

Planning Committee

Notice of Meeting
6 February 2018
5.30pm

Committee Room 1
Ninth Floor
Council House
27 St Georges Terrace, Perth



City of Perth

Agenda

ORDER OF BUSINESS AND INDEX

- 1 Declaration of Opening
- 2 Apologies and Members on Leave of Absence
Nil
- 3 Question Time for the Public
- 4 Confirmation of minutes – 12 December 2017
- 5 Correspondence
- 6 Disclosure of Members' interests
- 7 Matters for which the meeting may be closed
Nil
- 8 Reports
 - 8.1 Adoption of Amendments to East Perth Area 21 - Constitution Hill North Design Guidelines.
 - 8.2 52B (Lot 115) Wittenoom Street, East Perth – Renovations to an Existing Two Level Dwelling Including an Addition of a Third Level and a Deck Above the Existing Garage.
 - 8.3 240 (Lot 3000) St Georges Terrace, Perth – Alterations and Additions to Woodside Plaza.
 - 8.4 Heritage Grant – 55-59 Goderich Street, East Perth.
 - 8.5 Heritage Grant – 7 Queen Street, Perth.
- 9 Motions of which Previous Notice has been given
- 10 General Business
 - 10.1 - Responses to General Business from a Previous Meeting
Nil
 - 10.2 - New General Business
- 11 Items for consideration at a future meeting.
Outstanding Reports:
Nil



ROBERT MIANICH
DIRECTOR COPORATE SERVICES
1 FEBRUARY 2018

This meeting is open to members of the public

PLANNING COMMITTEE

Established: 17 May 2005 (Members appointed 24 October 2017)

Members:	1st Deputy:	2nd Deputy:
Cr Adamos (Presiding Member)	Cr Harley	Cr Chen
Cr Davidson		
Cr Hasluck		

Quorum: Two

Terms Expire: October 2019

TERMS OF REFERENCE: [Adopted OCM 24/11/15]

To oversee and make recommendations to the Council on matters related to:

1. development, building, demolition, sign and alfresco dining applications and proposals for subdivision or amalgamation;
2. the City Planning Scheme and planning policies;
3. identification of long term planning opportunities and major projects, including the Perth City Link, Elizabeth Quay and;
4. strategic town planning initiatives and economic development;
5. Heritage, including:
 - 5.1 the City of Perth Municipal Inventory;
 - 5.2 the Register of Places of Cultural Heritage Significance referred to in City Planning Scheme No. 2, and management of same;
 - 5.3 heritage incentive initiatives;
6. transport and traffic network planning issues;
7. environmental improvement strategies including environmental noise management;
8. liquor licensing;
9. land administration issues, such as street names, closures of roads and rights-of-way and vesting of reserves;
10. applications for events held within the City of Perth that require planning approval as a result of excessive noise or traffic management proposals;
11. legislation and compliance in relation to land use planning.

INFORMATION FOR THE PUBLIC ATTENDING COMMITTEE MEETINGS

Question Time for the Public

- An opportunity is available at all Committee meetings open to members of the public to ask a question about any issue relating to the City. This time is available only for asking questions and not for making statements. Complex questions requiring research should be submitted as early as possible in order to allow the City sufficient time to prepare a response.
- The Presiding Person may nominate a Member or officer to answer the question, and may also determine that any complex question requiring research be answered in writing. No debate or discussion is allowed to take place on any question or answer.
- To ask a question please write it on the white Question Sheet provided at the entrance to the Council Chamber and hand it to a staff member at least an hour before the meeting begins. Alternatively, questions can be forwarded to the City of Perth prior to the meeting, by:
 - Letter: Addressed to GPO Box C120, Perth, 6839;
 - Email: governance@cityofperth.wa.gov.au.
- Question Sheets are also available on the City's web site: www.perth.wa.gov.au.

Deputations

A deputation wishing to be received by a Committee is to apply in writing to the CEO who will forward the written request to the Presiding Member. The Presiding Member may either approve the request or may instruct the CEO to refer the request to the Committee to decide whether or not to receive the deputation. If the Presiding Member approves the request, the CEO will invite the deputation to attend the meeting.

Please refer to the 'Deputation to Committee' form provided at the entrance to the Council Chamber for further information on the procedures for deputations. These forms are also available on the City's web site: www.perth.wa.gov.au.

Disclaimer

Members of the public should note that in any discussion regarding any planning or other application that any statement or intimation of approval made by any Member or officer of the City during the course of any meeting is not intended to be and is not to be taken as notice of approval from the City. No action should be taken on any item discussed at a Committee meeting prior to written advice on the resolution of the Council being received.

Any plans or documents contained in this agenda may be subject to copyright law provisions (Copyright Act 1968, as amended) and the express permission of the copyright owner(s) should be sought prior to their reproduction.

EMERGENCY GUIDE

Council House, 27 St Georges Terrace, Perth



The City of Perth values the health and safety of its employees, tenants, contractors and visitors. The guide is designed for all occupants to be aware of the emergency procedures in place to help make an evacuation of the building safe and easy.

BUILDING ALARMS

Alert Alarm and Evacuation Alarm.

ALERT ALARM

beep beep beep

All Wardens to respond.

Other staff and visitors should remain where they are.



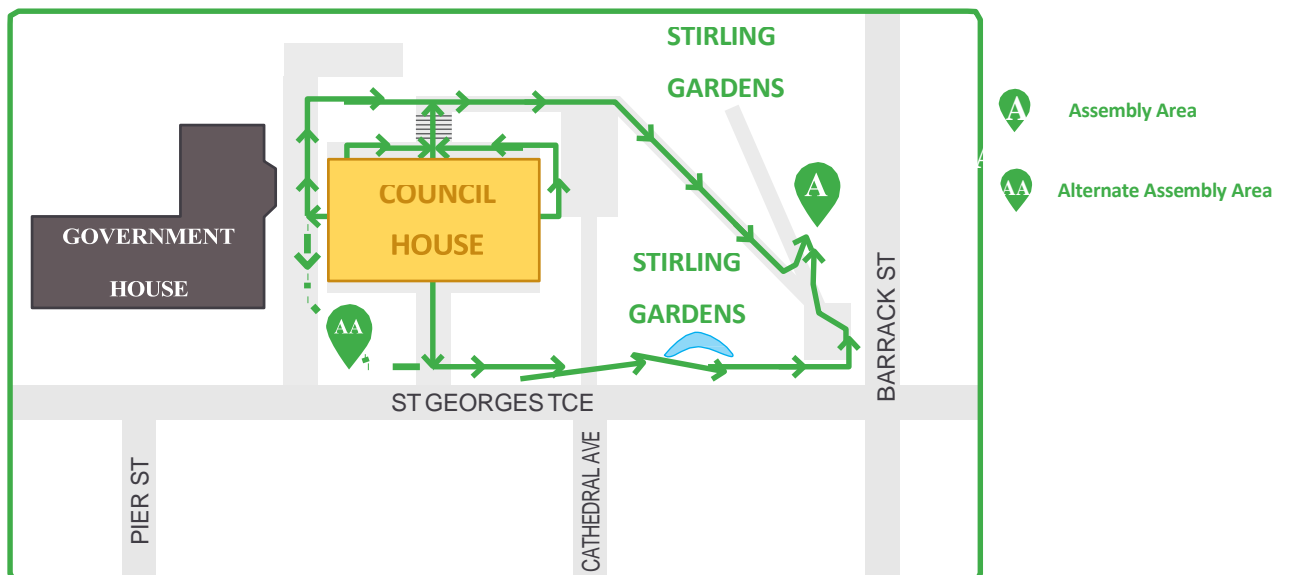
EVACUATION ALARM / PROCEDURES

whoop whoop whoop

On hearing the Evacuation Alarm or on being instructed to evacuate:

1. Move to the floor assembly area as directed by your Warden.
2. People with impaired mobility (those who cannot use the stairs unaided) should report to the Floor Warden who will arrange for their safe evacuation.
3. When instructed to evacuate leave by the emergency exits. **Do not use the lifts.**
4. Remain calm. Move quietly and calmly to the assembly area in **Stirling Gardens** as shown on the map below. Visitors must remain in the company of City of Perth staff members at all times.
5. After hours, evacuate by the nearest emergency exit. **Do not use the lifts.**

EVACUATION ASSEMBLY AREA



Agenda **Adoption of Amendments to East Perth Area 21 - Constitution**
Item 8.1 **Hill North Design Guidelines**

Recommendation:

That Council, in accordance with Clause 5 of the Deemed Provisions of the Planning and Development (Local Planning Scheme) Regulations 2015:

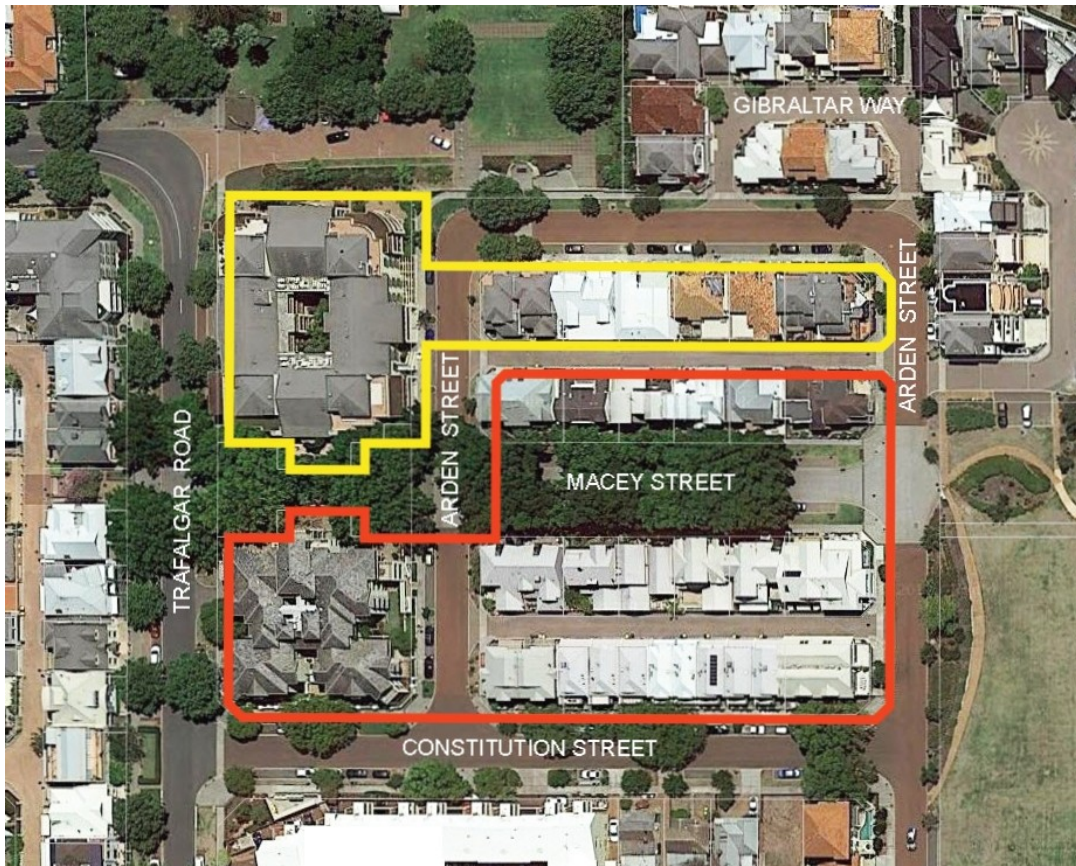
1. ***NOTES the submissions received relating to the proposed Amendments to the East Perth Area 21 - Constitution Hill North Design Guidelines as detailed in Attachment 8.1E; and***

2. ***ADOPTS, without modifications, the Amendments to the East Perth Area 21 - Constitution Hill North Design Guidelines, the Map of the Planning Policies, and the Design Guidelines for Normalised Redevelopment Areas as detailed in Attachments 8.1A, 8.1B and 8.1C.***

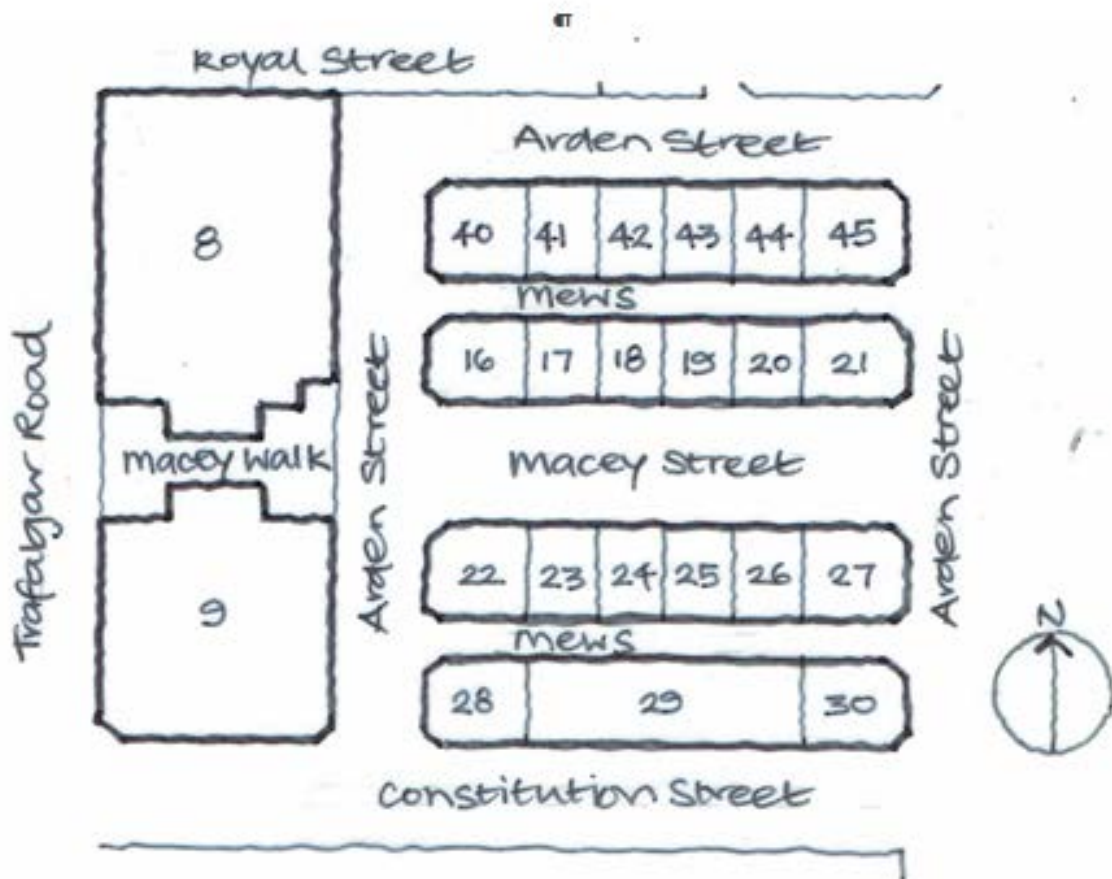
FILE REFERENCE:	P1034582
REPORTING UNIT:	City Planning
RESPONSIBLE DIRECTORATE:	Planning and Development
DATE:	23 January 2018
ATTACHMENT/S:	Attachment 8.1A – Comparison Table of Existing and Proposed Design Guidelines Attachment 8.1B – Proposed Amended Design Guidelines Attachment 8.1C – Proposed Amended Planning Precinct and Design Guidelines Area Map Attachment 8.1D – Map of Submissions Attachment 8.1E – Summary of Submissions

Council Role:

- | | | |
|-------------------------------------|-------------|--|
| <input type="checkbox"/> | Advocacy | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i> |
| <input type="checkbox"/> | Executive | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i> |
| <input checked="" type="checkbox"/> | Legislative | <i>Includes adopting local laws, town planning schemes and policies.</i> |



The Design Guidelines utilise lot numbers rather than street numbers to identify properties. The applicable lot numbers are shown in the following plan for reference.



In addition to including provisions for the abovementioned properties, the amendments to the Design Guidelines incorporate general changes that will provide greater clarity, remove anomalies and change a small number of provisions to be consistent with the approach across the majority of the city. These changes would not apply retrospectively to existing development or approved development.

