- Information regarding Principal Shared Paths and the Perth Bicycle Network can be found at www.transport.wa.gov.au/cycling*
- Variations to the parking requirement for Activities and Uses excluded from specific Car Parking Reductions will only be considered where the proposal satisfies the Policy Objectives.*

5.5 SHARED PARKING ARRANGEMENTS

The City may consider shared parking arrangements for developments where Table 2 applies. In assessing whether shared parking is appropriate whether the parking facilities are conveniently and safely located, and accessible for both developments and provide sufficient parking during times of shared parking. The City may consider the following shared parking arrangements:

- a) Up to 90% of the parking requirement specified, where there is minimal overlap (less than 30 minutes) in the operating times of uses; or
- b) Up to 50% of the parking requirement specified, where there is partial overlap (not more than 50 percent) in operating times of the uses.

5.6 FURTHER REDUCTION OF CAR PARKING BAYS

The matters of the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 Part 9A Cl. 77D are to be satisfied for the local government to reduce the required car parking ratio to match the proposed number of car bays so that a shared parking arrangement and payment in lieu is not necessary.

6. MOTORCYCLE PARKING RATIOS

All non-residential components of developments with 500m² or more of gross floor area, where works increase the number of non-residential car parking bays provided on site, one motorcycle parking space shall be provided for every 1,000m² of gross floor area. This requirement for motorcycle parking bays for non-residential components of developments are in addition to requirements in the State Planning Policy 7.3 Residential Design Codes for residential components.

7. BICYCLE PARKING FACILITIES

These requirements for bicycle parking bays for non-residential components of developments are in addition to requirements in the State Planning Policy 7.3 Residential Design Codes for residential components.

7.1. BICYCLE PARKING RATIOS

Bicycle parking spaces shall be provided in accordance with *Table 4: Bicycle Parking Ratios* for all non-residential components of developments with 400m² or more of gross floor area, where works increase the number of non-residential car parking bays provided on site.

Table 4: Bicycle Parking Ratios

ACTIVITY / USE	NUMBER OF BICYCLE PARKING SPACES
<ul style="list-style-type: none"> Educational Establishment 	Pre-primary / Primary - 1 space per 5 students (over year 4)
	Secondary - 1 space per 5 students
	Tertiary / Technical - 1 space per 20 students
Retail <ul style="list-style-type: none"> Convenience Store Personal Care Services Personal Services Shop 	0 – 5000m ² - 1 space per 150m ² of GFA 5000m ² – 10,000m ² - 1 space per 175m ² of GFA 10,000m ² plus - 1 space per 200m ² of GFA
All other uses	1 space per 400m ² of gross floor area (GFA)

7.2. END OF BICYCLE JOURNEY FACILITIES

End of Journey facilities support the use of bicycle transport by allowing cyclists the opportunity to shower and change at the beginning or end of their journey to and from work. The following facilities shall be provided for all developments that are required to provide 10 or more bicycle parking spaces:

- There shall be a minimum of one female and one male shower, located in separate changing rooms (The changing rooms shall be secure facilities capable of being locked);
- Additional shower facilities shall be provided at rate of 1 female and 1 male shower for every additional 10 bicycle parking spaces, to a maximum of five male and five female showers per building; and
- A locker shall be provided for every bicycle parking space provided (only if 10 or more spaces provided). Lockers shall be well ventilated and be of a size sufficient to allow the storage of cycle attire and equipment.

7.3. LOCATION OF BICYCLE PARKING FACILITIES

All bicycle parking spaces, and end of trip facilities shall comply with the following:

- Bicycle parking spaces and end of trip facilities are to be within close proximity to each other, with easy navigation between;
- Parking facilities shall be located at ground floor level and not require access via steps;
- Parking facilities shall be located as close as possible to main entrance points;
- Parking facilities shall be located in an area that allows informal surveillance of the facility to occur wherever possible; and
- Parking facilities shall be located away from areas of high pedestrian activity in order to minimise inconvenience or danger to pedestrians.

8. RESIDENTIAL PARKING DESIGN

The State Planning Policy 7.3 Residential Design Codes requires car parking and vehicle access to be as per the Australian Standards AS 2890.1 on the property. The following provide clarification around the relevant standards.

8.1 RESIDENTIAL TURNING CIRCLES (MANOEUVRING)

As per the Australian Standards AS 2890.1, a manoeuvring depth of:

- 6.0 metres is required for single vehicle garages or multiple vehicles garages containing internal walls and/or obstructions between vehicles.
- 5.8 metres may be considered for multiple vehicle garages with no internal walls and/or obstructions between vehicles.

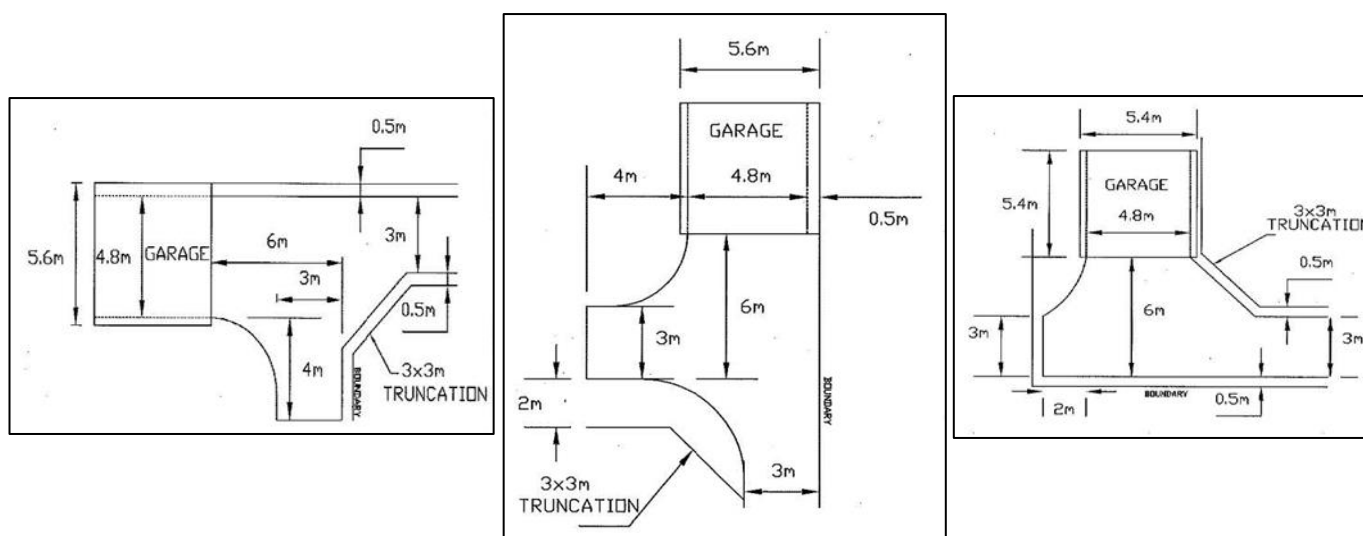


Figure 2 – Turning Circles

8.2 RESIDENTIAL DRIVEWAY TAPER

As per the Australian Standards AS 2890.1, to ensure vehicles can traverse a driveway:

- A maximum internal driveway taper of 1:5 is permitted; and
- A decrease in the internal driveway tapers must comply with the "Standard single turn swept path templates" as detailed in Australian Standard AS 2890.1.

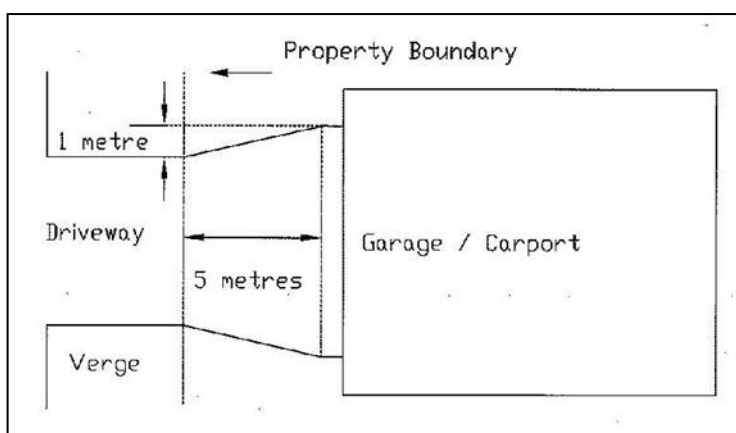


Figure 3 - Driveway Taper

8.3 RESIDENTIAL DRIVEWAY GRADIENTS

As per the Australian Standards AS 2890.1, a longitudinal section may be required to demonstrate compliance for driveway gradients.

8.4 RESIDENTIAL VERGE AREA

The following requirements apply to works in the verge area:

- a) Any redundant crossover is to be removed, and the verge and kerb are to be reinstated to the City's requirements at the applicant's expense;
- b) Crossovers are to be setback from street trees as per Local Planning Policy 6.11 - Trees and Development;
- c) Existing verge levels are not to be modified unless determined necessary by the City due to topography considerations; and
- d) Where a loss of constructed on-street parking occurs due to new vehicular access arrangements, the applicant must either replace or pay for the replacement of the parking at an appropriate location off-site.

9. NON-RESIDENTIAL PARKING DESIGN

All car parking and manoeuvring areas for non-residential developments are to be designed in accordance with the Australian Standards AS 2890.1 and the provisions set out hereunder:

9.1 NON-RESIDENTIAL PARKING LAYOUT AND DESIGN

Parking areas for all non-residential development:

- a) Shall be sealed, drained, marked and maintained thereafter to the satisfaction of the City;
- b) Shall be designed so as to enable all vehicles to return to the street in forward gear;
- c) Shall have entry and exit points and vehicle circulation patterns that are clearly indicated;
- d) That include Universal Access parking bays, are required to be provided in accordance with Australian Standard AS 2890.6 (as amended);
- e) That include tandem car parking bays, shall be a minimum length of 5.4 metres for each bay;
- f) That include car stacking systems or other such systems, may be supported subject to the submission on an acoustic report and parking management plan detailing the operation and specification of the system to the satisfaction of the City; and
- g) That include visitor parking which is to be outside any security barriers during operating hours and is to be clearly identifiable from the driveway or have signage as per the Australian Standards AS 1742 where necessary.

9.2 NON-RESIDENTIAL ACCESS

Access to non-residential parking areas shall be provided in accordance with the provisions set out hereunder:

- a) Be provided at a rate of no greater than one per street frontage;
- b) Be no less than 6.0 metres in width and no greater than 10 metres in width;
- c) Be no closer than 1.5 metres to a side boundary and no closer than 0.5 metres to street poles;
- d) Be aligned at right angles to the street and parallel in width;
- e) Be provided with sight line truncations as per Australian Standards AS1890.1
- f) Be designed so as to minimise traffic or pedestrian hazards, conflict with pedestrian/cyclist pathways and interference with public transport facilities;
- g) Be designed in accordance with Australian Standard AS 1742 and AS 2890.1;
- h) Be designed to accommodate the relevant sized vehicle turning radius associated with loading of waste and unloading of goods for the land use, as per current Austroads and Australian Standards;
- i) Be subject to Main Roads WA approval where they connect onto roads under Main Roads WA control such as, but not limited to, Primary Distributor Roads, roads designated as truck haulage routes and properties that abut traffic lights; and
- j) Be accessed from a local road in cases where a lot has access to both a Distributor Road and Local Road unless it can be demonstrated that access from the Distributor Road is safer.

9.3 NON-RESIDENTIAL SERVICE ACCESS

Service Access shall be provided to the rear of a shop, showroom, restaurant, warehouse or other commercial use for the purpose of loading and unloading of goods unless, in the opinion of the City, the circumstances do not warrant the provision of such access. Where alternative service access is provided, and such access is considered acceptable by the City, the City may waive the requirement of this Clause. Service Access shall be provided in accordance with the provisions set out hereunder:

- a) The service access shall be constructed such that vehicles using it may return to a street in forward gear;
- b) If a Right of Way is located to the rear of the lot, an area shall be paved on the lot so that vehicles when loading or unloading shall not remain on the right of way. The paved area shall be of such a size that if no alternative route exists, vehicles may manoeuvre so as to return to the street in forward gear;
- c) The service access shall not be less than 6.0 metres in width. If the size of the lot makes the provision of a 6.0 metre wide access way impracticable or unreasonable, the City may permit a service access of a lesser width, but in no case, less than 3.0 metres in width;
- d) The service access as required above shall be designed so as to segregate vehicles, both moving and stationary, from parking areas and access ways provided for customer parking;
- e) Loading/unloading areas should not be located within close proximity to any adjoining residential uses; and
- f) The service access shall be so designed to accommodate vehicle movement and turning for waste pick up and deliveries.

9.4 NON-RESIDENTIAL VERGE AREA

The following requirements apply to works in the verge area:

- a) Any redundant crossover is to be removed, and the verge and kerb are to be reinstated to the City's requirements at the applicant's expense;
- b) Crossovers are to be setback from street trees as per Local Planning Policy 6.11 - Trees and Development;
- c) Existing verge levels are not to be modified unless determined necessary by the City due to topography considerations; and
- d) Where a loss of constructed on-street parking occurs due to new vehicular access arrangements, the applicant must either replace or pay for the replacement of the parking at an appropriate location off-site.

10. TRANSPORT ANALYSIS

The City requires the submission of a transport analysis for certain developments as outlined below or where deemed necessary. The level of assessment required will be determined by reference to the Transport Impact Assessment Guidelines published by the Western Australian Planning Commission.

10.1 BRIEF TRANSPORT ANALYSIS STATEMENT

A Brief Transport Analysis (non-technical report) is required to be submitted for:

- a) Child Care Centres, Education Establishments and non-residential developments fronting a District Distributor Road or above or;
- b) A proposal seeking payment in lieu or shared parking arrangements as per the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 Part 9A.

The Brief Transport Statement shall include but not be limited to:

- a) Description of the development;
- b) Vehicle access and parking arrangement;
- c) Provisions for service vehicles;
- d) Hours of operation;
- e) Estimate of daily traffic volumes and type of vehicles (staff & customers);
- f) Location of nearest bus stops, train stations and level of accessibility;
- g) Pedestrian access / facilities (footpaths);
- h) Cycle access / facilities (bike paths); and
- i) Survey of existing car parking usage in the locality.

10.2 FULL TRANSPORT ANALYSIS REPORT

A full Transport Analysis (prepared by a qualified Traffic Engineer) is required to be submitted for developments requiring (after factoring in any reductions) and / or proposing more than 50 parking spaces and shall include, but not be limited to:

- a) Assessment of impact of vehicular movements upon surrounding roads and intersections;
- b) Description of the development;
- c) Assessment of the likely parking demand;
- d) Consideration of nearby developments including those with valid approvals which are yet to be constructed;
- e) Assessment of accessibility to the site by non-car modes;
- f) Assessment of the impact of the development on existing shared path and public transport networks; and
- g) Assessment of the potential impact on the amenity of the surrounding area.

11. PARKING MANAGEMENT PLAN

The City may require the submission of a Parking Management Plan for certain developments where deemed necessary. A Parking Management Plan shall include but not be limited to:

- a) Property details;
- b) Description of the development;
- c) Who is responsible for managing the parking;
- d) Parking allocation;
- e) Way finding measures; and
- f) Promotion of alternative modes of transport.

12. RELEVANT POLICIES, MANAGEMENT PRACTICE AND DOCUMENTS

- a) Street and Reserve Trees Policy;
- b) Crossover Policy;
- c) Guidelines and Technical Specification for Crossovers;
- d) Modification of Traffic Management Treatments for Property Access Policy;
- e) Verge Treatment Policy;
- f) Local Planning Policy 6.6 - Landscaping; and
- g) Local Planning Policy 6.11 - Trees and Development.

