



CITY of PERTH

MINUTES

PLANNING COMMITTEE

10 MARCH 2015

**THESE MINUTES ARE HEREBY CERTIFIED AS
CONFIRMED**

**PRESIDING MEMBER'S
SIGNATURE**

DATE:

31/3/15

PLANNING COMMITTEE

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Minutes of the meeting of the City of Perth **Planning Committee** held in Committee Room 1, Ninth Floor, Council House, 27 St Georges Terrace, Perth on **Tuesday, 10 March 2015.**

MEMBERS IN ATTENDANCE

Cr Butler - Presiding Member
Cr McEvoy
Cr Harley

OFFICERS

Mr Mileham - Director City Planning and Development
Ms Smith - Manager Approvals Services
Mr Noble - A/Manager Governance
Mr Smith - City Architect
Mr Fotev - 3D Model Coordinator
Mr Family - 3D Model Officer
Ms Morrison - Heritage Officer
Ms Honmon - Governance Officer

GUESTS AND DEPUTATIONS

Mr Alan Stewart - Rowe Group (representing the owner of No. 383 Hay Street, Perth).

Mr Sean Morrison - Urbis

1 member of the public.

1 member of the media.

PL38/15 DECLARATION OF OPENING

5.00pm The Presiding Member declared the meeting open.

PL39/15 APOLOGIES AND MEMBERS ON LEAVE OF ABSENCE

Nil

PL40/15 QUESTION TIME FOR THE PUBLIC

Nil

PL41/15 CONFIRMATION OF MINUTES

Moved by Cr McEvoy, seconded by Cr Harley

That the minutes of the meeting of the Planning Committee held on 17 February 2015 be confirmed as a true and correct record.

The motion was put and carried

The votes were recorded as follows:

For: Crs Butler, Harley and McEvoy

Against: Nil

PL42/15 CORRESPONDENCE

Nil

PL43/15 DISCLOSURE OF MEMBERS' INTERESTS

Nil

PL44/15 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

The Director City Planning and Development advised that in accordance with Section 5.23(2) of the *Local Government Act 1995*, should an Elected Member wish to discuss the content of the confidential schedule listed below, it was recommended that Committee resolve to close the meeting to the public prior to discussion of the following:

Schedule No.	Item No. and Title	Reason
Confidential Schedule 11	Item 5 – Proposed Principles of New City Planning Scheme No. 2 Planning Provisions and Policy – Heritage Assessments and Registrations	s. 5.23(2)(e)(ii)

DEPUTATION: **Agenda Item 2, PL46/15 – Hay and Murray Street Malls, Road Reserve in front of 815 Hay Street and 300 Murray Street, Perth – Proposed Temporary Third Party Advertising to Existing Telstra Pay Phones**

The Presiding Member approved a Deputation from Mr Sean Morrison of Urbis (TRIM reference 38581/15).

5.34pm Mr Morrison commenced the deputation, briefly discussed how the proposal has been progressed since its previous consideration by the Planning Committee, and reiterated his support for the Officer Recommendation.

5.36pm The deputation concluded.

DEPUTATION: **Agenda Item 5, PL49/15 – Proposed Principles of new City Planning Scheme No. 2 Planning Provisions and Policy – Heritage Assessments and Registrations**

The Presiding Member approved a Deputation from Mr Alan Stewart of The Rowe Group (TRIM reference 38411/15).

5.38pm Mr Stewart commenced the deputation and briefly discussed the concerns of the owners of No. 383 Hay Street, Perth. Mr Stewart requested that it be noted that the owners of No. 383 Hay Street, Perth, oppose any proposal to heritage listing the property.

5.40pm The deputation concluded.

PL45/15 63 (LOT 2) FORREST AVENUE, EAST PERTH – PROPOSED TEN LEVEL RESIDENTIAL DEVELOPMENT CONTAINING 17 MULTIPLE DWELLINGS AND 17 CAR PARKING BAYS

BACKGROUND:

SUBURB/LOCATION:	63 Forrest Avenue, East Perth
FILE REFERENCE:	2014/5275
REPORTING UNIT:	Approval Services
RESPONSIBLE DIRECTORATE:	City Planning and Development
DATE:	24 February 2015
MAP / SCHEDULE:	Schedule 1 – Map and coloured perspectives for 63 Forrest Avenue, East Perth

3D MODEL PRESENTATION: A 3D Model for this application was made available at the Planning Committee meeting.

ADDITIONAL INFORMATION: TRIM 36674/15 and 36678/15

LANDOWNER: Woodro Holdings Pty Ltd

APPLICANT: Aztec Architects

ZONING: (MRS Zone) Urban
 (City Planning Scheme Precinct) Goderich (P14)
 (City Planning Scheme Use Area) Residential (R160)

APPROXIMATE COST: \$4 million

SITE HISTORY:

The subject site has a total area of 412m² and has frontages to both Forrest Avenue and Wellington Street. The site is currently occupied by a single storey residence and associated outbuildings. The site is bordered by residential development to the west and a Western Power substation to the east.

DETAILS:

Approval is sought to demolish the existing building on the site and to construct a ten level residential development containing 17 multiple dwellings and 17 car parking bays on the subject site. The details of the proposed development are as follows:

Basement Level	This level contains six car stacker pits, 17 residential store rooms, lift and lift lobby, pumps and tanks, mechanical plant room and fire exit stairwells.
Ground Floor Level	This level contains six car parking stackers and driveway accessed via Forrest Avenue, separate entry lobbies from Wellington Street and Forrest Avenue, six bicycle bays, landscaped areas, bin store, fire exit stairwells, lift and lift lobby.
First to Third Floor Levels	These levels each contain two 2-bedroom/1-bathroom apartments (69m ² and 73m ²) with balconies (10m ² and 11m ²), one 1-bedroom/1-bathroom apartment (46m ²) with a balcony (10m ²), passageway, air conditioning plant room, fire exit stairwell, lift and lift lobby.
Fourth to Sixth Floor Levels	These levels each contain one 2-bedroom/2-bathroom apartment (76m ²) with balconies (10m ² to 38m ²), one 2-bedroom/1-bathroom apartment (73m ²) with a balcony (10m ²), passageway, air conditioning plant room, fire exit stairwell, lift and lift lobby.
Seventh and Eighth Floor Levels	These levels each contain one 2-bedroom/2-bathroom apartment (114m ²) with two balconies (30m ² and 42m ²), passageway, air conditioning plant room, fire exit stairwell, lift and lift lobby
Roof Level	This level contains a lift over-run.

The development is proposed to be constructed and finished using a mix of rendered and painted concrete, timber cladding, aluminium framed clear and obscure glazing and metal louvres.

LEGISLATION / POLICY:

Legislation *Planning and Development Act 2005*
City Planning Scheme No. 2

Policy

Policy No and Name: 3.1 – Design of Residential Development
4.1– City Development Design Guidelines
4.10 – Residential Design Policy
5.1 – Parking Policy
5.4 – Bicycle Parking and End of Journey Facilities
6.3 – Goderich Design Policy

COMPLIANCE WITH PLANNING SCHEME:

Land Use

The Goderich Precinct (P14) will be further developed as a residential neighbourhood accommodating a wide range of residential and employment opportunities. The proposed 'Residential' use is a preferred ('P') use within the Residential R160 use area. It is considered that the use would be consistent with the intent of the precinct and will be compatible with the surrounding land uses.

Development Requirements

The building design requirements of the Goderich Design Policy encourage innovative and high quality design, which, while cognisant of the traditional patterns present in the existing context, will make a contemporary contribution to fulfilling the 'Built Form' objectives.

The proposal has been assessed against the City Planning Scheme No. 2 (CPS2), Goderich Design Policy (6.3) and relevant Residential Design Codes requirements as summarised below, with non-compliances highlighted in bold:

Development Standard	Proposed	Required / Permitted
Maximum Plot Ratio:	3.0:1 (1,236m ²)	3.0:1 (1,236m ²)
Maximum Street Building Height:		
Forrest Avenue	14.7 metres	14 metres
Wellington Street	21.7 metres	21 metres

Development Standard	Proposed	Required / Permitted
Maximum Building Height:	29.5 metres	No prescribed limit
Setbacks:		
Front (Forrest Avenue)	4 to 4.5 metre setback up to 14.7 metres in height then a 7 to 10.7 metre setback to a height of 29.5 metres	4.5 metre setback up to the maximum street building height (14 metres) followed by a 9.5 metre setback up to a height of 65 metres and then a 14.5 metre setback with no prescribed maximum building height limit
Secondary Street (Wellington Street)	Nil setback up to 21.7 metres in height then a nil to 5 metre setback to a height of 29.5 metres	Nil setback up to the maximum street building height (21 metres) followed by a 5 metre setback up to a height of 65 metres and then a 10 metre setback with no prescribed maximum building height limit
Side (west)	Nil (no openings) to 2 metres (with openings and balconies)	3 metres (no openings/balconies) up to 65 metres in height 4 metres (with openings/balconies) up to 65 metres in height
Side (east)	2 metres (with openings/balconies)	3 metres (no openings/balconies) up to 65 metres in height 4 metres (with openings/balconies) up to 65 metres in height
Car Parking:		
Residential	17 bays	15 bays (minimum)
Visitor	Nil	4 bays

Development Standard	Proposed	Required / Permitted
Bicycle Parking:		
Bicycle Bays	6 bays	6 bays (minimum)

Variations to the street building height, setback and car parking provisions applicable to the development can be granted by an absolute majority decision of the Council, in accordance with Clause 47 of the CPS2 and provided that Council is satisfied that:

‘47(3)(d)(i) if approval were to be granted, the development would be consistent with:

- (A) the orderly and proper planning of the locality;*
- (B) the conservation of the amenities of the locality; and*
- (C) the statement of intent set out in the relevant precinct plan; and*

(ii) the non-compliance would not have any undue adverse effect on:

- (A) the occupiers or users of the development;*
- (B) the property in, or the inhabitants of, the locality; or*
- (C) the likely future development of the locality’.*

COMMENTS:

Consultation

The proposal was advertised to the owners of the adjacent properties for a period of 14 days, closing on 25 February 2015. One submission was received from an owner within the apartment complex at 60 – 64 Forrest Avenue, which is located to the south east of the subject site. The submission stated:

“Our building (60-64 Forrest Avenue) is located on the southern side of 63 Forrest Avenue, the increased height of the new apartment from 14m to 15m and reducing the setback distance will cause overshadow issues for our building, in particular on the lower level units. Thus, as a member of the Council of Owners of 60-64 Forrest Avenue, I am strongly against the variations to the height and setback requirements of 63 Forrest Avenue.”

A review of the proposal’s overshadowing extent has confirmed that the overall height of the proposed development will lead to some overshadowing of the existing building located at 60-64 Forrest Avenue, but this will be restricted to some of the ground floor units and will only occur for a limited time during mid-winter. The one metre increase in the street building height will not have an impact on the existing residential development. This is therefore considered minor and requiring a minor reduction in height and greater setbacks for the development will not reduce its overshadowing impacts on the existing residential complex.

Design Advisory Committee

The proposal was considered by the Design Advisory Committee (DAC) at its meeting held on 29 January 2015. The DAC advised that it:

- “1. acknowledges the design response to the constrained site, but notes that the Goderich Design Policy calls for innovative and high quality design solutions and considers that further consideration needs to be given to the composition of the building, noting its context and prominent visibility from Wellington/Plain Streets, in order to warrant support for the setback and street building height variations;*
- 2. suggests that the applicant continues to refine the design in consultation with the City’s officers, to improve the general design and aesthetic quality of the development with particular attention to the eastern façade and the layout of the apartments.”*

The applicant subsequently met with Officers and submitted revised plans that aim to address the abovementioned issues. The planning assessment section below details the extent to which the revised plans respond to the design matters raised by the DAC.

Building Design, Materials and Finishes

The proposed design of the development has been modified to address the specific concerns of the DAC. In particular, increased setbacks to the south-western portion of the site, the addition of contrasting materials and finishes and refinement of the types and location of glazing have assisted in breaking up the expanse of the development and adding interest to its design. Through the process of revising the design the applicant has been able to incorporate additional floor area. This has resulted in a net increase of one unit but the maximum plot ratio for the site has not been exceeded. The additional floor area to the top of the building, incorporating increased southern setbacks, has resulted in a more slender building composition.

The proposed development is contemporary in design with a variety of materials, finishes and colours being used to accentuate features and minimise the impact of different elements of the building. The façades of the building have been articulated with vertical elements, varied window typologies and angled horizontal features to reduce the overall bulk of the building. A mix of contrasting render/precast and painted concrete finishes, glass, aluminium glazing systems, timber cladding and metal louvres have been used to articulate the facades to Forrest Avenue and Wellington Streets. The proposed use of materials, colours and finishes is considered to be consistent with the Goderich Design Policy.

In accordance with DAC's comments, the applicant has also revised the internal layouts of the apartments to improve their efficiency and amenity for future occupants. This has been achieved by increasing the dimensions of living areas, modifying all balconies to be a minimum of 10 square metres, reducing the amount of

internal walls to 'open' the apartment spaces and internalising bathroom and laundry areas to ensure habitable areas gain better access to natural light and ventilation.

Building Height and Setbacks

In accordance with the Goderich Street Design Policy (6.3), the site has no prescribed maximum height limit however maximum street building heights are applicable. The Policy prescribes a maximum street building height of 29 metres along Forrest Avenue, however where side setback variations are sought, the maximum street building height is reduced to a maximum of 14 metres. Given the proposed development is seeking side setback variations, the latter 14 metre maximum street building height applies. For the Wellington Street frontage, a maximum street building height of 21 metres is permissible. The proposed development includes minor variations of 0.7 metre above the prescribed maximum street building heights. The minor variations are considered to be consistent with the existing (and future) streetscape and will not be dominant or imposing within the streetscape. The variations can therefore, be supported based on the design satisfying the requirements of Clause 47 of the CPS2.