A comparison of the existing and proposed Design Guidelines along with the associated rationale is provided in Attachment 8.1A whilst a formatted version of the proposed Guidelines is provided in Attachment 8.1B. A summary of the key changes to provisions is provided as follows:

Section 1.3 Building Envelopes

Building Envelopes for Lots 8 and 9: The existing building envelope figure for Lot 9 has been revised, and a new figure added for this and the newly incorporated Lot 8. The wording has also been clarified. The envelopes are measured using maximum facade heights at the northern and southern lot boundaries and overall maximum building heights that take into account the slope across the lots.

The existing apartment building on Lot 9 significantly exceeds the current building envelope within the Design Guidelines. The revised building envelope is more generous insofar as it reflects the existing building and the gradient of the lot. The new building envelope for Lot 8 also takes this approach.

The buildings on Lots 8 and 9 are unlikely to be redeveloped in the foreseeable future. Nonetheless in the event of any redevelopment it would be unreasonable to expect them to be replaced with significantly smaller buildings as reflected in the current building envelope for Lot 9. The revised building envelope is also more reasonable for the consideration of development applications for minor additions or alterations.

Building Envelopes for Lots 16 to 30 and 40 to 45: The existing building envelopes for Lots 16 to 30 have been retained, with the wording and figures clarified. The same building envelope has then been applied to Lots 40 to 45.

Unlike on Lots 8 and 9, the existing buildings on these lots are broadly compliant with the building envelopes and there is no need to vary the building envelopes from those currently in place.

The additions to the dwelling at 43 (Lot 41) Arden Street, East Perth approved by the Council on 14 February 2017 will, if constructed, project outside the proposed building envelope primarily at the rear of the site. However, the Council has the discretion to vary the Design Guidelines including the building envelope, when determining a development application where the variation is not likely to have an adverse impact on the amenity of the locality. It is noted that the current approval for 43 Arden Street would stand, as the new provisions would not apply retrospectively to existing or approved development.

Section 2.0 Setbacks

The setback provisions have been retained with wording clarified as appropriate. Provisions that allow balconies to extend over lot boundaries have been removed due to the potential adverse impacts on the public realm and associated land tenure complications.

Section 3.0 Access and Parking

The access and parking provisions within this section have been clarified. The figure with indicative car parking locations has been removed and replaced with a provision requiring car parking for Lots 16 to 21 and 40 to 45 to be accessed from the mews, reflecting the original intent and current situation.

Section 4.0 Open Space

The current provisions require that each dwelling has an area of north facing private open space, except in the case of Lots 9 and 24 to 25 due to shading from large street tree canopies. This exception has been extended to apply to Lots 23 to 26 as they are similarly affected by street trees.

The minimum area for a balcony has been increased from 4m² to 10m² and the minimum depth increased from 1.5 to 2m to be consistent with the City Planning Scheme No. 2 (CPS2) Residential Design Policy that applies to residential development across large parts of the city.

Section 7.0 Retaining Walls and Fences

New provisions are included within this section that require boundary fences fronting the mews to have a maximum height of 1.8m. This will provide guidance where the Guidelines are currently silent and is consistent with conventional fence heights for laneways.

Section 9.0 Services

New provisions are included within this section to require that, for all new development, bins should be stored in a location on the lot screened from public view. For lots abutting a mews, a pad for the required number of bins should be included within the lot at the mews boundary.

Normalised Redevelopment Areas Planning Precinct and Design Guideline Map

The map within Part 2 of the Planning Policy Manual that identifies Planning Precincts and Design Guideline Areas within the Normalised Redevelopment Areas has been updated to incorporate the subject lots within the Constitution Hill North Design Guidelines Area. This map forms Attachment 8.1C.

Details:

Consultation

The proposed amendments to the Design Guidelines were advertised for public comment for 28 days between 13 November and 11 December 2017. This is seven days in excess of that required under the *Deemed Provisions of the Planning and Development (Local Planning Scheme) Regulations 2015*.

The proposed amendments were advertised by way of:

- a letter, notice and submission form being sent to landowners within the area indicated in Attachment 8.1D and to the Metropolitan Redevelopment Authority (MRA);
- a notice being placed in The Voice newspaper on 18 November, 2017;
- information being made available for viewing at the City's Customer Service Centre; and
- information being placed on the City's website.

The landowners notified included those with property within or adjacent to the proposed amended Design Guidelines Area as well as any who submitted an objection to the development application for 43 Arden Street, East Perth in 2017. A map indicating the location of landowners notified and those who have now lodged submissions in relation to the proposed amended Design Guidelines forms Attachment 8.1D.

Submissions

A total of eight submissions were received during the consultation period along with one late submission. Of these:

- eight were from landowners who are opposed to the proposed amendments; and
- one was from the MRA who support the proposed amendments.

Financial Implications:

ACCOUNT NO:	CL 16201000
BUDGET ITEM:	Planning Schemes and Policies
BUDGETED AMOUNT:	\$49,400
AMOUNT SPENT TO DATE:	\$17,923
PROPOSED COST:	\$ 550
BALANCE REMAINING:	\$30,927
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE OF LIFE COST:	N/A

All figures quoted in this report are exclusive of GST.

Comments:

Attachment 8.1E provides a summary of the submissions received and the City's response. The concerns raised in the eight submissions from landowners largely relate to previous East Perth Redevelopment Area (EPRA) Design Guidelines and the development approval for 43 Arden Street, and not the amendments to the Design Guidelines now proposed. The details of the submissions and the City's responses to these are summarised as follows:

Submission Comment

The City incorrectly failed to adopt the EPRA Constitution Hill (Stage 2), Claisebrook Design Guidelines.

Response

Prior to January 2002, the properties that are the subject of the proposed amendment were part of the EPRA. In January 2002 the planning authority for large portions of the Redevelopment Area, including these properties, were returned to the City (i.e. normalised) with transitional provisions in place for five years until January 2007. These transitional provisions included the application of the Constitution Hill Design Guidelines adopted by EPRA on 23 May 1994.

On 11 March 2008 the Council adopted all of the EPRA Design Guidelines for these areas that it had knowledge of at that time, with only minor changes. Based on advice from EPRA, it was the City's understanding that 33 to 47 Arden Street and 50 Trafalgar Road, East Perth were not covered by the 1994 Design Guidelines or any other Design Guidelines. Therefore none were adopted for these sites.

In late 2017 following initiation of the proposed Design Guidelines amendment now under consideration, the MRA advised a number of landowners that the Constitution Hill (Stage 2) Design Guidelines were in existence, applied to the subject lots when planning authority was returned to the City in 2002 and should have been in affect up until 2007 under transitional orders. They also subsequently advised the City that they had located a further set of Design Guidelines, the Constitution Hill Design Guidelines (Lots 10-30), that may have been the Guidelines referred to in the Regulations and applicable under the transitional provisions.

The City has sought legal advice on the status of these pre-normalisation Design Guidelines now located by the MRA. This advice has confirmed that any design guidelines that may have covered the properties prior to or during transition ceased to apply after the expiry of the transitional period in 2007. In the unlikely event that they had any application after this date, this ceased in March 2015 as a consequence of an amendment to LPS26.

It is therefore considered appropriate to now proceed with the proposed amendment to the Constitution Hill North Design Guidelines. This will ensure that appropriate planning provisions are in place to assess future development applications for 33 to 47 Arden Street and 50 Trafalgar Road, East Perth and provide greater certainty for landowners in the area on the development that can reasonably be anticipated.

Submission Comment

The 2017 development approval granted for alterations and additions to the dwelling at 43 Arden Street, East Perth conflicts with the EPRA Design Guidelines, the proposed Design Guidelines and existing development in the area. It represents a spot zoning that will have an adverse impact on the amenity of adjacent dwellings and the area. It should therefore be withdrawn.

Response

The approval of the development application is a separate matter to the consideration of the proposed amendments to the Design Guidelines.. The amendments now proposed will ensure greater guidance exists for the assessment of any development proposed in the future for 33 to 47 Arden Street and 50 Trafalgar Road, East Perth.

The proposed amendments to the Design Guidelines cannot apply retrospectively to existing or approved development. The proposed additions to the dwelling at 43 Arden Street, East Perth, will if constructed project outside the proposed building envelope primarily at the rear of the site.

It should be noted however, that the Council has the discretion to vary Design Guidelines including building envelopes, when determining development applications if it is considered that the variation will not adversely affect the amenity of the locality and is consistent with orderly and proper planning.

Under State planning legislation the Council has no power to unilaterally reconsider or revoke the development approval. A development approval can only be cancelled by the Council if an application for cancellation is made by the owner of the land to which the approval relates.

Submission Comment

A number of landowners opposed to the development approval for 43 Arden Street, East Perth have submitted a request to the Minister for Planning, Lands and Housing to review the approval process and the City's failure to have regard to the Constitution Hill (Stage 2) Claisebrook Design Guidelines. They have also indicated that they may undertake a legal challenge in the Supreme Court. They have requested that the amendment be deferred until the reviews is completed.

Response

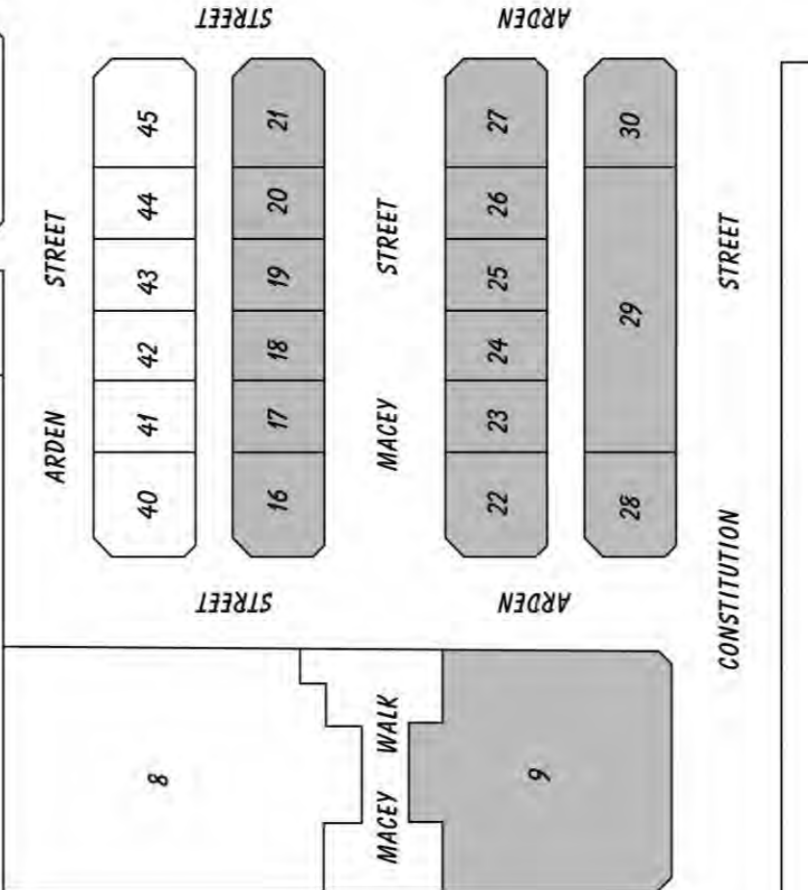
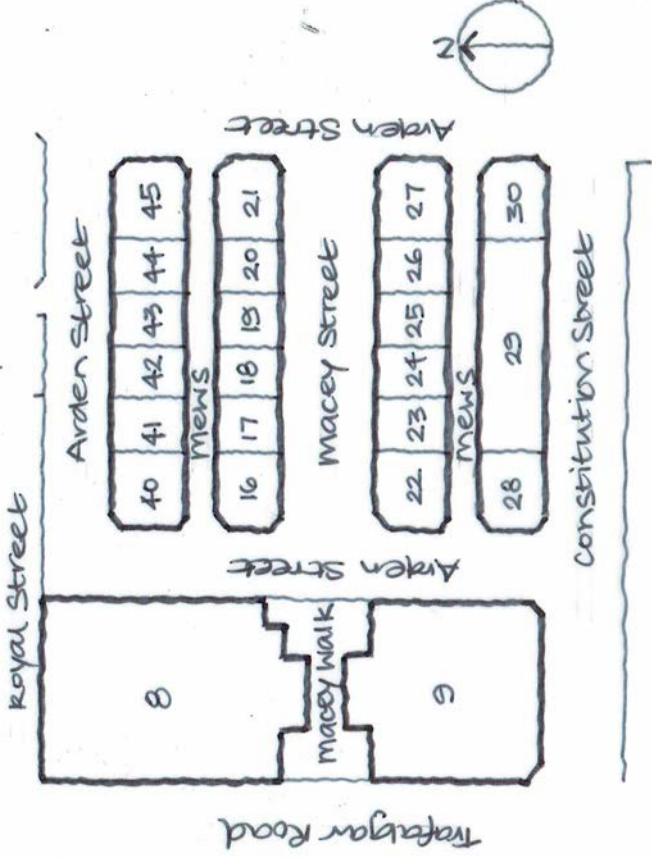
The City's legal advice has indicated that the development approval could not be cancelled by the Minister. The development approval could only be cancelled by the Supreme Court on the basis that there was an error of law in the approval process. This is not considered to be the case, as confirmed by the legal advice.

It is therefore important to proceed with the Amendment and adopt the Design Guidelines as soon as possible to guide the assessment of any further development applications for the subject properties. The adoption of Design Guidelines for these properties would not prejudice the outcome of any review or legal challenge of the development approval.

Conclusion

While a number of landowners remain opposed to the development application approved for 43 Arden Street, East Perth, the approval of the proposed amendment is a separate matter. It is appropriate that 33 to 47 Arden Street and 50 Trafalgar Road, East Perth be covered by planning provisions. The amendments propose planning provisions that reflect the existing character and amenity of development in the area and it is considered appropriate that Council agrees to adopt them without modification.

COMPARISON OF EXISTING AND PROPOSED CONSTITUTION HILL NORTH DESIGN GUIDELINES AND ASSOCIATED RATIONALE		
EXISTING DESIGN GUIDELINES	PROPOSED DESIGN GUIDELINES	RATIONALE
<p>• The wording proposed to be deleted is highlighted in red.</p> <p>CONTENTS</p> <p>2.2 Constitution and Macey Street Frontages</p> <p>2.3 Trafalgar Road and Arden Street Frontages</p> <p>2.6 Side Boundaries</p> <p>1.0 INTRODUCTION</p> <p>1.1 Context</p> <p>These guidelines apply to the land within Constitution Street Precinct (Precinct EP2) as defined in the City of Perth Local Planning Scheme No. 26 (Normalised Redevelopment Areas) (herein called 'the Scheme'). Refer to the Scheme for Preferred Uses and Plot Ratios, as well as other Planning Policies. Where no guidelines are listed, the standard planning policies apply.</p> <p>The Deemed Provisions set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> also forms part of the Scheme Text.</p> <p>1.2 Scope of Guidelines</p> <p>These Design Guidelines apply to Lot 9 and Lots 16 to 30, Constitution Hill, as shown in Figure 1.</p> <p>No Design Guidelines exist for lot 8, and 40 to 45 (inclusive). Refer to the Scheme Precinct EP2 for Preferred Uses, Plot Ratios and General Planning Policies.</p>	<p>• The proposed wording is highlighted in red.</p> <p>• Wording highlighted in italics does not form part of the Policy text.</p> <p>CONTENTS</p> <p>2.2 Constitution, Arden, Royal and Macey Street Frontages (east-west orientation streets)</p> <p>2.3 Trafalgar Road and Arden Street Frontages (north-south orientation streets)</p> <p>2.6 All Other Boundaries</p> <p>1.0 INTRODUCTION</p> <p>1.1 Context</p> <p>These Design Guidelines apply to the land within the Constitution Street Precinct (Precinct EP2) as defined in the City of Perth Local Planning Scheme No. 26 (Normalised Redevelopment Areas) (herein called 'the Scheme').</p> <p>The Deemed Provisions set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> also form part of the Scheme.</p> <p>The Scheme identifies Preferred, Contemplated and Prohibited uses within the Constitution Street Precinct and stipulates maximum plot ratio. In determining any application for development approval, the local government will have regard to these Design Guidelines, the Scheme and other Planning Policies.</p> <p>1.2 Scope of Guidelines</p> <p>These Design Guidelines apply to Lots 8, 9, 16 to 30 and 40 to 45 Constitution Hill North, as shown in Figure 1.</p>	<p>CONTENTS</p> <p>Contents page headings are consistent with the headings in the main body of the Design Guidelines.</p> <p>1.0 INTRODUCTION</p> <p>1.1 Context</p> <p>Text is clarified.</p> <p>Text is clarified.</p> <p>Text on the planning framework is revised for clarity and relocated here.</p> <p>1.2 Scope of Guidelines</p> <p>Lots that were previously not included in the Design Guidelines are now incorporated.</p> <p>The plan has been revised to indicate all Lots 8, 9, 16 to 30 and 40 to 45 that are now proposed to be included in the Constitution Hill North Design Guidelines. All street names and a north point are added for clarity.</p>