13. DEFINITIONS

Unless otherwise provided for in this Policy, definitions have the same meaning as the Residential Design Codes (R-Codes) Volume 1, Local Planning Scheme No. 3 and the *Planning and Development (Local Planning Schemes) Regulations 2015*. The following additional definitions apply to this policy.

Alfresco Area:	means an external area for public use with direct access from a restaurant, hotel or the like which is not permanently enclosed which may include a covered roof and is utilised for the consumption of food and / or beverages.
Distributor Road:	District Distributor A or District Distributor B road as defined in the City of Stirling Functional Road Hierarchy.
End of Journey Facilities:	means facilities which support the use of bicycle transport by allowing cyclists the opportunity to shower and change at the beginning or end of their journey to and from work. The facilities include separate male and female changing rooms and shower facilities and lockers for the storage of clothing and other personal items.
Gross Floor Area (GFA):	means the total floor area within the building measured over the enclosing walls (including the portion of any common or party wall forming part of the building) exclusive of parking facilities sited within the building.
Gross Leasable Area (GLA):	means in relation to a building, the area of all floors capable of being occupied by a tenant for its exclusive use measured from the internal finished surface of external building walls, but excluding features such as balconies and verandahs and, if there are two or more occupants or tenants, excluding common use areas, service areas, and non-exclusive public spaces and thoroughfares.
High Frequency Bus Route:	means a public transport route with timed stops that runs a service at least every 15 minutes during weekday peak periods (7am-9am and 5am-7pm).
Local Road:	means as defined in the functional road hierarchy published by Main Roads WA.
Mixed Use Development:	means a development comprising of both residential and non-residential uses.
Public Car Parking Area:	means an area of car parking not provided as part of a public facility (such as a public library, beach or sports field etc), but is maintained by the City and accessible to the public at all times.
Public Floorspace:	To calculate public floorspace - a) Measurements shall be taken within the finished surfaces of the internal walls of the building; and b) Areas occupied by lifts, lift-wells, stairways, ramps, escalators, passages, corridors, lobby entries, kitchens, stages, sanitary areas, and staff areas, including staff areas behind counters, fixtures and similar areas shall not be included.
Redundant Crossover:	means a crossover which no longer provides vehicular access to a lot or is no longer adjoined to a driveway or access way on a lot.
Residential Development:	refers to development of single house/s, grouped dwellings, multiple dwellings, aged persons dwellings, single bedroom units and residential buildings as defined in the Residential Design Codes of Western Australia.
Service Access:	means vehicular access for non-residential uses to provide a function which includes but is not to limit the loading and un-loading of goods, deliveries, dispatch and the like.
Service Bays:	means areas where cars stand whilst the occupants undertake activities such as ordering at a Drive-Through Fast Food Outlet, or air/water/fuelling/charging bays at a Service Station.

14. CALCULATION OF BAYS

This section outlines how to assess the number of bays required for a development.

14.1 ROUNDING OF PARKING BAY REQUIRED

Calculations for parking ratios for all residential development shall be rounded up to the next whole number. All parking requirements for non-residential development are to be calculated by rounding to the nearest whole number. In the case of exactly 0.5, the requirement for non-residential development shall be rounded down.

14.2 ON-STREET PARKING AND PUBLIC CAR PARKING AREAS

For non-residential components of development, the number of on-site parking bays required is reduced by the number of on-street parking bays and bays within public car parking areas, subject to the following criteria:

- a) The number of required on-site parking bays is reduced by a maximum of 20% of the bays required for the development;
- b) The existing or proposed on-street parking bays being located within 100m of the site's street boundary (measured in a straight line);
- c) The public car parking area bays being located within 200m of the subject site (measured in a straight line);
- d) There is no restricted use of the parking bays such as permit parking requirements; and
- e) The on-street parking bays are not clearway zones during periods of the day.

14.3 CAR STACKERS

For non-residential components of development, the number of bays counted in a car stacker is as follows:

- a) Where all 'stacked' cars are capable of unrestricted movement in and out of the car stacker, they will each be counted as individual bays; or
- b) Where cars are 'stacked' and movement into and out of the car stacker is restricted by other stacked cars:
 - i) The stacker will be counted as a single bay; unless;
 - ii) Where use of the stacker is allocated to staff of a single tenancy, they will each be counted as individual bays.

14.4 TANDEM PARKING

For non-residential components of development, tandem parking bays are only counted as individual bays where bays are allocated to staff of a single tenancy. In all other circumstances the tandem parking will be counted as a single bay.

14.5 SPECIFIC PURPOSE BAYS (INCLUDED IN CALCULATION)

The following specific purpose bays contribute to the overall number of bays required:

- a) Universal Access parking bays required by the Building Code of Australia;
- b) Electric Vehicle Charging Bays, except where they are provided with a Service Station; and
- c) Bays for taxis, rideshares, drop-off/pick-up, prams/parents, aged persons and timed bays.

14.6 SPECIFIC PURPOSE BAYS (EXCLUDED FROM CALCULATION)

The following specific purpose bays are not counted in the overall number of bays required:

- a) Areas dedicated for buses / coaches;
- b) Spaces for delivery / courier / service vehicles; and
- c) Service bays and areas where cars stand whilst waiting to access a service bay.

OFFICE USE ONLY:

Local Planning Scheme No.3 - Local Planning Policy History:

<i>Action</i>	<i>Council Date</i>	<i>Resolution No.</i>	<i>Effective Date</i>
<i>6.7 Parking - Revoked</i>	<i>10 July 2012</i>	<i>0712/005</i>	<i>7 Aug 2012</i>
<i>6.7 Parking and Access - Adopted</i>	<i>10 July 2012</i>	<i>0712/005</i>	<i>7 Aug 2012</i>
<i>Modified</i>	<i>20 Feb 2018</i>	<i>0218/037</i>	<i>15 May 2018</i>
<i>Modified</i>	<i>25 Feb 2019</i>	<i>0219/037</i>	<i>12 Mar 2019</i>
<i>Modified</i>	<i>19 Nov 2019</i>	<i>0119/004</i>	<i>19 Dec 2019</i>
<i>Modified</i>	<i>15 Nov 2022</i>	<i>1122/014</i>	<i>20 Jan 2023</i>

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6.8 SATELLITE DISHES

Objectives

- To provide for the protection of the quality of the streetscape; and
- To ensure that there is no detrimental impact on the amenity of nearby properties.

Applications Subject of this Policy

An application for approval to commence development (planning approval) is required for:

Satellite Dishes and Microwave Receivers (MSD)

- In a property used for residential purposes, where:
 - The dish has a diameter of 0.9m or greater;
 - The dish can be seen from the public street or is within the street setback;
 - If mounted on the roof, the dish is not of similar colour to the roof; or
 - Another satellite dish or microwave receiver exists on the property; and
- In all other instances, where;
 - The dish has a diameter of over 2.0m

Radio Antenna

- Which exceeds 3.0 metres in height above the ridge of the roof on which it is located or, if located on the ground, exceeds 6.0 metres from natural ground level or is closer to a residential boundary than 3.0m; or
- Which is within the street setback.

Submission Requirements

Applications should include details of the location, diameter, support and total height of the installation.

Where an application is visible from a public street or neighbouring property and seeks a variation to the development standards of this policy, submission of a photomontage or photographs from the location of concern with the dish drawn on, to scale, and / or technical justification for its location and dimensions may also be required to allow detailed assessment.

Development Provisions

Satellite Dishes and Microwave Receivers

Be permitted where:

- They are not visible from the street;
- The dish diameter does not exceed 3.0m;
- The support height does not exceed 2.0m (centre of dish to natural ground);
- The combined height does not exceed 3.5m; and
- The setback from boundaries is not less than the combined height of the satellite dish and its support.

Radio Masts

May be permitted where:

- They are not located within a street setback area;
- They do not exceed 9m in height; and
- They are set back a minimum of 3m from any property boundary.

Neighbour Consultation

Where variations are sought consultation may occur in accordance with the consultation provisions of the Residential Design Codes.

Variations

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

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
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6.9 STREET ADDRESSING

1.0 Introduction

This Policy is applicable to all green title and strata title lots. The City will refer to Australian Standard AS/NZS 4819:2011 for further detail as required.

2.0 Objectives

- To ensure street addresses are clear and logical;
- To enable the correct street addressing of all properties within the City; and
- To ensure that all properties can be identified as easily and quickly as possible.

3.0 Development Provisions

3.1 Correct Street Address

3.1.1 Allocation of Street Address

- Every lot shall be allocated a street number, including padmounts, reserves and drain reserves.
- Lots accommodating multiple properties require a street address for each property.
- The main pedestrian access from a street to a building (front door) for visitors determines the correct street address of a property.
- The location of a driveway does not determine the address of a property.
- The use of a building name as a street address is not permitted.
- A property without direct pedestrian access to a public road shall be allocated an address relevant to the nearest public road.

3.1.2 Identification of Street Address

- As required by Landgate (Western Australian Land Information Authority) and the Department of Fire and Emergency Services (Western Australia), identification of a street address shall be as follows:
 - The letterbox shall be located on the front boundary of the property on the street to which the property is addressed;
 - The letterbox shall be close to the main pedestrian access point (i.e. front door) with the street number clearly displayed; and
 - Properties without a letterbox shall have the street number clearly displayed and visible from the street.
- The minimum dimensions for each number on a letterbox are 75mm high by 35mm wide. Displaying street numbers on the building and the painting of reflective numbers on the kerb are encouraged. Kerb numbers shall be in accordance with Council Policy J801108.

3.2 Correct Suburb Name

The street address allocated to a property determines the suburb within which the property is located. In some instances, corner lots are on the border of two suburbs. If redevelopment of a property on such a corner lot results in reorientation from one street frontage to the other, the subsequent change of address may also result in that property's relocation to a different suburb. The City will seek to realign locality boundaries to retain such lots within their original suburb where practicable.

3.3 Numbering

3.3.1 Start Point for Numbering

Street numbering commences at the "start point" of the road. The start point for a road is based on a hierarchy system. In determining where this start point is, the following methods will be used:

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- For roads running between two roads, the start point is at the intersection adjoining the road with a higher classification. For roads of equal importance, the start point is at the end closest to the GPO Perth i.e. from south to north and from east to west.
- The start point of all cul-de-sacs is the entrance to the road.
- Rights of way are numbered in the same direction as the nearest parallel road.

3.3.2 Numbering Patterns

- Numbers shall be consecutive and where a street number has been allocated to a property, that number must be used.
- Odd and even numbers cannot be used on the same side of a street. Odd numbers shall be allocated to properties on the left hand side of a street commencing from the start point, and even numbers shall be allocated to the right hand side.
- Cul-de-sacs shall be numbered in the same way to the head of the cul-de-sac.
- In determining the flow of numbers, attention will be paid to road design and other traffic management devices (i.e. traffic islands and brick paving). All numbering shall be sequential ranging from the lowest to the highest (i.e. 1,3,5,7,7A not 1,5,3,7,7A etc.).

3.3.3 Allocation of Numbers

- Every property will be allocated a street number.
- Normally one street number will be allocated per property, but if possible, extra numbers will be set aside to allow for the development potential of a lot.
- Where a dwelling is proposed on a single lot that can be further developed, the existing address may be reviewed to ascertain if allowance is required for future additional addresses.

3.3.4 Corner Lots

- A single dwelling on a corner lot that is addressed to Street 'A' and is redeveloped to Street 'B' will have an address to Street 'B'.
- In the case of an undeveloped lot with two street frontages, the lot will have a street number for both streets reserved. The City will initially allocate the lot a street number adjacent to the boundary with the smaller frontage. Should the lot subsequently be developed with a property's main access point facing the boundary with the larger frontage, the address allocated to that street frontage will then be applied.
- The letterbox for corner properties shall be located at a point on the property boundary near to the main pedestrian access to the front door.

3.3.5 Infill Developments, Grouped and Multiple Dwellings, and New Subdivisions

- The strata lot number does not determine the street address of a property.
- Grouped dwellings and infill subdivisions may be required to share a street number – (e.g. 3 and 3A, or 1/15, 2/15 and 3/15).
- If a lot containing an existing building is redeveloped with an additional building at the rear and where there is only one street number available, the front building shall retain the original street number and the new building shall be allocated the suffix 'A' (e.g. 17A). New dwellings/buildings shall be numbered with suffixes (e.g. Two new dwellings shall be numbered with the front 17A and rear 17B respectively).
- Where there is more than one building being constructed on a property, each with individual street frontage, the allocated street numbers will follow the current street numbering pattern.

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Where possible, individual street numbers will be allocated. However, if there is a lack of spare street numbers they will be allocated numbers with suffixes. Suffixes are considered 'higher' than a number without suffixes (e.g. 5,7,7A,9). A lot that is redeveloped containing an existing building that is already using the base number on its own shall retain the original street number provided it is in order as per Australian Standard AS/NZS 4819:2011.

- Where there is only one street number, developments of up to five units will be numbered with suffixes (e.g. 17A to 17E). More than five dwellings/buildings will be numbered with a numeric prefix (e.g. 1/9, 2/9...9/9).
- If a new subdivision is being developed in stages and the first portion occurs in the middle section of what will eventually be a continuous road, an estimate will be made of the total number of lots likely to be created along the entire road. As a general rule, one street number for approximately every 12-16 metres of street frontage will be allocated.
- Street numbers for subdivisions/amalgamations and vacant strata surveys will be allocated at the Clearance of Conditions stage. Following an amalgamation, the City reserves the right to retain any street numbers not used, for either the potential redevelopment of the original properties or for possible future use on other properties. Surveyors/developers/owners and the Western Australian Planning Commission will be advised of the new street addresses via a note on the subdivision clearance letter.

4.0 Change of Street Address

- There is a presumption against changing the address of a property, where this results in the need to re-address other properties in the vicinity. The City will only consider altering the address of a property if there are difficulties associated with its identification (i.e. if the access to the front door of a house on a corner lot faces the other street).
- Requests to change the street address of a property must be submitted on the relevant application form with the owner's signature and application fee. Refer to the City's planning fees and charges.
- The City cannot accede to requests for a change in street address based on any of the following:-
 - To facilitate the property's re-addressing to an adjacent suburb;
 - The number is considered unlucky;
 - Religious reasons;
 - To improve the feng shui of the property;
 - Personal preferences;
 - The number is not good for business;
 - The property is difficult to sell; and
 - The number/address is perceived to devalue the property.
- An unused street number which has been set aside for a corner property will not be re-allocated to the adjoining property as this number may be required for future purposes.
- The City will only consider re-allocating other unused street numbers if the adjacent property cannot be further developed.
- Requests for a change of street address which comply with this Policy and which do not affect any other property can be approved under delegated authority.
- The City will consult with affected owners where a change in street address is being considered.
- Council will consider all requests where objections to the proposal are received from affected owners.

5.0 Advice to Owners/Applicants

- If an owner's request for a change of address is approved, the City will notify any affected owners and the relevant government agencies. These government agencies are as follows:

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- Australian Electoral Commission;
 - Western Australian Electoral Commission;
 - Telstra;
 - Water Corporation;
 - Australia Post; and
 - Landgate (Western Australian Land Information Authority).
- All other costs associated with a change of street address remain the responsibility of the owner. This includes the replacement and/or relocation of letterboxes, cost of new numbers, alterations to numbers on buildings, replacing/removing painted kerb side numbers, notifications to other government agencies, business contacts, personal contacts, and alterations to business and personal stationery.