Whilst a small portion of the building encroaches to four metres from the front boundary, the majority achieves the 4.5 metre setback requirement. The upper levels are setback between seven to 10.7 metres from the front boundary which is also a variation to the 9.5 metre setback requirement of the Policy. The objectives of the Policy have generally been satisfied given the encroachments are balanced by greater setbacks in some areas of the frontage which therefore reduces the impact on the adjacent street environment.

The nil setback for the podium levels of the development along the Wellington Street frontage is consistent with the requirements of the Policy. However the upper levels are setback between nil and five metres, which represents a variation to the Policy requirement of a five metre minimum setback from the front boundary above the prescribed maximum street building height. The variation is considered to be acceptable in terms of the Policy requirements in this case as the combination of the angled frontage of the site and the encroachments not being uniform in shape effectively lessens the impact of the reduced setback. The variation would also not detract from the existing streetscape noting the inconsistent building setbacks along this portion of Wellington Street.

Variations are proposed to the east and west three metre and four metre side setback requirements of the Policy. It is noted however, that given the width of the subject lot, a compliant development could only achieve a building width of five metres which would be impractical. Therefore the variations to the side setbacks prescribed by the Policy can be considered subject to the appropriate objectives of the Policy being met.

In this instance the proposed eastern side setback variation is considered to generate less of an impact than the western setback variation as a Western Power substation neighbours the property to the east. Whilst the substation is unlikely to be redeveloped in the short to medium term, consideration still needs to be given to

appropriately responding to this boundary. Openings and balconies have been provided on the eastern elevation to maximise views, solar access and ventilation given the low scale of the substation site and the prominence of the subject site on the Forrest Avenue and Wellington Street intersection. The two metre setback to the eastern boundary can therefore be supported in accordance with Clause 47 of CPS2 given the objectives of the Policy will not be compromised by the reduction.

The proposed western side setback of nil to two metres is, by contrast, a more significant variation. The adjacent residential building located to the west at 61 Forrest Avenue has an existing four level parapet on the northern portion of the site which abuts the subject site for approximately a third of its length. The nil setback of the proposed development within this area of the site is therefore considered acceptable given it will not have an impact on the adjoining site. The setback variations to the remainder of the site are not considered to impact on the visual privacy of the adjoining property given that all apartments have been designed to front in either a northerly, easterly or southerly direction. Given the irregular shape and narrowness of the subject lot, the proposed development will not impact on the visual privacy of adjoining properties and the existing nil setback of the residential building to the west, it is recommended that the proposed setback variations be supported in accordance with Clause 47 of the CPS2.

Car Parking

The development is compliant with respect to resident car parking bay provision as prescribed by the Residential Design Codes (R-Codes). However, the R-Codes also require visitor parking bays be provided and for a development of this scale four visitor bays are required. It is considered that given the dimensions of the subject lot and noting the proposal exceeds the minimum resident car parking bay requirement via the use of car stackers, the requirement for visitor bays to be provided on site would be onerous. It is also considered that the expected demand for visitor parking from the development can be adequately provided for by the presence of on-street bays adjacent to the site. There is also a high level of public transport availability in the area including high frequency public transport services.

Heritage

The property is on the State Heritage Office's (SHO) assessment program (Place Number – 01974). As such the application was referred to the SHO for their review in regards to the heritage aspects of the development proposal. The Heritage Council's Register Committee considered the proposal and determined that:

“While the place may have some cultural heritage significance, it was unlikely that the place would meet the threshold for entry on the State Register of Heritage Places. If further information becomes available in the future, the Register Committee may reconsider this decision.”

In accordance with the above it is recommended that a photographic record of the existing development on site be submitted prior to demolition. This is based on the

age, design quality and condition of the existing buildings. This can be included as a condition of approval.

Conclusion

In response to the concerns of the DAC, the applicant has provided revised plans and elevations to improve the overall presentation and quality of the development.

The proposed ten level residential development is consistent with the Statement of Intent for the Goderich Precinct which is to be further developed as a residential neighbourhood. The proposed development is in keeping with the scale of development recently approved along Wellington Street and in accordance with the built form guidelines and principles of the City's Development and Design Guidelines Policy (4.1) and Goderich Street Design Policy (6.3).

The proposal is seeking variations to the street building height and setback requirements of the CPS2 however there are not considered to result in any adverse impact on adjoining properties or occupants and are therefore supported in accordance with Clause 47 of the CPS2.

Moved by Cr Butler, seconded by Cr Harley

That, in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, Council APPROVES BY AN ABSOLUTE MAJORITY the application for the demolition of the existing building and the construction of a ten level residential development containing 17 multiple dwellings and 17 car parking bays at 63 (Lot 2) Forrest Avenue, East Perth, as indicated on the Metropolitan Region Scheme Form One dated 18 August 2014, and as shown on the plans received on 25 February 2015, subject to:

- 1. the development being constructed with high quality and durable materials and finishes and to a level of detailing that is consistent with the elevations and perspectives received on 25 February 2015, with the final details of the design and a sample board of the materials, colours and finishes being submitted to the City for approval prior to applying for a building permit;***
- 2. air conditioner condensers not being permitted on the residential balconies where they affect the use or enjoyment of the balcony and being located or screened so they can not be viewed from the street or surrounding properties;***

(Cont'd)

- 3. any proposed external building plant, lift overruns, piping, ducting, water tanks, transformers, and fire booster cabinets being located so as to minimise any visual and noise impact on the adjacent developments and being screened from view of the street, including any such plant or services located within the vehicle entrance of the development, with details of the location and screening of such plant and services being submitted and approved prior to applying for a building permit;**
- 4. the proposed development being designed and constructed in such a manner that existing and future noise levels occurring between dwellings and from external noise sources and mechanical plant and equipment that could potentially affect future occupiers, can be successfully attenuated in accordance with the City Planning Scheme No. 2 – Residential Design Policy. Details of such noise attenuation measures shall be prepared by a qualified acoustic consultant and shall be submitted for approval prior to applying for the relevant building permit;**
- 5. a Waste Management Plan satisfying the City's waste collection requirements being submitted and approved prior to applying for the relevant building permit;**
- 6. the dimensions of all car parking bays, aisle widths, ramps and circulation areas complying with the Australian Standard AS/NZS 2890.1/2004;**
- 7. a minimum of one car bay being allocated to each multiple dwelling within the development, with all on-site residential car bays being for the exclusive use of the residents of the development and their visitors;**
- 8. a minimum of six secure bicycle parking facilities being provided designed and located in accordance with the requirements of the City Planning Scheme No. 2 – Policy 5.4 Bicycle Parking and End of Journey Facilities, with details of the design and location of these facilities being submitted and approved prior to applying for a building permit;**
- 9. all stormwater being contained on-site with details of the stormwater drainage being submitted to the City for approval prior to applying for a building permit;**

(Cont'd)

- 10. the proposed vehicle and pedestrian entry levels being consistent with the existing footpath levels with final details of the existing and proposed levels being submitted and approved prior to the submission of an application for a building permit;**
- 11. an archival record of the existing building being submitted to the City in A4 format including plans, elevations, sections, a written description and colour photographs of all internal and external architectural features, prior to applying for a demolition permit;**
- 12. in the event of the development not proceeding within six months of the demolition of the existing building on the site, the site is to be aesthetically fenced or landscaped to the satisfaction of the City in order to preserve the amenity of the area; to prevent unauthorised car parking and reduce dust and sand being blown from the site and shall be maintained in a clean and tidy state;**
- 13. a detailed landscaping and reticulation plan being submitted and approved prior to applying for a building permit, with the approved landscaping being installed prior to the occupation of the building and thereafter maintained to a high standard;**
- 14. a construction management plan for the proposal being submitted prior to applying for a building permit, detailing how it is proposed to manage:**
 - 14.1 delivery of materials and equipment to the site;**
 - 14.2 storage of materials and equipment on the site;**
 - 14.3 parking arrangements for contractors and subcontractors;**
 - 14.4 other matters likely to impact on the surrounding properties.**

The motion was put and carried

The votes were recorded as follows:

For: Crs Butler, Harley and McEvoy

Against: Nil

**PL46/15 HAY AND MURRAY STREET MALLS, ROAD RESERVE
IN FRONT OF 815 HAY STREET AND 300 MURRAY
STREET, PERTH – PROPOSED TEMPORARY THIRD
PARTY ADVERTISING TO EXISTING TELSTRA PAY
PHONES**

BACKGROUND:

SUBURB/LOCATION:	Hay and Murray Street Malls and the Road Reserve in front of 815 Hay Street and 300 Murray Street, Perth
FILE REFERENCE:	DA2014/5404
REPORTING UNIT:	Approval Services
RESPONSIBLE DIRECTORATE:	City Planning and Development
DATE:	6 January 2015
MAP / SCHEDULE:	Schedule 2 – Map of locations of proposed signage Schedule 3 – Images of current phones booths (Locations 1 to 9) Schedule 4 – Proposed signage and mock ups (Locations 5 and 7) Schedule 5 – Examples of proposed signage Schedule 6 – Signage specifications Schedule 7– Example of proposed signage with Telstra logo and colourful hoods
3D MODEL PRESENTATION:	N/A.
LANDOWNER:	City of Perth
APPLICANT:	Urbis Pty Ltd
ZONING:	(MRS Zone) Central City Area Zone (City Planning Scheme Precinct) – Precinct 5 Citiplace (City Planning Scheme Use Area) – Central City Area Zone
APPROXIMATE COST:	\$16,000

An application for third party advertising on 54 telephone booths in 41 locations in the city was submitted to the City on 31 July 2006. The application was not processed by the City beyond a preliminary assessment of the proposal as the application form was unsigned and a legal issue arose over who could sign the application as the 'owner' of the affected land. As Council did not determine the application, the applicant submitted the application to the State Administrative Tribunal (SAT) on 31 August 2006 to review both the preliminary matter of the signing of the application form and the application for the third party signage.

For the purpose of stating the Council's position to the SAT, the application was considered by the Council at its meeting held on **31 October 2006**. Council advised that it did not support the third party advertising for the following reasons:

- "1. *the proposed signage would add to the visual clutter of the locality;*
2. *the proposed signage would add to the proliferation of phone booths and advertising;*
3. *the proposed signage would create maintenance concerns."*

Following a SAT mediation session, the applicant submitted revised details for a number of the proposed sign locations. At its meeting held on **12 December 2006**, Council considered this revised proposal and resolved to advise the SAT that it did not support the application for third party advertising on the existing and new telephone pedestals in the Perth Central Area for the reason that the proposed signage was in contradiction of the City's Sign Policy.

As a consequence of the Council's rejection of the revised proposal, the SAT heard an appeal on 27 – 29 February 2007 and delivered its decision on 2 April 2007 dismissing the applicant's application for review. The SAT was of the opinion that the application would involve a form of development which is uncharacteristic of each locality and which would diminish the character and amenity of each area. The applicant subsequently appealed this decision to the Supreme Court which was also dismissed.

The installation or replacement of phone booths and the display of signs on phone booths that are limited to advertising telecommunication carriers and services are permissible under the *Telecommunications (Low-impact Facilities) Determination 1997* (made under the *Telecommunications Act 1997*) and are exempt from requiring the Council's planning approval.

At the Planning Committee meeting held on 27 January 2015, the Committee determined to amend condition 2 of the recommendation of approval as follows:

- "2. ~~the advertising signs being positioned on the telephone booths to allow for the Telstra 'hood' to be visible from all directions;~~ each telephone booth remaining clearly identifiable as a public pay telephone when viewed from any direction;"

The Planning Committee considered that the amendment provides clarity for the applicant. The applicant subsequently requested to withdraw the application from Council consideration to submit additional information to adequately address issues discussed at the Planning Committee meeting. The applicant has since submitted additional information regarding how it will ensure that the phone booths will be identifiable from all directions. This will be discussed further within the comments section of this report.

DETAILS:

Approval is sought for temporary approval for six months for sixteen signs in nine locations displaying third party advertising which will be located on existing Telstra pay phone booths. Four of these phone booths have existing telecommunication signs affixed to them and as such only require approval for the display of third party content.

In some locations where there are currently four pay phones arranged in back-to-back pairs, two of the phone booths will be removed to provide an opportunity to affix the signs to the backs of the remaining phone booths.

The advertising will have two to three messages (static) that are proposed to rotate every seven seconds. The size of the advertisement will be 1600mm in height, 800mm in width and 160mm in depth. Each sign will be internally illuminated and housed within an aluminium frame with toughened glass. The signage panels do not extend beyond the extent of the existing pay phone structures.