<p>Figure deleted</p> 	<p>New Figure inserted</p>  <p>Figure 1:- Extent of Design Guidelines</p>
<p>Figure 1:- Extent of Design Guidelines coverage in Constitution Hill land release.</p> <p>1.3 Integration of Art</p> <p>Involvement of artists in designing the new development is strongly encouraged as it can provide opportunities to enrich design responses. Examples of integral artworks include detailing to fences and walls, steps, balustrades, paving design, lighting, building fittings and entry treatments.</p> <p>1.4 Building Envelope</p> <p>The building height and bulk shall be contained within a building envelope, with only minor projections allowed for such items as chimneys, finials, awnings, pergolas, balconies and small portions of bay and dormer windows. Balconies and enclosed rooms must not project past the lot boundaries.</p>	<p>1.3 Integration of Art</p> <p>An artist should be encouraged to be involved in the design of the new development to help enrich design responses. Examples of integral artworks include detailing to fences and walls, steps, balustrades, paving design, lighting, building fittings and entry treatments.</p> <p>1.4 Building Envelopes</p> <p>Building height and bulk shall be contained within a building envelope, with only minor projections outside of this allowed for items such as chimneys, finials, awnings, pergolas, balconies and small portions of bay and dormer windows. Balconies and enclosed rooms must not project past the lot boundaries.</p> <p>For Lot 8, the building envelope shall have a maximum height of 17.5m above finished ground level, projected at 45 degrees from a point 10.5m maximum (3 storeys) above the finished ground level at the Macey Walk lot boundary and from a point 14m maximum (4 storeys) above the finished ground level at the Royal Street lot boundary, as shown in Figure 2. The maximum height at the Arden Street and Trafalgar Road lot boundaries shall not extend above a line that connects the maximum</p>
<p>1.3 Integration of Art</p> <p>Text is clarified</p> <p>1.4 Building Envelopes</p> <p>Text is clarified.</p> <p>New text and a figure are added for Lot 8 that is now incorporated into the Design Guidelines; the text explains the measurement of height for the building envelope and takes into account the change in level across the site and the existing built form.</p> <p>The new cross section figure visually reflects the text for the</p>	<p>1.3 Integration of Art</p> <p>Text is clarified</p> <p>1.4 Building Envelopes</p> <p>Text is clarified.</p> <p>New text and a figure are added for Lot 8 that is now incorporated into the Design Guidelines; the text explains the measurement of height for the building envelope and takes into account the change in level across the site and the existing built form.</p> <p>The new cross section figure visually reflects the text for the</p>

Building Envelope for Lot 8.

heights at the Royal Street and Macey Walk lot boundaries.

Note that the 17.5m height is measured from a line across the site connecting the Macey Walk ground level to the Royal Street ground level. The 45 degrees angle applies above the maximum height at all street lot boundaries.

New Figure 2 inserted.

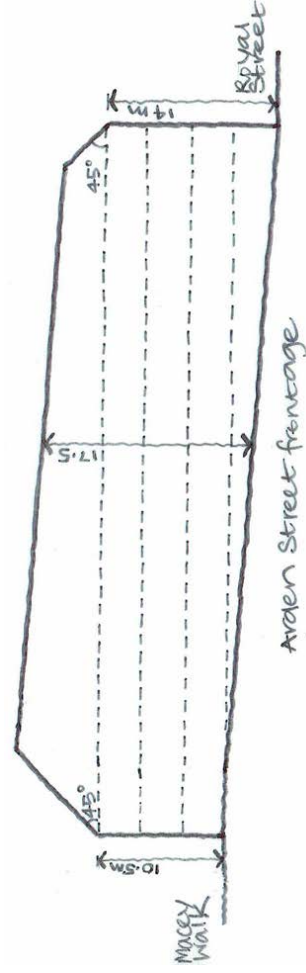


Figure 2: - Building envelope for Lot 8

For Lot 9, the building envelope shall have a maximum height of 15m above finished site ground level, projected at 45 degrees from a point 6m above the finished ground level at the lot street frontages and from a point 9m (3 storey) above the finished ground level at the Macey Walk boundary frontage as shown in Figure 2.

Figure 2 deleted

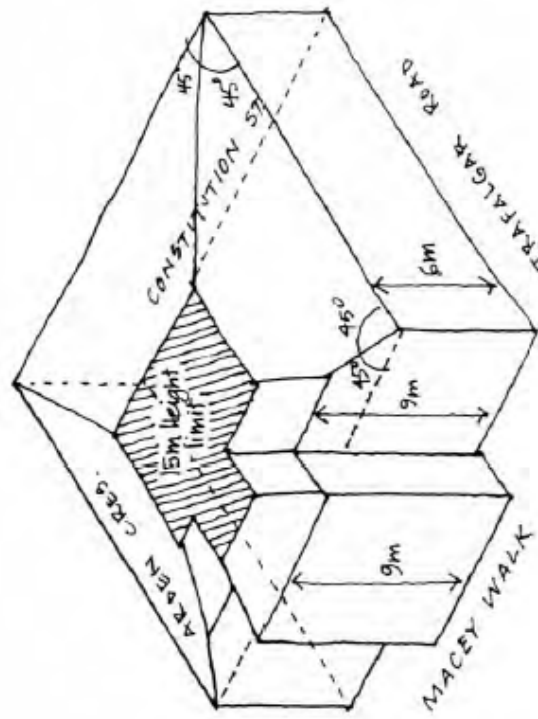


Figure 2: - Building envelope for Lot 9

For Lot 9, the building envelope shall have a maximum height of 17.5m above finished ground level, projected at 45 degrees from a point 10.5m maximum (3 storeys) above the finished ground level at the Constitution Street lot boundary and from a point 14m maximum (4 storeys) above the finished ground level at the Macey Walk lot boundary, as shown in Figure 3. The maximum height at the Arden Street and Trafalgar Road lot boundaries shall not extend beyond a line that connects the maximum heights at the Constitution Street and Macey Walk lot boundaries.

Note that the 17.5m height is measured from a line across the site connecting the Constitution Street ground level to the Macey Walk ground level. The 45 degrees angle applies above the maximum height at all street lot boundaries.

New diagram and label for Figure 3 inserted



Figure 3: - Building envelope for Lot 9

The text is revised to clarify the measurement of height for the building envelope for Lot 9 and takes into account the change in level across the site. It also takes into account the existing built form that varies significantly from the existing building envelope.

The revised cross section diagram visually reflects the building envelope text for Lot 9.

For Lots 16 to 30, the building envelope shall have a maximum height of 12m (4 storey), projected at 45 degrees from a point 6m above the finished ground level at the lot street and mews boundary frontages, as shown in Figures 3 and 4. Note that the 12m height is measured from a line connecting the street and mews levels across the site.

Figures 3 and 4 deleted

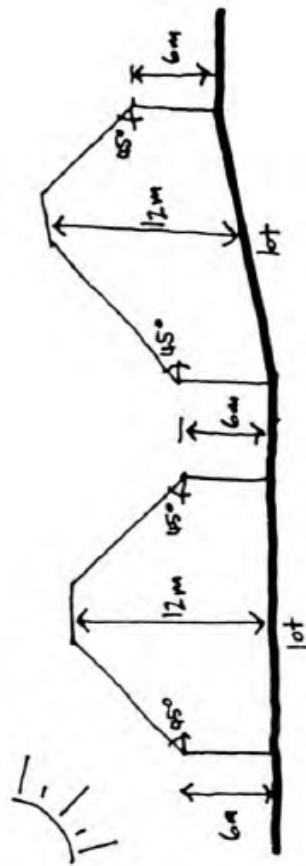


Figure 3: - Typical section through Lots 16 to 30 showing building envelope

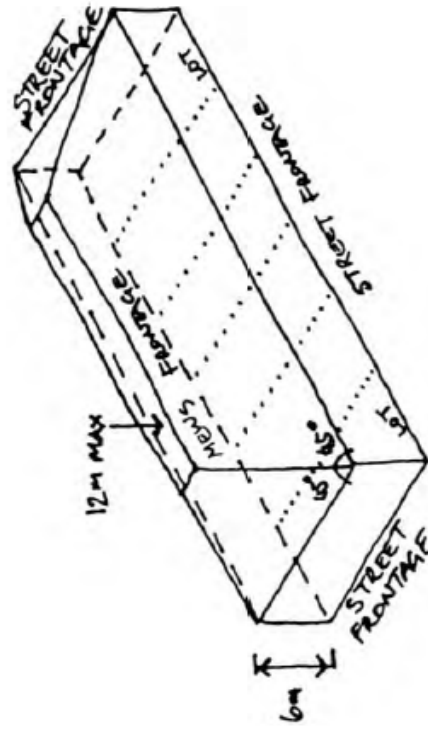


Figure 4: - Typical building envelope for block between mews and street

2.0 SETBACKS

2.1 General

No part of a building or balcony to be closer than 1m to any existing overhanging street tree canopy (pruning will be undertaken to reduce the site overhang to a 2m maximum for all lots).

Balconies may project up to 2m beyond the building setback line or the lot boundary, whichever is the lesser.

For Lots 16 to 30 and 40 to 45, the building envelope shall have a maximum height of 12m projected at 45 degrees from a point 6m maximum (2 storeys) above the finished ground level at the street and mews lot boundaries, as shown in Figures 4 and 5. Note that the 12m height is measured from a line across the site connecting the street ground level to the mews ground level.

New diagram and label for Figure 4

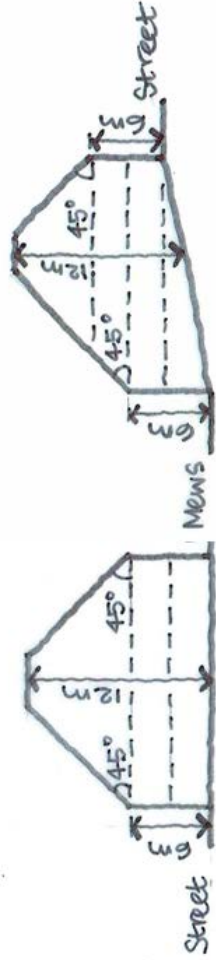


Figure 4: - Typical sections through a flat lot and a sloping lot showing the building envelopes.

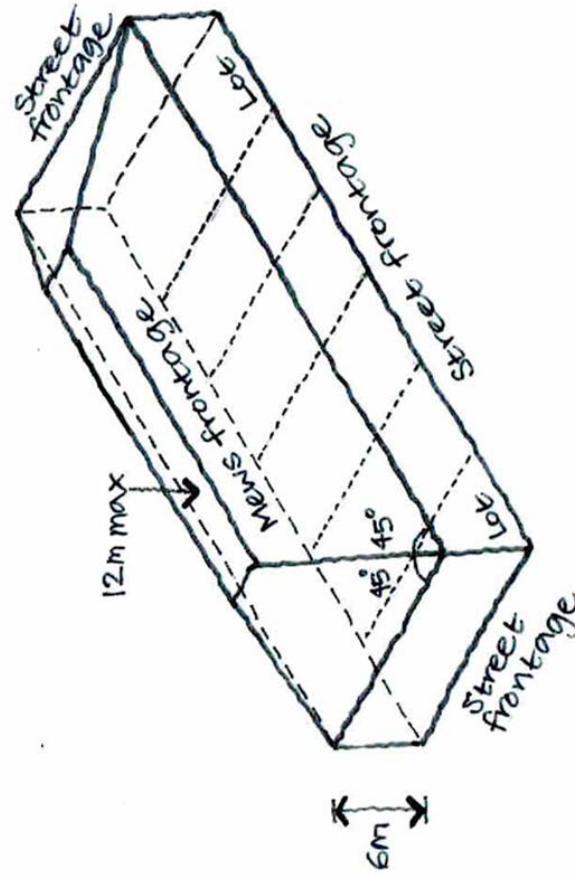


Figure 5 – Typical building envelope for the street block.

2.0 SETBACKS

2.1 General

No part of a building or balcony should be closer than 1m to any existing overhanging street tree canopy.

Balconies may project up to 2m beyond the building setback but not beyond the lot boundary.

Lots 40 to 45 are now incorporated into the Design Guidelines. The text is also clarified to explain the measurement of height for the building envelope. Unlike Lots 8 and 9, the existing built form is generally consistent with the existing building envelope for Lots 16 to 30 and therefore no alteration to the maximum heights is warranted.

The diagrams are revised to show the typical building envelopes for a flat lot and a sloping lot and provide clarity. Figure numbers are adjusted.

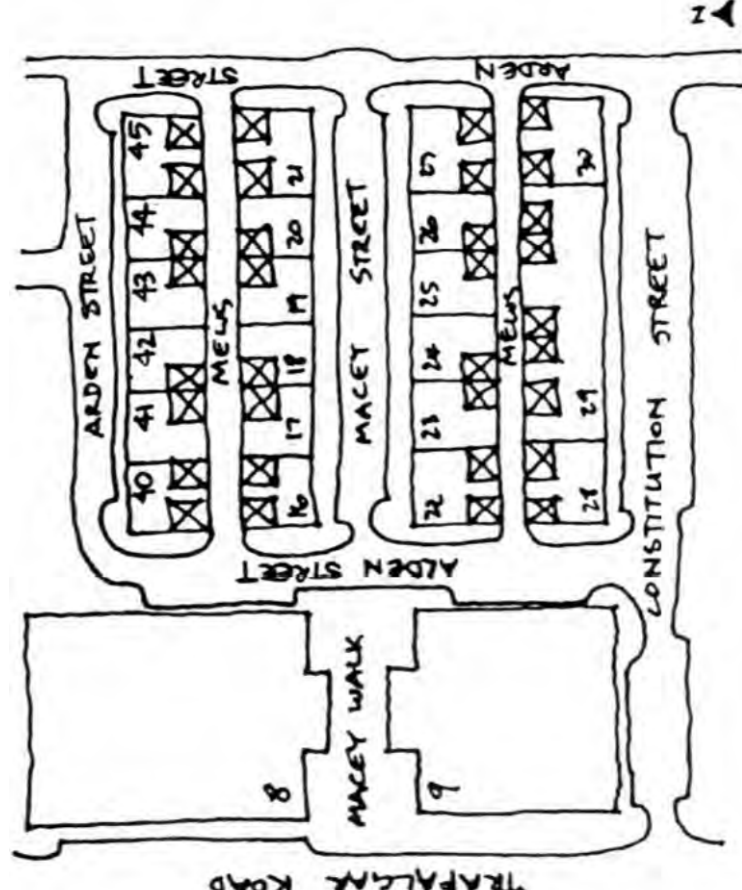
2.0 SETBACKS

2.1 General

Text is clarified as a 'should', particularly as the tree canopy changes constantly and a definitive distance cannot be maintained at all times, also the note on pruning is omitted as it is the responsibility of the City.