6.0 Variations

Variations to this Policy will be assessed against the objectives of this Policy and shall be considered by Council.

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Modified	1215/039	26 January 2016

6.10 RENEWABLE ENERGY SYSTEMS

Introduction

This Policy is intended to provide guidance for the development of Renewable Energy Systems associated with buildings on land controlled under the City's Local Planning Scheme No.3.

Objectives

- Facilitate the introduction of renewable energy technologies into the City on a broad scale and address the potential planning issues associated with this change.
- Provide for the protection of the quality of the streetscape and amenity (particularly visual and acoustic amenity) of nearby properties from the impact of Renewable Energy Systems.
- Highlighting the environmental, economic and social benefits associated with renewable energy technologies.

Applications Subject of this Policy

This Policy applies to all Renewable Energy System developments within Residential and Non-Residential Zones.

Approvals Required

Planning Approval:

- An Approval to Commence Development is required for all Wind Energy System installations across all zones in the City of Stirling.
- Solar Energy System installations do not require an Approval to Commence Development.

Building Licence:

- A Building Licence is required for the installation of any Wind Energy System.
- A Building Licence is not required for the installation of a Solar Energy System, however it remains the property owner's duty of care to ensure that any installation does not impact on the structural integrity of the building on which it is installed or any other structure.

Definitions

"Wind Energy System" means equipment that converts and then stores or transfers energy from the wind into usable forms of energy. This equipment includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries or other component used in the system.

"Small Wind Energy System" means a wind energy system that:

- a) is used to generate electricity;
- b) has a nameplate capacity of 2 kilowatts or less.

"Solar Energy System" means a system which converts energy from the sun into useable electrical energy, heats water or produces hot air or a similar function through the use of solar panels.

"Total height" means the vertical distance from natural ground level to the tip of a wind generator blade when the tip is at its highest point.

Acceptable Development Provisions

Renewable Energy Systems which comply with the following Acceptable Provisions are deemed to comply.

Wind Energy Systems

All Wind Energy Systems should comply with the following general and amenity provisions in addition to the development standards specified in Table 1:

General and Amenity:

- the system is not to be located between the front of the building and the street alignment;
- the system is not located on a property/building on the City's Heritage List or within the Heritage Protection Areas;
- the system is setback from overhead utility lines;
- the turbine system be fitted with an automatic and manual braking system or an over-speed protection device;
- the wind generator and any tower structure shall remain painted or finished the colour or finish that was originally applied by the manufacturer, unless roof-mounted, where the generator and/or tower may be coloured to match the surrounding roof;
- all electrical components and wires associated with a small wind energy system not to be visible from any public road;
- all signs, other than the manufacturer's or installer's identification are prohibited;
- systems that connect to the electric utility supply shall comply with the requirements of relevant public authorities; and
- Wind energy systems are to be adequately maintained at all times, in accordance with manufacturers specification.

Note: *The City of Stirling accepts no responsibility for, and will not prevent, disrupted renewable wind resource access with regards to neighbouring developments*

Solar Energy Systems

Solar Energy Systems are permitted to be located in all areas across the City. Approval to Commence Development is not required for the installation of a Solar Energy System. However, Solar Energy Systems should be designed or positioned on rooftops so as not to detract from the building itself or impose on the existing streetscape. Additionally, Solar Energy Systems constructed within the Heritage Protection Area, should not be located on rooftops facing the street.

Note: *The City of Stirling accepts no responsibility for, and will not prevent, disrupted solar access with regards to neighbouring developments.*

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	RESIDENTIAL ZONES	MIXED USE ZONE AND NON - RESIDENTIAL ZONE
CLASSIFICATION	Small Wind Energy System Permitted	Wind Energy System Permitted Small Wind Energy System Permitted
NUMBER OF SYSTEMS	1 per lot	Undefined
NAMEPLATE CAPACITY	Max 2kW	Unlimited
HEIGHT	<p>Pole Mounted: Max 6m total height (above NGL)</p> <p>Roof Mounted: Maximum total height 3.0m above roofline</p> <p>Minimum 1m clearance from roofline</p>	<p>Pole Mounted: Max 10m total height (above NGL)</p> <p>Roof Mounted: Maximum 7.5m above roofline</p>
DIAMETER	2m blade diameter max	5.5m blade diameter max
NOISE	Compliance with the Environmental Protection (Noise) Regulations 1997	Compliance with the Environmental Protection (Noise) Regulations 1997
BOUNDARY SETBACKS (SIDE & REAR)	<p>Pole Mounted: The setback from boundaries is not less than the total height of the wind energy system.</p> <p>Roof Mounted: No minimum setback from boundary, however Wind Energy System to be located minimum of 7.5 metres from major opening of adjoining dwelling.</p>	<p>Pole Mounted: The setback from boundaries is not less than <u>half</u> of the total height of the wind energy system.</p> <p>Roof Mounted: No minimum setback from boundary, however Wind Energy System to be located minimum of 7.5 metres from major opening of adjoining building.</p>

TABLE 1 – Wind Energy System Development Standards

Variations

The provisions in this policy should not restrict advances in renewable energy technology being implemented within the City of Stirling. Where a proposal does not meet the specific requirements of this policy, discretion shall be applied in determining any development application in accordance with the objectives of this Policy.

Advertising

Where a variation to the Renewable Energy System development standards is proposed the wind energy system shall be treated as an 'D' use and advertised in accordance with the requirements for a 'Simple DA' under the City's Public Consultation Procedure.

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Adopt	0810/071	14 Sep 2010

6.11 TREES AND DEVELOPMENT

1.0 Introduction

There has been considerable depletion of tree canopy cover in the Scheme area due to development. The purpose of this Policy is to minimise this situation through the retention of significant trees or planting of new trees on privately-owned zoned land and abutting road verges as part of the development approval process under Local Planning Scheme No.3.

Where this Policy is inconsistent with the provisions of a specific Local Planning Policy, Local Development Plan, Activity Centre Plan or Structure Plan applying to a particular site or area, the provisions of that specific planning instrument shall prevail.

2.0 Objectives

2.1 Objectives for all Development

- a) To promote and facilitate development that enables existing significant trees to be retained;
- b) To minimise the removal of significant trees on zoned land as a consequence of development;
- c) To protect significant trees which are to be retained on zoned land and existing street trees during the demolition and construction phase of development;
- d) To ensure appropriate advanced trees are planted which are suited to their environment and location where significant trees have been removed or do not exist on zoned land;
- e) To ensure suitable advanced trees are planted on verges forming part of the road reserves abutting a development site where street trees have been removed;
- f) To protect and increase the long term viability of City trees on verges adjacent to development sites; and
- g) To preserve the existing streetscapes within the City.

2.2 Additional Objectives for Multiple Dwellings

- a) Site planning maximises retention of existing healthy and appropriate trees and protects the viability of adjoining trees;
- b) Adequate measures are taken to improve tree canopy (long term) or to offset reduction of tree canopy from pre-development condition; and
- c) Development includes deep soil areas, or other infrastructure to support planting on structures, with sufficient area and volume to sustain healthy plant and tree growth.

3.0 Applications Subject of this Policy

This Policy applies to all development valued over \$100,000 on land zoned under the City's Local Planning Scheme No.3.

This Policy must also be read in conjunction with:

- Local Planning Policy 6.6 Landscaping;
- Street and Reserve Trees Policy; and
- Crossover Policy.

4.0 Definitions

For the purpose of this Policy, the following definitions apply:

- ‘Advanced Tree’** - means a tree which requires planting in at least a 90 litre container or greater size and which is at least 2 metres in height and at least 2 years of age.
- ‘Significant Tree’** - means a woody plant at a height of at least four (4) metres above ground level and meets one of the following criteria:
- a) for a single trunk species, a trunk circumference of at least 500mm at a height of one (1.0) metre above ground level; or
 - b) for a multi trunk species, a trunk circumference of at least 250mm at a height of one (1.0) metre above ground level.
- ‘Street Tree’** - means a tree that is located within a road reserve.

5.0 Development Provisions

5.1 Trees on Development Sites

The following provisions apply to all development and are in addition (supplementary) to the requirements specified under State Planning Policy 7.3 Residential Design Codes (for Apartments).

- a) The retention of significant trees may be imposed as a condition of development approval in accordance with Clause 68(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Clause 10.3 of the Local Planning Scheme No.3 (refer to Appendix 1 for further information).
- b) Where the Council approves development on a site which, at the time of subdivision or demolition does not contain a significant tree or involves the removal of a significant tree from the land, the Council may, as a condition of development approval, require advanced trees approved by the Council to be planted by the applicant in particular locations on the site in accordance with:
 - In the case of Multiple Dwellings: Design Element 3.3 Table 3.3a of State Planning Policy 7.3 Residential Design Codes Volumes 2 – Apartments; or
 - For all other development: Table 1 below:

Table 1 – Maximum Ratio of Advanced Trees (excluding Multiple Dwellings)

SITE AREA	NUMBER OF ADVANCED TREES TO BE PLANTED
1m ² - 500m ²	1
501m ² - 1,000m ²	2
1,001m ² - 1,500m ²	3
1,501m ² - 2,000m ²	4
Over 2,000m ²	1 for every 500m ² (or part thereof)

- c) Where the maximum ratio specified in Table 1 is inconsistent with the maximum ratio specified by a Local Planning Policy, Structure Plan, Activity Centre Plan Local Development Plan or State Planning Policy 7.3 Residential Design Codes which applies to the particular site or the area in which the site is located, the maximum ratio of that specific planning instrument shall apply and the Council may as a condition of development approval, require advanced trees approved by the Council to be planted in particular locations on the site in accordance with that maximum ratio.

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- d) Where the Council approves development on a site with a condition of development approval requiring the retention of a significant tree or the planting of an advanced tree, the following minimum soil space (at ground level free of intrusions) is required around each tree:
 - In the case of Multiple Dwellings: in accordance with Design Element 3.3 Table 3.3b of the Residential Design Codes – Volume 2; or
 - For all other development: 9m².

(Note: Details of the tree species, location and surrounding soil space are to be shown on the approved development plans).

- e) Significant trees being retained as part of a proposed development are to be protected during the demolition and construction phase of development.

5.2 Street Trees

- a) The Council may impose a condition of development approval to require the planting of an advanced tree, at the applicant's cost, on an abutting road reserve. All new developments that do not have a street tree on the verge will have a tree planted in the next available planting season, as deemed appropriate by the City, and included as a condition of development along with a contribution payment by the applicant towards the cost of the tree/s planted as per Council's Fees and Charges.
- b) Street and reserve trees need to be protected at development sites in order to preserve the amenity of streetscapes and neighbourhoods.
- c) A minimum setback of a crossover/driveway from any street tree on the verge is required. The setback distance will be in direct relation to the Diameter at Breast Height (DBH) of the street tree:
 - DBH of up to 200mm requires a minimum setback of one metre;
 - DBH of 201mm to 400mm requires a minimum setback of two metres;
 - DBH of 401mm or greater requires a minimum setback of three metres.

Should the distances required need to be less than the above specifications, a site inspection will need to be conducted to determine if the distance can be reduced on a tree by tree basis. Council inspection fees and charges may apply.

- d) To keep retained trees in a sound condition and to reduce the impact on its root system, no setback requests less than 1.0 metre will be accepted.
- e) The City prioritises tree retention on City managed land adjacent to development sites, and will only consider removal when no other reasonable design alternative exists. Where a tree is to be removed/pruned, the landowner/applicant will be required to meet the contributory costs associated with the removal and replacement of the tree and will be required to compensate the City for the costs associated with the loss of the tree asset (as outlined in Section 5 'Bonds and Payments' of the City's Street and Reserve Trees Policy).
- f) Replacement street trees that are required as a result of being removed through the development process will be in line with the following:

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- A minimum of one replacement tree will be planted on the verge adjacent to the development;
- Where a number of frontages are created due to subdivision, then a minimum of one tree shall be planted on each frontage, space permitting;
- Where there is room for more than one tree on each frontage/lot, then multiple trees will be planted in relation to the available space;
- Any additional replacement trees that are not able to be planted on the verge adjacent to the development will be planted elsewhere in the City and at the City's discretion;
- All replacement trees will be of a species and size that is acceptable to the City; and
- The replacement cost will be met by the developer/applicant (as outlined in Section 5 'Bonds and Payments' in the City's Street and Reserve Trees Policy).

5.3 Council Discretion

Council will consider the exercise of discretion under Clause 5.5.5 of the Scheme in its application of the standards and requirements of the Scheme and adopted local planning policies where such a variation would allow for the retention of existing significant trees. (Note: Variations cannot apply to non-discretionary provisions, such as residential density).

6.0 Variations to Policy Requirements

Any variations to this Policy will be assessed by the City against the objectives of this Policy and the relevant objectives of State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments.

APPENDIX 1

Assessing Significant Trees for Retention

When assessing whether an existing significant tree has high retention value, the following points will be considered by the City:

- the condition (shape, health and structure) and life expectancy of the tree;
- any community, cultural or heritage value;
- the amenity value of the tree;
- the proximity to conservation areas and its biodiversity value;
- the amount of auxiliary works required for retention and protection of the tree;
- the location of the tree on the development site;
- the possibility of safety risks;
- does the tree have any pests, diseases or is an undesirable or an invasive species; and
- the number of existing trees on site.

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Adopted	1016/009	24 Oct 2017
Modified	119/004	19 Dec 2019

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6.12 PUBLIC ART ON PRIVATE LAND

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City of Stirling 'Local Planning Scheme No.3'.

1.0 INTRODUCTION

This Policy guides the provision of public art as a means of complementing the impacts of urban intensification by improving the appearance and amenity of places.

Public Art also has cultural, environmental, social and economic values, and provides a significant community benefit by:

- Contributing to the overall appearance and amenity of an area subject to development;
- Making an area liveable with a local distinctiveness and a sense of place;
- Promoting an understanding and appreciation of our cultural and natural heritage;
- Helping define notions and perceptions of a place that create and enhance cultural and community identity;
- Enhancing the built environment by creating meaningful public spaces;
- Improving the public experiences of buildings and spaces; and
- Contributing to cultural tourism by enhancing visitor experiences of a place.

The development of Public Art within the City is supported by this Policy (including appendix 1), Public Art Masterplan 2021-2025, and the Developer's Guide to Public Art.

2.0 OBJECTIVES

- To complement the impacts of urban intensification through providing functional private and public realm infrastructure that contributes to the overall amenity of an area;
- To develop a positive sense of place through the provision of public art where urban intensification is occurring;
- To improve the appearance, vibrancy, character, and amenity of the City's built environment; and
- To improve the attractiveness and functionality of the private and public domain for those living, using or passing by development sites through the use of public art.

3.0 APPLICATIONS SUBJECT OF THIS POLICY

This Policy applies to all development with a cost of \$2 million (excluding GST) and above, except for:

- Single houses and grouped dwellings.
- Multiple dwellings in Residential R40 zones and below.
- Multiple dwelling developments of:
 - 10 dwellings or less in all other Residential zones.
 - 10 dwellings or less in a Special Use zone.
- All development in an Industry zone.
- Public Use Reserves.
- Metropolitan Region Scheme Reserves.

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Where this Policy is inconsistent with another planning instrument applying to a particular site or area, the provisions of that planning instrument shall prevail to the extent of the inconsistency.