The nine locations (16 telephones), numbered in accordance with the plan submitted by the applicant indicating the locations of existing Telstra public telephones, are listed below:

No.	Location Description	Existing	Proposed	Signs Proposed
1	612 Hay Street Mall, near Barrack Street (Outside Man to Man) (South side of mall)	4 payphones, 2 east, 2 west. No signage.	2 payphones (1 west, 1 east), with sign behind each. Westbound sign closer to mall. Eastbound sign to footpath.	2
2	701 Hay St Mall (Outside Witchery Enex 100, opposite Carillon City) (South side of mall)	2 payphones, facing east. 2 signs, facing west.	2 payphones (1 east, 1 west), with sign behind each. Westbound sign closer to mall. Eastbound sign to footpath.	2
3	729 Hay Street Mall, near William Street. (Outside Flight Centre, Opposite Solid Gold) (South side of mall)	4 payphones, 2 east, 2 west. No signage.	2 payphones (1 west, 1 east), with sign behind each. Westbound sign closer to mall. Eastbound sign to footpath.	2
4	815 Hay Street, near King Street (Outside CBD bar / restaurant) (South side of street)	1 payphone, facing west 1 sign facing east.	As per existing, and replace existing static sign with scrolling sign.	1
5	300 Murray Street, near William Street. (Outside Moon and Sixpence) (North	1 payphone, facing east. 1 large Telstra sign/logo,	As per existing, affix scrolling sign (to face west)	1

No.	Location Description	Existing	Proposed	Signs Proposed
	side of street)	facing west.		
6	246 Murray Street Mall, near William Street. (Outside Forever New, near Perth Underground) (North side of mall)	4 payphones, 2 east, 2 west.	2 payphones, facing east. 2 signs, facing west (oriented toward Perth Underground)	2
7	223 Murray Street Mall, near Forrest Place. (Outside Zara) (South side of mall)	4 payphones, 2 east, 2 west.	2 payphones, facing west. 2 signs, facing east	2
8	183 Murray Street Mall. (Outside David Jones, western side) (South side of mall)	4 payphones, 2 east, 2 west.	2 payphones (1 west, 1 east), with sign behind each. Westbound sign closer to footpath. Eastbound sign to mall.	2
9	177 Murray Street Mall. (Outside David Jones, eastern) (South side of mall)	4 payphones, 2 east, 2 west.	2 payphones (1 west, 1 east), with sign behind each. Westbound sign closer to footpath. Eastbound sign to mall.	2

LEGISLATION / POLICY:

Legislation *Telecommunications (Low-impact Facilities) Determination 1997 as amended, made under subclause 6(3) of Schedule 3 of the Telecommunications Act 1997*

Policy

Policy No and Name: Policy 4.7 – Signs

COMPLIANCE WITH PLANNING SCHEME:

The Telstra public payphones are considered to be low impact facilities under the *Telecommunications Act 1997*. Under the Act, low impact infrastructure facilities and advertising relating to the facilities do not require planning approval however, the proposed third party advertising does require approval under the City Planning Scheme No. 2 (CPS2).

The subject sites are located within the City Centre Use Area of the Citiplace Precinct (P5). The Citiplace Precinct will be enhanced as the retail focus of the State offering a wide range of general and specialised retail uses as well as a mix of other uses such as residential and visitor accommodation, entertainment, commercial, medical,

service industry and minor office. The area centred on Hay and Murray Street malls will remain the retail and pedestrian core of the city.

The CPS2 Policy 4.7 – Signs sets out the City’s requirements for the erection and management of signs on or adjacent to buildings within the city. Policy 4.7 defines different types of signs and provides guidelines for their acceptable design and location. The signs are to be assessed in accordance with clause 9.9 of Policy 4.7 which considers the design excellence of the proposed sign and the degree to which it meets the policy’s objectives.

Third party advertising is defined under Policy 4.7 as:

- displaying the name, logo, or symbol of a company or other organisation that does not own or substantially occupy the site or building on which the advertisement is located; or
- for a product or service not provided on the site on which the advertisement is located; or
- for a product or service that does not form part of the signage displaying the name, logo or symbol; of a company or other organisation that owns or substantially occupies the site or building on which the advertisement is located; or
- for an activity or event not occurring on the site on which the advertisement is located.

Under the provisions of Policy 4.7, signs for general advertising purposes will be considered only where, having regard to the character of the area in which the sign is to be situated, Council is satisfied that the visual quality, amenity and safety of the area will be enhanced, or at the very least, not diminished. No sign may be erected so as to obstruct a view of traffic from a street or other public place such that it may cause a hazard to pedestrians or vehicles and hinder or obstruct pedestrian movement in any street or thoroughfare.

Policy 4.7 states that signs which contribute to the creation of a lively, colourful and stimulating pedestrian and retailing environment are appropriate in the Citiplace Precinct. Additionally the policy states that:

- signage should reflect the character of the area and its function as the retail core of the city;
- signs should be of high quality, visually interesting, and respond to the significant role of Hay and Murray Streets as major retail areas and public gathering spaces.

The Council, pursuant to Clause 43 of the CPS2, is to have regard to the strategic and statutory planning framework when making determinations. Variations to Policy 4.7 can be granted by an absolute majority decision of the Council, in accordance with Clause 47 of the CPS2 and provided the Council is satisfied that:

'47(3)(d)(i) if approval were to be granted, the development would be consistent with:

- (A) the orderly and proper planning of the locality;*
- (B) the conservation of the amenities of the locality; and*
- (C) the statement of intent set out in the relevant precinct plan; and*

(ii) the non-compliance would not have any undue adverse effect on:-

- (A) the occupiers or users of the development;*
- (B) the property in, or the inhabitants of, the locality; or*
- (C) the likely future development of the locality'.*

COMMENTS:

The applicant is aware of Council's and SAT's previous decisions in relation to third party advertising on phone booths in the city. This application seeks only a temporary, six month, approval for general advertising on pay phones within a targeted area of the city, being the retail core, where advertising, including third party advertising, is more prevalent than in some other city precincts. Locations adjacent to heritage places or within prestigious business areas and residential precincts have been avoided.

The temporary nature of the proposal is to enable Council to gauge public acceptance of the additional signs in addition to assessing the impact on the amenity of the locality, prior to seeking approval for any permanent installation of the advertising.

Signs Policy

Policy 4.7 requires that signs should reflect the character of the area and its function as the retail core of the city. The proposed signs will have a net increase of 12 signs which could add visual interest within the Mall areas and assist in promoting the area as a major retail precinct while taking advantage of the public gathering spaces within the Malls. The number of additional signs within the Malls is not considered to have a negative impact on the area, given the phone booths already exist.

In accordance with the Policy, signs are required to be assessed against the general (relevant) criteria below:

Response to location

Signs are required to be appropriate to their setting. In this regard, the signs will be positioned at pedestrian level and are of a pedestrian scale. The principal view of the signs will be by pedestrians walking on the street or in the Malls. The proportions of the sign appropriately replicate those of the payphone booth and will not add to congestion of the spaces.

Contribution to Local Character

It is considered that the signs will be compatible with the character of the area being a pedestrian retail focus area where advertising is prevalent. The signs will provide interest within the public realm whilst not detracting from the amenity of the area. There could be opportunity for local retailers to advertise at these locations and it is considered that the signs are consistent with the quality of the general locality and will not result in any detrimental impacts to views or to local amenity.

Variety and Interest

The Policy requires a sign to provide variety and interest while being appropriate to the building or site and to attract attention in a way that is well thought out and designed. In this regard, the signage will be either on the back of existing payphones or replacing existing payphones, none of which currently provide visual interest. The signs will be rotating to regularly vary the message, and will be frequently replaced with new advertising.

Community Expectations

While the Council previously did not support third party advertising on phone booths in the city on the basis that the signage would add to the visual clutter throughout the city, opinion has been changing to recognise that signage can contribute to city vibrancy. Both the Council and the community has demonstrated a greater acceptance of third party advertising. Given that the locations for the signs will be restricted and that advertising is regarded an integral part of any retail precinct or activity it is considered that the signs will be consistent with public expectations. Given the small number of additional signs they will not result in visual clutter, visual pollution or prevent any access to views.

It is recognised, however, that any sign content that might advertise suburban retail outlets or on-line shopping alternatives might raise objections from local retailers. The six month trial will provide the opportunity for any objections to be considered prior to any application for permanent third party signage being determined.

Safety

The proposed signage will not endanger the safety of the public by causing any obstruction to either pedestrians or drivers. However, it is considered that the signs that are located outside the Mall should be limited in the speed of rotations to reduce the impact the signs may have on distracting motorists. Furthermore it is recommended that these signs should not display any images that may be confused with traffic control or warnings, incident, traffic management or road safety or driver information messages. This could be addressed as a condition of any approval.

Design, Construction and Maintenance

The signs will be simple, clear and efficient with the content of the sign controlled by a signage management plan. All electrical components will be concealed and

ongoing maintenance of the signs will be undertaken by Adbooth including weekly cleaning and a 24 hour service to register any complaints or maintenance issues, in accordance with Adbooth's current contractual obligations applicable to 160 advertising panels that they already have on phone booths across the metropolitan area.

Third party advertising

Third party advertising will only be permitted where the Council is satisfied that the visual quality, amenity and safety of the area will be enhanced, or at the very least, ensures that it is not diminished. In this regard, sensitively designed and placed advertising is a common characteristic of any modern international city pursuing a visually interesting and vibrant built environment. The applicant has advised that the content of the advertising will be in accordance with the standards applicable to outdoor advertising to ensure it is not offensive or otherwise inappropriate and all signs will be regularly maintained and replaced to ensure the visual quality and amenity is maintained. It is considered the proposed third party signage meets the intent of the Policy.

Citiplace Precinct

It is considered the proposed signs meet the objectives of the Policy within the Citiplace Precinct by contributing signage at a pedestrian scale that will be engaging and stimulating to passers-by.

To ensure the pay phones are still visible from all angles, and not just perceived as advertising structures when viewed from the back, it is recommended that a condition be required on any approval stating that the signs be affixed so that the 'hood' of the Telstra phone booths, that displays the Telstra logo, be able to be seen from all directions.

Commercial Use of Public Space

Attracting revenue from the installation of the proposed signs helps Telstra to offset the maintenance costs of the public telephones and can lead to the retention of public phones in locations where they might otherwise be removed. While not a relevant planning consideration, the proposal to add commercial advertising to telecommunications infrastructure for the purpose of generating a revenue stream raises questions regarding the leasing of the public space by the City and opportunities for revenue sharing or alternative revenue sources for the City. These matters will be further investigated during the trial period.

Visibility of Phone booths

A concern has been raised that the phone booths will not be visible when viewed directly from the rear. This is specifically of concern for the phone booths at locations 4, 5, 6 and 7 given that the phone booths will not be facing in both directions.

To address the City's concerns to ensure easy identification of the phone booths from all directions the applicant has proposed that the Telstra "T" logo will be placed at the top of each advertising panel (refer to schedule 6). The applicant has advised that the provision of this logo will ensure pedestrians are aware that payphones are located behind the signage panels. It is recommended that a condition be imposed on the approval requiring the logo to be enlarged to a minimum of 0.2m² to increase the visibility of the phones from a reasonable distance.

The applicant has also advised that Telstra's payphones across Perth, starting with the Perth CBD will soon be installed with new 'hoods' to reflect Telstra's vibrant colour branding. The variety of pink, green, orange and aqua hoods will reinforce to pedestrians that the facility is associated with Telstra and therefore with telecommunications. This will be in addition to the highly visible pink wi-fi boxes which are already present on a number of payphones in the CBD, and will continue to be rolled out. These wi-fi boxes are appearing across the metropolitan area, and will increasingly be associated with payphones. The wi-fi boxes are placed well above the advertising panels and are visible from all angles.

Conclusion

Subject to the condition of the Telstra logo being increased in size, the revised proposal is considered to address Council's concern relating to the identification of the phone boots. The proposed third party advertising signage is considered to be compatible with the surrounding developments and the character of the city's retail core and is unlikely to have an adverse impact on the amenity of the locality. It is therefore recommended that the application be approved subject to appropriate conditions.

Moved by Cr Harley, seconded by Cr Butler

That, in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, the Council APPROVES by an ABSOLUTE MAJORITY¹ an application for sixteen temporary third party advertising signs affixed to the existing Telstra pay phones within Hay and Murray Street Malls, and the road reserve adjacent to 815 Hay Street and 300 Murray Street, as detailed on the Metropolitan Region Scheme Form One dated 4 December 2014, and as shown on the plans received on 5 December 2014 subject to:

- 1. the approval being valid for six months from the date of installation of third party advertising, after which all advertising, other than that related to telecommunication carriers and services, is to be removed until such time as the applicant obtains planning approval for the permanent display of third party advertising;***

(Cont'd)

¹ Administrative error corrected to include the words "by an ABSOLUTE MAJORITY".

- 2. *the telephone booths at locations 4, 5, 6 and 7 being provided with a Telstra logo with a minimum dimension of 0.2m² to the top of the advertising panel with detail of the logo being submitted for approval prior to installation of the signs;***
- 3. *a sign management strategy, detailing the on-going management of the signs including the control of advertising content and maintenance of the signs, being submitted for approval prior to installation of the signs;***
- 4. *a low level of illumination being used, and no part of the illuminated signs being flashing; and***
- 5. *the signs located outside the Hay and Murray Street Malls having a minimum 'dwell' duration of 20 seconds and not displaying advertising in a format that is normally used for traffic control or warning, incident or traffic management, or road safety or driver information messages, including red, green or yellow circles, octagons, crosses, triangles or arrows, red green or yellow lighting, or any other colours, shapes or lighting that could be mistaken for a traffic sign or traffic control signal.***

The motion was put and carried

The votes were recorded as follows:

For: Crs Butler and Harley

Against: Cr McEvoy

**PL47/15 989 (LOT 8) WELLINGTON STREET, WEST PERTH –
PROPOSED MIXED-USE DEVELOPMENT COMPRISING
12 MULTIPLE DWELLINGS, AN OFFICE TENANCY AND
13 CAR PARKING BAYS**

BACKGROUND:

SUBURB/LOCATION: 989 Wellington Street, West Perth
FILE REFERENCE: 2014/5344
REPORTING UNIT: Approval Services
RESPONSIBLE DIRECTORATE: City Planning and Development
DATE: 20 February 2015
MAP / SCHEDULE: Schedule 8 – Map and coloured perspectives for
989 Wellington Street, West Perth
3D MODEL PRESENTATION: A 3D Model for this application was made
available at the Planning Committee meeting.
ADDITIONAL INFORMATION: TRIM 36678/15

LANDOWNER: PD and CE Riva
APPLICANT: Doepel Marsh Architects and Planners
ZONING: (MRS Zone) Urban
(City Planning Scheme Precinct) West Perth (P10)
(City Planning Scheme Use Area)
Office/Residential
APPROXIMATE COST: \$2.5 million

SITE HISTORY:

The subject site is located on the southern side of Wellington Street, between Colin and Outram Streets, in West Perth with a right of way at the rear. It has a site area of 463m² and a frontage of 11.5 metres to Wellington Street. It is currently occupied by a single storey former dwelling that has been converted to an office.