Provision for balconies to extend beyond lot boundaries has been removed due to the possible adverse impact on the public realm

<p>2.2 Constitution and Macey Street Frontages</p> <p>3m minimum setback.</p> <p>For Lots 16 to 21, the setback may be further reduced by 0.25m to allow for boundary variations to accommodate services.</p> <p>2.3 Trafalgar Road and Arden Crescent Frontages</p> <p>2m average, with a nil minimum setback.</p> <p>2.4 Macey Walk Frontage</p> <p>Nil minimum setback.</p> <p>2.5 Mews</p> <p>Nil setback for garages/carports and building above garages.</p> <p>Ensure setbacks provide the required clearances of services and service easements.</p> <p>2.6 Side Boundaries</p> <p>For Lot 29, nil to all side boundaries to develop a terrace housing form.</p> <p>For all remaining lots, nil to both side boundaries is acceptable, with at least one nil side setback as follows:</p> <p>Lots 18, 20, 21, 24, 26, 27 and 30 - nil to the western side boundary;</p> <p>Lots 16, 17, 19, 22, 23, 25 and 28 - nil to the eastern side boundary.</p> <p>Side boundary walls up to 6m in height are permitted, with this increasing to any height that fits within the building envelope where a</p>	<p>2.2 Constitution, Arden, Royal and Macey Street Frontages (east-west orientation streets)</p> <p>The building shall be setback a minimum of 3m.</p> <p>2.3 Trafalgar Road and Arden Street Frontages (north-south orientation streets)</p> <p>The building shall be setback an average of 2m, with nil permitted for a portion of its length.</p> <p>2.4 Macey Walk Frontages</p> <p>A nil building setback is permitted.</p> <p>2.5 Mews Frontages</p> <p>A nil building setback is permitted for garages, carports and any building above the garages.</p> <p>Landowners shall ensure that buildings and fences are setback from services and service easements in accordance with the relevant service authorities' requirements.</p> <p>2.6 All Other Boundaries</p> <p>For Lot 29, buildings shall have nil side setbacks to develop a terrace housing form.</p> <p>For all single dwelling lots, a nil setback to both ground level side boundaries is permitted. At least one nil side setback shall be provided as follows:</p> <p>Lots 18, 20, 21, 24, 26, 27, 30, 42, 44 and 45 – building shall have a nil setback to the western side boundary;</p> <p>Lots 16, 17, 19, 22, 23, 25, 28, 40, 41 and 43 – building shall have a nil setback to the eastern side boundary.</p>	<p>and the legal impediments.</p> <p>2.2 Constitution, Arden, Royal and Macey Street Frontages (east-west orientation streets)</p> <p>Heading is clarified to indicate the east-west oriented streets.</p> <p>Text is clarified.</p> <p>This provision could not be verified and is deleted. A minor variation to accommodate services could be considered when a development application is assessed.</p> <p>2.3 Trafalgar Road and Arden Street Frontages (north-south orientation streets)</p> <p>Heading is clarified to indicate the north-south oriented streets.</p> <p>Text is clarified.</p> <p>2.4 Macey Walk Frontages</p> <p>Text is clarified.</p> <p>2.5 Mews Frontages</p> <p>'Frontages' added to heading for clarity.</p> <p>Text is clarified.</p> <p>Text is clarified.</p> <p>2.6 All Other Boundaries</p> <p>Heading is clarified</p> <p>Text is clarified.</p> <p>Text is clarified.</p> <p>Text is clarified and relevant lots now included in the Design Guidelines are added.</p> <p>Text is clarified and relevant lots now included in the Design Guidelines are added.</p> <p>Provision is deleted as the lots have all been developed.</p>
---	---	--

<p>boundary wall is paired or shared and the dwellings are constructed simultaneously.</p> <p>Upper floors may be set back from nil side boundaries.</p> <p>3.0 ACCESS AND PARKING</p> <p>Provide pedestrian access via front doors facing public streets and Macey Walk.</p> <p>Provide a maximum of two crossovers for vehicle access to Lot 9.</p> <p>Provide all vehicle access to Lots 16 to 20 off mew, with direct opening of garage doors to the mews. See indicative parking locations in Figure 5.</p> <p>Minimise the extent of street and mew frontage given over to car access.</p> <p>All parking to be concealed from public street view.</p>	<p>Upper floors may be setback from the side boundaries where a nil building setback is provided at ground level.</p> <p>3.0 ACCESS AND PARKING</p> <p>Pedestrian access to dwellings shall be provided via front doors that face streets, excluding the mews, and Macey Walk.</p> <p>A maximum of two crossovers shall be provided for vehicle access to car parking on Lots 8 and 9.</p> <p>All vehicle access to Lots 16 to 21 and 40 to 45 shall be off the mew, with garage doors opening directly to the mews, but not causing any obstruction to vehicular movement in the mews.</p> <p>The extent of street and mews frontage given over to car access to garages and parking should be minimised.</p> <p>All car parking shall be screened from public view.</p>	<p>Text is clarified.</p> <p>3.0 ACCESS AND PARKING</p> <p>Text is clarified.</p> <p>Text is clarified and Lot 8 added</p> <p>Text is clarified with regards to vehicle access for Lots 21 and the additional Lots 40 to 45 to these Design Guidelines.</p> <p>Text is clarified.</p> <p>Text is clarified.</p> <p>Diagram is deleted as vehicular access off the mews is required for all lots that about them.</p>
<p><i>Figure 5 deleted</i></p>  <p>4.0 OPEN SPACE</p> <p>Provide an area of private north facing open space for each dwelling, directly accessible from a living area. For dwellings abutting Macey</p>	<p>4.0 OPEN SPACE</p> <p>Each dwelling shall be provided with an area of private north facing open space that is directly accessible from a living area. For dwellings abutting</p>	<p>4.0 OPEN SPACE</p> <p>Text is clarified. The lots where variation of orientation will be considered due to shade from existing large trees has been</p>

<p>Walk on Lot 9, and dwellings on Lots 24 and 25 this area of private open space may have any orientation, given the northern shading from existing trees.</p> <p>Private open space may be at ground level or provided as a balcony, terrace or deck.</p> <p>All private open space shall be of usable area and dimensions. As a guide, ground level open space should have an area with minimum dimensions of 4m by 4m, while a balcony serving as the only area of private open space should have a minimum area of 4m², with a minimum dimension of 1.5m.</p> <p>Design balconies for user privacy and the sharing of views.</p> <p>Additional communal open space may be provided as desired, with the intended uses and management responsibilities clearly identified.</p>	<p>Macey Walk on Lot 9, and dwellings on Lots 22 to 27, the private open space may have any orientation, given the shading from existing large tree canopies.</p> <p>Private open space may be provided at ground level or as a balcony, terrace or deck.</p> <p>All private open space shall be of a usable area and dimensions. Ground level private open space should include an area with minimum dimensions of 4m by 4m, while a balcony serving as the only area of private open space should have a minimum area of 10m² with a minimum dimension of 2m.</p> <p>Balconies should be designed for user privacy and useability.</p> <p>Additional communal open space may be provided as desired, with the intended uses and management responsibilities clearly identified.</p>	<p>extended to include all lots with frontage to the southern side of Macey Street.</p> <p>Text is clarified.</p> <p>The minimum area of a balcony has been increased to 10m² and the minimum depth to 2m consistent with City Planning Scheme No. 2 Residential Design Policy provisions. As with all of the amended provisions, this will not apply retrospectively to existing development.</p> <p>Text is clarified.</p>
<p>5.0 BUILDING FORM</p> <p>5.1 General</p> <p>A range of dwelling types is sought for these lots. Multi dwellings are seen as most appropriate for Lot 9, terrace housing for Lot 29 and either shared wall housing or detached housing built to one boundary for other lots.</p> <p>Building heights generally 2 to 3 storey (6m to 12m) plus attic space, with higher development seen as acceptable for Lot 9. Note that attics which are wholly contained within the roof space are not defined as a storey.</p> <p>Encouragement is given for additional dwelling space above mews garages, with scope for studio apartments.</p>	<p>5.0 BUILDING FORM</p> <p>5.1 General</p> <p>A range of dwelling types should be provided within Constitution Hill North. Multiple dwellings are most appropriate for Lots 8 and 9; terrace housing for Lot 29; and for the other lots, either terrace houses with external walls on both side boundaries, or semi-detached housing with external walls on one side boundary.</p> <p>Additional dwelling space above mews garages may be considered, with scope for ancillary dwellings.</p>	<p>5.0 BUILDING FORM</p> <p>5.1 General</p> <p>Text is clarified to include the precinct name and revised terms for housing types on the different types of lots.</p> <p>This detail is deleted as the number of storeys and building heights are defined and contained within Section 1.4 Building Envelope.</p>
<p>5.2 Roof</p> <p>Majority of the roof pitch shall be between 30 – 45 degrees where visible from public area, streets and mews, with a shallower pitch acceptable for verandahs and canopies, small areas of skillion roofs, and small areas of flat roofs where screened behind parapets.</p> <p>Use of dormer/attic windows is encouraged.</p>	<p>5.2 Roof</p> <p>The majority of the roof pitch shall be between 30 to 45 degrees where it is visible from Macey Walk, streets and mews, with a shallower pitch being acceptable for verandahs and canopies and small areas of skillion roofs. Small areas of flat roofs are acceptable where they are screened behind parapets.</p> <p>Dormer/attic windows should be considered in the roof design.</p>	<p>Text is clarified and the more commonly used term of 'ancillary dwellings' is included.</p> <p>5.2 Roof</p> <p>Text is clarified and that Macey Walk is the 'public area'.</p>
<p>5.3 Articulation and Detailing</p> <p>Dwellings to present their fronts to public streets and Macey Walk rather than have blank walls and/or car garaging edging these public pedestrian areas.</p>	<p>5.3 Articulation and Detailing</p> <p>Openings to habitable rooms of dwellings shall face streets, mews and Macey Walk, rather than blank walls and/or garages.</p>	<p>Text is clarified.</p> <p>5.3 Articulation and Detailing</p> <p>Text is clarified and includes mews, as publicly accessible areas, that would be perceived to be safer and more attractive with openings of habitable rooms facing onto them.</p>

<p>Design dwellings to enable "eyes on the street, walkway and mews" for casual surveillance from inside some habitable rooms and from balconies.</p> <p>Articulate and detail buildings to provide a modulated street frontage with use of elements such as verandahs, balconies, dormers and window projections to provide visual interest and establish a fine grained scale to development. Detailing to generally provide richness and variety, accentuate vertical rhythms, reduce visual bulk of building mass and enhance individual dwelling identity.</p> <p>Special treatment is encouraged to signify the gateway role of buildings on Lot 9.</p> <p>Corner buildings to address both streets, with special treatment encouraged to mark corners and link both streets e.g. additional floor height, distinct roof form, articulation of corner wall elements, distinctive window design, variation in materials and colours, special balcony treatments.</p> <p>Detail garages (particularly doors), carports and parking areas to reduce their visual impact and add interest at the pedestrian level.</p>	<p>Dwelling design shall enable "eyes on the street, Macey Walk and the mews" for passive surveillance from inside some habitable rooms and from outdoor areas, such as balconies.</p> <p>Buildings shall be articulated and detailed to provide modulated street facades with the use of elements such as verandahs, balconies, dormers and window projections to provide visual interest and establish a fine-grained scale to development. Detailing shall provide richness and variety, accentuate vertical rhythms, reduce visual bulk of building mass and enhance individual dwelling identity.</p> <p>The design of buildings on Lots 8 and 9 should respond to their gateway locations.</p> <p>Corner buildings shall address both streets with consideration given to treatments that mark corners and link both streets, for example through additional floor height, distinct roof form, articulation of corner wall elements, distinctive window design, variation in materials and colours and special balcony treatments.</p> <p>Garages (particularly doors), carports and parking areas should be detailed to reduce their visual impact and add interest at the pedestrian level.</p>	<p>Text is clarified.</p> <p>Text is clarified.</p> <p>Text is clarified and Lot 8 is now included as it is highly visible, particularly from Royal Street.</p> <p>Text is clarified.</p> <p>Text is clarified.</p>
<p>6.0 COLOURS AND MATERIALS</p> <p>6.1 Wall and windows</p> <p>Predominantly red brick, limestone and similarly coloured masonry or rendered walls, with painted cladding acceptable on upper floors.</p> <p>Reflective glass or dark tinted glass is not permitted.</p> <p>6.2 Accent colours</p> <p>May be in any shade to trip, fascias, gutters, doors and windows, balustrades, pergolas, fence infill panels.</p> <p>6.3 Roofs</p> <p>Select roof materials within the following colour range: tiles in autumn or terracotta tones; flat profile shingles in slate grey; corrugated metal decking in Colorbond Off White, Merino, Wheat, Birch Grey, Saltbush, Beige, Homestead, Mist Green.</p> <p>A Zincalume finish is acceptable where it can be demonstrated that glare and reflectivity will not be a problem to neighbours and surrounding activities.</p>	<p>6.0 COLOURS AND MATERIALS</p> <p>6.1 Wall and windows</p> <p>Walls shall be predominantly red brick, limestone and similarly coloured masonry or render, with painted cladding acceptable on upper floors.</p> <p>Reflective mirror glass or dark tinted glass in openings shall not be permitted.</p> <p>6.2 Accent colours</p> <p>An accent colour should highlight elements, such as trims, fascias, gutters, doors and windows, balustrades, pergolas and fence infill panels.</p> <p>6.3 Roofs</p> <p>Roof materials shall be selected within the following colour range: tiles in terracotta or similar mid-range tones; flat profile shingles in slate grey; corrugated metal decking in shades of grey, cream, mid-brown and pale green, such as Colorbond Surfmist, Paperbark, Sandbank, Dune, Cove, Classic Cream, Terrain and Pale Eucalypt.</p> <p>A Zincalume finish may be acceptable where it can be demonstrated that glare and reflectivity will not be a problem to neighbours and surrounding activities.</p>	<p>Text is clarified.</p> <p>Text is clarified.</p> <p>Text is clarified and Lot 8 is now included as it is highly visible, particularly from Royal Street.</p> <p>Text is clarified.</p> <p>Text is clarified.</p>
<p>6.0 COLOURS AND MATERIALS</p> <p>6.1 Wall and windows</p> <p>Text is clarified.</p> <p>Text is clarified. Mirror glass is the conventional term for reflective glass that can be disconcerting to pedestrians.</p> <p>6.2 Accent colours</p> <p>Text is clarified.</p> <p>6.3 Roofs</p> <p>Text is clarified. "Mid-range" tones imply warm colours similar to terracotta, whereas 'Autumn' is open to interpretation. The current Colorbond colours are listed to replace the older colours in the existing Design Guidelines.</p> <p>Text is clarified.</p>	<p>6.0 COLOURS AND MATERIALS</p> <p>6.1 Wall and windows</p> <p>Text is clarified.</p> <p>Text is clarified. Mirror glass is the conventional term for reflective glass that can be disconcerting to pedestrians.</p> <p>6.2 Accent colours</p> <p>Text is clarified.</p> <p>6.3 Roofs</p> <p>Text is clarified. "Mid-range" tones imply warm colours similar to terracotta, whereas 'Autumn' is open to interpretation. The current Colorbond colours are listed to replace the older colours in the existing Design Guidelines.</p> <p>Text is clarified.</p>	<p>Text is clarified.</p> <p>Text is clarified.</p> <p>Text is clarified and Lot 8 is now included as it is highly visible, particularly from Royal Street.</p> <p>Text is clarified.</p> <p>Text is clarified.</p> <p>Text is clarified.</p> <p>Text is clarified.</p> <p>Text is clarified.</p> <p>Text is clarified.</p> <p>Text is clarified.</p>

<p>7.0 RETAINING WALLS AND FENCES</p> <p>Materials and colours of retaining walls and solid components of fences to be as for walls.</p> <p>Retaining walls to be a maximum of 12m high when measured from the pedestrian zone of adjacent streets or walkways.</p> <p>Where fences front streets or public open space (not mews) and exceed 1.2m in height, provide infill panels of 50% visually transparent painted timber or metal designs.</p> <p>Fencing style to streets and public open space (not mews) of capped piers (to individual detail) maximum 2m high, with a fence base course of matching material minimum 0.45m high, and infill panels to maximum 1.8m high.</p> <p>Solid panels of fencing are permitted where the only area of private open space is to the public street frontage, or the only portion of north facing private open space fronts the street or public open space. In such cases, the extent of solid fencing should not exceed 50% of the lot width for that particular dwelling. Solid panels of fencing are permitted to mews frontages, with no limit on extent.</p>	<p>7.0 RETAINING WALLS AND FENCES</p> <p>Materials and colours of retaining walls and the solid components of fences shall match the external walls of the dwelling.</p> <p>Retaining walls shall have a maximum height of 1.2m when measured from the ground level of the adjoining streets or walkways.</p> <p>The style of fencing fronting Macey Walk and streets (not mews) shall include capped masonry piers with a maximum height of 2m and a solid base course of a matching material between 0.4 and 0.6m in height. Above this 50% visually permeable infill panels shall be provided to a maximum height of 1.8m. These infill panels shall be constructed of painted timber or metal.</p> <p>Solid panels of fencing may be permitted where the only area of private open space is at ground level and abuts the street frontage or Macey Walk. In such cases, the extent of solid fencing shall not exceed 50% of the lot width for that particular dwelling. Solid panels of fencing are permitted to mews frontages, with no limit on their width.</p> <p>Any boundary fence facing the mews shall have a maximum height of 1.8m.</p>	<p>7.0 RETAINING WALLS AND FENCES</p> <p>Text is clarified, particularly the matching of fence colours to the external walls of the building.</p> <p>Text is corrected. A retaining wall of 1.2m maximum height would still allow interaction between the pedestrian at ground level and the users of the building on the lot. It is assumed that the 12m specified is an error.</p> <p>Text is clarified and the two paragraphs on fence style are combined into one. A maximum solid base course of 0.6m is added to ensure the visually permeable panel is substantial. A “visually permeable” panel is the conventional term, rather than “visually transparent”.</p> <p>Text is clarified. Macey Walk is named as the public open space.</p> <p>Additional text is included to ensure any new fences at the mews boundary is the conventional 1.8m maximum height for privacy and security.</p>
<p>8.0 LANDSCAPE</p> <p>Permeable segmental paving to be used for all hard surfaces to increase on-site absorption.</p> <p>Where paving abuts sealed surfaces in streets or mews and is visible from public areas, integrate new paving in colour, texture and scale.</p> <p>Scale and form of trees (in mature state) shall relate to building mass.</p>	<p>8.0 LANDSCAPE</p> <p>Permeable segmental paving shall be used for all hard surfaces to increase on-site absorption of water.</p> <p>Where paving abuts sealed surfaces in streets or the mews and is visible from public areas, the new paving should be a compatible colour, texture and scale.</p> <p>The scale and form of trees (in mature state) should relate to building mass.</p> <p>9.0 SERVICES</p>	<p>8.0 LANDSCAPE</p> <p>Text is clarified.</p> <p>Text is clarified.</p> <p>Text is clarified with ‘should’ as the tree scale and form at maturity would not be monitored relative to the building mass.</p>