4.0 PUBLIC ART REQUIREMENT

- Developments with a cost of development of less than \$2 million (excluding GST) are not required to provide public art.
- Developments with a cost of development of \$2 million and above (excluding GST) are required to provide contributions as per the table below:

Cost of Development	Required Contribution
\$2 million to \$50 million inclusive (excluding GST)	Minimum 1% contribution cost of development provided as public art.
Over \$50 million (excluding GST)	\$500,000 plus 0.5% for every construction cost dollar over \$50 million, provided as public art.

- The proposed location of the public art is to be provided at the time of submission of the application for development approval, along with a brief report showing how the public art requirements have been integrated into the development.

5.0 PROVISIONS OF PUBLIC ART

Public art must be provided on development site:

Process for Assessment

Where an applicant proposes to provide public art on site, the following process will apply:

- A public art proposal is submitted for consideration by the City's Public Art on Private Land Assessment Panel which will consist of members of City's Customer and Communications & Development Services Business Unit along with peer assessors and consideration be given to local ward councillors.
- If satisfied with the proposal, the City's Customer and Communications Business Unit provides approval in principle for the public art project.
- The developer enters into an agreement with their chosen artist, submits an Application for Artwork Design to the City, and obtains written approval from the City.
- The artist undertakes the public art project.
- The public art is to be located where it can be clearly seen from the public realm, in accordance with the application for development approval.
- The public art should not detract from the amenity or safety of the surrounding area.
- The public art is completely installed prior to the occupation of the development.
- The developer must provide to the City a statement detailing how the requirements of this policy have been met at the completion of the project.

Further Information provided in the Public Art Developers Handbook

6.0 VARIATIONS TO POLICY REQUIREMENTS

Any variations to this Policy will be assessed by the City against the objectives of this Policy.

7.0 DEFINITIONS

Art Public art professional who can assist in developing and co-ordinating public

Consultant: art projects, engaging artists or providing advice on public art proposals.

Cost of The total approximate cost of proposed development (excluding land value),

Development: as indicated on the application for development approval.

Percent for Art A percentage of the total project cost – for any above ground urban design, public open space and building development and redevelopment project coordinated by the City – allocated to the development of public artworks.

Professional For the purpose of this Policy a professional artist is defined as a

Artist: person who meets at least two of the following criteria:

- University or minimum 3-year full time tertiary qualification in visual arts, or (depending on the Artists Brief), other art forms such as multimedia or design related disciplines;
- Has had artwork acquired for major public collections, such as the Art Gallery of Western Australia, or any other significant collections;
- Earns more than 50% of income from arts related activities, such as teaching, selling artwork, or undertaking public art commissions; or
- Young, emerging, Indigenous or Culturally and Linguistically Diverse (CALD) artists or students (for Public Art commissions where specified as essential criteria).

No artist under consideration for a public art in developments project may have a familial relationship to the Developer or have financial interest in the development.

Public Art: The term public art refers to the integration of an artistic concept into the public realm. Public art can take many forms, incorporate many different materials and be produced in many ways. It can be standalone, applied to surfaces, or integrated into the fabric of buildings, or outdoor spaces. Public art can be permanent, temporary or ephemeral. The distinguishing feature of these works is that an artist or artist team is wholly, or partly, responsible for the creation, design and/or fabrication.

APPENDIX 1

Public Art Details

Public artworks may include:

Sculptural – Small and large-scale, three-dimensional works which are distinctive and placed with prominent positioning, allowing them to become synonymous with a particular place or community.

Functional – These artworks serve a functional purpose as well as being a work of art. This can include public seating, shade structures, balustrades, bike racks and screening.

Play Friendly – These artworks are designed to have a high level of interaction with children.

Integrated – These artworks are integrated with the built form or landscape through techniques such as inlays, etching and painted finishes. Integrated artworks may be installed as part of public footpaths, ground planes, walls, pillars, ceilings, balustrading soffits and fencing.

Mural – Murals are painted artworks, usually of a large scale. Murals can be installed on walls, building facades, roads and footpaths.

For the purpose of this policy, only permanent artworks will be considered suitable as the artwork needs to have lasting benefit for the community.

Public artworks cannot consist of:

- Business (corporate) logos, advertising signs or commercial branding.
- Architectural design elements which ordinarily form part of a building design.
- Directional elements, such as super-graphics, signage or colour coding.
- Artworks which are mass produced or off-the-shelf reproductions (the City may consider a unique, pre-existing artwork being purchased and installed as the Public Art).
- Landscaping or architectural elements which would normally be required as part of the development.

Public artworks must satisfy all of the following qualitative criteria:

- Be located where it can be clearly seen from the public realm.
- Be an original artwork;
- Be of high aesthetic quality;
- Be durable and easy to maintain;
- Be created with consideration for the City's Public Art Masterplan.
- Be responsive to the site context and reflect the local area's natural, physical, cultural, or social values history.
- Where considered appropriate be illuminated by the use of energy efficient lighting but such that there is no adverse amenity impact on the surrounding locality;
- Take into account the existing public art in vicinity to ensure the artwork is unique; and
- Be designed or located to be resistant to vandalism.

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Public Art Costs

Costs associated with the production of Public artworks may include the following:

- Professional artist's budget, including artist fees, material, assistants' labour costs, insurance, permits, and art consultant's fees as determined by the City;
- Fabrication and installation of artwork;
- Site preparation;
- Documentation of the artwork; and
- Attribution plaque identifying the artist, artwork/s and development.

Art Consultant fees for the project cannot exceed 15% of the total Public Art project costs.

Installation

Once approved, the public art must be completed and installed prior to receiving an Occupancy Permit for the development. Once installed and the permit/s issued, the public art will be maintained in perpetuity by the property owner/s.

Ownership and Moral Rights

Ownership of Public Art commissioned under this Policy on private property rests with the property owner.

Australian Copyright Law requires all original public art to be attributed to the artist, also known as Moral Rights. Any proposal for public art required or funded by this Policy must include a plaque or plate near a public artwork, acknowledging the name of the artist, and where appropriate, the name of the person or company who funded the public art.

The City has the right to reproduce extracts from the design documentation and photographic images of the public art for non-commercial purposes, such as annual reports, information brochures, and information on the City's website.

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Adopted	1222/023	16 Jan 2023

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6.13 MARKETS - EXEMPTION FROM DEVELOPMENT APPROVAL

1 Introduction

The purpose of this Policy is to identify the circumstances where 'Markets' (such as, but not limited to Swap Meets or Farmers Markets) are exempt from requiring Development Approval under the Scheme.

2 Objectives

- *To increase social connectedness and inclusivity in developing a thriving, healthy and active community; and*
- *To ensure that small scale, low impact community Markets can operate in a way that does not impact on the amenity of surrounding residential properties.*

3 Applications Subject of this Policy

This Policy applies to any proposal to operate a Market on zoned land, on 'Local Reserves' and on 'No Zone' land (roads, rights of way and pedestrian access ways), whether indoors or outdoors. It does not apply to proposals to operate on land under control of the Metropolitan Redevelopment Authority.

4 Exemption from requiring Development Approval on zoned land

Markets are exempt from requiring Development Approval on zoned land where:

- a) The Market is located on land zoned as: 'Business', 'Hotel', 'Industry', 'Civic', 'District Centre', 'Local Centre', 'Mixed Business', 'Mixed Use', 'Private Institution' or 'Regional Centre';
- b) The Market does not require the construction of any new buildings, but may operate from existing buildings, temporary buildings, temporary structures, vehicles, trailers and the like;
- c) The Market operates for no more than one day per week;
- d) The Market contains no more than 30 Market Stalls;
- e) The Market does not open to the public between 7pm and 7am Monday to Saturday, and between 7pm and 9am on Sundays, or on Christmas Day, Good Friday or Easter Sunday;
- f) No vendors to the Market arrive before 6am;
- g) The Market and all associated car parking is located a minimum of 150 metres from any part of a lot that has a 'Residential' land use;
- h) The operation of the Market does not conflict with parking requirements for the predominant use of the site
- i) 2 car parking bays per Market Stall are provided in 'Business', 'Hotel', 'Industry', 'District Centre', 'Local Centre', 'Mixed Business', 'Mixed Use', 'Private Institution' or 'Regional Centre' zones; and
- j) In 'Civic' zones, no car parking is required for a Market.

Markets that do not meet the requirements of this Local Planning Policy will be assessed against the objective of this policy.

Note: the zoning of land can be checked by using 'StirlingMaps' which is available on the City's website

5 Exemption from requiring Development Approval on public land

Proposals to operate Markets on 'Local Reserves' and 'No Zone' land are exempt from the requirement to obtain Development Approval under the Scheme and will be processed through the City's 'Event Application' process.

6 Relevant legislation and policies

Local Planning Scheme No. 3.

Local Planning Policy 6.1 Advertisings Signs Policy.

The City's Event Application Guidelines and Requirements.

7 Definitions

The terms 'Market', 'Buildings', and 'Temporary buildings' are defined in Local Planning Scheme No 3, which can be found on the City's website using the following link

<https://www.stirling.wa.gov.au/your-city/documents-and-publications/planning-and-building/develop-my-property/local-planning-scheme-3-text>

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Adopted	1119/008	1 Oct 2020

6.14 FOOTPATH TRADING & ACTIVATION

1. Introduction

This policy applies to footpaths adjacent to non-residential properties only.

A vibrant and active footpath area has a positive impact on commercial centres and on the viability of local businesses. Carefully planned and well managed footpath trading areas, including outdoor dining, street trading, and product display areas, can activate and energise the street environment.

It is also important that the limited available space within footpaths is used in a way that does not compromise pedestrian access and safety.

This Policy sets out the requirements for the conduct of footpath trading and other forms of activation on footpaths in accordance with the City's *Thoroughfares and Public Places Local Law 2009*.

2. Objectives

- a) To promote the use of the City's Footpaths for place activation purposes in a way that does not adversely impact on the amenity of adjacent businesses, residents and other street users.
- b) To activate the City's Footpaths in a way that does not visually or physically enclose the Footpaths or privatise that space.
- c) To allow Footpaths to be used by traders in a way that does not impede access to the Footpath or cause a hazard or danger to any person using the Footpath.
- d) To ensure that items placed on the Footpath do not result in visual or physical clutter, or restrict views of building and shop frontages.
- e) To promote and activate the Footpath in a way that does not obstruct or impede the use of the Footpath or access to buildings, or sight lines for pedestrians or vehicles.

3. Purpose

The purpose of this Policy is to:

- a) Identify the process by which footpath trading and activation can take place without the need for Development Approval.
- b) Encourage the practice of street activation to create vibrant, innovative and economically successful activity centres and Public Places.
- c) Enhance the shopping, dining and visitor experience within the public realm.
- d) Ensure that proposals which comply with the requirements of this Policy are exempt from requiring Development Approval.

4. Applications Subject of this Policy

- a) Use of the Footpath and Verge for trading and other forms of Activation shall only commence following the granting of a Permit or Development Approval from the City, as applicable.

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- b) A Permit will be issued by the City for proposals for footpath trading and other forms of Activation which comply with the requirements of this Policy, as demonstrated through the 'Self-Assessment Checklist' (see Appendix 1).
- c) Proposals for footpath trading and other forms of Activation which do not comply with the requirements of this Policy will be assessed against the Objectives of this Policy and any other relevant legislation. Such proposals shall also require Development Approval.
- d) A Permit will generally only be issued to the Business Operator of an existing or proposed tenancy fronting the Public Place where the Footpath Activation Area will be situated, unless otherwise approved by the City.
- e) In addition to the information contained within this Policy, the operation of a Footpath Activation Area is to comply with all requirements of the *Disability Discrimination Act 1992*, the *City of Stirling Thoroughfares and Public Places Local Law 2009*, the Building Code of Australia and any other relevant legislation and City of Stirling local laws and policies.

Note: Applicants are required to ensure that all relevant Planning, Health and other relevant approvals are in place.

5. Definitions

Activation: means the use of Public Place by the occupants of adjoining commercial tenancies for the purposes of street Trading, commercial display, an Outdoor Eating Facility, ground-based signage, furniture, amenities and decoration.

Applicant: means a person who applies for a Permit.

Building Activation Area: means a Footpath Activation Area located immediately adjacent to a building or lot boundary.

Business Operator: means the owner or occupier of a Premises proposing to conduct street Activation in accordance with this Policy.

Carriageway: means the same as defined in the *Thoroughfares and Public Places Local Law 2009*.

City Property: has the same meaning as in clause 1.5 of the *Thoroughfares and Public Places Local Law 2009* – that is, it means anything except a thoroughfare –

- a) which belongs to the City;
- b) of which the City is the management body under the *Land Administration Act 1997*; or
- c) which is an 'otherwise unvested facility' within section 5.33 of the *Local Government Act 1995*.

Clearance Zone: means an area into which a Footpath Activation Area shall not encroach.

Compliant Proposal: means a proposal for a Footpath Activation Area which meets the standards and requirements of this Policy.

Footpath: means the same as defined in the *Thoroughfares and Public Places Local Law 2009*.

Footpath Activation Area: means an area within a thoroughfare where an Outdoor Eating Facility, street Trading, display of goods and other forms of Activation related to an adjoining Premises may be located. A Footpath Activation Area may be located immediately adjacent to a building or lot boundary (Building Activation Area) and/or adjacent to a Carriageway (Kerbside Activation Area).

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Furniture and Decoration: means items which may be Permitted within Footpath Activation Areas including but not limited to, tables and chairs, decorative objects, goods displays (e.g. clothing racks, card stands, shelves etc.), screens and barriers, blinds and weather barriers, umbrellas, lighting, public art, heating devices, planter boxes, pot plants, bike racks, street furniture, and the like.

Kerbside Activation Area: means a Footpath Activation Area located adjacent to a Carriageway.

Outdoor Eating Facility: means an Outdoor Eating Facility or establishment on any part of a Public Place.

Permanent Items: Means Furniture and Decoration which are permanently fixed within the Footpath Activation Area.

Permit: means a Permit issued under this Policy and the *Thoroughfares and Public Places Local Law 2009*.

Permit Holder: has the same meaning as in clause 1.5 of the *Thoroughfares and Public Places Local Law 2009* – that is, a person who holds a valid Permit.

Premises: means a building or similar structure, but does not include a carpark or a similar place.

Public Place: has the same meaning as in clause 1.5 of the *Thoroughfares and Public Places Local Law 2009* - that is, it includes a thoroughfare or place which the public are allowed to use, whether or not the thoroughfare or place is on private property, but does not include –

- a) Premises on private property from which trading is lawfully conducted under a written law; and
- b) City Property.

Semi-Permanent Items: means Furniture and Decoration that can be removed at will but which remain within Footpath Activation Area outside of trading hours.

Street Infrastructure: means public seating, bins, bicycle racks, street trees and tree pits, public art, parking meters, parking signage, pay phones, fire hydrants, bollards, power poles, public signage, sewer manholes, telecommunications and electricity conduits, service easements, post boxes, paving and the like.

Temporary Items: means Furniture and Decoration that can be shifted or removed at will and are removed from the Footpath Activation Area at close of daily trading.

Trading: includes –

- a) The selling or hiring of, the offering for sale or hire of, or the soliciting of orders for, goods or services in a public place; and
- b) Displaying goods in any public place for the purpose of –
 - i. offering them for sale or hire;
 - ii. inviting offers for their sale or hire;
 - iii. soliciting orders for them; or
 - iv. carrying out any other transaction in relation to them.

Verge: has the same meaning as in clause 1.5 of the *Thoroughfares and Public Places Local Law 2009* - that is, that part of the thoroughfare between the Carriageway and the land which abuts the thoroughfare and includes a nature strip, but does not include a Footpath.