DETAILS:

The applicant seeks planning approval to demolish the existing building on the site and to construct a nine storey building to accommodate an office tenancy and 12 multiple dwellings with car parking provided in car stackers to the rear. The details of the development are as follows:

Ground Floor Level	This level contains the primary residential entry to the building and an office tenancy (115m ²). The front setback area is landscaped and also accommodates a visitor bicycle rack and a bicycle rack for the occupants of the building. Six residential stores are located to the rear along with car stacker pits.
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Upper Ground Floor Level	This level contains the vehicular access to the car stacker and one at grade car bay via the right of way to the rear. The car stacker is to accommodate 12 vehicles. A further 6 residential stores and a bin store are also located at this level as well as a 13m ² terrace garden.
First Floor Level	A two bedroom dwelling (73m ²) is located at this level.
Second to Sixth Floor Levels	A one bedroom and a two bedroom dwelling (58 and 73m ² respectively) are located on each of these levels.
Seventh Floor Level	A two bedroom dwelling (73m ²) is located at this level.

LEGISLATION / POLICY:

Legislation	<i>Planning and Development Act 2005</i> City of Perth City Planning Scheme No. 2
Policy	West Perth Precinct Plan 4.1 City Development Design Guidelines 4.10 Residential Design Policy 5.1 Parking Policy 5.4 Bicycle Parking and End of Journey Facilities

COMPLIANCE WITH PLANNING SCHEME:

Land Use

The subject site is located within the Office/Residential area of the West Perth Precinct (P10) under City Planning Scheme No. 2 (CPS2). This area will provide for a wide range of office and residential activities together with restaurants (including cafes) and other uses which serve the immediate needs of the work force and residents and add to the area's vitality and attraction. The development of independent residential uses will be strongly encouraged.

Multiple dwellings ('Residential') and offices are preferred ('P') uses within the Office/Residential use area of the West Perth Precinct (P10). It is considered that the proposed uses are consistent with the intent of the Precinct and will be compatible with the surrounding land uses.

Development Requirements

Buildings within the Office/Residential use area shall be set in landscaped surrounds to create an open spacious character quite distinct from the continuous built edge of the primary office district in the city centre. Buildings shall be well set back from boundaries and evoke a sense of prestige, which should be further enhanced by permanent, in ground landscaping.

The proposal's compliance with the CPS2 development standards is summarised below, with non-compliances highlighted in bold:

Development Standard	Proposed	Required / Permitted
Maximum Plot Ratio:	1.99:1.0 (921m ²)	2.0 :1.0 (maximum 1.33 : 1.0 for use groups other than Residential or Special Residential)
Building Height:	28.3 metres	29 metres
Setbacks:		
<u>Front:</u>	3.7m (sunshades), 4.5 metres (main building)	4.5 metres
<u>Side (east):</u> Ground Floor	Nil	2 metres
Upper Ground Floor	Nil (car stacker and stairwell) and 2.25m (main building)	
First Floor	Nil (car stacker and stairwell), 1.5m (balcony) and 2.25m (main building)	
Second to Sixth Floor	Nil (stairwell), 1.5m (balcony), 2.25m to 3.0m (main building)	
Seventh Floor	Nil (stairwell), 1.5m (balcony), 3.0m (main building)	
<u>Side (west):</u> Ground Floor	Nil (main building) and 1.5m (stores)	2 metres
Upper Ground Floor	3m (stores) and 6m (car stacker)	
First Floor	1.3m to 4.5m (main building), 5.75m (car stacker)	

Development Standard	Proposed	Required / Permitted
Second to Seventh Floor	1.3m to 3.5m (main building)	3 metres
<u>Rear (right of way):</u>		
Ground to First Floor	Nil (car stacker).	
Second to Sixth Floor	6 metres (main building).	
Landscaping:	18.5% (86m²)	25% (116m ²)
Car Parking:		
Residential	12 bays	12 bays (minimum) 24 bays (maximum)
Commercial Tenant	1 bay	11 bays (maximum)
Bicycle Parking:		
Bicycle Bays	5 tenant bays 1 visitor bay	5 tenant bays (minimum)

Variations to the setback and landscaping provisions applicable to the development can be granted by an absolute majority decision of the Council, in accordance with Clause 47 of the CPS2 and provided the Council is satisfied that:

'47(3)(d)(i) if approval were to be granted, the development would be consistent with:

- (A) the orderly and proper planning of the locality;*
- (B) the conservation of the amenities of the locality; and*
- (C) the statement of intent set out in the relevant precinct plan; and*

(ii) the non-compliance would not have any undue adverse effect on:

- (A) the occupiers or users of the development;*
- (B) the property in, or the inhabitants of, the locality; or*
- (C) the likely future development of the locality'.*

COMMENTS:

Consultation

As the proposed development is seeking variations to the setback and landscaping standards of the CPS2 it was advertised to surrounding landowners from 15 November to 3 December 2014. These included the landowners of the following

properties: 985 to 993 Wellington Streets, 2 Douro Place and 18 Clive Street, West Perth.

Two submissions were received from the owners of 991 and 993 Wellington Street, West Perth. These properties are located immediately to the west of the subject site.

These submissions are summarised as follows:

- The nil setback of the ground floor level office tenancy from the western side boundary will result in loss of natural light to the building at 991 Wellington Street. The courtyard above this tenancy will add to the height of the wall on the boundary and cause privacy concerns as a result of overlooking.
- The residential apartments are setback only 2.25m from the western side boundary and will add to the overshadowing of 991 Wellington Street.
- The development does not meet the 25% landscaping requirement.
- The proposal does not indicate if any boundary fencing is proposed between the subject site and 991 Wellington Street.
- Objection is raised to any overshadowing that will affect 993 Wellington Street.

In response to the issues raised, the applicant has advised the following:

- *'The building on 991 (Wellington Street) has a finished floor level 2m higher than the commercial tenancy on 989 (Wellington Street), and furthermore is set back from the western boundary allowing natural light to penetrate.'*

'The finished height of the wall to the landscaped area is no higher than the eaves line of the existing building on 991 (Wellington Street). The landscaped area is for aesthetic purposes only and is not accessible by tenants (only maintenance), therefore there is no overlooking issue.'

- *'991 (Wellington Street) is north facing and the front glazing (the bulk of the building's glazing) will never be overshadowed. Furthermore the building on 991 (Wellington Street) is set back from western boundary far less than 2.25m, in the order of 900mm.'*
- *'The front setback has been increased from 4.5m to 8m to create extra landscaping which is 86m² instead of the required 115m². The landscape will be at footpath level and of a high standard which will make a positive contribution to the streetscape.'*
- *'There will be a colorbond fence to the boundary' between the subject site and 991 Wellington Street.*
- *'The glazing to 993 (Wellington Street) is north facing and west facing and will never be overshadowed by 989 (Wellington Street).'*

Design Advisory Committee

The application was considered by the Design Advisory Committee (DAC) at its meeting held on 29 January 2015. The DAC advised that it:

1. *“supports the design, noting that the proposed setback variations are an appropriate response to the narrow lot and are unlikely to impact on the intended character of the locality;*
2. *considers that the success of the development will depend on the quality of the materials and finishes and requests that details be submitted to ensure that a durable and high quality aesthetic result is delivered.”*

A standard condition of development approval can be imposed requiring the submission of a schedule of material, colours and finishes for approval prior to the submission of the building application.

Building Setbacks

The proposed development involves a number of variations to the prescribed setbacks under the CPS2 as follows:

Street Setback:

The proposed development complies with the required 4.5 metre street setback under the CPS2, with the exception of sun shades at the first to seventh floor levels. These sun shades extend 800mm into the street setback area to provide protection to the master bedrooms of seven of the dwellings. As the sunshades are minor structures which will assist with the energy efficiency of the building and will not notably add to the bulk and scale of the building or impact on the streetscape, the proposed setback variation can be supported.

Side Setbacks:

The subject lot is 11.5 metres in width. On lots which are 12 metres or less in width, the CPS2 allows for side setbacks to be reduced from the standard four metres to two metres. The proposed development involves setbacks to the eastern and western side boundaries which are less than two metres in certain locations.

On the eastern side at ground floor level the main building will have a nil setback and for the eight floor levels above this, the stairwell will have a nil setback. A balcony towards the front of the building for the first to seventh floors is to have a 1.5 metre setback. The car stacker to the rear of the site is also to have a nil setback at the upper ground floor and first floor levels. The remainder of the building will be setback between 2.25 and three metres in compliance with the requirements.

On the western side at the ground floor level, the main building is to have a nil setback. Above this, at the first floor to seventh floor levels, an angled fin wall will

have a 1.3 metre setback while the remainder of the building will be setback between two and three metres.

The applicant has provided the following justification for the side setback variations:

- *“The setback variations ensure that both the development on the subject site and the adjoining neighbours are not impacted upon with respect to restricting adequate daylight, direct sun and ventilation. Nor does the variation impact upon the subject site or adjoining neighbour’s amenity, as explained in more detail below.*
- *The design of the development has allowed for compliant to greater setbacks from the western boundary so as to orientate the building north. However, to allow for this and the fact the site is narrow, has resulted in reduced setbacks to the eastern boundary.*
- *The subject site is one of the first blocks of four to be developed to the current higher density provisions. The existing blocks either side are single residential homes. However, the building footprint that the subject site is proposing to be developed to will set good precedence for future development of similar bulk and scale. Whilst it is acknowledged that there are nil setbacks to the eastern boundary, particularly the entire height of the stairwell wall, the development abutting the eastern boundary can follow a similar building footprint as the subject site, stepping the building back from their western boundary so it can orientate openings north.*
- *The majority of the rear boundary walls on the ground floor are below natural ground level to cater for the car stacker pits.*
- *The reduced setbacks to the east elevation have been articulated by the staggering of setbacks and the building materials used which creates interest by breaking up the elevations bulk and dominance as viewed by the adjoining property to the east. Instead of the use of long blank walls which create dominance.”*

The proposed setback variations are largely at ground floor level with the variations above this being for minor sections of the building only, with limited impact on privacy, daylight and ventilation. The proposed side setback variations are considered to be a reasonable response to the 11.5 metre width of the lot. While the proposed side setbacks are less than the two metre minimum in some areas to achieve a functional building, they are also in excess of the two metres for significant portions of the building.

The setback variations proposed to the car stacker are necessary to accommodate parking for 13 cars on this narrow site which has a sewer line running across it 9.5 metres from the rear boundary. The impact is not likely to be significant as the stacker is to the rear of the site adjacent to car parking and blank walls on the adjoining sites and it will be aesthetically screened. Details of this screening can be

required as a condition of development approval to ensure that it will appropriately obscure the stacker and cars from view from the adjoining properties.

As indicated earlier in the report, one of the submissions received raised concern over the reduced setbacks of the development to the western boundary and the impact in terms of loss of natural light, privacy and overshadowing for the adjoining property at 991 Wellington Street. The other submission raised concern about any overshadowing to 993 Wellington Street.

The ground floor level has a nil setback to the western boundary with additional height above this to provide soil depth to a roof garden. As the site slopes up to the rear, the rear section of the ground floor level is below natural ground level although a 12 metre long section of wall will have a height ranging between two and 3.2 metres above natural ground level at the boundary. This height is close to the height of the gutter line on the single storey building on the adjoining property, which is setback approximately one metre. As a consequence, it is considered that reasonable access to natural light for the building at 991 Wellington Street will be maintained.

The roof garden is only intended to contribute to landscaping on site and will only be accessible for maintenance, so the privacy of the neighbouring property (No. 991) is not likely to be impacted. Above this, windows have been located and treated to provide a level of privacy which is appropriate to the inner city location of the site, with the non-compliance relating to an angled blank wall screening a bedroom window.

The extent of overshadowing which will be created by the proposed building is a product of its height, which is compliant with the maximum 29 metre height limit, rather than its proposed setbacks. A level of overshadowing is inevitable, particularly in winter, when sites are redeveloped to accommodate medium scale development as permitted in West Perth. The overshadowing created by the proposed developed is considered to be reasonable. It will largely impact the side and rear of adjacent properties for only a part of the day from August to April. It will not extend to 993 Wellington Street between 10.00am and 2.00pm from August to April.

Given all of the above, the proposed variations to the side setbacks are supported.

Rear Setbacks:

A three metre setback is required to the rear boundary under the CPS2 while the two levels of the car stacker above natural ground level are proposed to have a nil setback for a distance of 5.75 metres. This variation is considered to be reasonable given the difficulties in providing parking on this small site which is impacted by a sewer line. As the site adjoins a right of way to the rear the car stacker will be well separated from the building to the south and it will be screened with a feature metal material. Details of this material can be required as a condition of planning approval to ensure its appearance is appropriate and will adequately screen the stacker and cars.

Landscaping

Under the CPS2, a minimum of 25% landscaping is required on-site and must include a predominant portion of the street setback area. Only 18.5% (86m²) landscaping is proposed, all of which is to be located in the Wellington Street setback area with the majority being in ground soft landscaping. It is noted that while the proposed 13m² roof garden does not meet the definition of landscaping under the CPS2, it will be visible from the street to some extent and contribute to the greening of the site.

The proposed shortfall of landscaping was raised in one of the submissions received. In response the applicant explained that the front setback has been increased from 4.5m to 8m to create extra landscaped area and that it will be of a high standard to contribute to the streetscape. As the entire 86m² of landscaping will be in ground and at footpath level facing Wellington Street, it has the potential to make a significant contribution to the streetscape, which will be further supplemented by the roof garden. Given this and the small size of the site the proposed shortfall can be supported subject to a condition requiring the submission of a detailed landscape plan for approval.