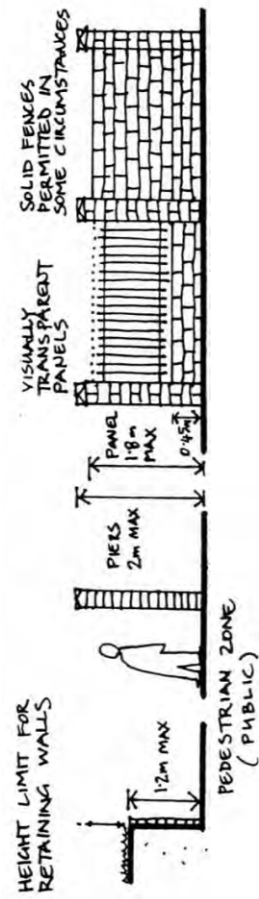


Figure 6: Typical fencing styles and heights

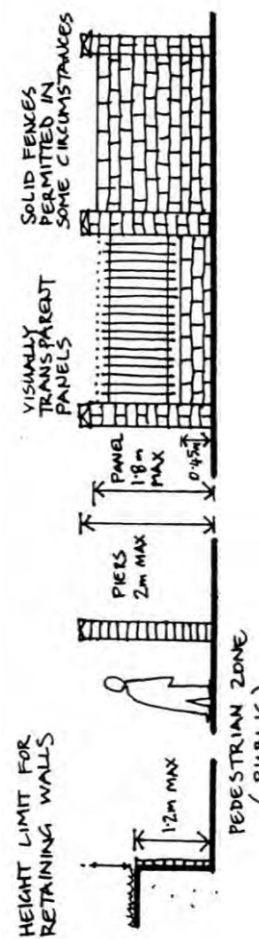


Figure 6: - Typical fencing styles and heights

<p>9.0 SERVICES</p> <p>All meters and connections are accessed off the mews for Lots 16 to 30, with such fittings to be integrated into the overall landscape and building design at the mews frontage. A similar level of design integration is required for Lot 9. A service easement area is defined for each lot and structures shall remain clear of this area.</p> <p>All piped and wired services, air conditioners, clothes drying areas and hot water storage tanks should be concealed from street and public area view (mews view is acceptable), with the exception of solar panels and solar water heaters which may be visible where they are in the same plane as the roof and there is no alternative location that can provide a similar level of solar efficiency.</p> <p>A Sewerage and Drainage Plan is to be provided with all building license applications as special stormwater conditions apply.</p>	<p>All meters and connections shall be accessed off the mews for Lots 16 to 30 and Lots 40 to 45, with fittings to be integrated into the overall landscape and building design at the mews frontage. A similar level of design integration is required for Lots 8 and 9. Where a service easement area is defined for each lot, any structure shall remain clear of this area.</p> <p>All piped and wired services, air conditioners, clothes drying areas and hot water storage tanks shall be concealed from Macey Walk and streets, excluding the mews, with the exception of solar panels and solar water heaters that may be visible where they are in the same plane as the roof and where there is no alternative location that can provide a similar level of solar efficiency.</p> <p>For all lots, the required number of bins shall be stored on the lot and screened from public view. For Lots 16 to 30 and Lots 40 to 45, to avoid any bins obstructing vehicular movement in the mews on waste collection day, a pad for the required number of bins shall be constructed at the rear of the lot at the boundary with the mews.</p>	<p>9.0 SERVICES</p> <p>Text is clarified and Lots 40 to 45 and Lot 8 are now included.</p> <p>Text is clarified.</p> <p>This sentence is not required as it is a matter addressed as part of the required Building License application.</p> <p>This provision is added to ensure the storage of bins is screened as part of new development and that the site layout allows bins to be located on the single and grouped dwelling lots, and not in the mews, on waste collection day.</p>
---	---	--



Planning Policy Manual – Part 2

Planning Policies and Design Guidelines for Normalised Redevelopment Areas

Section 2.21

East Perth – Area 21

Constitution Hill North



Version #	Decision Reference	Synopsis
1	11 March 2008	Adopted
2	17 March 2015	Amended
3	11 April 2017	Amended

DRAFT

CONTENTS

SECTION	TITLE	PAGE
1.0	INTRODUCTION	2
1.2	SCOPE OF GUIDELINES	3
1.3	INTEGRATION OF ART	3
1.4	BUILDING ENVELOPES	3
2.0	SETBACKS	5
2.1	GENERAL	5
2.2	CONSTITUTION, ARDEN, ROYAL AND MACEY STREET FRONTAGES (EAST-WEST ORIENTATION STREETS)	6
2.3	TRAFALGAR ROAD AND ARDEN STREET FRONTAGES (NORTH-SOUTH ORIENTATION STREETS)	6
2.4	MACEY WALK FRONTAGES	6
2.5	MEWS FRONTAGES	6
2.6	ALL OTHER BOUNDARIES.....	6
3.0	ACCESS AND PARKING.....	6
4.0	OPEN SPACE	6
5.0	BUILDING FORM	7
5.1	GENERAL.....	7
5.2	ROOF	7
5.3	ARTICULATION AND DETAILING.....	7
6.0	COLOURS AND MATERIALS.....	8
6.1	WALL AND WINDOWS	8
6.2	ACCENT COLOURS.....	8
6.3	ROOFS.....	8
7.0	RETAINING WALLS AND FENCES	8
8.0	LANDSCAPE	9
9.0	SERVICES	9

1.0 INTRODUCTION

1.1 Context

These Design Guidelines apply to the land within the Constitution Street Precinct (Precinct EP2) as defined in the City of Perth Local Planning Scheme No. 26 (Normalised Redevelopment Areas) (herein called 'the Scheme').

The Deemed Provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* also form part of the Scheme.

The Scheme identifies Preferred, Contemplated and Prohibited uses within the Constitution Street Precinct and stipulates maximum plot ratio. In determining any application for development approval, the local government will have regard to these Design Guidelines, the Scheme and other Planning Policies.

1.2 Scope of Guidelines

These Design Guidelines apply to Lots 8, 9, 16 to 30 and 40 to 45 Constitution Hill North, as shown in Figure 1.

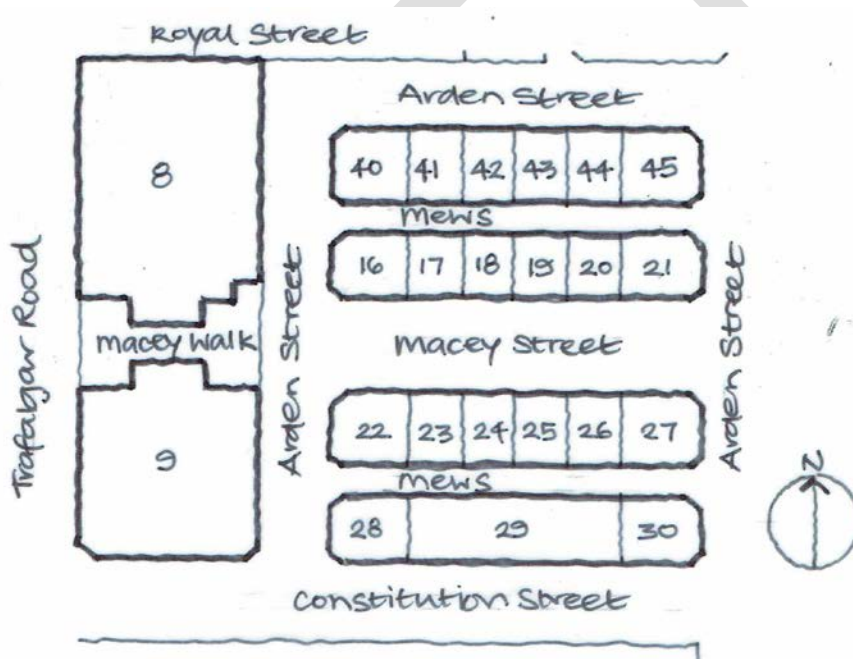


Figure 1: - Extent of Design Guidelines coverage in Constitution Hill North land release.

1.3 Integration of Art

An artist should be encouraged to be involved in the design of the new development to help enrich design responses. Examples of integral artworks include detailing to fences and walls, steps, balustrades, paving design, lighting, building fittings and entry treatments.

1.4 Building Envelopes

- Building height and bulk shall be contained within a building envelope, with only minor projections outside of this allowed for items such as chimneys, finials, awnings, pergolas, balconies and small portions of bay and dormer windows. Balconies and enclosed rooms must not project past the lot boundaries.

- For Lot 8, the building envelope shall have a maximum height of 17.5m above finished ground level, projected at 45 degrees from a point 10.5m maximum (3 storeys) above the finished ground level at the Macey Walk lot boundary and from a point 14m maximum (4 storeys) above the finished ground level at the Royal Street lot boundary, as shown in Figure 2. The maximum height at the Arden Street and Trafalgar Road lot boundaries shall not extend beyond a line that connects the maximum heights at the Royal Street and Macey Walk lot boundaries.

Note that the 17.5m height is measured from a line across the site connecting the Macey Walk ground level to the Royal Street ground level. The 45 degrees angle applies above the maximum height at all street lot boundaries.

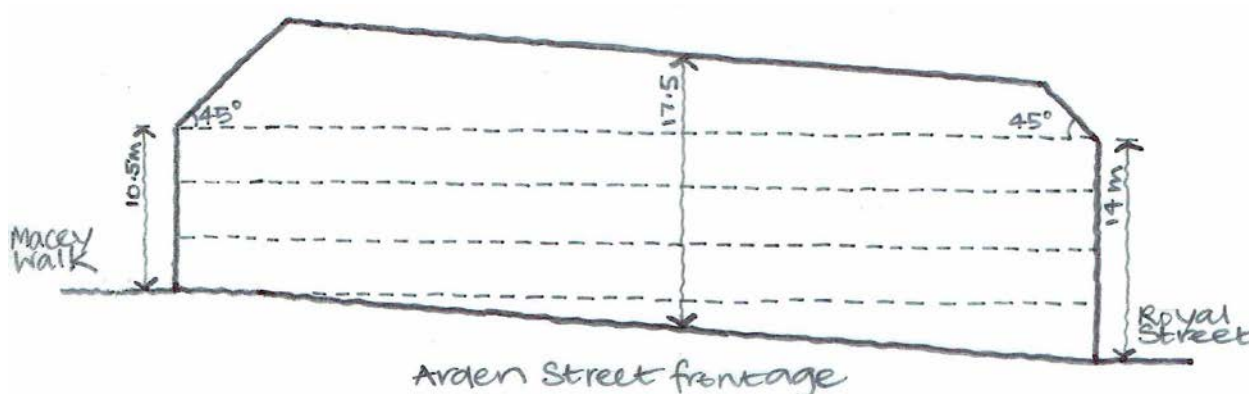


Figure 2: - Building envelope for Lot 8

- For Lot 9, the building envelope shall have a maximum height of 17.5m above finished ground level, projected at 45 degrees from a point 10.5m maximum (3 storeys) above the finished ground level at the Constitution Street lot boundary and from a point 14m maximum (4 storeys) above the finished ground level at the Macey Walk lot boundary, as shown in Figure 3. The maximum height at the Arden Street and Trafalgar Road lot boundaries shall not extend beyond a line that connects the maximum heights at the Constitution Street and Macey Walk lot boundaries.

Note that the 17.5m height is measured from a line across the site connecting the Constitution Street ground level to the Macey Walk ground level. The 45 degrees angle applies above the maximum height at all street lot boundaries.

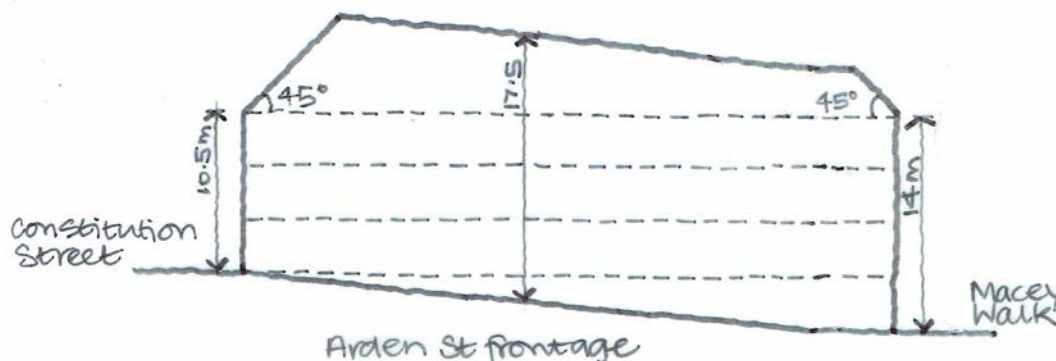


Figure 3: - Building envelope for Lot 9

- For Lots 16 to 30 and 40 to 45, the building envelope shall have a maximum height of 12m projected at 45 degrees from a point 6m maximum (2 storeys) above the finished ground level at the street and mews lot boundaries, as shown in Figures 4 and 5. Note that the 12m height is measured from a line across the site connecting the street ground level to the mews ground level.

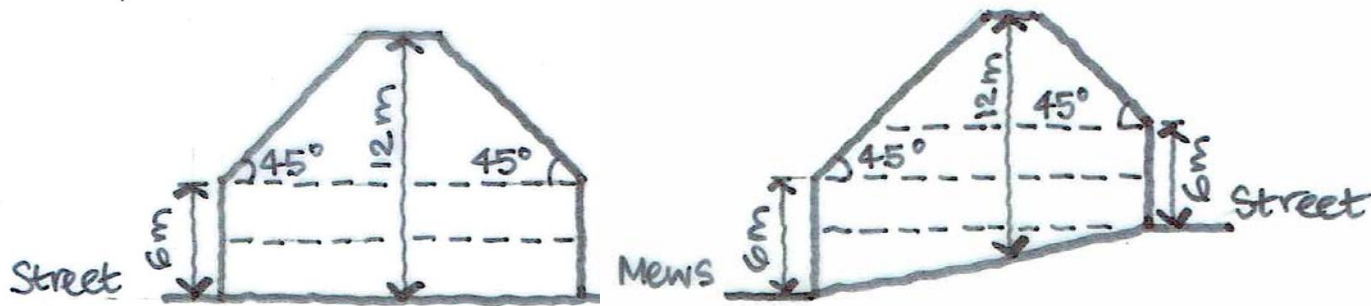


Figure 4: - Typical sections through a flat lot and a sloping lot showing the building envelopes.