6. Process for Obtaining a Permit

6.1 Permit Requirements

- a) To be eligible for a Permit, the Applicant must be the Business Operator of a business Premises adjacent to the Footpath Activation Area, including a Business Operator within a strata property.
- b) An Applicant will need to satisfy the following requirements:
 - i. Complete the Footpath Trading and Activation Form, including the Self-Assessment Checklist (Appendix 1);
 - ii. Provide a sketch of the proposed Footpath Activation Area on the supplied sheet accompanying the Footpath Trading and Activation Form;
 - iii. Provide a letter of consent where the proponent seeks to occupy the public space immediately adjoining a neighbouring premises; and
 - iv. Complete and sign the Terms and Conditions Agreement attached to the Footpath Trading and Activation Form.

6.2 Public Risk

- a) The Permit Holder is responsible for any injury or damage to a third party which occurs in connection with an Activation area.
- b) The Permit Holder must ensure that it obtains and maintains, at all times, adequate public liability insurance to cover the risk of injury or damage to a third party in connection with an Activation area.
- c) To meet the City's requirements the public liability insurance must:
 - i. Be for a minimum amount of \$10,000,000 that specifically includes using the Footpath for the proposed activity.
 - ii. Cover injury, loss, or damage to persons arising out of the activity carried out under the Permit or the granting of a Permit.
 - iii. Note the interest of the City of Stirling on the insurance policy.
 - iv. State the period covered by the insurance policy (ie. commencement and expiration date) and be renewed upon expiry.
 - v. Be issued by an insurer approved by the Australian Prudential Regulation Authority (APRA).
 - vi. Be supplied in an approved form, such as a Certificate of Currency.
- d) The Permit Holder must agree to indemnify the City in respect of any injury to any person or any damage to any property which may occur in connection with an Activation area.
- e) Subclauses 6.2 c) and d) do not apply to signs that meet the requirements of Clause 8.2.5 – Signage and Advertising of this policy

6.3 Determination of Proposals

The Applicant's completion of the Self-Assessment Checklist shall be used to establish if a proposal is a Compliant Proposal.

6.3.1. Compliant Proposals

Where the City determines a proposal meets the standards and requirements of this Policy, the City shall issue a Permit. Development Approval will not be required for the proposed works and use of a Compliant Proposal.

6.3.2. Non-Compliant Proposals

Where the City determines a proposal is not a Compliant Proposal:

- a) A Development Approval is required.
- b) The Applicant shall provide with their Development Application the following additional information:
 - i. A written description of the proposed variation(s) from the Policy standards and requirements; and
 - ii. Supporting justification for proposed variation(s) which addresses the objectives of this Policy.
- c) If the Development Approval is granted, the City shall issue a Permit.
- d) For the purpose of assessing a non-Compliant Proposal, the City may seek the comments of adjoining or nearby neighbours in accordance with the City's Planning Consultation Procedure'.

7. Site and Access Requirements

7.1 Clearance Zone

A Clearance Zone must be adhered to and shall not be encroached upon by any object or Activation associated with an approved Footpath Activation Area (refer to Figure 1). The Clearance Zones may overlap for the purposes of determining the maximum width of the Footpath Activation Area.

7.1.1. Pedestrian Clearance Zone

- a) A minimum 1.5 metre width of Footpath is to be kept clear between the building frontage and the kerb line to provide a clear path of travel for pedestrians, which is to align with any adjacent Pedestrian Clearance Zones.
- b) A Pedestrian Clearance Zone to access ramps, as measured from the centreline of the ramp, at a minimum width of 2.5 metres.
- c) Where there is no ramp, a minimum 1.5 metre wide evenly spaced pedestrian break is to be provided per lot frontage.

7.1.2. Kerb Clearance Zone

A minimum 0.6 metre setback distance is to be provided between the Footpath Activation Area and the roadway, measured from the Carriageway side of the kerb.

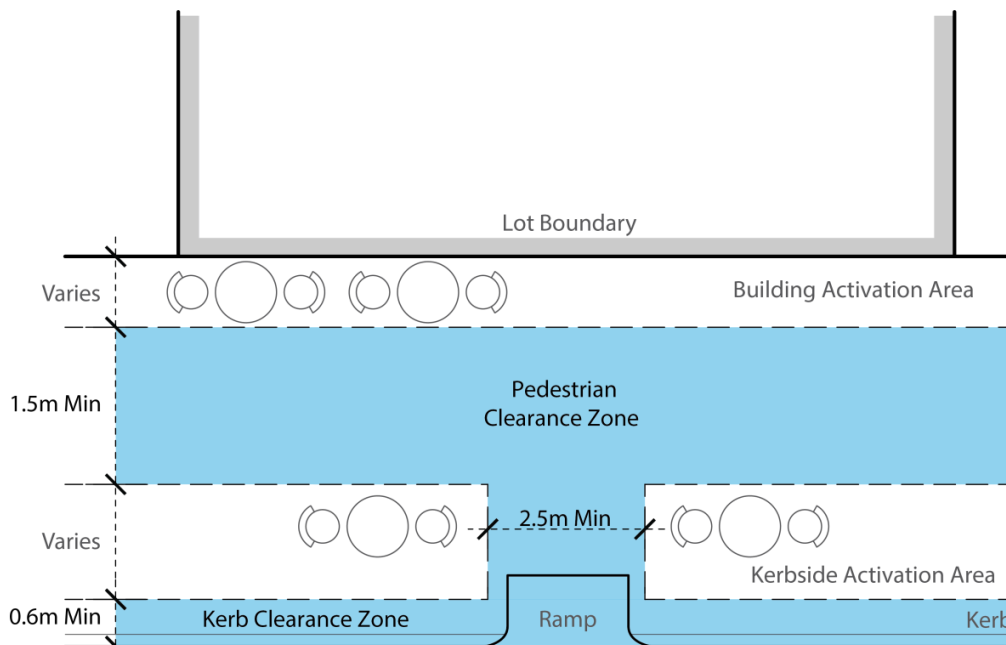


Figure 1 - Pedestrian and Kerb Clearance Zone Requirements

7.1.3. Street Corner Clearance Zone

To maintain sightlines for road users, Activation areas must be setback from intersections, including any driveway, laneway, and/or right-of-way. The typical minimum setback from intersections to the Activation area is determined by a line of sight, set at a 45-degree angle from the corner of the property to the kerb (refer to Figure 2). For a Kerbside Activation Area within 20m from the corner of the property at an unsignalised intersection, Furniture and Decoration may be no greater than 1m high and all barriers shall be visually permeable.

Setbacks from intersections may vary depending on site-specific streetscape conditions. Additional setbacks may be required at intersections with high traffic volumes, speeds and/or poor visibility. Final intersection setbacks are subject to the City's approval.

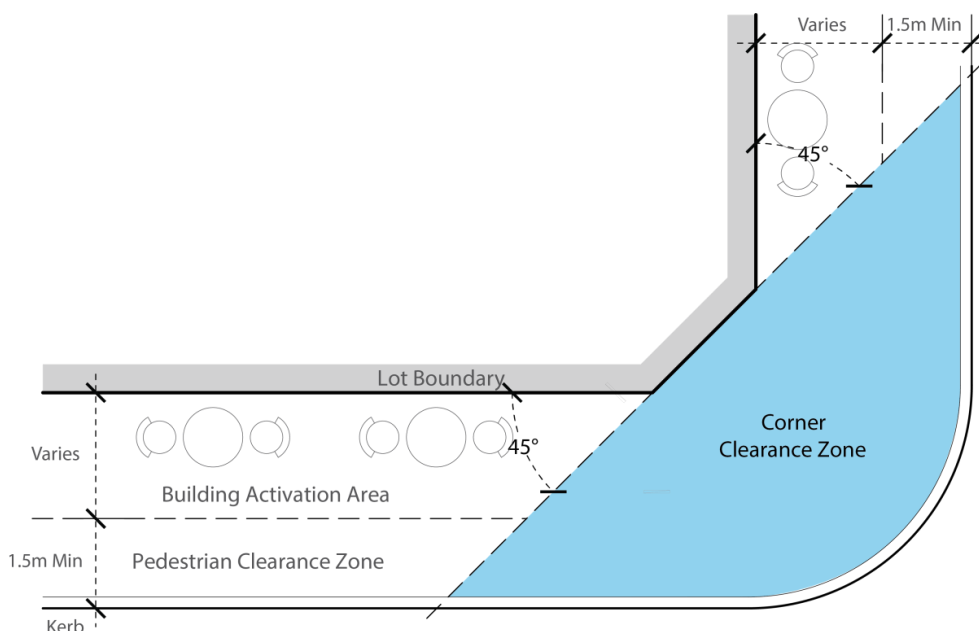


Figure 2 - Street Corner Clearance Zone Requirements

7.1.4. Bus Stop Clearance Zone

A minimum 2 metre width of Footpath measured from the outer face of the kerb, extending laterally 10 metres behind and 2 metres forward of a bus stop, is to be kept clear to maintain pedestrian access to transit (refer to Figure 3).

Note: The arrangement of Furniture and Decoration within Footpath Activation Areas shall not obstruct, impact or affect Public Transport Authority infrastructure, such as a bus shelter and tactile paving.

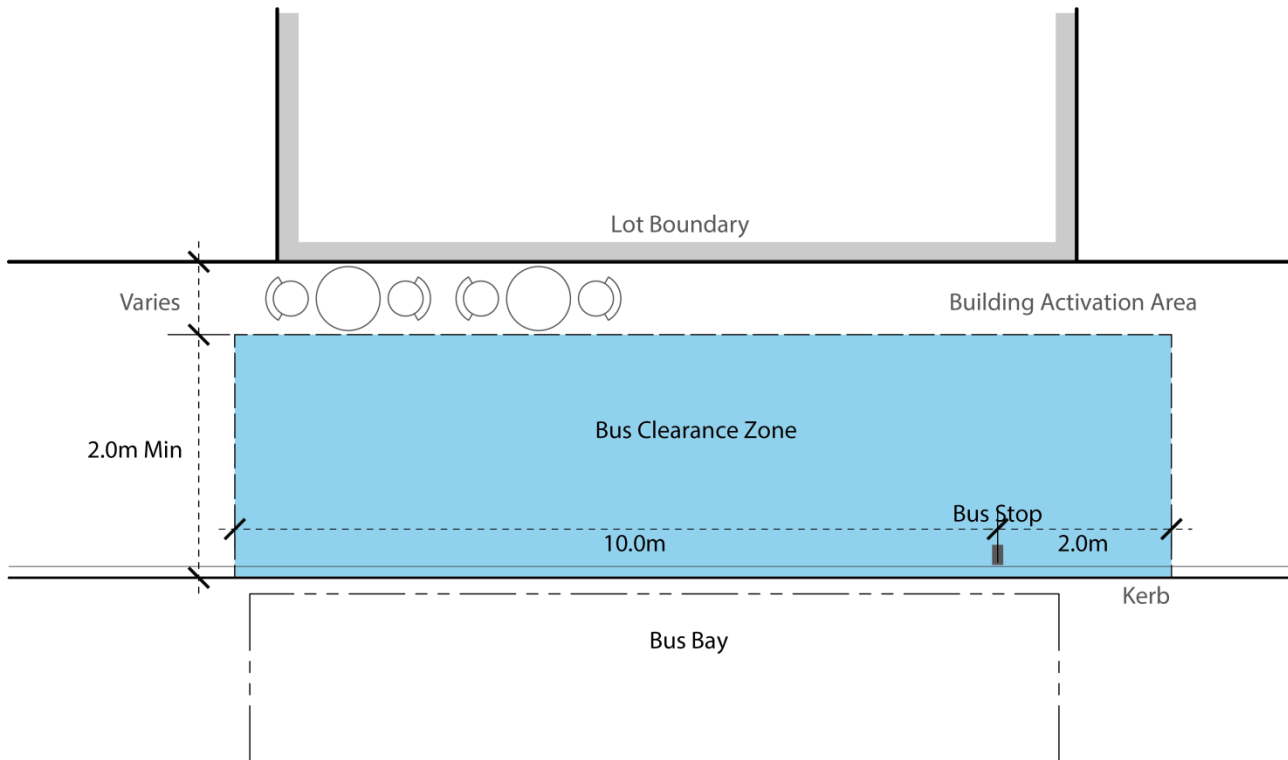


Figure 3 - Bus Stop Clearance Zone Requirements

7.1.5. Street Infrastructure Clearance Zone

- The arrangement of Furniture and Decoration within Footpath Activation Areas shall not compromise public access to Street Infrastructure.
- Furniture and Decoration which are deemed by the City to obstruct, impact or affect Street Infrastructure shall be removed or relocated within a timeframe specified by the City.
- The City may consider the removal/relocation of any Street Infrastructure or minor modifications to engineering treatments of a Footpath in order to safely accommodate Trading and Activation in accordance with this Policy. Such proposals will require the Development Approval of the City and will be assessed against the objectives of this Policy.
- The cost of installation and reinstatement of any works and improvements shall be borne by the Permit Holder.

7.2 Footpath Activation Layout and Design

A Footpath Activation Area is:

- To be located within the existing Footpath and must not extend into parking areas or vehicle Carriageways;

- b) Not to encroach into Clearance Zones as defined in Clause 7.1; and
- c) Not exceed 30 square metres in area.

7.2.1. Footpaths less than 3.5 metres wide

Where Footpaths are less than 3.5 metres in width, Footpath Activation Areas are to be located within the Building Activation Area (refer to Figure 4).

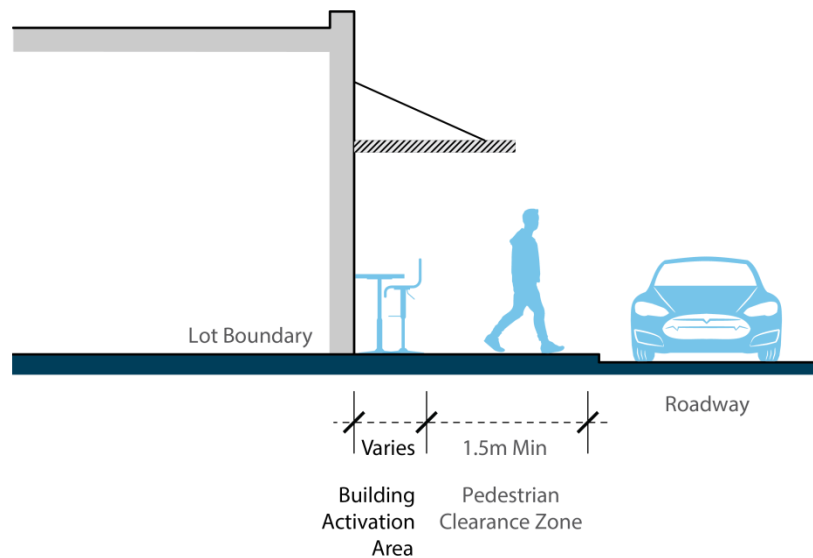


Figure 4 - Building Activation Area - Footpaths Less Than 3.5 Metres Wide

7.2.2. Footpaths greater than 3.5 metres wide

Where Footpaths are 3.5 metres in width or greater, Footpath Activation Areas may be located within the Kerbside Activation Area. A 0.6 metre Kerb Clearance Zone is required where a Kerbside Activation Area is proposed (refer to Figure 5).