Heritage

While the existing building on the site is not listed on the CPS2 Register of Places of Cultural Heritage Significance, it is on the City's database of places of possible heritage significance and has a construction date of 1903. For this reason it is proposed that a condition of approval be imposed requiring the submission of an archival record of the building to the City prior to demolition.

Conclusion

The proposed development will contribute to the residential and commercial activities in the West Perth Precinct. Although there are a number of setback variations and a variation to the landscaping provisions, the proposal generally satisfies the design intent for the West Perth Precinct and is considered to be an appropriate design solution for the small site which will not unreasonably impact on the amenity of the surrounding properties. It is therefore recommended that the proposal be supported subject to appropriate conditions.

5.58pm The A/Manager Governance departed the meeting.

6.00pm The A/Manager Governance returned to the meeting.

The Planning Committee agreed to insert a new part 2 in the Officer Recommendation as follows and to renumber subsequent parts accordingly:

2. the applicant being requested to consider the inclusion of rooftop gardens into the final design of the proposed development as the current proposal is considered to be a lost opportunity to provide more green space in the city;

Moved by Cr Harley, seconded by Cr McEvoy

That, in accordance with the provisions of City Planning Scheme No. 2 and the Metropolitan Region Scheme, Council APPROVES BY AN ABSOLUTE MAJORITY the application for the demolition of the existing building and the construction of a nine level mixed-use development containing 12 multiple dwellings, an office and 13 car parking bays at 989 (Lot 8) Wellington Street, West Perth, as detailed on the Metropolitan Region Scheme Form One dated 27 October 2014, and as shown on the plans received 25 February 2015 subject to:

1. ***final details including a sample board of the high quality and durable materials, colours and finishes for the proposed building being submitted and approved by the City prior to applying for a building permit;***
2. ***the applicant being requested to consider the inclusion of rooftop gardens into the final design of the proposed development as the current proposal is considered to be a lost opportunity to provide more green space in the city;***
3. ***an archival record of the existing building being submitted to the City in A4 format including plans, elevations, sections, a written description and colour photographs of all internal and external architectural features, prior to applying for a demolition licence;***
4. ***in the event of the development not proceeding within six months of the demolition of the existing building on the site, the site is to be aesthetically fenced or landscaped to the satisfaction of the City in order to preserve the amenity of the area; to prevent unauthorised car parking and reduce dust and sand being blown from the site and shall be maintained in a clean and tidy state;***
5. ***each dwelling being provided with a 4m² store room with a minimum internal dimension of 1.5m;***

(Cont'd)

- 6. the recommendations and other noise management measures (including the completion of further reports) contained in the Acoustic Report prepared for the mixed-use development by Lloyd George Acoustics on 26 February 2015, being implemented in full with details and plans of any required design modifications being submitted for approval by the City prior to undertaking the works;**
- 7. a maximum of 13 car parking bays being provided on-site, comprised of one commercial tenant car parking bay and 12 residential car parking bays, with one car bay being allocated to each multiple dwelling within the development and with all bays being for the exclusive use of tenants or occupants of the development and not being leased or otherwise reserved for use of tenants or occupants of other buildings or sites;**
- 8. the dimensions of all car parking bays, aisle widths and circulation areas complying with the Australian Standard AS/NZS 2890.1/2004;**
- 9. the existing vehicle crossover not required to provide access to this development being removed and the verge areas being reinstated by the developer to the City's specifications and at the owner's expense prior to occupation of the building;**
- 10. the car stacker being aesthetically screened to ensure that the stacker and cars will be screened from view from the adjoining properties, with details of the design and materials of the screen being submitted and approved by the City prior to applying for a building permit;**
- 11. a minimum of six secure bicycle parking bays being provided within the development in accordance with the requirements of the City Planning Scheme No. 2 Policy 5.4 Bicycle Parking and End of Journey Facilities, with details of the design and location of these facilities being submitted and approved by the City prior to applying for a building permit;**
- 12. the levels of the proposed pedestrian entry adjoining Wellington Street being consistent with the existing footpath levels with final details of the existing and proposed levels being submitted and approved by the City prior to applying for a building permit;**

(Cont'd)

- 13. *air conditioner condensers not being permitted on the residential balconies where they affect the use or enjoyment of the balcony and being located or screened so they can not be viewed from the street or surrounding properties;***
- 14. *any proposed external building plant, lift overruns, piping, ducting, water tanks, transformers, and fire booster cabinets being located so as to minimise any visual and noise impact on the adjacent developments and being screened from view of the street, including any such plant or services located within the vehicle entrance of the development, with details of the location and screening of such plant and services being submitted and approved by the City prior to applying for a building permit;***
- 15. *any signage for the proposed office tenancy being designed as an integral part of the development with details of all signage being subject to a separate application to the City for approval;***
- 16. *all stormwater being contained on-site with details of the stormwater drainage being submitted to the City for approval prior to applying for a building permit;***
- 17. *a detailed landscaping and reticulation plan being submitted and approved prior to applying for a building permit, with the approved landscaping being installed prior to the occupation of the building and thereafter maintained to a high standard;***
- 18. *a Waste Management Plan satisfying the City's waste collection requirements being submitted and approved prior to applying for the relevant building permit;***
- 19. *a construction management plan for the proposal being submitted prior to applying for a building permit, detailing how it is proposed to manage:***
 - 19.1 *the delivery of materials and equipment to the site;***
 - 19.2 *the storage of materials and equipment on the site;***
 - 19.3 *the parking arrangements for the contractors and subcontractors; and***
 - 19.4 *other matters likely to impact on the surrounding properties.***

The motion was put and carried

The votes were recorded as follows:

For: Crs Butler, Harley and McEvoy

Against: Nil

Reason: The Planning Committee agreed that it was appropriate that the applicant be requested to consider the inclusion of rooftop gardens into the final design of the proposed development as the current proposal is considered to be a lost opportunity to provide more green space in the City.

PL48/15 PROPOSED ADOPTION CP 8.0 – ENVIRONMENT POLICY

BACKGROUND:

FILE REFERENCE:	P1013010-6
REPORTING UNIT:	Sustainable City Development
RESPONSIBLE DIRECTORATE:	City Planning and Development
DATE:	19 February 2015
MAP / SCHEDULE:	Schedule 9 – City of Perth Environment Snapshot 2015 Schedule 10 – Proposed CP 8.0 – Environment Policy

At its meeting held on **22 September 1998**, Council approved Council Policy 8.2 – Environment Management. The policy was developed in response to community concern about the environment and increasing regulatory standards.

The policy statement was developed as a component of the Environment Management Plan 1998 – 2001 (EMP 1998) and directly referred to the EMP 1998 for its policy direction.

The City developed a City Environment Plan 2005-2008 (CEP 2005) to replace the EMP 1998. The Environment Management Policy was then updated to refer to the CEP for its policy direction.

When the CEP 2005 was out of date, the relevance of the policy diminished. At its meeting held on **11 December 2012**, Council approved the revocation of Council Policy 8.2 – Environment Management Policy.

Framework Development

A Strategic Environment Framework is currently being developed by the City, which will support and guide decision making to embed environmental considerations into City activities.

The framework is being developed to strengthen the impact and align the City's current and proposed activities towards common environmental objectives. The framework aims to:

- Provide clear connections on how the City's current and planned activities align to achieve environmental aspirations outlined in the Strategic Community Plan, Vision 2029+;
- Improve resource efficiency through alignment of objectives with human resources;
- Outline a clear direction and support for employee decision making;
- Maximise opportunities for collaboration;
- Clearly articulate to employees and the community what the City of Perth's position is regarding the environment; and
- Provide clear guidance on how the city is working towards achieving this.

The Framework will consist of three main components as follows:

Document		Description
1	Environment Policy	The policy will be the overarching mandate for the inclusion of environmental considerations into work practices.
2	Environment Strategy	The strategy will identify the strategic pathways the City will focus on which will provide the greatest benefit to the environment, city and the community.
3	Implementation Plan	The implementation plan will outline what actions the City will undertake within each of the strategic pathways to achieve the objectives of the policy and the Strategic Community Plan, Vision 2029+.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	Section 1.3 of the <i>Local Government Act 1995</i>
Integrated Planning and Reporting Framework Implications	<p>Corporate Business Plan Council Four Year Priorities: Living in Perth S11 Increase community awareness of environmentally sustainable ways of living</p> <p>Council Four Year Priorities: Capable and Responsive Organisation S18 Strengthen the capacity of the organisation</p> <p>Organisational Development Plan: S9 Environment – Lead on developing and managing</p>

the City's approach to strategic environment matters impacting the city and community.

DETAILS:

Evidence Base

To inform the development of a Strategic Environment Framework (the framework), the City undertook research on the City's current environmental performance, strengths and opportunities for improvement. Performance was assessed against the City's roles, and local, national and global best practice.

The research identified that the City is undertaking a number of activities and projects that aim to improve the environmental performance of the City. Refer to Schedule 9 for some of the key highlights.

The research has informed the development of the first component of the framework, being the Environment Policy. The strengths and opportunities identified in the research will be used to inform the development of the second and third components of the framework, the Environment Strategy and the Implementation Plan.

Policy

The proposed Environment Policy was developed in response to a recognised need for a clearly defined vision, dedicated leadership, innovative action and effective collaboration to ensure the city integrates environment consideration with social advancement and economic prosperity.

The purpose of the Environment Policy is to outline the high level aspirations for the environment, provide an overarching mandate that can assist City employees to embed environmental considerations into work practices and demonstrate the City's position on the environment to the community.

The key objective of the policy is that the City of Perth achieves environmental improvement while supporting its social and economic needs through equity and integration. Negative environmental impacts will be prevented, minimised and managed in city activities while creating and maintaining a resilient, diverse and attractive environment. The Perth environment will evoke pride, connection and a sense of place with its community.

An Environment Strategy will be developed in the next component of the framework which will assist the City to implement the aspirations of the Policy into activities. The Strategy will be an element of the City's Integrated Planning Framework.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CL 16260000
BUDGET ITEM:	Community Amenities – Protection of Environment – Other Environment Protection
BUDGET PAGE NUMBER:	9
BUDGETED AMOUNT:	\$968,945 (this component is \$63,160)
AMOUNT SPENT TO DATE:	\$348,980 (this component is \$6,053)
PROPOSED COST:	N/A
BALANCE:	N/A
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE OF LIFE COST:	N/A

All figures quoted in this report are exclusive of GST.

To date expenditure on this project has been \$6,053 for consultancy services to assist the City develop a robust environmental framework. \$70,000 has been approved in the 2014/15 financial year to progress the development of the framework.

COMMENTS:

The Environment Policy is the first step in developing an organisation wide approach to environmental sustainability. It will provide the mandate for employees to embed environmental considerations into City activities where it may not already be considered.

Moved by Cr Harley, seconded by Cr McEvoy

That Council:

- 1. endorses the City of Perth Environment Snapshot 2015, as detailed in Schedule 9, for public release to communicate key highlights of the City's work to date in improving the city's environment;***
- 2. notes the City's progress towards developing a Strategic Environment Framework for the City; and***
- 3. adopts CP 8.0 – Environment Policy, as detailed in Schedule 10.***

The motion was put and carried

The votes were recorded as follows:

For: Crs Butler, Harley and McEvoy

Against: Nil

**PL49/15 PROPOSED PRINCIPLES OF NEW CITY PLANNING
SCHEME NO. 2 PLANNING PROVISIONS AND POLICY
– HERITAGE ASSESSMENTS AND REGISTRATIONS**

BACKGROUND:

FILE REFERENCE:	P1030731
REPORTING UNIT:	Sustainable City Development
RESPONSIBLE DIRECTORATE:	City Planning and Development
DATE:	25 February 2015
MAP / SCHEDULE:	Confidential Schedule 11 – List and photos of places

The City Planning Scheme No. 2 (CPS2) includes Clauses 30, 31 and 32 which enable the Council to declare places and areas to be significant and worthy of conservation, and include them in the Register of Places of Cultural Heritage Significance (CPS2 Heritage Register). This power also includes the power to amend or revoke such declarations. The CPS2 Heritage Register currently contains 294 individual places and three Conservation Areas.

Under Section 45 of the *Heritage Act of Western Australia*, the City shall also maintain a Municipal Heritage Inventory (MHI) of buildings within the City which are, or may become, of cultural heritage significance. Whilst MHIs do not usually have statutory protection, the City's MHI is fully incorporated into the CPS2 Heritage Register, to create one register.

In addition to the CPS2 Heritage Register, the City also maintains a database of approximately 500 places that have been previously identified in existing surveys and studies as having potential heritage significance. The surveys and studies which informed the database included the Anglican Church Inventory, the Catholic Church Inventory, Classified by the National Trust, HWCA Assessment (Below Threshold for State Registration), Register of the National Estate and the Mount and Goderich Street Precinct Built Form Urban Design Studies. These places have not been assessed for inclusion in the CPS2 Heritage Register and do not have any statutory protection.

Whilst the CPS2 allows for planning policies to be made to support the CPS2 provisions there is currently no planning policy to guide Clauses 30, 31 and 32 in relation to the CPS2 Heritage Register, or Clause 43 and 48 which enable the Council to have regard to the cultural heritage significance of any land or building

affected by proposed development. Given this, the current heritage assessment practice focuses on landowner nominations only.

An Elected Member briefing session held on 28 October 2014 highlighted a need for a new planning policy to formalise the City's heritage assessment and registration process. The proposed approach to the policy was aimed addressing this gap in planning policy, particularly in relation nominations and demolition of potential heritage places. It was indicated that changes to the CPS2 would also be required to support a more transparent, rigorous and efficient heritage and assessments process. The City advised that it would report back to the Council on the matter in early 2015.