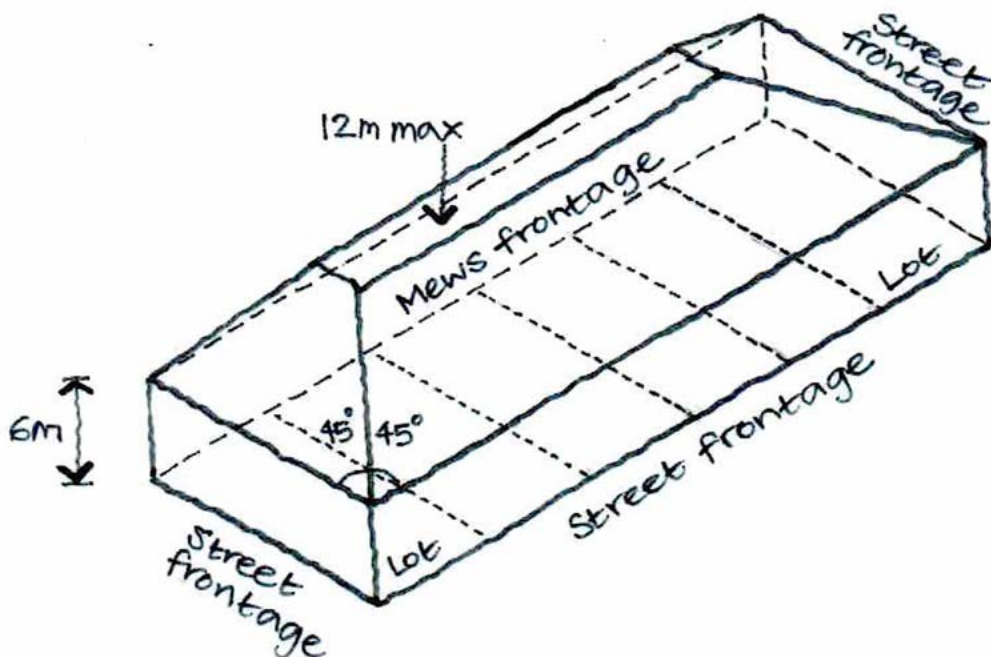


Figure 5 – Typical building envelope for the street blocks.

2.0 SETBACKS

2.1 General

- No part of a building or balcony should be closer than 1m to any existing overhanging street tree canopy.
- Balconies may project up to 2m beyond the building setback but not beyond the lot boundary.

2.2 Constitution, Arden, Royal and Macey Street Frontages (east-west orientation streets)

- The building shall be setback a minimum of 3m.

2.3 Trafalgar Road and Arden Street Frontages (north-south orientation streets)

- The building shall be setback an average of 2m, with nil permitted for a portion of its length.

2.4 Macey Walk Frontages

- A nil building setback is permitted.

2.5 Mews Frontages

- A nil building setback is permitted for garages, carports and any building above the garages.
- Landowners shall ensure that buildings and fences are setback from services and service easements in accordance with the relevant service authorities' requirements.

2.6 All Other Boundaries

- For Lot 29, buildings shall have nil side setbacks to develop a terrace housing form.
- For all single dwelling lots, a nil setback to both ground level side boundaries is permitted. At least one nil side setback shall be provided as follows:
 - Lots 18, 20, 21, 24, 26, 27, 30, 42, 44 and 45 – building shall have a nil setback to the western side boundary;
 - Lots 16, 17, 19, 22, 23, 25, 28, 40, 41 and 43 – building shall have a nil setback to the eastern side boundary.

Upper floors may be setback from the side boundaries where a nil building setback is provided at ground level.

3.0 ACCESS AND PARKING

- Pedestrian access to dwellings shall be provided via front doors that face streets, excluding the mews, and Macey Walk.
- A maximum of two crossovers per lot shall be provided for vehicle access to car parking on Lots 8 and 9.
- All vehicle access to Lots 16 to 30 and 40 to 45 shall be off the mews, with garage doors opening directly to the mews, but not causing any obstruction to vehicular movement in the mews.
- The extent of street and mews frontage given over to car access to garages and parking should be minimised.
- All car parking shall be screened from public view.

4.0 OPEN SPACE

- Each dwelling shall be provided with an area of private north facing open space that is directly accessible from a living area. For dwellings abutting Macey Walk on Lot 9, and dwellings on Lots 22 to 27, the private open space may have any orientation, given the shading from existing large tree canopies.

- Private open space may be provided at ground level or as a balcony, terrace or deck.
- All private open space shall be of a usable area and dimensions. Ground level private open space should include an area with minimum dimensions of 4m by 4m, while a balcony serving as the only area of private open space should have a minimum area of 10m² with a minimum dimension of 2m.
- Balconies should be designed for user privacy and useability.
- Additional communal open space may be provided as desired, with the intended uses and management responsibilities clearly identified.

5.0 BUILDING FORM

5.1 General

- A range of dwelling types should be provided within Constitution Hill North. Multiple dwellings are most appropriate for Lots 8 and 9; terrace housing for Lot 29; and for the other lots, either terrace houses with external walls on both side boundaries, or semi-detached housing with external walls on one side boundary.
- Additional dwelling space above mews garages may be considered, with scope for ancillary dwellings.

5.2 Roof

- The majority of the roof pitch shall be between 30 to 45 degrees where it is visible from Macey Walk, streets and mews, with a shallower pitch being acceptable for verandahs and canopies and small areas of skillion roofs. Small areas of flat roofs are acceptable where they are screened behind parapets.
- Dormer/attic windows should be considered in the roof design.

5.3 Articulation and Detailing

- Openings to habitable rooms of dwellings shall face streets, the mews and Macey Walk, rather than blank walls and/or garages.
- Dwelling design shall enable "eyes on the street, Macey Walk and the mews" for passive surveillance from inside some habitable rooms and from outdoor areas, such as balconies.
- Buildings shall be articulated and detailed to provide modulated street facades with the use of elements such as verandahs, balconies, dormers and window projections to provide visual interest and establish a fine-grained scale to development. Detailing shall provide richness and variety, accentuate vertical rhythms, reduce visual bulk of building mass and enhance individual dwelling identity.
- The design of buildings on Lots 8 and 9 should respond to their gateway locations.
- Corner buildings shall address both streets with consideration given to treatments that mark corners and link both streets, for example through additional floor height, distinct roof form, articulation of corner wall elements, distinctive window design, variation in materials and colours and special balcony treatments.
- Garages (particularly doors), carports and parking areas should be detailed to reduce their visual impact and add interest at the pedestrian level.

6.0 COLOURS AND MATERIALS

6.1 Wall and windows

- Walls shall be predominantly red brick, limestone and similarly coloured masonry or render, with painted cladding acceptable on upper floors.
- Reflective mirror glass or dark tinted glass in openings shall not be permitted.

6.2 Accent colours

- An accent colour should highlight elements, such as trims, fascias, gutters, doors and windows, balustrades, pergolas and fence infill panels.

6.3 Roofs

- Roof materials shall be selected within the following colour range: tiles in terracotta or similar mid-range tones; flat profile shingles in slate grey; corrugated metal decking in shades of grey, cream, mid-brown and pale green, such as Colorbond Surfmist, Paperbark, Sandbank, Dune, Cove, Classic Cream, Terrain and Pale Eucalypt.
- A Zinalume finish may be acceptable where it can be demonstrated that glare and reflectivity will not be a problem to neighbours and surrounding activities.

7.0 RETAINING WALLS AND FENCES

- Materials and colours of retaining walls and the solid components of fences shall match the external walls of the dwelling.
- Retaining walls shall have a maximum height of 1.2m when measured from the ground level of the adjoining street or walkway.
- The style of fencing fronting Macey Walk and streets (not mews) shall include capped masonry piers with a maximum height of 2m and a solid base course of a matching material between 0.4 and 0.6m in height. Above this 50% visually permeable infill panels shall be provided to a maximum height of 1.8m. These infill panels shall be constructed of painted timber or metal.
- Solid panels of fencing may be permitted where the only area of private open space is at ground level and abuts the street frontage or Macey Walk. In such cases, the extent of solid fencing shall not exceed 50% of the lot width for that particular dwelling. Solid panels of fencing are permitted to mews frontages, with no limit on their width.
- Any boundary fence facing the mews shall have a maximum height of 1.8m.

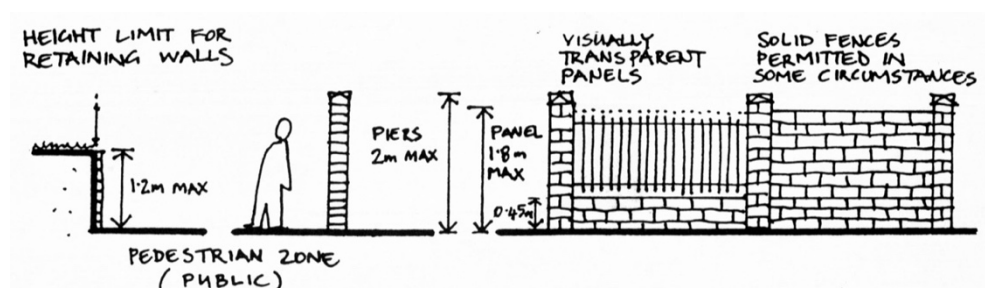


Figure 5: - Typical fencing styles and heights

8.0 LANDSCAPE

- Permeable segmental paving shall be used for all hard surfaces to increase on-site absorption of water.
- Where paving abuts sealed surfaces in streets or the mews and is visible from public areas, the new paving should be a compatible colour, texture and scale.
- The scale and form of trees (in mature state) should relate to building mass.

9.0 SERVICES

- All meters and connections shall be accessed off the mews for Lots 16 to 30 and Lots 40 to 45, with fittings to be integrated into the overall landscape and building design at the mews frontage. A similar level of design integration is required for Lots 8 and 9. Where a service easement area is defined for each lot, any structure shall remain clear of this area.
- All piped and wired services, air conditioners, clothes drying areas and hot water storage tanks shall be concealed from Macey Walk and streets, excluding the mews, with the exception of solar panels and solar water heaters that may be visible where they are in the same plane as the roof and where there is no alternative location that can provide a similar level of solar efficiency.
- For all lots, the required number of bins shall be stored on the lot and screened from public view. For Lots 16 to 30 and Lots 40 to 45, to avoid any bins obstructing vehicular movement in the mews on waste collection day, a pad for the required number of bins shall be constructed at the rear of the lot at the boundary with the mews.

Claisebrook Village Precincts

- EP1 - Claisebrook Inlet
- EP2 - Constitution Street
- EP3 - Royal Street Central
- EP4 - Silver City
- EP5 - Royal Street West
- EP6 - Boans
- EP7 - East Parade
- EP8 - Belvidere
- EP9 - Brown Street
- EP10 - Riverbank
- EP11 - Cemeteries
- EP12 - Waterloo
- EP13 - Plain Street
- EP16A - PTA Depot
- EP16B - PTA Transport Corridor

Riverside Precincts

- EP25 - Queens
- EP26 - WA Police Service
- EP27 - Waterbank
- EP28 - Queens Gardens
- EP29 - WACA
- EP30 - Trinity College
- EP31 - Gloucester Park
- EP32 - Hillside

New Northbridge Precincts

- NB1 - Russell Square
- NB2 - Lake Street
- 22 - Museum Street

Perth City Link Precincts

- 33 - The Arena
- 34 - King-Lake Street
- 35 - Horseshoe Bridge Plaza

Perth Cultural Centre Precincts

- 36 - James Street
- 37 - William Street

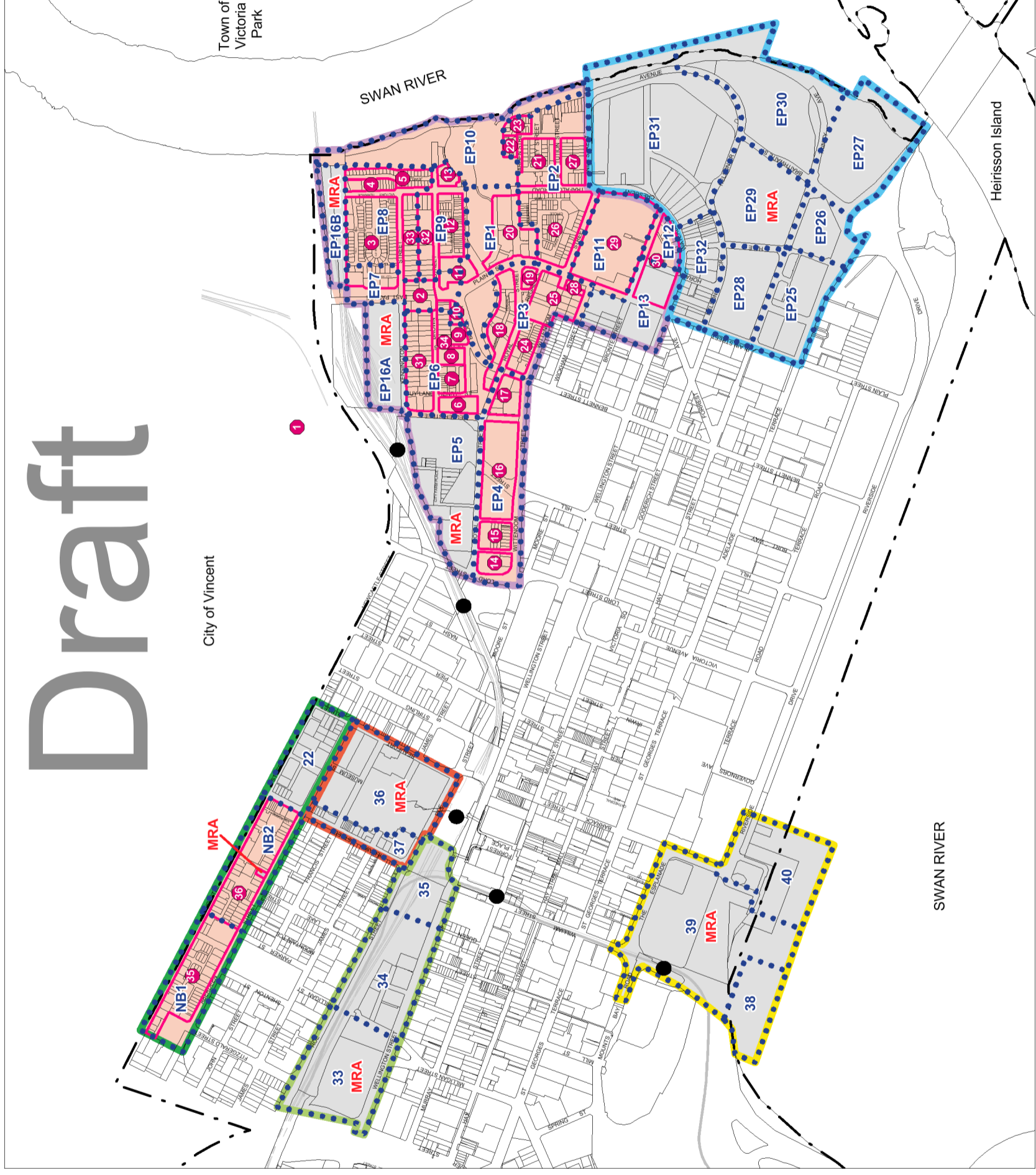
Elizabeth Quay Precincts

- 38 - Riverfront
- 39 - Inlet
- 40 - Barrack Square

LEGEND

- Scheme Area
- Precinct Boundary
- Precinct Number
- Metropolitan Redevelopment Authority Area (MRA)
- Claisebrook Village Project Area
- Riverside Project Area
- New Northbridge Project Area
- Perth City Link Project Area
- Perth Cultural Centre Project Area
- Elizabeth Quay Project Area
- Municipal Boundary
- Design Guidelines Boundary and Number

- 1 Claisebrook Road North (City of Vincent)
- 2 East Parade
- 3 Belvidere
- 4 Victory Terrace
- 5 Jewell Lane
- 6 Fielder Street
- 7 Saunders Street
- 8 Boans Warehouse
- 9 Brook Street
- 10 Brook Street (P & O Site)
- 11 Chinese Consulate
- 12 North Cove
- 13 Harbourside
- 14 Lord and Norbert Streets
- 15 Norbert and Clotide Streets
- 16 Silver City
- 17 East Perth Primary School
- 18 Eastbrook Terrace
- 19 Regal Place Car Park
- 20 South Cove
- 21 Constitution Hill North
- 22 Gibraltar Way
- 23 The Quadrant
- 24 Royal and Bennett Streets
- 25 Plain Street
- 26 Haig Park
- 27 Constitution Hill South
- 28 Lot 201 Plain Street
- 29 East Perth Cemetery
- 30 Waterloo
- 31 Brown & Kensington Streets West
- 32 Brown Street East
- 33 Kensington Street East
- 34 Lot 119 Brown Street
- 35 Russell Square
- 36 Lake Street



SUMMARY OF SUBMISSIONS

Constitution Hill North Design Guidelines.