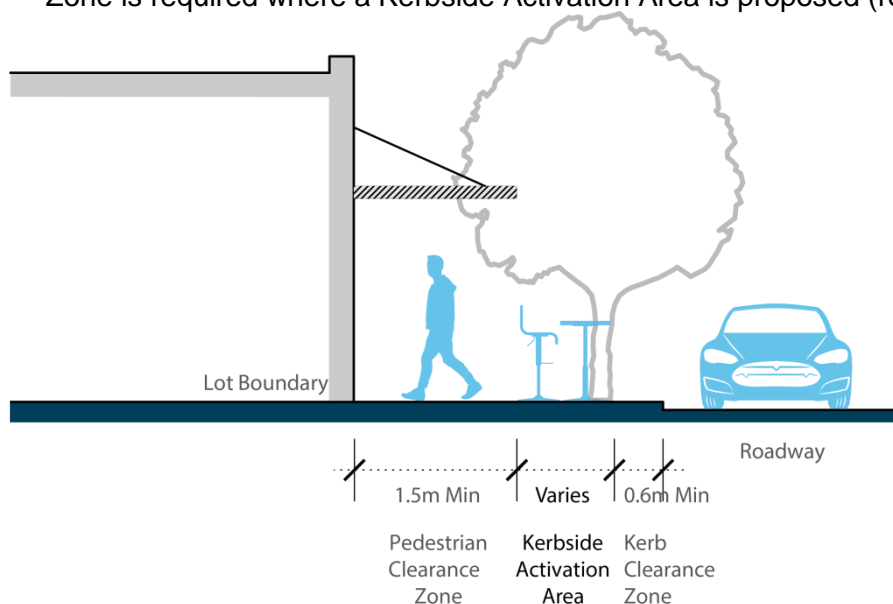


Figure 5 - Kerbside Activation Area - Footpaths 3.5 Metres Wide or Greater

7.2.3. Footpaths greater than 3.8 metres wide

Where Footpaths are greater than 3.8 metres in width, both Kerbside and Building Activation Areas may be proposed, provided required Clearance Zones can be maintained (refer to Figure 6).

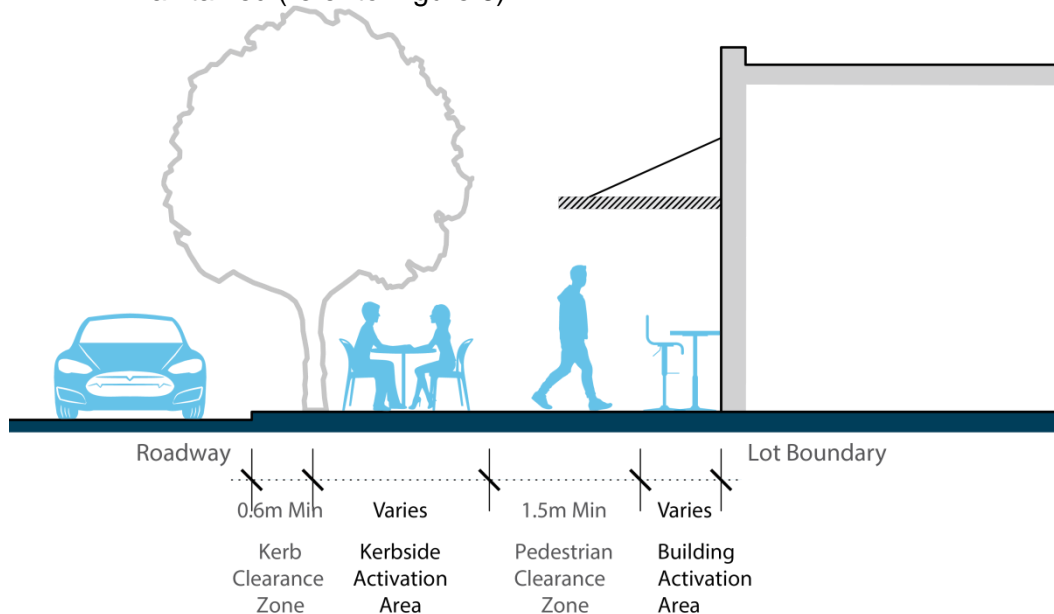


Figure 6 - Both Building & Kerbside Activation Areas – Footpaths 3.8 Metres Wide or Greater

7.3 Exclusions

Irrespective of Clause 7.2.2 and 7.2.3, Building Activation Areas are mandatory and Kerbside Activation Areas are prohibited where a posted speed limit of 60km/hr or greater applies to the adjacent street.

7.4 Car Parking

Where a Footpath Activation Area exceeds 30 square metres in area and proposes an Outdoor Eating Facility the provisions of the City's Parking Policy will apply.

7.5 Use of Neighbouring Activation Areas

- a) Footpath Activation Areas shall be situated directly adjacent to the business premises.
- b) Use of a neighbouring Footpath Activation Area shall only be permitted where:
 - i. The neighbouring Business Operator provides written consent for the proponent's use the area; and/or
 - ii. Any limits to the maximum number of persons permitted at the adjacent premises under a Development Approval or Occupancy Permit are adhered to.
- c) The written consent of a neighbouring Business Operator is not required for tenants in the same strata complex. The written consent of a neighbouring Business Operator is not required where Business Operators of rear strata tenancies propose signage that meets the requirements of Clause 7.2.5 – Signage and Advertising.

Where the Business Operator of an adjacent premises has withdrawn its consent (provided in accordance with Clause 6.1b) in writing to the City, the proponent must cease using and reinstate the area to its original state within a timeframe specified by the City.

8. Furniture and Decoration Requirements

8.1 Furniture and Decoration Permanency

The permissibility of Furniture and Decoration shall be determined by whether they will be temporary, Semi-Permanent or permanent within the Footpath Activation Area.

8.1.1. Temporary Items

All Temporary Items shall be located with the Footpath Activation Area at all times and stored within the related business Premises outside of trading hours

8.1.2. Semi-Permanent Items

- a) Semi-Permanent Items are only Permitted on Footpaths of 3.5 metres or greater.
- b) Semi-Permanent Items must be able to be moved at the request of the City to provide for maintenance, cleaning or other activities.

8.1.3. Permanent Items

- a) Permanent Items may be supported at the City's discretion but will require Development Approval.
- b) Proposals for Permanent Items will be assessed against the objectives and clause 7.1.5 of this Policy and the following criteria:
 - i. In the opinion of the City, contributes a broader public benefit;
 - ii. The Permit Holder shall reinstate the affected public space back to its original condition at their own cost;
 - iii. Is in keeping with existing urban character and respects heritage streetscape values; and
 - iv. Does not create an impediment to cleaning or maintenance of the thoroughfare.

8.2 Furniture and Decoration Requirements

All Furniture and Decoration items must be maintained in a physically sound and safe condition to the City's satisfaction.

Specific requirements apply to some but not all Furniture and Decoration. Forms of Furniture and Decoration for which standards are not prescribed are still Permitted within Footpath Activation Areas.

All Furniture and Decoration and the like must not be Permanent Items only (refer to Clause 8.1.3), fully contained within the Footpath Activation Area, including canopy, and not encroach into any applicable Clearance Zone.

8.2.1. Screens and Barriers

Screens and Barriers are:

- a) To provide a minimum of 2 metre gap per lot frontage to allow access from the roadway to the Footpath; and
- b) Not to exceed a maximum height of 1 metre.

8.2.2. Weather Protection

Weather protection devices are:

- a) To provide a minimum underside clearance of 2.4 metre;
- b) To be self-supporting; and
- c) To be adequately weighted or otherwise secured to ensure they do not become dislodged.

Note: *Clasps, ties, footings or other means of permanently fixing umbrellas and awnings to the Footpath Activation Area are considered to be permanent and require Development Approval.*
Vertical café blinds are not acceptable due to their potential to visually enclose and privatise public spaces.

8.2.3. Lighting, Wiring and Electrical Devices

No lighting or other items requiring mains power, including point-of-sale and power outlets, are to be installed on City Property. All electrical works need to be contained within the private lot. Lighting, wiring and other electrical installations are:

- a) To not comprise flashing, intermittent or running lights;
- b) To be disconnected and removed at close of daily trading unless permanent installation is approved by the City;
- c) Not to result in any occupational health and safety issues;
- d) To be sited so as not to obstruct pedestrian movement; and
- e) Not to be installed or operated in a manner that may be prejudicial to safety or inconsistent with relevant Australian Standards.

8.2.4. Heating Devices

Heating devices are:

- a) To be self-contained, stable and free standing;
- b) To be sited to achieve adequate clearances from combustible objects;
- c) To operate in accordance with the manufacturers specifications; and
- d) To have a registered Australian Gas Association Number (AGA No.) or SAI Global approval where relevant.

8.2.5. Signage and Advertising

Advertising signs are:

- a) To be an 'A' frame or similar Ground Based sign;
- b) To be located adjacent to the building to which the sign relates and be located on the Footpath immediately adjacent to the building;
- c) To be displayed only during the normal business hours of the business to which the sign relates;
- d) To be limited to a maximum of one sign per tenancy;
- e) To advertise only the name of the owner or occupier of the Premises, and/or the nature of the business and/or activities to which it relates and carried on therein; and
- f) To have a maximum vertical or horizontal dimension of 1 metre and have an area of not more than 0.6m².

Product advertising additional to ground based sign is Permitted and does not require Development Approval where limited to umbrellas and barriers.

9. Operation, Management and Compliance

9.1 Cleaning and Maintenance

A Permit Holder is:

- a) To ensure that Furniture and Decoration within the Footpath Activation Area are maintained in a physically sound and aesthetically acceptable condition at all times;
- b) To be responsible for regular cleaning of the approved Footpath Activation Area; and
- c) To be responsible for repairing any damage to works on public land (e.g. paving, street furniture, street planting) caused by the operations of the Footpath Activation Area, to the satisfaction of the City.

Should the Footpath Activation Area not be maintained in a good condition and clean and tidy state and/or the conditions of Council's approval are not adhered to, the City may cancel the Permit (refer to the City's Clause 6.11 of the *Thoroughfares and Public Places Local Law 2009*).

9.2 Operations of an Outdoor Eating Facility

- a) An Outdoor Eating Facility within a Footpath Activation Area will be considered only where it is part of a proposal to establish an eating establishment within a directly adjoining tenancy, or is proposed as an extension of an existing eating establishment operating within a directly-adjoining tenancy.
- b) If not previously granted as part of an existing eating establishment, a proposal to operate an Outdoor Eating Facility will require a separate Certificate of Registration of a Food Business.
- c) A Permit issued by the City of Stirling for a Footpath Activation Area does not authorise the sale, supply, display, or consumption of liquor. To permit the sale, supply, display and/or consumption of liquor in connection with an Outdoor Eating Facility, a Permit Holder must obtain the relevant licence or other approval under the *Liquor Control Act 1998* permit from the Department of Racing, Gaming and Liquor.
- d) The A Permit may be used to accompany an application for a licence under section 40 of the *Liquor Control Act 1988* for a Footpath Activation Area may be used to accompany a Section 40 Application.

9.3 Sale of Goods

Goods on display are to reflect the products sold within the related business Premises and are to be removed at the end of trading for that day.

9.4 Public Works and Special Events

- a) The City may require the use of a Footpath or adjacent area to undertake works or to allow an event or other activity to occur. This may include repair to infrastructure as a result of emergency works being undertaken. The City will endeavour to give a Permit Holder sufficient notice to vacate the Footpath Activation Area prior to the event.
- b) Where notice is given, a Permit Holder shall remove all Furniture and Decoration from the Footpath Activation Area within the time period and for the duration specified by the City.
- c) In cases of an emergency, the Footpath Activation Area may need to be cleared immediately by the Permit Holder at the request of the City or its authorised agents, and/or government agencies, or emergency services. The City shall not be responsible for any claim for loss of trade or damage and repair of the Permit Holder's Furniture and Decoration items during the time of an emergency.

9.5 Permit Validity

- a) A Permit is not subject to a requirement for renewal and remains valid unless otherwise cancelled by the City.
- b) A Permit is not tied to a property and will be cancelled requiring a new application where:
 - i. The Permit Holder has not complied with a condition of the Permit; or
 - ii. The Permit Holder fails to maintain any required public liability insurance or ceases to indemnify the local government against damages; or
 - iii. The transfer of a tenancy or change of ownership of a Premises; or
 - iv. Permanent cessation of the activity occurs; or
 - v. The owner of a neighbouring premises withdraws consent for the proponent to occupy public space in front or immediately adjacent to their premises; or
 - vi. In the opinion of the City, the Activation is causing a nuisance or is having an unreasonable impact upon surrounding residents, pedestrians, cyclists or surrounding businesses; or
 - vii. The Footpath Activation Area is on land defined under the Metropolitan Region Scheme as within a Planning Control Area or an Other Regional Roads or Primary Regional Roads reservation, and the Western Australian Planning Commission requests the cancellation of the Permit.

9.6 Cancellation of a Permit

- a) Following cancellation of a Permit, all Furniture and Decoration must be removed from a Footpath Activation Area within the time period specified by the City.
- b) Once the Permit is cancelled, a Footpath Activation Area must be restored to its original condition within the time period specified by the City, including the removal of all permanent fixtures, to the satisfaction of the City and at the Permit Holder's cost.
- c) If a Footpath Activation Area is not restored to its original condition within the time period specified by the City, or is damaged as a result of Footpath Activation, restoration works and/or repair works must be carried out at the Permit Holder's expense. The Permit Holder shall not be entitled to any payments, compensation or damages of any kind from the City where this occurs.

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Adopted	0719/005	10 Oct 2019

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6.15 EXEMPTION FROM REQUIRING DEVELOPMENT APPROVAL

This document has been prepared under Schedule 2 of the *'Planning and Development (Local Planning Schemes) Regulations 2015'* and the City of Stirling *'Local Planning Scheme No.3'*.

1. INTRODUCTION

This Policy outlines development that is exempt from requiring development approval in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 Clause 61(1)(Table Item 20) and Clause 61(2)(g). These are additional to the exemptions from requiring development approval contained in the City of Stirling's Local Planning Scheme No. 3, the Planning and Development (Local Planning Schemes) Regulations 2015, Local Development Plans and other City of Stirling Local Planning Policies.

2. PURPOSE

To exempt certain development from requiring a development approval where the development will not have an adverse impact on the streetscape or adjoining properties.

3. APPLICATION OF THIS POLICY

This Policy applies to all development on land within the City of Stirling where Local Planning Scheme No. 3 applies. This Policy does not exempt development from obtaining other approvals and compliance with relevant local laws, statutes and policies such as building and health permits.

4. DEFINITIONS

Unless otherwise provided for in this Policy, definitions have the same meaning as the Residential Design Codes (R-Codes) Volume 1, Local Planning Scheme No. 3 and the *Planning and Development (Local Planning Schemes) Regulations 2015*. The following additional definitions apply to this policy.

Transportable Containers:	means a moveable container, sea container, shipping container or the like, that is being used to transport goods to and/or from the property.
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5. REQUIREMENTS FOR RESIDENTIAL DWELLINGS

These provisions replace or amend the relevant deemed-to-comply requirements of the R-Codes Volume 1, except where modified elsewhere by the local planning framework (i.e. Character Retention Guidelines):

- a) R-CODES CLAUSE 5.1.3 LOT BOUNDARY SETBACK is amended to include:
 - “C3.1 Buildings which are set back in accordance with the following provisions, subject to any additional measures in other elements of the R-Codes:
 - vii. for patios, verandas or equivalent structures, (with pillars and posts with a horizontal dimension of 450mm by 450mm, or less), that are additions to an existing dwelling, the lot boundary setbacks in Table 1 and Table 2a and 2b may be reduced to nil to the posts where the structure;
 - a. is not more than 10m in length or 3.5m in height; and
 - b. is located behind the primary street setback; and
 - c. has eaves, gutters and roofs set back at least 450mm from the lot boundary.”