At its meeting held on **3 February 2015**, Council considered changes proposed to the *Planning And Development (Local Planning Schemes) Regulations 2014*. The changes include new deemed provisions which will require amendments and review of the existing CPS2 heritage provisions. Given this, it is considered premature to finalise the new assessments and registrations planning policy prior to the gazettal of the new regulations (expected 1 July 2015).

To ensure that the new policy is consistent with the revised and updated CPS2, there will be a delay in presenting the draft policy to the Council for approval. Whilst the policy is currently being drafted, the City proposes progressing assessments and registrations if nominated by the landowner, where a potential heritage building is the subject of a demolition application or where information already exists that suggests that a place may be of cultural heritage significance to the City.

This report expands on the information presented at the Elected Member briefing session held on 28 October 2014, considers possible changes to the CPS2 and identifies possible places for future heritage assessment and registration.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Planning & Development Act 2005 (WA)
State Planning Policy 3.5 Historic Heritage Conservation
Town Planning Regulations 1967
Heritage of Western Australia Act 1990
City Planning Scheme No. 2

Integrated Planning and Reporting Framework Implications

Corporate Business Plan

Council Four Year Priorities: Healthy and Active in Perth
S15 Reflect and celebrate the diversity of Perth.
15.3 Review and further develop the City's approach to the conservation, management and celebration of its cultural heritage.

Strategic Community Plan

Council Four Year Priorities: Community Outcome
Healthy and Active in Perth
A city with a well-integrated built and green environment in

which people and close families chose a lifestyle that enhances their physical and mental health and take part in arts, cultural and local community events.

DETAILS

The new heritage assessments and registrations planning policy will contain information and guidance applicable to the assessment and registration of heritage places and areas within the City, with specific reference to relevant CPS2 heritage provisions. Specifically, it will standardise the process to ensure that decisions are informed, rigorous, consistent and transparent.

The proposed objectives of the new planning policy will be to:

- To recognise and protect places and areas of cultural heritage significance within the City of Perth.
- Support clauses 30, 31 and 32 of the City Planning Scheme No. 2 which enable the Council to include heritage places and areas in the Register of Places of Cultural Heritage Significance.
- Support clauses 43 and 48 which enable the Council to have regard to the cultural heritage significance of any land or building affected by a proposed development, including those involving demolition.
- To provide clear procedural guidelines for adding, deleting or amending places on the Register of Places of Cultural Heritage Significance.
- To provide a framework and format for heritage assessments

Methodology

Identifying heritage places

The new policy will specify nomination requirements for any owner, community member or interested party wishing to nominate a place or area to be added to the CPS2 Heritage Register. If the landowner is not the applicant the landowner will be notified when a nomination has been received and when an assessment is progressed.

The policy will also provide a process for landowners wishing to apply for heritage registrations to be amended or deleted.

To enable the Council to consider the cultural heritage significance of any land or building affected by a Development Application involving demolition it is intended to include a requirement for a heritage assessment where demolition of a potential heritage place is proposed.

Currently the CPS2 gives Council the power to have regard to the cultural heritage significance of any land or building affected by a proposed development involving

demolition. If however the Deemed Regulations come into effect as proposed then this power could be removed unless otherwise agreed with the Department of Planning.

Progressing Assessments

Receipt of a nomination will not automatically mean that an assessment will be undertaken. Priority assessments will include those places nominated by the landowner, potential heritage places which are the subject of a demolition application and those where existing information suggests that a place is likely to be of cultural heritage significance to the City.

It is proposed that assessment priorities will also be set by the Council and may include places that are included on another heritage list or survey which has been prepared by a professional heritage agency (such as the State Heritage Office or the National Trust) and/or have a construction date that indicates possible heritage significance.

Heritage Assessment Criteria and Levels of Significance

To be considered for entry into the Scheme Register the cultural heritage significance of a place must be demonstrated. The following process for determining significance will be adopted:

- Assess against standard assessment criteria established by the State Heritage Office;
- Recognise condition, integrity and authenticity;
- Prepare statement of significance (summary of values);
- Assign level of significance and associated management category.

An assessment documentation template will standardise assessments in accordance with the above and results of the assessment will be used to inform consistent recommendations to the Council.

The City is also investigating options for including a peer review as part of the assessment process, to provide independent technical advice and recommendations to the Council in respect to heritage assessments.

Adding, Deleting and Amending Register Entries

The CPS2 enables the Council to declare heritage places and areas and revoke any declarations. The new policy will provide specific guidance around this, particularly given that places could be nominated and subsequently declared without owner support. In this regard the City is investigating if an appeal mechanism for landowners to appeal Council decisions exists or can be introduced.

The assessment criteria will guide the Council to ensure that only those places with identified cultural heritage significance are included in the Heritage Register. In cases where the landowner is not the nominee, landowners will have sufficient opportunity

to make a submission on a proposed registration which will be considered by the Council when it determines the matter.

The new policy will also enable only the landowner or the Council to propose removal of or amendment to a registration. Such proposals must demonstrate that the registration no longer adequately satisfies the criteria or that amendment is appropriate.

The Council may consider deleting a place from the register where:

- A place has been demolished or substantially destroyed to the extent that its cultural heritage significance is significantly diminished or lost;
- It has been adequately demonstrated by a qualified heritage consultant that the cultural heritage significance of a place has changed to the extent that it no longer meets the threshold for inclusion in the Heritage Register.

The Council may consider amending a heritage assessment where a qualified heritage consultant identifies proven errors in existing assessment documentation.

Associated CPS2 Amendments

The following possible amendments to the CPS2 are being investigated as part of the preparation of the new planning policy:

Possible Amendments	Rationale
Include a definition for heritage place	Whilst the CPS2 includes a definition for conservation area, there is currently no definition in the CPS2 for a heritage place.
Requirement for heritage assessment where a development application involves demolition of a potential heritage place.	Enables to the Council to consider the cultural heritage significance of a place prior to demolition.
Independent Peer Review	Provide the Council with high level independent technical advice on heritage assessments.
Enable the Council to defer (or consider concurrently) an application involving demolition until where a heritage assessment is required.	Enable the Council to have regard to the cultural heritage significance of any land or building affected by a proposed application that involves demolition.
Delete requirement for owner consultation where owner has made nomination for place to be included in the Heritage Register	Owner submission is not necessary where owner has already indicated support for the proposed heritage registration.
Remove requirement for special planning policy where existing heritage planning policy is considered adequate.	Where no additional policy is required for new conservation areas do not create new planning policy (avoids duplication).

Draft Planning and Development (Local Planning Schemes) Regulations 2014

At its meeting held on **3 February 2015**, Council considered a report regarding the proposed draft *Planning and Development (Local Planning Schemes) Regulations 2014*. The regulations include new deemed provisions which will automatically apply on gazettal of the Regulations (expected 1 July 2015).

The deemed provisions are generally administrative in nature, however include the following changes to the CPS2 in relation to heritage assessment matters:

- Require a heritage list to set out a description of each place and the reason for its entry;
- Replace term 'Conservation Area' with 'Heritage Area';
- Require a sign giving notice of a proposed heritage area to be erected in the subject heritage area;
- Enable the Council to require a heritage assessment to be carried out prior to the approval of any development proposed in a heritage area or in respect of a heritage place;
- Delete requirement for Development Application approval prior to demolition. Demolition to be exempt from requirement for Development Application prior to approval (unless a heritage place or within heritage area).

It is not yet clear whether the existing CPS2 heritage provisions will remain or be replaced by the deemed provisions.

New Planning Policy

Given that the new policy may require amendments to the CPS2 as part of finalising the new policy, and the proposed deemed provisions remains unresolved, it is considered premature to finalise the new heritage planning policy.

It is therefore proposed to delay finalisation of the draft Heritage Assessments and Registrations Policy to ensure that any new policy and associated CPS2 Amendments are consistent with the revised and updated CPS2, particularly the required deemed provisions.

Interim Heritage Assessments

Given the above, in the interim the City proposes to progress heritage assessments and registrations in accordance with the above methodology where:

- A Landowner nomination is received;
- A development application involving demolition is received for a potential heritage place. Potential heritage places in this context includes those places included in the database of potential heritage places and any other places that have a construction date that indicates possible heritage significance; and

- Information exists to suggest that place may be of cultural heritage significance to the City.

At this stage the City will not progress heritage assessments where a non-landowner nomination is received.

In accordance with the above, the City has prepared a list of heritage places that have been identified for further investigation on the basis that they are have a construction date prior to 1940 and have been classified by the National Trust and/or where the Heritage Council has determined that the place does not meet the threshold for entry into the State Register (refer to Confidential Schedule 11).

The City wishes to compile assessment documentation of these places in the context of the State Heritage Office's assessment criteria and consult with the owners with respect to the possibility of listing the properties in the City's Heritage Register. The assessments and results of consultation will be presented to the Council for a decision on whether the possible registration should progress to formal owner consultation in accordance with the CPS2 requirements or not.

FINANCIAL IMPLICATIONS:

The financial implications of this report relate to officer time to compile documentation, consultant with owners and report to Council, and postal stationary associated with owner consultation.

COMMENTS:

A new heritage and assessments planning policy will provide guidance and support to the CPS2 which enables the Council to register places and areas of cultural heritage significance. The new policy will:

- Demonstrate best practice and commitment to heritage management;
- Informed, rigorous, consistent and transparent approach;
- Compliance with heritage legislation; and
- Meet the City's Corporate Business Plan objective 15.3.

Once the Western Australian Planning Commission has finalised the draft *Planning and Development (Local Planning Schemes) Regulations 2014* the City will be informed of what changes will be required to the CPS2. Given this, and that possible CPS2 Amendments are also being investigated as part of finalising the new policy, it is considered premature to finalise the new heritage planning policy.

In the interim the City will only progress heritage assessments where a landowner nomination or development application involving demolition has been received, or where information suggests that a place may be of cultural heritage significance to the City. In each instance the Council will determine when an assessment will

progress to the formal owner consultation stage prior to a declaration being made, which is a current CPS2 requirement.

Moved by Cr Harley, seconded by Cr McEvoy

That Council;

- 1. notes that the draft Heritage and Registrations Planning Policy will be presented to Council after the Western Australian Planning Commission finalises the draft Planning and Development (Local Planning Schemes) Regulations 2014;***
- 2. approves further assessment, and consultation with affected landowners, of those properties detailed in the attached Confidential Schedule 11 for the purposes of possible inclusions in the City Planning Scheme No.2 Register of Places of Cultural Heritage Significance.***

The motion was put and carried

The votes were recorded as follows:

For: Crs Butler, Harley and McEvoy

Against: Nil

PL50/15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

PL51/15 GENERAL BUSINESS

Responses to General Business from a Previous Meeting

Nil

New General Business

Nil

PL52/15 ITEMS FOR CONSIDERATION AT A FUTURE MEETING

Outstanding Items:

- Proposed Design and Presentation Standards Policy (Raised 26/03/13, Updated 12/11/13, 11/02/14 and 27/01/15).
- Fire Service Requirements for Development Applications (Raised 06/05/14).
- Recycling Initiative at Events (Raised 17/02/15)

PL53/15 CLOSE OF MEETING

There being no further business the Presiding Member declared the meeting closed at 6.36pm.

**SCHEDULES
FOR THE MINUTES OF THE
PLANNING COMMITTEE
MEETING HELD ON
10 MARCH 2015**



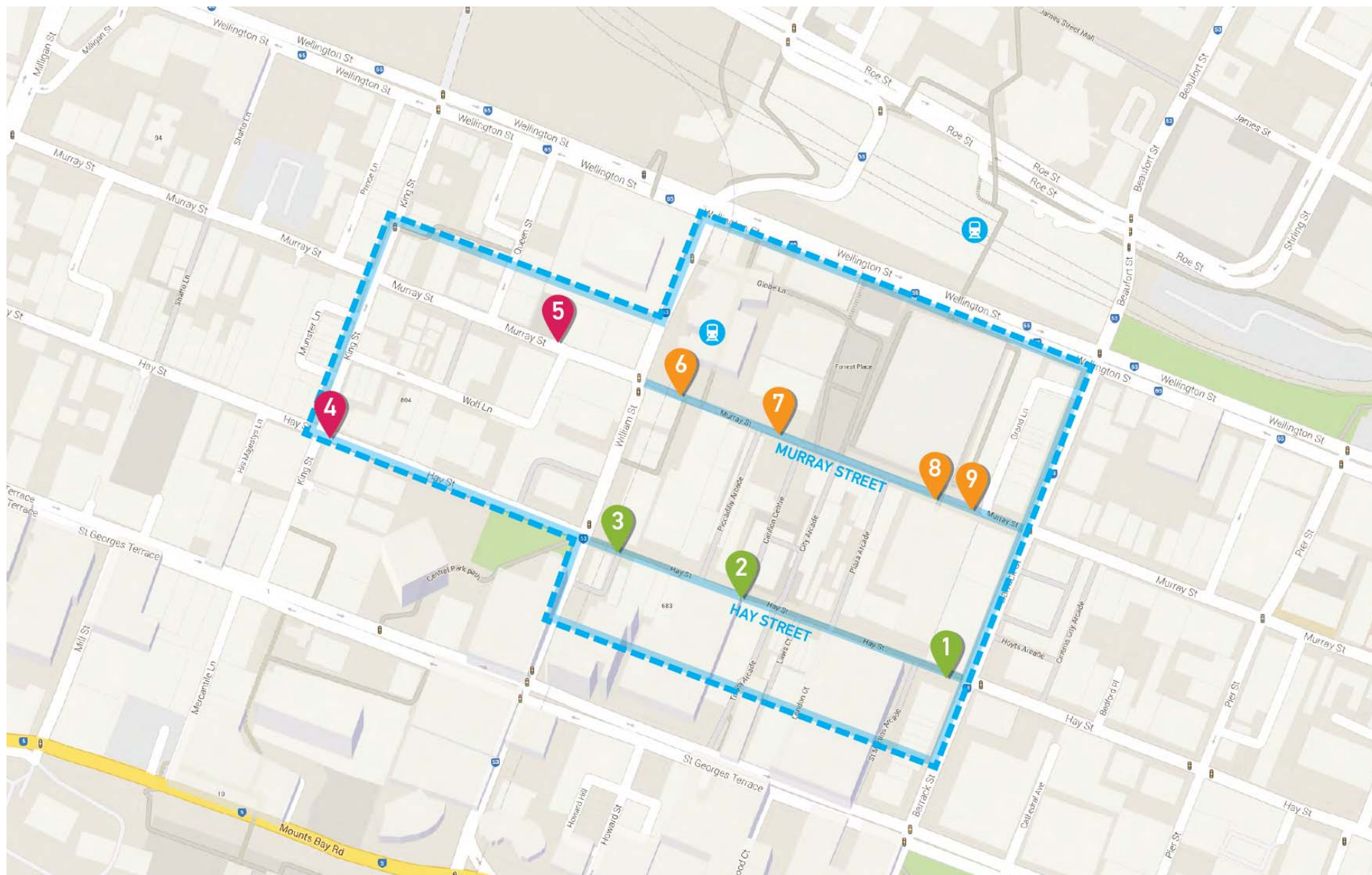
14/5275; 63 (LOT 2) FORREST AVENUE, EAST PERTH