SUBMISSION	SUMMARY OF COMMENTS	CITY OF PERTH RESPONSE
<p>Submission No. 1 J and A Meneely 42 Arden St, East Perth</p>	<p>1.1 The City Should Have Adopted EPRA Design Guidelines</p> <p>The Metropolitan Redevelopment Authority (MRA) has confirmed that Guidelines exist for the 33 to 47 Arden Street and 50 Trafalgar Road, East Perth and were adopted by the East Perth Redevelopment Authority (EPRA) on 23 May 1994 and were transferred to the City of Perth in 2002.</p> <p>The East Perth Redevelopment (Subtracted Area) Regulations 2002 include a Schedule that lists the Design Guidelines transferred to the City.</p> <p>The City was negligent by failing to adopt the EPRA Constitution Hill (Stage 2), Claisebrook Design Guidelines into the current Design Guidelines for the site. This resulted in an anomaly in the Guidelines.</p>	<p>1.1 Does Not Align</p> <p>Prior to January 2002, the properties that are the subject of the proposed amendment were part of the East Perth Redevelopment Area. In January 2002 in accordance with the East Perth Redevelopment (Subtracted Area) Regulations 2002, the planning authority for large portions of the Redevelopment Area, including these properties, were returned to the City (i.e. normalised) with transitional provisions in place for five years until January 2007.</p> <p>The 2002 Regulations included a Schedule that listed the Design Guidelines that were to be used during the five year transitional period. The Schedule references the Constitution Hill Design Guidelines adopted on 23 May 1994.</p> <p>On 11 September 2007 Local Planning Scheme No. 26 (LPS26) was gazetted to cover the normalised Redevelopment Areas and on 11 March 2008 the Council adopted all of the EPRA Design Guidelines for these areas that it had knowledge of at that time, with only minor changes. Based on advice from EPRA, it was the City's understanding that 33 to 47 Arden Street and 50 Trafalgar Road, East Perth were not covered by the 1994 Constitution Hill Design Guidelines or any other design guidelines. Therefore the City acted in good faith on advice received and no Design Guidelines were adopted for these sites.</p>

SUBMISSION	SUMMARY OF COMMENTS	CITY OF PERTH RESPONSE
		<p>In late 2017 following initiation of the proposed Design Guidelines Amendment now under consideration, the Metropolitan Redevelopment Authority (MRA) advised a number of landowners that the Constitution Hill (Stage 2) Design Guidelines were in existence, applied to the subject lots when planning authority was returned to the City in 2002 and should have been in affect up until January 2007 under transitional orders. These Design Guidelines are undated.</p> <p>Since then the MRA has located a further set of design guidelines titled Constitution Hill Design Guidelines (Lots 10-30) that bear the date 18 May 1994. These appear to be the set that may have applied under the transitional provisions rather than the Stage 2 set provided to the landowners. They do not however cover Lots 8 and 9.</p> <p>The City has sought legal advice on the status both of these pre-normalisation Design Guidelines now located by the MRA. This advice has confirmed any design guidelines that may have covered the properties prior to or during transition ceased to apply after the expiry of the transitional period in 2007. In the unlikely event that they had any application after this date, this ceased in March 2015 as a consequence of an amendment to LPS26.</p> <p>It is therefore considered appropriate to now proceed with the proposed amendment to the Constitution Hill North Design Guidelines. This will ensure that appropriate planning provisions are in place to assess future development application applications for 33 to 47 Arden Street and 50 Trafalgar Road, East Perth and provide greater certainty for landowners in the area on the development that can</p>

SUBMISSION	SUMMARY OF COMMENTS	CITY OF PERTH RESPONSE
	<p>1.2 Development Approval for 43 Arden St, East Perth Conflicts With Proposed Design Guidelines</p> <p>While the development approval for 43 Arden Street, East Perth has not yet commenced construction, it represents a spot zoning that is in conflict with the Constitution Hill (Stage 2), Claisebrook Design Guidelines and with the proposed Guidelines.</p>	<p>reasonably be anticipated. It should be noted, however, that when determining development applications the Council has the discretion to vary the provisions of design guidelines if it is considered that the variation would be consistent with orderly and proper planning and not have an undue adverse impact on the amenity of the locality.</p> <p>1.2 Outside Scope</p> <p>On 14 February 2017 the Council approved alterations and additions to a dwelling at 43 Arden Street, East Perth. In approving the development the Council noted that the property and immediate surrounds did not have design guidelines to inform development of the land and resolved that <i>'the City's Officers review the design guidelines for East Perth Area 21 Constitution Hill North to include the properties at 33 to 47 (Lots 40 to 45) Arden Street, East Perth'</i>. As discussed above, the EPRA Constitution Hill (Stage 2) Design Guidelines were not applicable.</p> <p>In the absence of design guidelines at that time the application was assessed in accordance with the principles of orderly and proper planning and the requirements of LPS26 and City Planning Scheme No. 2 (CPS2).</p> <p>The approval of this development application is a separate matter to the consideration of the proposed amendment to the Constitution Hill North Design Guidelines. The amended provisions will not apply retrospectively to existing or approved development but will provide greater guidance for the assessment of any development proposed in the future.</p>

SUBMISSION	SUMMARY OF COMMENTS	CITY OF PERTH RESPONSE
	<p data-bbox="1043 1364 1070 1697">1.3 Defer Amendment</p> <p data-bbox="1114 931 1345 1697">Landowners opposed to the development approval granted for 43 Arden Street, East Perth have submitted requests to the Minister for Planning, Lands and Housing to review the approval process and advise that a legal challenge in the Supreme Court may be undertaken. It is requested that the amendment be deferred until these reviews are completed.</p>	<p data-bbox="300 103 531 904">The proposed additions to the dwelling at 43 Arden Street, East Perth, will if constructed project outside the proposed building envelope primarily at the rear of the site. However as indicated above, the Council has the discretion to vary Design Guidelines including the building envelopes, when determining a development application under certain circumstances.</p> <p data-bbox="564 103 762 904">It is noted that the Council has no power to unilaterally reconsider or revoke the development approval granted for 43 Arden Street, East Perth. A development approval can only be cancelled by the Council if an application for cancellation is made by the owner of the land to which the approval relates.</p> <p data-bbox="799 620 826 904">1.3 Does Not Align</p> <p data-bbox="868 103 1066 904">As indicated in Response No. 1.1 above, the City is of the view that any design guidelines that may have covered the site prior to or during transition do not apply and could not have been taken into consideration when determining the development application. This has been confirmed by legal advice obtained by the City.</p> <p data-bbox="1102 103 1300 904">Legal advice has also indicated that the development approval could not be cancelled by the Minister. The development approval could only be cancelled by the Supreme Court on the basis of that there was an error of law in the approval process and this is not considered to be the case.</p> <p data-bbox="1334 103 1394 904">It is considered important to proceed with the Amendment and adopt Design Guidelines to cover 33 to 47 Arden Street</p>

SUBMISSION	SUMMARY OF COMMENTS	CITY OF PERTH RESPONSE
<p>Submission No. 2 Janice and Peter Watt 1A Macey St, East Perth</p>	<p>2.1 The City Should Have Adopted EPRA Design Guidelines</p> <p>There was a properly adopted planning document provided by EPRA for lots 40-45 Arden Street and 50 Trafalgar Road: Constitution Hill (Stage 2), Claisebrook Design Guidelines. These Design Guidelines were forwarded by the MRA to the City in 2002.</p> <p>The City of Perth was negligent in its investigation regarding Design Guidelines for the area. Guidelines existed for the lots and should have been applied to the development application for 43 Arden Street, East Perth.</p> <p>2.2 Oppose Development Approval for 43 Arden St, East Perth</p> <p>The development approval for 43 Arden Street, East Perth will create overshadowing and overlooking of adjoining properties and will interfere with the access and egress of cars during construction.</p> <p>2.3 Reconsider Development Approval for 43 Arden Street, East Perth</p> <p>In light of the existence of the Constitution Hill (Stage 2),</p>	<p>and 50 Trafalgar Road, East Perth as soon as possible to provide greater guidance in the assessment of any further development applications for these properties. The adoption of design guidelines for these sites would not prejudice the outcome of any review or court action in relation to the development approval.</p> <p>2.1 Does Not Align</p> <p>Refer to Response No. 1.1 above.</p> <p>2.2 Outside Scope</p> <p>Refer to Response No. 1.2 above.</p> <p>2.3 Outside Scope</p> <p>Refer to Response No's 1.1, 1.2 and 1.3 above.</p>

SUBMISSION	SUMMARY OF COMMENTS	CITY OF PERTH RESPONSE
	<p>Claisebrook Design Guidelines, the development approval granted to 43 Arden Street, East Perth should be overturned and these Guidelines adhered to. If not, one house will stand one story higher than any of its neighbours, and no other resident will be allowed to extend (should they wish) once the amendment is approved.</p> <p>The City of Perth should support the majority of landowners in the area who are now aware that Design Guidelines were in place prior to approval for additions at 43 Arden Street being granted. The approval was based on incorrect information and went against the EPRA intent of maintaining similar building envelopes.</p>	
<p>Submission No. 3 Phillip Boyton and Rosemarie Boyton Unit 17/50 Trafalgar Road, East Perth</p>	<p>3.1 The City Should Have Deferred the Development Application for 43 Arden Street, East Perth Until the EPRA Design Guidelines Were Located.</p> <p>The Constitution Hill (Stage 2) Claisebrook Design Guidelines were adopted by EPRA on 23 May 1994 and were forwarded to the City of Perth in 2002. The City was negligent in failing to incorporate these Design Guidelines into the current design guidelines and only becoming aware of the anomaly when a development application for 43 Arden Street, East Perth was lodged in August 2016.</p> <p>When the application was lodged ratepayers requested that the City investigate the existence of Design Guidelines. The City advised that Guidelines did not exist, but they were subsequently located by MRA after</p>	<p>3.1 Does Not Align</p> <p>Refer to Response No. 1.1 above.</p> <p>Notwithstanding the absence of Design Guidelines, under Section 75, Clause 1 (b) of the Deemed Provisions of the Planning and Development (Local Planning Scheme) Regulations 2015; the Council is required to determine a development application that requires advertising to surrounding landowners within 90 days of receipt of the application.</p>

SUBMISSION	SUMMARY OF COMMENTS	CITY OF PERTH RESPONSE
	<p>landowner inquiries.</p> <p>The Council should have deferred the application until the “anomaly” was investigated and corrected. Instead the Council approved the application and created a spot zoning that is to the detriment of adjacent landowners and conflicts with concepts set up for development in the area.</p> <p>3.2 Rescind Development Approval for 43 Arden Street, East Perth</p> <p>The existing EPRA Design Guidelines should be adopted and the City should urgently rescind the development approved granted to 43 Arden Street, East Perth.</p>	<p>3.2 Outside Scope</p> <p>Refer to Response No. 1.2 and 1.3 above.</p>
<p>Submission No. 4</p> <p>Dierdre Westblade 2 Macey Street, East Perth</p>	<p>4.1 The City Should Have Adopted EPRA Design Guidelines</p> <p>EPRA developed the Constitution Hill (Stage 2) Claisebrook Design Guidelines for the area in 1994. The responsibility for these was transferred back to the City in 2002. So the statement that the sites are not covered by Design Guidelines is incorrect.</p> <p>The East Perth Redevelopment (Subtracted Area) Regulations 2002 include a Schedule that lists the Design Guidelines transferred to the City of Perth.</p> <p>The failure of the City of Perth to locate and incorporate the EPRA Design Guidelines into the current Guidelines was negligent. As a result unnecessary time and money has been spent on amending Design Guidelines.</p>	<p>4.1 Does Not Align</p> <p>Refer to Response No. 1.1 above.</p>

SUBMISSION	SUMMARY OF COMMENTS	CITY OF PERTH RESPONSE
	<p>represent a spot zoning. It could be in conflict with the Constitution Hill (Stage 2), Claisebrook Design Guidelines, and the proposed Guidelines. The property therefore appears to have been afforded preferential treatment. It was not subject to the same Guideline conditions and restrictions that other properties in the area have had to abide by. This is effectively discrimination against the other property owners and therefore the proposed Amendments should not be approved.</p> <p>5.3 Defer Amendment</p> <p>It is understood that the development approval for 43 Arden Street is being reviewed by the Minister for Planning, Lands and Housing and further avenues to challenge the decision in the Supreme Court are being pursued. It is requested that the amendment be deferred until these reviews are completed.</p>	<p>Guidelines where it is satisfied that the variation would be consistent with orderly and proper planning and not have an undue adverse impact on the amenity of the locality.</p> <p>5.3 Does Not Align</p> <p>Refer to Response No. 1.3 above.</p>
<p>Submission No. 6</p> <p>Metropolitan Redevelopment Authority (MRA)</p>	<p>6.1 Support New Guidelines</p> <p>The MRA notes that there are a number of lots within the Constitution Hill Precinct that are not covered by adopted Design Guidelines. It supports the amendment of the Constitution Hill North Design Guidelines to include these lots.</p>	<p>6.1 Noted</p> <p>Support noted.</p>
<p>Submission No. 7</p> <p>Bonita Morgan 41 Arden Street, East</p>	<p>7.1 The City Should Have Adopted EPRA Design Guidelines</p> <p>The City of Perth was required to maintain East Perth after</p>	<p>7.1 Does Not Align</p> <p>Refer to Response No. 1.1 above.</p>

SUBMISSION	SUMMARY OF COMMENTS	CITY OF PERTH RESPONSE
Perth	<p>handover from EPRA in 2002. A Government Act started the renewal of East Perth and the City has no charter to amend it.</p> <p>7.2 Oppose Approved Development For 43 Arden St, East Perth And Request That It Be Rescinded</p> <p>The City has not managed the Design Guidelines to the detriment of properties in Arden Street and Macey Street, East Perth. Allowing a spot zoning will result in serious overshadowing problems to adjacent properties leading to high power usage in winter and inability to resell.</p> <p>The spot rezoning is in conflict with the original Design Guidelines and should be rescinded.</p>	<p>7.2 Outside Scope</p> <p>Refer to Response No. 1.2 above.</p>
<p>Submission No. 8</p> <p>Beth Richardson Unit 4/50 Trafalgar Road, East Perth</p>	<p>8.1 The Approved Development is Not Consistent With Height Policy</p> <p>All existing properties within the area are governed by three storey height limit legislation. Allowing a fourth storey to be granted on a dwelling facing the park/Swan River with its rear to three storey houses will create an overshadowing effect and encroach on the privacy of these neighbouring houses. The additional storey will be visible to all surrounding residents and will not be consistent with existing building structures.</p>	<p>8.1 Outside Scope</p> <p>As indicated under Response No. 1.1 no height limit applied to 43 Arden St, East Perth when the development application for alterations and additions to the dwelling there was approved in 2017. Under the proposed Amendment a building envelope will apply to this site and adjacent sites with a six metre maximum building height at the street and mews frontages and a 12 metre maximum building height at the centre of the site.</p>
<p>Submission No. 9</p> <p>Wenfu Chi 8 Macey Street, East</p>	<p>9.1 The City Should Have Adopted EPRA Design Guidelines</p> <p>The MRA has confirmed that Design Guidelines already</p>	<p>9.1 Does Not Align</p> <p>Refer to Response No. 1.1 above.</p>

SUBMISSION	SUMMARY OF COMMENTS	CITY OF PERTH RESPONSE
<p>Perth Late Submission</p>	<p>exist and were adopted by EPRA in 1994. Responsibility for these Guidelines was transferred to the City of Perth in 2002. The East Perth Redevelopment (Subtracted Area) Regulations 2002 include a Schedule that lists the Design Guidelines transferred to the City.</p> <p>The City was negligent in that it failed to incorporate the EPRA Constitution Hill (Stage 2), Claisebrook Design Guidelines into the current design guidelines. This resulted in an anomaly in the Guidelines.</p> <p>9.2 Defer Amendment</p> <p>While the development at 43 Arden Street, East Perth has not commenced, it represents a spot zoning which conflicts with the Constitution Hill (Stage 2), Claisebrook Design Guidelines and is not acceptable. The adoption of the City's proposed amendment should be deferred until reviews by the Minister for Planning, Lands and Heritage is complete.</p>	<p>9.2 Does Not Align</p> <p>Refer to Response No. 1.2 and 1.3 above.</p>