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- b) R-CODES CLAUSE 5.1.3 LOT BOUNDARY SETBACK C3.2 iii. is replaced with:
- “C3.2 Boundary walls may be built behind the street setback (specific in Table 1 and in accordance with clauses 5.1.2 and 5.2.1), within the following limits and subject to the overshadowing provisions of clause 5.4.2 and Figure Series 11:
- iii. in areas coded R30 and higher, walls not higher than 3.5m for two-thirds the length of the balance of the site boundary behind the front setback, to any number of site boundaries; or”
- c) R-CODES CLAUSE 5.2.5 SIGHT LINES C5 is replaced with:
- “C5.1 Development no higher than 0.75m above natural ground level within 1.5m of where:
- i. a driveway meets a street; or
 - ii. two streets intersect.
- C5.2 Fencing no higher than 1.8m high above natural ground level within 1.5m of where a driveway meets a street with:
- i. no more than one support pier with a maximum horizontal dimension of 350mm; and
 - ii. no more than two panels (inclusive of a sliding or swinging gate) with open style pickets that individually achieve a 1:10 spacing ratio (i.e. a 10mm picket with a 100mm space to the next picket).”
- d) R-CODES CLAUSE 5.3.1 OUTDOOR LIVING AREA is amended to include:
- “C1.3 Where patios are an addition to an existing dwelling, the outdoor living area is to be provided:
- i. in accordance with Table 1;
 - ii. behind the street setback area;
 - iii. directly accessible from the primary living space of the dwelling;
 - iv. with a minimum length and width dimension of 4m; and
 - v. with at least one-third of the required area without permanent roof cover.”
- e) R-CODES CLAUSE 5.4.3 OUTBUILDINGS C3 TABLE B. LARGE AND MULTIPLE OUTBUILDINGS is replaced with:
- “i. individually or collectively does not exceed 60m² in area or 10 per cent in aggregate of the site area, whichever is the lesser;
 - ii. set back in accordance with Table 2a;
 - iii. do not exceed a wall height of 3.0m;
 - iv. do not exceed a ridge height of 4.2m;
 - v. not located within the primary or secondary street setback area; and
 - vi. does not reduce the open space and outdoor living area requirements in Table 1.”

6. WORKS ON A PROPERTY EXEMPT FROM REQUIRING DEVELOPMENT APPROVAL

Works within a lot that are:

- not located on a property affected by the *Heritage Act 2018*;
- not on a place listed on the City of Stirling Heritage List;
- not on a property within a Heritage Protection Area;
- not required to be referred by the Metropolitan Region Scheme Instrument of Delegation prior to determination; or
- not subject to the bushfire requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*;

do not require development approval in the following instances:

- a) ALTERATIONS OF FRONT FACADES of non-residential components of buildings where:
 - i. the height of the building is not increased; and
 - ii. the alignment to the street is not altered by more than 300mm; and
 - iii. meets all requirements of Local Planning Scheme No. 3 and relevant Local Planning Framework.
- b) GROUPED DWELLING development that results in no more than two dwellings on a parent lot, that meets all requirements of Local Planning Scheme No. 3, relevant Local Planning Framework and the deemed-to-comply provisions of the R-Codes Volume 1.
- c) Additions or alterations to a GROUPED DWELLING that meets all requirements of Local Planning Scheme No. 3, relevant Local Planning Framework and the deemed-to-comply provisions of the R-Codes Volume 1.
- d) TRANSPORTABLE CONTAINERS that are present on the property for no more than 9 consecutive days in total for a 12 month period.
- e) VIEWING PLATFORMS used as part of the sale of individual dwellings in an approved development, to demonstrate the prospective views, that are:
 - i. limited to one per development site; and
 - ii. on-site for a maximum of 3 months in any 12 month period; and
 - iii. within the maximum building height of the approved development; and
 - iv. behind all street setback areas; and
 - v. setback a minimum of 7.5m from any lot boundary.

OFFICE USE ONLY:

Local Planning Scheme No.3 - Local Planning Policy History:

Action	Council Date	Resolution No.	Effective Date
Council Adopted	26 May 2020	0520/022	Nil
WAPC Approval	26 Oct 2021		
Modified	15 Feb 2022	0222/006	16 Mar 2022

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6.16 CONTAINER DEPOSIT SCHEME INFRASTRUCTURE

1. Introduction

This Policy is to provide an exemption in accordance with Clause 61(1)(i) and (2)(e) of the *Planning and Development (Local Planning Schemes) Regulations 2015* from the requirement to obtain development approval for container deposit scheme facility proposals which satisfy minimum development standards.

2. Objectives

- 2.1 To ensure the location, design and siting of container deposit scheme infrastructure is complementary to the character, functionality and amenity of urban localities.
- 2.2 To prevent negative impacts on local amenity from the operation of container deposit scheme infrastructure.
- 2.3 To enable the timely, cost effective delivery of essential container deposit scheme infrastructure.
- 2.4 To provide conveniently located infrastructure to ensure the container deposit scheme effective reduction of litter, increased recycling and protection of the environment.

3. Applications Subject of this Policy

- 3.1 This Policy applies to all container deposit scheme infrastructure developments.
- 3.2 Development approval will not be required for container deposit scheme infrastructure proposals that comply with the provisions of this policy, in accordance with Clause 61(1)(i) and (2)(e) of the deemed provisions of the Local Planning Scheme No. 3 provided for by the Regulations, unless the development is proposed on land that is:
 - a. entered in the State Register of Heritage Places under the Heritage Act; or
 - b. the subject of an order under Part 4 of the Heritage Act; or
 - c. included on a heritage list prepared in accordance with Local Planning Scheme No. 3; or
 - d. within an area designated under Local Planning Scheme No. 3 as a heritage area; or
 - e. the subject of a heritage agreement entered into under section 90 of the Heritage Act.
- 3.3 Container deposit scheme infrastructure proposed to be erected on a temporary basis of not more than 48 hours within a 12 month period are exempt from approval, as per the requirements of 61(1)(f) and (2)(d) of the deemed provisions provided in the Regulations and contained within Local Planning Scheme No. 3. As such, the policy provisions would not apply.

4. Definitions

<u>Container collection cage:</u>	means a cage, or other structure, that is designed to store containers deposited at return points, and is incidental to the predominant land use.
<u>Container deposit scheme:</u>	means the Western Australian program that provides a refund for the return of eligible beverage containers at various container return points. The program is not intended to collect normal household waste.
<u>Container deposit scheme infrastructure:</u>	means a reverse vending machine or a container collection cage used for the container deposit scheme.

<u>Heritage Act:</u>	means the <i>Heritage Act 2018</i> .
<u>Noise Regulations:</u>	means <i>Environmental Protection (Noise) Regulations 1997</i> (as amended) prepared under the <i>Environmental Protection Act 1986</i> .
<u>Regulations:</u>	means the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> prepared under the <i>Planning and Development Act 2005</i> .
<u>Reverse vending machine:</u>	means an unattended device that accepts empty beverage containers used for the container deposit scheme, and is incidental to the predominant land use.
<u>Total lot area:</u>	means the total land area of a freehold or survey strata lot.

5. General

- 5.1 Container deposit scheme infrastructure must not result in any change to the property that results in the site no longer complying with any relevant development standards and/or requirements of the Local Planning Scheme No. 3.
- 5.2 Where the development is no longer incidental to an existing land use, development approval for the change of land use may be required.

6. Zones and Reserves

- 6.1 Development approval for the development or operation of a container collection cage is not required where it complies with all the relevant development standards outlined by this policy, and may take place in any zone or local reserve.
- 6.2 Development approval for the development or operation of a reverse vending machine is not required where it complies with all the relevant development standards outlined by this policy, and may take place in any local reserve or any of the following zones:

a. Business;	b. Civic;	c. District Centre;
d. Hotel;	e. Industry;	f. Local Centre;
g. Mixed Business;	h. Mixed Use;	i. Private Institution;
j. Regional Centre; and	k. Service Station.	

7. Location

- 7.1 Container deposit scheme infrastructure must not be erected within 10 metres of an adjoining lot boundary that accommodates a residential use.
- 7.2 Container deposit scheme infrastructure must not restrict any vehicular or pedestrian access to or from, or entry to any building, on the land on which the infrastructure is located.
- 7.3 Container deposit scheme infrastructure must not obstruct the operation of, or access to, any utility services on the land on which the infrastructure is located or on adjacent land.
- 7.4 To preserve pedestrian and vehicular sightlines, and servicing access, container deposit scheme infrastructure must not be erected within two (2) metres of any road reserve or right-of-way intersection or crossover, and shall not reduce existing car park sightlines, aisle widths and manoeuvring spaces.

8. Visual Amenity

- 8.1 Where the development of a container deposit scheme infrastructure is proposed outdoors:
- a. placement of the infrastructure must not result in the removal of any vegetation, landscaping or street tree;
 - b. the infrastructure must be constructed and clad with low-reflective, graffiti-resistant materials, which provide protection from the elements, where not consisting of promotional or branding material approved under the operation of the container deposit scheme; and
 - c. the infrastructure must not display any advertising signage other than promotional or brand signage related to the operation of the container deposit scheme infrastructure, that must be attached to the infrastructure and not extend beyond the surface of the infrastructure. The signage is not to comprise of lights.
- 8.2 Where the development of a container deposit scheme infrastructure is proposed outdoors, and the infrastructure exceeds a development footprint of 10 square metres, bins for the removal of waste or recyclable materials not accepted by the infrastructure must be provided. The bins are to be adjacent to the container deposit scheme infrastructure, and serviced regularly at the applicants expense to maintain the amenity of the area, at a rate of one (1) waste bin and 0.5 recycling bins (both 240L in volume) per 10 square metres or part thereof development footprint.

9. Operational Amenity

- 9.1 Where the development or operation of a container deposit scheme infrastructure is proposed within 100 metres to land that accommodates a residential use, the infrastructure must operate only:
- a. between 7.00 am and 7.00 pm Monday to Saturday; and
 - b. between 9.00 am and 7.00 pm on Sunday and public holidays.
- Outside of these hours the container deposit scheme infrastructure shall be locked and made inoperable.
- 9.2 Where the development of a container deposit scheme infrastructure is proposed, the operation of the infrastructure must not prejudicially affect the amenity of the locality due to the emission of light, noise, vibration, electrical interference, smell or any other by-product.
- 9.3 Where the development or operation of a container deposit scheme infrastructure is proposed, the infrastructure or use of the infrastructure must not emit noise at a level which exceeds any requirement(s) under the Noise Regulations.
- 9.4 Where the development or operation of a container deposit scheme infrastructure is proposed, the infrastructure must be provided with lighting that complies with AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces, Part 3.1: Pedestrian area (Category P) lighting–Performance and design requirements (as amended).
- 9.5 Where the development or operation of a container deposit scheme infrastructure is proposed, the infrastructure must be accessible to any person with a disability.

10. Development Footprint

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- 10.1 For a container collection cage proposed outdoors, the cage must not have a development footprint of more than eight (8) square metres or be more than 2.5 metres in height. There shall not be more than one (1) cage per lot.
- 10.2 For a reverse vending machine proposed outdoors, on land not used for car parking, the machine must not be more than three (3) metres in height, or have dimensions greater than eight (8) metres by six (6) metres. There shall not be more than one (1) machine per 15,000 square metres of total lot area or part there of.
- 10.3 For a reverse vending machine proposed within an existing car park, there must be a minimum of 40 car parking spaces available after the development of the infrastructure with the provision of car parking bays on-site complying with the City's Car Parking Policy. There shall not be more than one (1) machine per 1,000 car parking space or part there of. The area occupied by the large reverse vending machine must not exceed:
- a. 50 square metres, where there are less than 200 car parking spaces; or
 - b. 75 square metres, where there are 200 or more car parking spaces.

11. Variations to Policy Requirements

Any variations to this Policy will be assessed by the City against the objectives of this Policy.

OFFICE USE ONLY:

Local Planning Scheme No.3 – Local Planning Policy History:

Action	Resolution Number	Effective Date
Adopted	0220/045	9 April 2020

6.18 PUBLIC CONSULTATION

This document has been prepared under Schedule 2 of the 'Planning and Development (Local Planning Schemes) Regulations 2015' and the City of Stirling 'Local Planning Scheme No.3'.

1. INTRODUCTION

This Policy is used by the City to ensure a consistent approach to consultation on planning proposals and supplements the advertising requirements of the Planning and Development (Local Planning Schemes) Regulations 2015.

Information sheets are available on the City's website to assist applicants, residents and the community understand and participate in planning consultations.

2. OBJECTIVES

This Policy aims to ensure that:

- The community is appropriately informed of planning proposal and is given the opportunity to express its views in a consistent way.
- The community understands the need to focus views on relevant planning considerations when making submissions on planning proposals.
- Applicants have the opportunity to understand community views during the assessment process.
- Determination of planning proposals is based on the planning framework, taking into consideration community views.

3. SCOPE

This Policy applies to the advertising (where required) of:

- Development Applications;
- Local Planning Scheme Amendments;
- Local Planning Policies;
- Structure Plans; and
- Local Development Plans.

Note: This Policy does not apply to specific planning strategies, projects, or new schemes, the advertising of these will be determined on a case by case basis in line with the minimum advertising requirements of the Planning and Development (Local Planning Scheme) Regulations 2015 (where applicable) and having regard to this Policy.

4. REQUIREMENTS

All development applications and strategic planning instruments shall be advertised in accordance with this Policy.

Where there is an inconsistency between this Policy and Local Planning Scheme No.3 or Planning and Development (Local Planning Scheme) Regulations 2015, the provisions of the Local Planning Scheme No.3 or Planning and Development (Local Planning Scheme) Regulations 2015 shall prevail.

4.1 ADVERTISING REQUIREMENTS

The following requirements apply to all planning proposals advertised by the City:

- All consultation material is to be worded in plain English, subject to legislative requirements.
- Advertising commences on the date after the day on which the City publishes the notices as per the requirements of the Planning and Development (Local Planning Scheme) Regulations 2015.
- An 'excluded holiday period day', that is in —

(i) a period commencing on 25 December in a year and ending on the next 1 January; or

(ii) a period of 7 days commencing on Good Friday in a year.

is not to be counted in calculating an advertising period as per the requirements of the Planning and Development (Local Planning Scheme) Regulations 2015.

- Where a planning proposal is required to be advertised to an adjoining local authority (Cities of Bayswater, Cambridge, Joondalup, Swan, Vincent and Wanneroo), the City will notify the adjoining local authority of the proposal to allow them the opportunity to advertise to their community.

4.2 PUBLIC CONSULTATION REQUIREMENTS – DEVELOPMENT APPLICATIONS:

	Time period (Calendar Days)	Sign on Site	Letters to Owners / Occupiers	Website	Ward Councillors
Standard Application	14 days or a longer period of time agreed upon between the applicant and local government	No	Yes – to adjoining	Yes	Yes
Complex Application	28 days or a longer period agreed upon between the applicant and local government	Yes	Yes – all within 200m, and properties in the vicinity of the proposed development who, in the view of the local government, are likely to be affected by the granting of development approval	Yes	Yes

- All applications subject to consultation will be posted on the City's website and will include the plans and documents submitted with the application.
- The City will advertise variations to development standards to affected landowners/occupiers such as variations to Setbacks, Retaining Walls, Boundary Walls and Visual Privacy that may impact upon their property, as determined by the City.
- Advertising to adjoining landowners/occupiers is to be carried in accordance with the figures below which depict typical lot layouts within the City.