**14/5275; 63 (LOT 2) FORREST AVENUE, EAST PERTH
(PERSPECTIVE 1 – FORREST AVENUE)**



**14/5275; 63 FORREST AVENUE, EAST PERTH
(PERSPECTIVE 2 – WELLINGTON STREET)**



**14/5404; HAY AND MURRAY STREET MALLS AND THE ROAD RESERVE IN FRONT OF 815 HAY STREET
AND 300 MURRAY STREET, PERTH**



14/5404; HAY AND MURRAY STREET MALLS AND THE ROAD RESERVE IN FRONT OF 815 HAY STREET AND 300 MURRAY STREET, PERTH



2 LOCATION 2

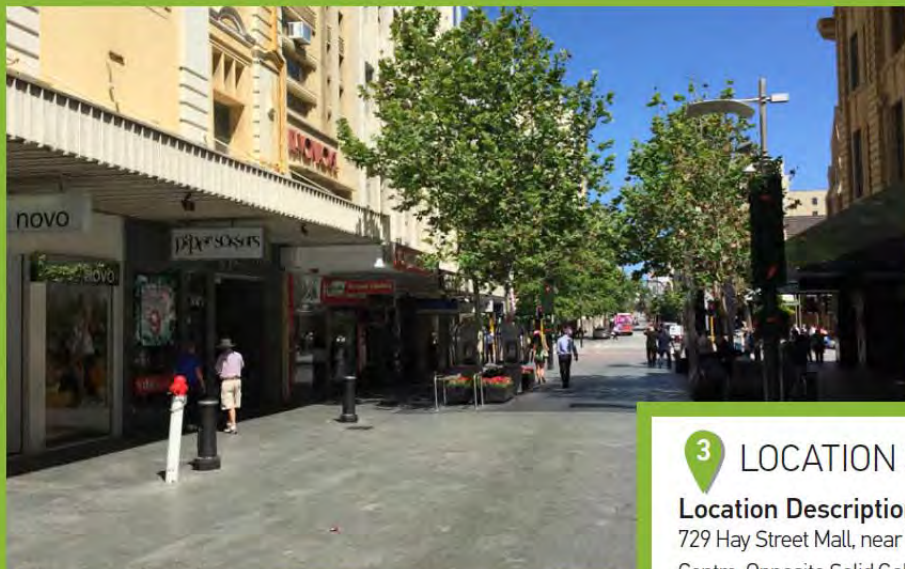
Location Description:

701 Hay St Mall (Outside Witchery Enex 100, opposite Carillon City) (South side of mall)

Proposed Signage:

2 payphones (1 east, 1 west), with sign behind each.
Westbound sign closer to mall.
Eastbound sign to footpath.





3 LOCATION 3

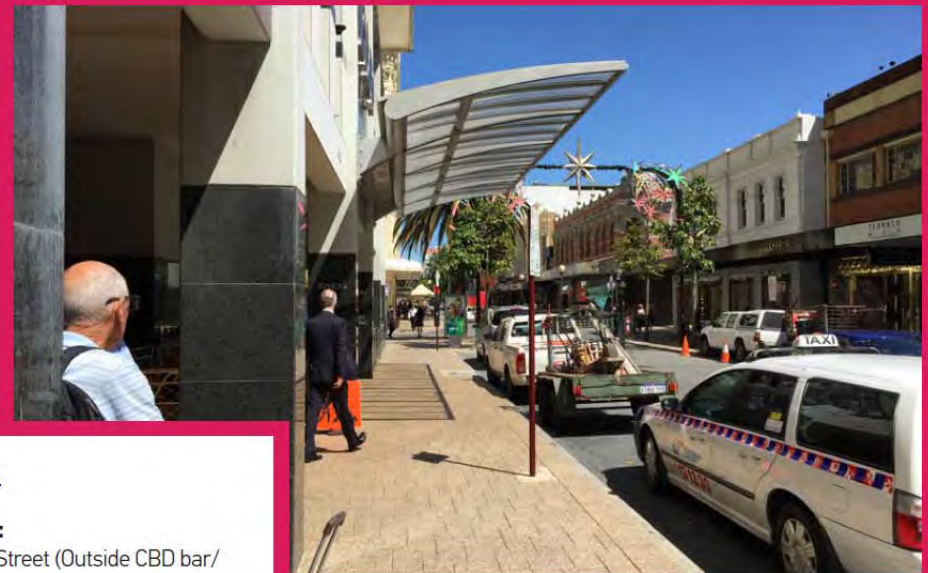
Location Description:

729 Hay Street Mall, near William Street (Outside Flight Centre, Opposite Solid Gold) (South side of mall)

Proposed Signage:

2 payphones (1 west, 1 east), with sign behind each.
Westbound sign closer to mall.
Eastbound sign to footpath.





4 LOCATION 4

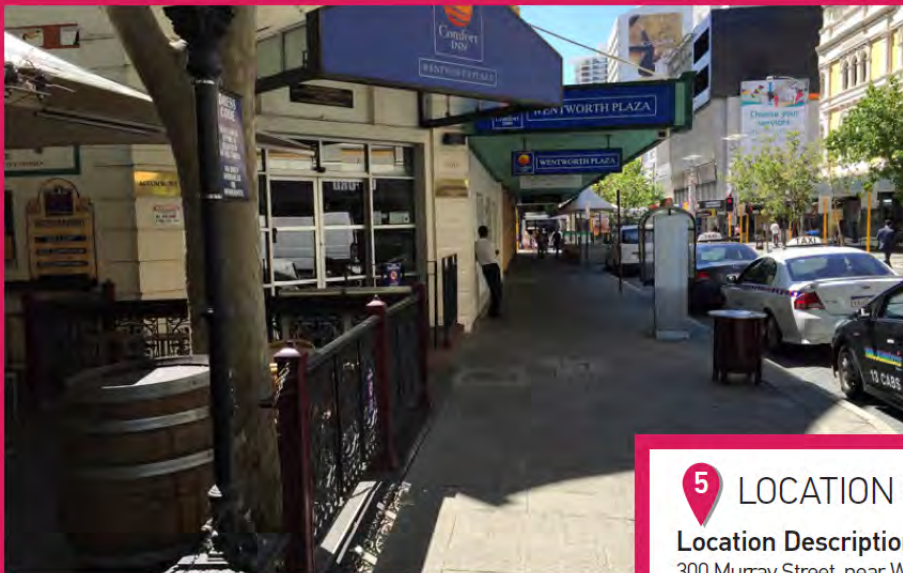
Location Description:

815 Hay Street, near King Street (Outside CBD bar/restaurant) (South side of street)

Proposed Signage:

As per existing, and replace existing static sign with scrolling sign.





5 LOCATION 5

Location Description:

300 Murray Street, near William Street (Outside Moon and Sixpence) (North side of street)

Proposed Signage:

As per existing, affix scrolling sign (to face west)





6 LOCATION 6

Location Description:

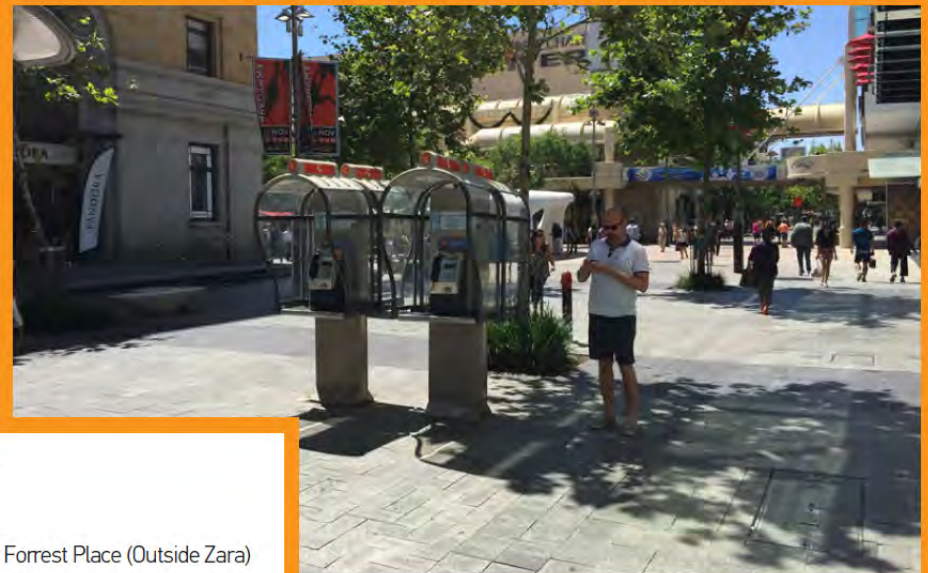
246 Murray Street Mall, near William Street (Outside Forever New, near Perth Underground) (North side of mall)

Proposed Signage:

2 payphones, facing east.

2 signs, facing west (oriented toward Perth Underground)





7 LOCATION 7

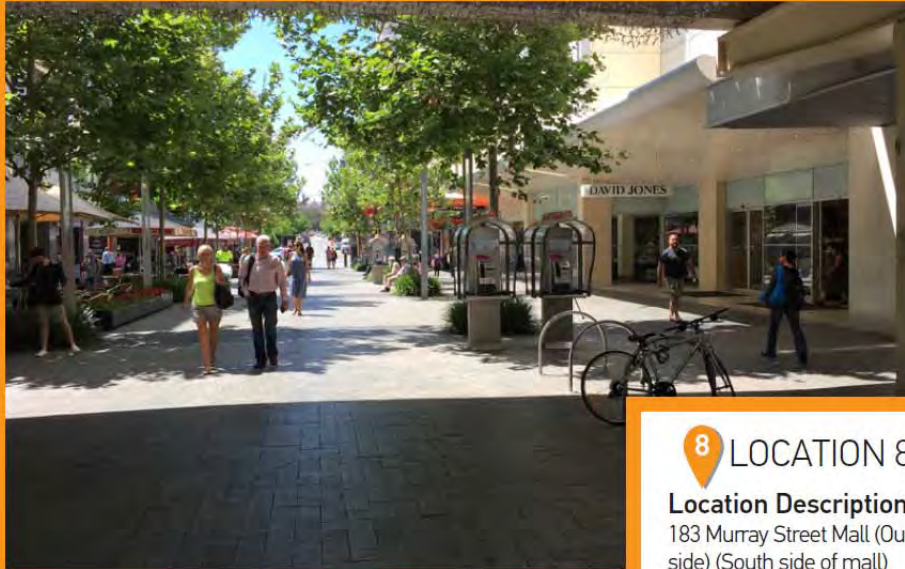
Location Description:

223 Murray Street Mall, near Forrest Place (Outside Zara)
(South side of mall)

Proposed Signage:

2 payphones, facing west.
2 signs, facing east





8 LOCATION 8

Location Description:

183 Murray Street Mall (Outside David Jones, western side) (South side of mall)

Proposed Signage:

2 payphones (1 west, 1 east), with sign behind each.
Westbound sign closer to footpath.
Eastbound sign to mall.





9 LOCATION 9

Location Description:

177 Murray Street Mall (Outside David Jones, eastern)
(South side of mall)

Proposed Signage:

2 payphones (1 west, 1 east), with sign behind each.
Westbound sign closer to footpath.
Eastbound sign to mall.



5 LOCATION 5

Location Description:

300 Murray Street, near William Street (Outside Moon and Sixpence) (North side of street)

Proposed Signage:

As per existing, affix scrolling sign (to face west)



14/5404; HAY AND MURRAY STREET MALLS AND THE ROAD RESERVE IN FRONT OF 815 HAY STREET AND 300 MURRAY STREET, PERTH

7 LOCATION 7

Location Description:

223 Murray Street Mall, near Forrest Place (Outside Zara)
(South side of mall)

Proposed Signage:

2 payphones, facing west.
2 signs, facing east





14/5404; HAY AND MURRAY STREET MALLS AND THE ROAD RESERVE IN FRONT OF 815 HAY STREET AND 300 MURRAY STREET, PERTH

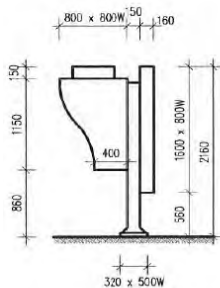
Example of Existing Asset



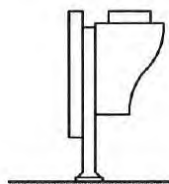
Example of Existing Asset



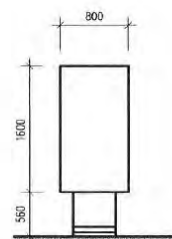
Elevations of existing site



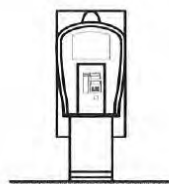
Right



Left

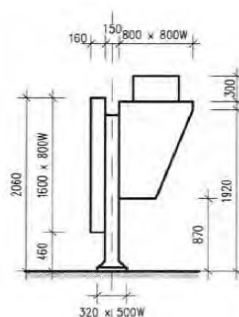


Back

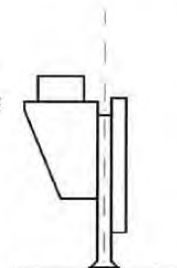


Front

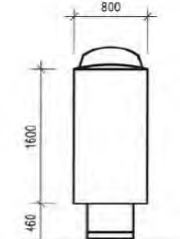
Elevations of existing site



Left



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Back



Front

14/5404; HAY AND MURRAY STREET MALLS AND THE ROAD RESERVE IN FRONT OF 815 HAY STREET AND 300 MURRAY STREET, PERTH



14/5404; HAY AND MURRAY STREET MALLS AND THE ROAD RESERVE IN FRONT OF 815 HAY STREET AND 300 MURRAY STREET, PERTH





2014/5344; 989 WELLINGTON ST, WEST PERTH



2014/5344: 989 WELLINGTON STREET, WEST PERTH



2014/5344: 989 WELLINGTON STREET, WEST PERTH

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2014/5344: 989 WELLINGTON STREET, WEST PERTH



CITY of PERTH

Environment Snapshot 2015





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As the capital city for the largest state in Australia, the City of Perth recognises its unique status and responsibility to oversee the CBD environment.

Like all local governments, we manage and deliver services, projects and events that impact on our environment either directly or indirectly.

To ensure we continue to grow as a greener and more sustainable city, we are developing a strategic framework to ensure excellence in the management of environmental responsibilities and opportunities.

In the context of this framework, the term “environment” is not limited to flora and fauna. Environment, as we see it, extends to the integration of natural and built environments, resource efficiency, and how people interact with the city.

Our strategic environmental framework will lead to the formulation and adoption of an environmental policy and strategy which will serve as tools for City of Perth employees in their day-to-day operations, and as a guide in developing City of Perth projects and initiatives.

This policy and strategy will enable us to systematically identify risks, set targets, and develop environment improvement plans to ensure our activities are sustainable.

This booklet provides a snapshot of our research to date as well as some key facts, achievements and initiatives of the City of Perth that have or will influence the environment.

The information in this booklet illustrates the City of Perth’s evidence based research approach. It will inform the development of our strategic environmental framework to address the future needs and aspirations of our community and the environment.

Towards Sustainable WATER

Rising population, growth in development and a changing climate will continue to increase pressure on water security. Adapting Perth to sustainable water use practices requires focus on a range of areas including water efficiency, alternative water sources, stormwater, water quality and the health of the Swan River.



The City will be undertaking a drainage connectivity and hydraulic efficiency study of the **Point Fraser wetland**

35%

of drinking water supplied to city businesses is used in commercial office buildings

The water use by the Water Labyrinth at Forrest Place has decreased by approximately **90%** due to successful operational changes

The City of Perth partners with the **Water Corporation** and the **Property Council of Australia** to deliver the Waterwise Office Program

The City prevents water loss at Parks and Gardens with the ongoing maintenance of lake structures

8 city buildings are endorsed participants of the Waterwise Office Program leading the way in commercial office water efficiency

The City of Perth uses Claisebrook main drain stormwater for the irrigation of **10.1 hectares** of public open space

Harold Boas Garden **Rainwater is captured** for reuse at the Elder Street Carpark

Sustainable Built Environment

The built environment consists of all buildings (and infrastructure) in the city. Achieving a sustainable built environment is key to developing a city that is robust and resilient to future changes. Heat extremes and the number of days exceeding critical heat-health thresholds are projected to increase in all Australian capital cities in the coming decades.

There are **32 Green Star Certified projects** in the City of Perth, and 131 NABERS ratings, 21 of the NABERS ratings are over 5 stars

Climate change is expected to increase the number of hot days in Perth above **35°C** from **28 days** per year to up to **67 days** per year by 2070

51% of emissions in the city come from commercial buildings, this is expected to rise as demands on cooling systems increase

The City has an **Asset Management Policy**, which requires the use of whole-of-life-cycle management for City assets

The City is developing a **City Planning Strategy** which integrates environmental values and objectives with the planning of the city

96% of dwellings in the city are considered medium to high density

The community vision for Perth is one where the **natural environment and built form exist in harmony**

Maintaining a Healthy Air Quality

The health and well-being of citizens in the city is affected by air quality, noise and the availability of active transit. Active transport refers to the ability to walk, cycle and access public transport in place of cars, which also reduces airborne pollutants.



The City of Perth Cycle Plan 2029 prioritises the provision of **safe and accessible pathways for cyclists** through the City

44% of city residents use **public transport, cycle or walk** as their mode of transport to work

The city's air quality is affected by **airborne pollutants** such as vehicle exhaust, construction activity, dust, odours, bushfires, light and noise

There is **limited local air quality data** for the City

Perth was ranked as one of the **World's Top 10 most liveable cities** in the Economist Intelligence Unit's 2014 Global Liveable City Index

The City's **Public Health and Wellbeing Plan 2014-2016** outlines key actions to improve air quality

The City's Lighting Strategy shows that **efficient lighting techniques** can create a safe and vibrant city while reducing emissions and light pollution



Towards an ENERGY Resilient City

As fossil fuels are used to generate energy, carbon (greenhouse gas) emissions are produced. This results in changes to the climate which is likely to impact infrastructure, water and energy supply, and cost of living. Transitioning towards energy resilience by reducing energy use, diversifying energy sources and using renewable energy is a way to future proof Perth against climate change.



The City will develop **greenhouse gas monitoring tools** to measure emissions across central Perth and from City operations

Perth produces almost **1 million tonnes** of greenhouse gas emissions per annum

The City adopted the **Towards an Energy Resilient City** policy in 2014

The City is leading collaborative action to achieve a **30% reduction** on business as usual greenhouse gas emissions by 2030

129 tonnes of annual greenhouse gas emissions have been reduced through an efficiency upgrade to air conditioning chillers at Council House



380,000 trees have been planted thanks to the City of Perth Parking Vehicle Emission Offset program since 2007



The City is developing an **Integrated Transport Strategy** to ensure the city's transport systems contribute to a sustainable, productive, liveable and vibrant Perth

56 businesses are working with the City of Perth's CitySwitch initiative to achieve a market-wide improvement in energy efficiency



Sustainable Waste Management

Sustainable waste management requires working with residents, businesses, developers and waste management companies to improve waste to landfill diversion and deliver safe, efficient services whilst maintaining good street amenity



The City is a member of Mindarie Regional Council which processes **100,000 tonnes** of general household waste into compost each year

The City's **Waste Strategy 2014-2024+** aims to work towards State Government targets to divert 65% of municipal solid waste from landfill by 2020

The City is preparing guidelines to **maximise opportunities** to divert waste, from landfill to waste recovery centres, across central Perth

The City's Waste Strategy 2014-2024+ identifies **19 actions** that can contribute to reducing waste and maximising recycling and recovery across central Perth

40% of domestic general waste in the city is food waste and **34%** is recyclables



Volunteers and staff sort recyclables at the City's biggest public event, **Australia Day Skyworks**, to improve recycling rates and raise community awareness

The City is currently diverting **18%** of municipal solid waste and **9%** of the commercial / industrial waste to waste recovery centres

GREEN SPACE

Green spaces foster a connection between the community and the natural environment, while enhancing biodiversity and ecosystems. High quality green spaces are also linked to positive health outcomes for the community and increasing the comfort and liveability of cities. Green spaces increase connectivity of habitat and foster sustainable city ecology.



Tree canopy is currently estimated to cover 5-10% of the city.

The City of Perth has **26 parks and reserves** which cover **118 hectares**.

The City of Perth has **6,700 street trees**

The central city contains a range of **fauna and flora** including 8 'Rare or likely to become extinct', 5 'protected' and 21 'priority' species

WA's south-west is recognised as one of **31 international biodiversity hotspots**. It's home to 1,500 mostly endemic plant species

The City has adopted a **Street Tree Valuation policy** which assesses the financial value of replacing trees and green infrastructure assets

For each **10% increase in tree cover**, there is a reduction in land surface temperature of between **0.5 and 1.0 degrees Celsius**

The City is developing a plan to manage, enhance and monitor the city's **Urban Forest** ensuring it is resilient and responsive to future challenges



The following strategies, documents, and sources have been referenced as an evidence base for the City's approach to developing a strategic environmental framework.

- Public Health and Wellbeing Plan 2014 – 2016
(City of Perth, 2014)
- Waste Strategy 2014-2024+
(City of Perth, 2014)
- City of Perth Lighting Strategy
(City of Perth, 2014)
- An Urban Design Framework, A Vision for Perth 2029
(City of Perth, 2010)
- City of Perth Environment Policy and Strategy Research and Gap Analysis Report
(City of Perth, unpublished, 2015)
- Towards an Energy Resilient City
Strategic Directions Paper
(City of Perth, 2014)
- Towards an Energy Resilient City
Strategic Directions Technical Report
(City of Perth, unpublished, 2014, based on 2006 baseline energy use data)
- Water Efficiency: Perth Commercial Office Buildings
(City of Perth, based on 2010/11 statistics)
- City of Perth Community Profile,
(based on 2011 statistics from <http://profile.id.com.au/perth>)
- Climate Change Impacts in WA
(Department of the Environment, 2014)
www.climatechange.gov.au/climate-change/climate-science/climate-change-impacts/western-australia
- The Western Australian Waste Strategy:
Creating the Right Environment
(Waste Authority, 2012)
- The Urban Forest of Perth and Peel: Statistical Report
(Western Australian Planning Commission, 2014)
- NatureMap: Mapping Western Australia's Biodiversity
(Department of Parks and Wildlife, 2007 – 2015)



Marcus Canning and Christian de Vietri, *Ascalon*, 2011, black granite, chromed steel, powder-coated aluminium and lighting, St Georges Terrace in front of St George's Cathedral, City of Perth

City of Perth

Council House, 27 St Georges Terrace, Perth

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CP 8.0 Environment Policy

PREAMBLE

The City of Perth acknowledges that the city is the urban centre for Western Australia, characterised by a unique environmental setting. The City recognises that it has an obligation to develop a structured and cohesive approach to preserving and enriching environment quality through its local, regional and international leadership position.

The City of Perth faces important challenges in addressing the current and future needs of the community and the environment.

This policy has been developed by the City in response to a recognised need for a clearly defined vision, dedicated leadership, innovative action and effective collaboration to ensure that the city integrates environmental consideration with social advancement and economic prosperity. This policy is central to recognising the City's environmental responsibility in managing the city and serving the community of Perth.

POLICY OBJECTIVE

The City of Perth achieves environmental improvement while supporting its social and economic needs through equity and integration. Environmental impacts will be prevented, minimised and managed in city activities while creating and maintaining a resilient, diverse and attractive environment. The Perth environment will evoke pride, connection and a sense of place with its community.

SCOPE

The City of Perth defines the environment as the natural, built and human elements of the city. Environmental impacts are the outcomes of the use and interaction of these elements.

This policy applies to all City employees and activities including the delivery of facilities and services, regulation, facilitation, education, advocacy and strategic planning.

POLICY STATEMENT

The City of Perth will work internally and seek to collaborate with its community to create an environmentally sustainable city through its commitment to:

1. Achieve continual environmental improvement in operations and activities, carried out by and on behalf of the City, through compliance with statutory responsibilities, and where feasible, exceed legal standards.
2. Achieve optimal environmental outcomes through open, transparent and informed decision making, setting performance targets and reporting to the community.

3. Optimise procurement, use and disposal of resources and assets to avoid production of waste and maximise reuse, recycling and recovery of resources.
4. Encourage employees, suppliers and contractors to improve their environmental performance to reduce detrimental environmental impacts of goods and services used by the City.
5. Identify and utilise opportunities to ensure environmentally efficient systems for resource management are used, including: water and wastewater management and reuse; sustainable energy generation; distribution and use; and waste management and recycling.
6. Foster innovation to improve environment performance and lead the City and its community.
7. Promote design and development planning which minimise the potential risk to health and infrastructure from natural hazards and to improve the city's resilience.
8. Provide connectivity between buildings, transport, social and physical infrastructure to maximise efficiencies of renewable and non-renewable resources.
9. Improve and maintain ecological diversity, natural landscape values and ecological linkages to maximise environmental health, community wellbeing, connection, amenity and comfort.
10. Enhance the community's capacity to fulfil their aspirations for an enriched environment which will evoke pride, a sense of place and connection.
11. Facilitate recognition of the value of the environment in enhancing the city's economic development ensuring interaction with the environment leads to sustainable growth.

Document Control Box															
Document Responsibilities:															
Custodian:		Manager Sustainable City Development			Custodian Unit:		Sustainable City Development								
Decision Maker:		Council													
Compliance Requirements:															
Legislation:															
Industry:															
Organisational:		Community Strategic Plan 2014-17 and Corporate Business Plan 2014-2018 - S3.1, S11.1, S14.2, S16.1													
Document Management:															
Risk Rating:		Moderate		Review Frequency:		Biannual		Next Due:		2016		TRIM Ref:		[AP####]	
Version #		Decision Reference:			Synopsis:										
1.		ELG													
2.		ELG			.										
3.															

Planning Committee
Confidential Schedule 11
(Minute PL49/15 refers)

Distributed to Elected Members under separate cover

Bound in Consolidated Committee
Confidential Minute Book
Volume 1 2015