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- Sign on sites are to be provided in accordance with the Western Australian Planning Commission's Erecting Signs for Notice of Development Applications form. The City may request the provision of larger signs depending on the size, type and complexity of development.
- All expenses incurred by the City as a result of advertising Complex Applications to landowners/occupiers are to be payable by the applicant in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015.



Figure 1 – Example of the extent of consultation for a Standard Application where there are varying lot types

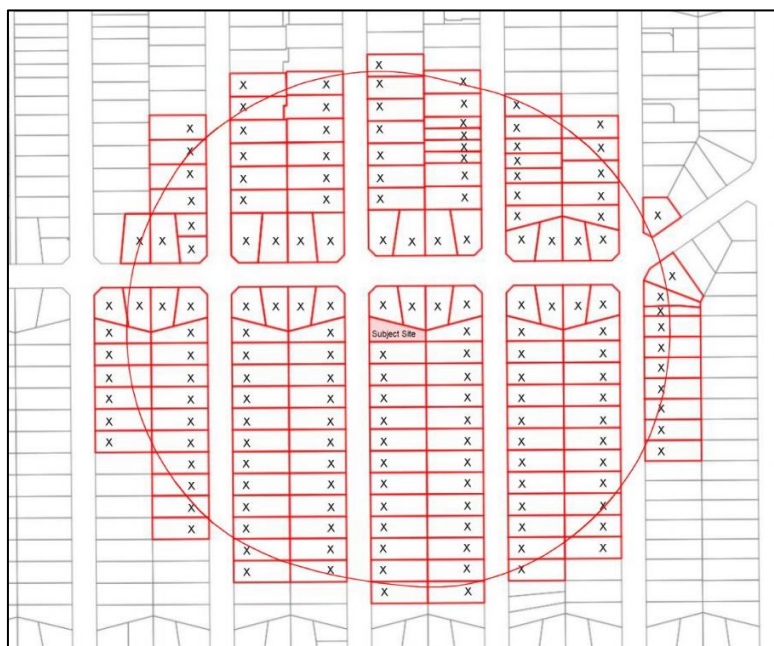


Figure 2 – Example of the extent of consultation for a Complex Application or Strategic Planning Instrument based on a 200m radius from the boundary of a subject site

4.3 PUBLIC CONSULTATION REQUIREMENTS – STRATEGIC PLANNING INSTRUMENTS:

	Standard Amendment	Complex Amendment	Precinct and Standard Structure Plans (New or Amendment)	Local Development Plan (New or Amendment)	Local Planning Policy (New or Amendment)	Development Contribution Plan
Time period (Calendar Days) (i)	42 days	60 days	42 days	Not less than 14 days	Not less than 21 days	60 days
Website	Yes	Yes	Yes	Yes	Yes	Yes
Admin Centre Notice Board	Yes	Yes	Yes	Yes	Yes	Yes
Relevant public authorities	Yes	Yes	Yes	Yes	Yes~	Yes
Letters to Owners / Occupiers (ii)	Yes~ – all within 200m (iii)	Yes~ – all within 200m (iii)	Yes~ (v)	Yes~ (v)	Yes~ – all within 200m (iii)	Yes~ – all within 200m (iii)
Sign on Site (iv)	Yes~	Yes~	Yes~	Yes~	Yes~	Yes~
Local Newspaper Notice (v)	Yes~	Yes~	Yes~	Yes~	Yes~	Yes~
Community groups (vi)	Yes~	Yes~	Yes~	Yes~	Yes~	Yes~
Planning Framework List	Yes~	Yes~	Yes~	Yes~	Yes~	Yes~
Social Media (vii)	Yes~	Yes~	Yes~	Yes~	Yes~	Yes~
Ward Councillors	Yes`	Yes`	Yes`	Yes`	Yes`	Yes`

~ Denotes a non-statutory requirement that will be carried out at the discretion of (depending on the type of planning document advertised) the Manager Development Services or Manager City Future as appropriate.

` Denotes the City's standard internal process.

- The Planning and Development (Local Planning Schemes) Regulations 2015 stipulates that advertising commences on the date after the day the notice is published in accordance with the Regulations.
- Letters will be sent to owners and occupiers who, in the view of the City, are likely to be affected by the approval of the proposal. Refer to the minimum extent of consultation in Figure 1 above. The City may advertise to additional properties which are potentially directly affected by the proposal or as resolved by Council.
- For Scheme Amendments, Local Planning Policies and Development Contribution Plans, letters will be sent where the application applies to a specific site or area (or otherwise deemed appropriate by the Manager Development Services or Manager City Future). Letters will be sent to those properties located within the area and those within the radius specified in the table above. Where the proposal does not relate to a specific site or area, the requirement to send letters to owners and occupiers does not apply.

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- A minimum sign size of 1.0m x 1.5m is required to be displayed on each street boundary. Text shall be legible from the street and the font size shall be large enough to fill the sign. Signs shall only be required at the discretion of (depending on the type of proposal advertised) the Manager Development Services or Manager City Future as appropriate.
- Advertising in local newspapers will be at the discretion of (depending on the type of proposal advertised) the Manager Development Services or Manager City Future as appropriate.
- Community groups as identified on the community groups register maintained by the Development Services Business Unit.
- Advertising on social media will be carried out where considered suitable by (depending on the type of proposal advertised) the Manager Development Services or Manager City Future as appropriate, and will be done in collaboration with the City's Customer and Communications Business Unit. The type of social media channels to be used for engagement will be decided upon agreement between the Development Services or City Future business units and the Customer and Communication Business Unit.

4.4 OTHER CONSULTATION

To ensure that the City engages as widely as possible on changes to the City's strategic planning documents, the City's officers have compiled a list of individuals and businesses (the Planning Framework List) who have requested to be kept informed of changes to the City's planning framework. Whenever changes to the City's planning framework are proposed, these individuals will be notified.

At the discretion of the Manager Development Services or Manager City Future, the City will consult with individuals and/or organisations who may be able to add value to the strategic planning process. This may include, but is not limited to, emailing previous applicants for development approval, private planning consultants who often represent landowners or developers, building industry companies, and peak industry bodies.

4.5 WAIVING PUBLIC CONSULTATION REQUIREMENTS

The City may waive the public consultation requirements where a Standard development application relates to development that does not comply with the requirements of Local Planning Scheme No.3, if the City is satisfied that the non-compliance is of a minor nature. This ability does not apply to development applications that Local Planning Scheme No.3 requires to be advertised for public comment.

Under the Planning and Development (Local Planning Schemes Regulations) 2015 the local government may decide to not advertise a Local Development Plan where the local government is satisfied that the plan is not likely to adversely affect any owners or occupiers within the area covered by the plan or an adjoining area. The Regulations also allow a local government to determine not to advertise amendments to a Structure Plan or Local Development Plan if, in the view of the local government, the amendment is of a minor nature. The decision to not advertise any of these documents can only be made by Council.

5. CONSIDERATION OF SUBMISSIONS

All written material submitted to the Council in response to the advertising of a planning proposal must be received by the close of business on the closing date for submissions identified by the City. This written material will be considered by officers in reporting on the planning proposal, subject to the following:

- The submission being received by the City during the public consultation period.
- Officers will assess and report on valid submissions received based on the written content only.
- Officers will not conduct any investigation into the origin, usual residential address of authors, or age of authors.
- More than one response received from the same address will be counted as individual responses where signed by different people, excepting where the content is identical.
- When one person signs more than one response (unless one of these is a petition) those responses shall be classified as one response.

5.1 WHAT MATTERS CAN BE CONSIDERED

The City recognises that when considering the impacts of a planning or development proposal, those consulted may express the view that a proposal adversely affects them. The City's officers must be satisfied that there is a factual or realistic basis to the views expressed on a proposal, and must balance this view with an assessment of the likely impacts of the proposal.

These views must relate to valid planning considerations, and the matters that constitute valid planning considerations are detailed below.

The City may seek professional opinions and independent advice to assist with this assessment.

Valid Planning Considerations	Non-Valid Considerations
<ul style="list-style-type: none"> a) Matters to be considered by the City under the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations); and/or b) The requirements of Local Planning Scheme No.3 or applicable Planning Instrument (Structure Plan, Local Development Plan or Planning Policy which requires the decision maker to exercise judgement; and/or c) Any development standard requiring the decision maker to exercise judgement against the Design Principles of the R-Codes. 	<p>The City cannot take into account matters which are not valid planning considerations, including but not limited to:</p> <ul style="list-style-type: none"> a) Perceived loss of property value b) Private disputes between neighbours including access & egress and easements c) Dividing fence issues d) Impact of construction work e) Trade competition concerns (in most circumstances) f) Personal morals or views about the applicant g) Matters that is controlled under other legislation

5.2 SUBMISSIONS ON DEVELOPMENT APPLICATIONS

The City is only able to consider written submissions. Verbal communication with City officers via telephone or at the administration Centre and comments provided through social media platforms will not be considered as a submission to a development application. All written submissions received within the public consultation period raising valid planning considerations will be taken into consideration during the assessment of the application.

Submissions received highlighting non valid planning considerations will not be considered by the City when assessing the application.

5.3 SUMMARY OF ISSUES RAISED IN SUBMISSIONS PROVIDED TO APPLICANT

The City will provide a summary of the planning issues raised in submissions to the Applicant and provide the opportunity for the applicant to respond for both development applications and strategic planning documents. Applicants, if they respond, should do so in a timely manner to ensure assessment timeframes are maintained. Applicants can respond by:

- Providing the City with additional comment or justification to address the planning issue raised in the submission; and/or
- Amending the proposal to address the planning issue raised in the submission.

The applicant's response to issues raised in submissions will be included in the report provided to the decision maker.

5.4 CATEGORISATION OF SUBMISSIONS

Submissions received to any planning proposal will be categorised into one of the following types:

Submission Category	Description
<i>A: Original unique submissions</i>	Includes any uniquely worded and original letters and e-mails, even if only marginally different from each other, which: <ul style="list-style-type: none"> • Are addressed to the City of Stirling (Council, Mayor, Officers); and • Include the name and address of the author(s).
<i>B: Pro-forma submissions</i>	Includes identical (pro-forma) letters, emails or cards, including those with individual and unique comment, which; <ul style="list-style-type: none"> • Are addressed to the City of Stirling (Council, Mayor, Officers); and • Include the name and address of the author(s).
<i>C: Petitions</i>	Submissions received which meet the petition criteria as outlined in the City of Stirling Meeting Procedures Local Law 2009. (Further information is available on the Petitions page of the City's website.)

5.5 CONSIDERATION OF LATE SUBMISSIONS

The City will consider late submissions only where these are received in sufficient time to allow for their reporting. Where this occurs the City will note submissions which have been received after the closing of the advertising period.

5.6 CORRESPONDENCE TO SUBMITTERS

All persons who lodge submissions will receive notification of the decision made. Additionally, where the application is presented to;

- The City's Planning & Development Committee (for consideration),
- Council (for consideration or determination), and/or
- The Metropolitan North West Joint Development Assessment Panel (for determination).

Submitters will receive further notification by the City of those specific meeting dates and details.

Where a decision is made by the Metropolitan North West Joint Development Assessment Panel, Western Australian Planning Commission, the Minister for Planning or State Administrative Tribunal on a Statutory Planning Instrument or Development Application, the City will advise all persons who lodged a submission of the decision made.

5.7 COUNCILLOR REQUESTS FOR FURTHER INFORMATION ON THE OUTCOMES OF ADVERTISING

Councillors may request, with a minimum of 48 hours' notice, the following be provided at the relevant Committee or Council meeting:

- A confidential copy of all submissions received; and/or
- A map identifying the location of all submitters identified.

7. LEGISLATION/LOCAL LAW REQUIREMENTS

The following documents and legislation are relevant:

- Planning and Development Act 2005
- Planning and Development (Local Planning Scheme) Regulations 2015
- City of Stirling Meeting Procedures Local Law 2009
- City of Stirling Local Planning Scheme No.3
- City of Stirling Local Planning Scheme No.3 Policy Manual
- Relevant State Planning Policies

OFFICE USE ONLY:

Local Planning Scheme No.3 - Local Planning Policy History:

Action	Council Date	Resolution No.	Effective Date
Adopted	7 Dec 21	1221/028	13 Dec 2021

ATTACHMENT 1: DEFINITIONS

<i>Standard Application</i>	A development application required to be advertised under Local Planning Scheme No.3 that is not defined as a Complex Application.
<i>Complex Application</i>	<p>A development application:</p> <ul style="list-style-type: none"> • for a use that is not specifically referred to in the zoning table under Local Planning Scheme No.3 in respect of the zone in which the development is located; or • with an estimated value of \$2 million and over excluding: <ul style="list-style-type: none"> - Single Houses - Grouped Dwellings - Warehouses - Located within the Industry Zone - Located within the Service Station Zone; or • which proposes 10 or more Multiple Dwellings; or • which proposes Telecommunications Infrastructure; or • which proposes Child Care Premises (except development that is a class P use in relation to the zone in which the development is located).

ATTACHMENT 2: ADMINISTRATIVE MATTERS

CONTENT OF NOTIFICATION LETTERS

The content of notification letters provided to landowners and residents should be appropriate for the proposal being advertised. The letters must meet the statutory notification requirements of the Planning and Development (Local Planning Scheme) Regulations 2015 and the City's Local Planning Scheme No 3. Letters should be written in plain English and clearly advise:

- What the proposal is that the City is seeking comment on, including (where appropriate) the specific aspects where the decision maker is required to exercise discretion.
- Why the City is consulting with the particular individual.
- Who the decision maker will be.
- How comment / submissions can be made and how to make a valid submission.
- How further information can be obtained.
- What happens to submissions received.
- What further notification the City will provide.

REPORTING FORMAT

In all cases where submissions have been received, the following table is to be included in the report presented for Committee, Council, and/or Development Assessment Panel meeting.

SUMMARY TABLE: SUBMISSIONS RECEIVED - RELATIVE LOCATION

SUBMISSIONS RECEIVED	WITHIN 200m RADIUS OF PROPOSED SITE	REMAINDER OF THE CITY	ALL SUBMISSIONS
SUPPORT	<i>a%</i>	<i>b%</i>	<i>c%</i>
OBJECT	<i>d%</i>	<i>e%</i>	<i>f%</i>
CHANGES REQUESTED	<i>g%</i>	<i>h%</i>	<i>i%</i>
OTHER (Not stated / No opinion / No objection)	<i>x%</i>	<i>y%</i>	<i>z%</i>

In reporting on the percentages of submissions in support and opposition to an application or proposal, it is acknowledged that the numbers counted must not be seen as a referendum on whether a proposal should proceed or not. The examination of submission is instead a way of identifying planning issues that need to be considered and addressed.

In cases where no more than five submissions are received, the issues raised in the submissions are to be summarised in the following format as part of the reporting to the relevant Committee, Council, and/or Development Assessment Panel meeting.

Policy Manual

SUBMISSION NUMBER	SUBMISSION DETAILS	OFFICER COMMENT
1		
2		
3		

In cases where more than five submissions are received, the issues raised in the submissions are to be summarised in the following format as part of the reporting to the relevant Committee, Council, and/or Development Assessment Panel meeting.

NUMBER OF SUBMISSIONS TO RAISE ISSUE	SUBMISSION COMMENT	OFFICER COMMENT
XX		
XX		
XX		

This Policy provides the applicant with an opportunity to respond to submissions and where appropriate may result in adjustments to proposals being made.

This information is considered sufficient to allow the decision maker to understand the issues raised.