Agenda Item 8.2 **52B (Lot 115) Wittenoom Street, East Perth – Renovations to an Existing Two Level Dwelling Including an Addition of a Third Level and a Deck Above the Existing Garage**

Recommendation:

That, in accordance with the provisions of the City Planning Scheme No. 2, Local Planning Scheme No. 26 and the Metropolitan Region Scheme, Council APPROVES the application for renovations to an existing two level dwelling including addition of a third level and a deck above the existing garage at 52B (Lot 115) Wittenoom Street, East Perth as indicated on the Metropolitan Region Scheme Form One dated 14 November 2017 and as shown on the plans received on 16 November 2017 subject to:

- 1. final details of the proposed finishes, colours and materials of the proposed development and specifically of the building's eastern elevation being submitted for approval by the City prior to applying for a building permit, with the finishes to the eastern elevation being completed to the City's satisfaction prior to the new third level of the dwelling and the garage roof deck being occupied and used;*
- 2. any proposed external building plant, piping, ducting and air conditioning units being located so as to minimise any visual and noise impact on the adjacent developments, and being screened from view, with details of the location and screening of any proposed external building plant being submitted for approval by the City prior to applying for a building permit;*
- 3. the glass balustrading on the garage roof deck area to be obscure or translucent glazing; and*
- 4. a construction management plan for the proposal being submitted for approval by the City prior to applying for a building permit, detailing how it is proposed to manage:*
 - a. delivery of materials and equipment to the site;*
 - b. storage of materials and equipment on the site;*
 - c. obtaining access over adjoining sites to complete construction and finishes on the side elevation;*
 - d. parking arrangements for the contractors and subcontractors;*
 - e. maintaining access through the rear laneway throughout construction; and*
 - f. any other matters likely to impact on the surrounding properties.*

FILE REFERENCE: 2017/5469
 SUBURB/LOCATION: 52B Wittenoom Street, East Perth
 REPORTING UNIT: Development Approvals
 RESPONSIBLE DIRECTORATE: Planning and Development
 DATE: 16 November 2017
 ATTACHMENT/S: Attachment 8.2 A – Location Plan
 Attachment 8.2B - Perspectives

3D MODEL PRESENTATION: No

LANDOWNER: Ms T M Lewis
 APPLICANT: Ms T M Lewis
 ZONING: (MRS Zone) Urban Zone
 (Local Planning Scheme No. 26 Precinct) EP3 – Royal Street
 Central

APPROXIMATE COST: \$150,000

Council Role:

- | | | |
|-------------------------------------|----------------|---|
| <input type="checkbox"/> | Advocacy | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i> |
| <input type="checkbox"/> | Executive | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i> |
| <input type="checkbox"/> | Legislative | <i>Includes adopting local laws, town planning schemes and policies.</i> |
| <input checked="" type="checkbox"/> | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/> | Information | <i>For the Council/Committee to note.</i> |

Legislation / Strategic Plan / Policy:

Legislation *Planning and Development Act 2005
 Planning and Development (Local Planning Scheme) Regulations 2015 – Deemed Provisions
 City Planning Scheme No. 2 (CPS2) Local Planning Scheme No. 26*

Policy
 Policy No and Name: East Perth Planning Policies and Design Guidelines
 Design of Residential Development (3.1) City Development
 Design Guidelines (4.1)

Purpose and Background:

The 198 m² subject site is located within the East Perth Precinct No. 15 (P15) under the City Planning Scheme No. 2 (CPS2) and is subject to Local Planning Scheme No. 26 (LPS26). The subject site is situated within the 'Royal Street Central' Precinct of East Perth (EP3) and is subject to the Royal and Bennett Streets Design Guidelines. The intent of the precinct is to focus on retail and commercial activity whilst also supporting mixed-use development.

The subject site is currently occupied by a two level residential dwelling which fronts onto Wittenoom Street with rear laneway access for vehicles and servicing. The site abuts residential dwellings to the east and west with mixed use buildings immediately to the north and south.

An application for renovations including the addition of a third level, installation of a pool, and the conversion of the roof of the existing garage into a roof deck was submitted to the City on 16 November 2017.

Details:

The proposed development consists of the following:

- an additional level being constructed above the existing two level dwelling bringing the dwelling to three levels in height. The new third level will comprise a stair case addition, store room, master bedroom, bathroom and a robe area;
- installation of a new lift providing access between the ground floor, first floor and second floor;
- removal of the first floor roof to allow for the extension of the ceiling height from 2400mm to 2657mm;
- removal of the rear wall of the existing garage to accommodate a new laundry area on the ground floor;
- conversion of the roof of the existing garage to a roof deck including the installation of balustrading, an outdoor kitchen, privacy screening, and Colorbond roof;
- installation of a new swimming pool and storage area on the ground floor adjacent to the west of the existing garage;
- the extension to the height of the parapet wall on the south eastern side of the subject lot in order to provide privacy;
- construction of a walkway on the second floor between the main dwelling and the garage roof deck; and
- an internal renovation within the property including relocation of the existing ground floor kitchen, new concrete flooring, removal of existing air conditioning ducts and addition of new ducts, and the addition of a new hand basin and sliding doors on the ground floor.

Compliance with Planning Scheme:

Land Use

The subject site is located within the East Perth Precinct (P15) under City Planning Scheme No. 2 and is subject to Local Planning Scheme No. 26 (LPS26). The subject property falls within the 'Royal Street Central' Precinct within LPS26. The Royal Street Central Precinct is the main focus for shopping and commercial activity in the East Perth Area, whilst also supporting mixed-use development. A 'Residential' use is a 'Preferred' (P) use in this Precinct.

Development Requirements

The proposal's compliance with the requirements of LPS26 and the Royal and Bennett Streets Design Guidelines are summarised below:

Development Standard	Proposed	Required/Permitted
Building Height	Three storeys with a maximum building height of 8.25 metres. Maximum building height of 5.06 metres for proposed deck area on the roof of the existing garage.	Minimum two storeys with a maximum building height of 14 metres to the roof ridge. Maximum building height of 3 metres for rear garages abutting the right of way.
Setbacks		
Front (street):	3.0m (no change)	Min - 3.0m, Max – 3.5m
Rear:	Nil (no change)	Min - Nil
Side (at street frontage):	Nil (no change)	Min – Nil, Max – Nil
Access	Existing vehicular access maintained from the right of way.	All vehicular access shall be obtained via the right of way.
Plot Ratio	65.4m ² of additional area to the existing dwelling with a maximum plot ratio of 1.04 (205m ²).	Maximum plot ratio of 2.5 (495m ²) provided that in any development having a plot ratio in excess of 1.5, not less than 50% of the excess floor area shall be dedicated to residential use.

Open Space	The existing courtyard area is modified with more than 16m ² maintained.	Private open space shall be provided to each dwelling in the form of a courtyard with a minimum area of 16m ² .
Privacy	No openings are proposed on the eastern elevation of the existing dwelling. The proposed garage roof deck is setback 1.9 metres from the adjacent property to the west and includes privacy screening.	Designs should be mindful of privacy issues. Windows, balconies and terraces should be located to avoid any loss of amenity to the extent possible.
Walls	The exterior walls will consist of face brickwork and the new parapet wall will match the colours and style of the existing boundary walls.	Exterior of walls of buildings should be predominately of masonry construction and may utilise combinations of face brickwork or blockwork, rendered finishes, and limestone block.
Blank Walls	The proposed works will result in a blank façade on the eastern elevation containing no openings and has a nil setback.	Exposed blank facades are not permitted. Elevations should be detailed and articulated to provide visual interest, except where nil setbacks adjoin other lots.
Roofs	A colorbond roof is proposed for the garage roof deck area. Solar roof tiling is proposed on the main residential dwelling. The roof of the garage roof deck area and the roof of the residential dwelling will have a matching appearance.	Roof materials and colours should be compatible with the building style. Roofs should preferably be flat profile tiles in mid-grey or pale ochre, or corrugated metal decking in Colorbond Off White, merino, birch grey, wheat or saltbush.
Roof Form	Proposed roof on the dwelling pitched at 25 degrees, roof over the deck area will be flat.	Roofs may be flat or pitched up to 45 degrees.

Comments:

Consultation

The proposal was advertised for three weeks to the neighbouring properties to the east (52A Wittenoom Street) and west (54 Wittenoom Street) of the subject site.

One submission was received from the residents at 52A Wittenoom Street who have raised an objection to the proposal citing the following concerns:

- *The scale of the proposed parapet wall could potentially reduce natural daylight and breeze coming into their home;*
- *The bulk and finish of the proposed parapet wall will result in the eastern elevation having an unattractive appearance;*
- *The potential increase of noise given the proposed garage roof top outdoor area is right beside the master bedroom of their residences and is separated by a wall that appears to be of single brick construction;*
- *The noise of the proposed lift.*

These concerns will be discussed in further detail in the following sections of this report.

Overshadowing

The existing courtyard of 52A Wittenoom Street, located east of the subject site, abuts the courtyard of the subject site however is marginally offset to the south and is currently divided by a 1.8 metre high boundary wall. As part of the works, the boundary wall will be replaced with a new six metre high parapet wall. The parapet wall is significantly taller than the existing boundary and therefore will overshadow the adjoining 52A Wittenoom Street in the afternoon.

It is noted that similar developments already exist among a number of lots along Wittenoom Street, where the courtyard is bounded by the external parapet walls of the neighbouring property. The residences which have courtyards with this configuration include 50 (Lot 113), 56 (Lot 117) and 58 (Lot 118) Wittenoom Street. The site specific plan of the Royal and Bennett Streets Design Guidelines show Lots 112 – 119 Wittenoom Street are to be designed where the residential dwelling is built to the front of the property facing onto Wittenoom Street, with garages being located at the rear and courtyards situated central to each lot. Accordingly, a number of the dwellings on the lots along Wittenoom Street have courtyards bounded by the parapet walls of the neighbouring property, including 50 (Lot 113), 56 (Lot 117) and 58 (Lot 118) Wittenoom Street. Given the proposed six metre parapet wall and the design of the proposal is consistent with the Royal and Bennett Street Design Guidelines, the extent of overshadowing is considered to be acceptable.

Building Height

The Royal and Bennett Streets Design Guidelines state that dwellings are required to be a minimum of two storeys and are permitted to be a maximum of 14 metres in height to the roof ridge. The proposal seeks to increase the number of levels from two to three but will have a total building height of 8.25 metres. The additional level will be setback from the front elevation of the building, whereby the existing character of the streetscape will be maintained. As the building height for the main dwelling complies with the Design Guidelines the additional building height can be supported.

In accordance with the Royal and Bennett Streets Design Guidelines building envelopes are used to define the allowable limits of building bulk. The only projections beyond the envelope that will be allowed will be building services and features that contribute to the character and identity of the building and the locality. Balconies and awnings may project beyond the building. The site specific plan for the Royal and Bennett Streets Design Guidelines show that there is a maximum building height of three metres at the rear boundary for Lots 112-119 with any additional building height being contained within a 45 degree plane up to 14 metres in height. The proposed deck area above the existing garage has a maximum height of 5.06 metres from the ground level to the top of the roof. Part of the roof deck area will project into the prescribed maximum building envelope, however it is noted that other properties along Wittenoom Street also project outside the maximum building height for the rear boundary. These properties include 50 (Lot 113) and 58 (Lot 118) Wittenoom Street. The proposed deck area will be open on three sides and is similar in nature to a balcony that is permitted to project beyond the building envelope. Therefore, it is considered to be a minor encroachment that will not have an adverse impact on adjoining properties or the existing streetscape of the laneway. It is recommended that the proposed encroachment into the building envelope to the rear of the subject site be supported.

Privacy

In regards to concerns raised by the neighbours over potential privacy issues, the Royal and Bennett Streets Design Guidelines affirm that designs of dwellings should mitigate privacy concerns where possible.

The proposal aims to protect the privacy of the adjoining property to the east. Firstly, the proposed additional level does not overlook the neighbouring property to the east given there are no openings on this side of the dwelling. Secondly, the construction of parapet walls will ensure that the adjoining property to the east cannot be overlooked from the proposed walkway and garage roof deck.

The development plans show privacy screening located on the western and northern sides of the new outdoor deck area above the existing garage to ensure privacy can be maintained between the subject site and the neighbouring property to the west. The roof deck is setback 1.9 metres from the western boundary with 1.6 metre high glass balustrading. It is considered that the proposed design adequately limits any potential for overlooking or privacy issues.

Building Design, Materials and Finishes

The objection has raised a concern over the unattractive appearance of the eastern elevation of the dwelling and walls of the subject site. The addition of another level to the existing dwelling and the construction of the parapet wall will result in a large area of exposed brick visible from the adjoining property.

The Royal and Bennett Streets Design Guidelines state that exterior of walls of buildings should be predominately of masonry construction and may utilise combinations of face brickwork or blockwork, rendered finishes, and limestone block. The applicant has responded to this concern and advised that they have no issues with the walls on the eastern elevation being finished to a high quality. The intention is for the new walls to be face brick however the applicants are willing to have the eastern elevation finished in another material if this appearance is not considered to be acceptable.

However, the applicant also state that the east facing wall can only be finished to a high standard if the residents at 52A Wittenoom Street provide consent for workers to access their property to undertake any such work. Noting the requirements of the design guidelines, a high quality finish of the blank walls on the eastern elevation to the City's satisfaction should be required as a condition of any approval.

The proposal conforms to the development standards and provisions of the Royal and Bennett Streets Design Guidelines. Furthermore, the proposal is consistent with its approach to design where the garage and the residential dwelling are integrated rather than detached elements of the residences.

Noise

The objection to the proposal has detailed concerns regarding noise, particularly from the proposed lift and garage roof deck. More specifically, the residents of 52A Wittenoom Street have identified this noise potentially being heard from their main bedroom as the primary concern. The applicant has responded to the objection noting the courtyards of 52A and 52B Wittenoom Street are adjacent to each other and that this current configuration is not ideal for noise reduction. They have advocated that the proposal will reduce noise noting that the six metre high parapet wall will block more sound than the existing 1.8 metre high boundary wall.

In regards to the lift, the applicant has noted that any noise produced from the lift will also be attenuated by the proposed parapet wall and the lift shaft. Furthermore, the applicant has stated that they would not install a lift which would generate a high volume of noise, as doing so would have much more impact on them.

Whilst the use of a lift and garage roof deck may have potential noise impact, the proposal is not considered to have any additional noise impact than the use of the existing outdoor courtyard area.

Conclusion

The proposed alterations and additions to the residence at 52B Wittenoom Street have been designed to comply with the applicable design guidelines. Notwithstanding, the objection received from the neighbours to the east of the subject site outlined issues pertaining to concerns over privacy, overshadowing, noise, building design and appearance.

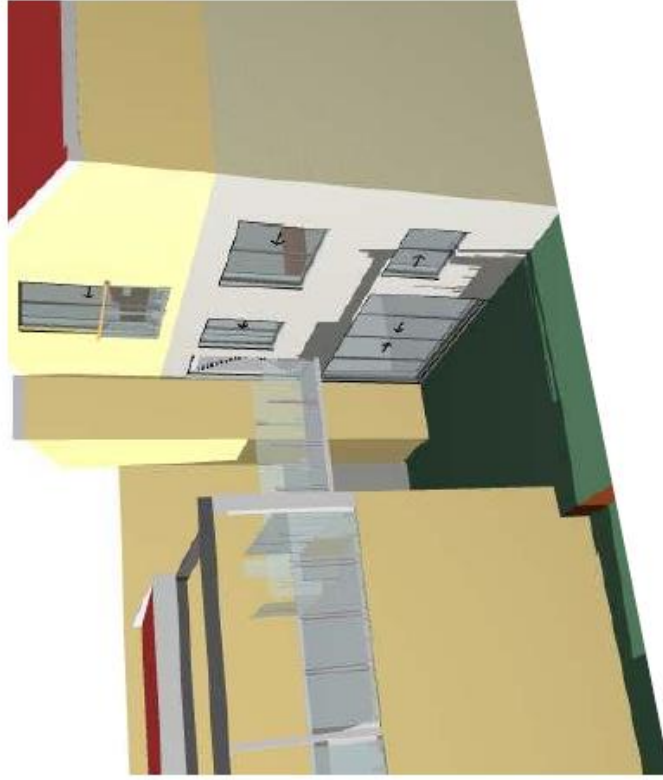
The design is considered to be consistent with the provisions of the Royal and Bennett Streets Design Guidelines. Furthermore, the proposal seeks to follow a design which is similar in nature to other residences on the street, whilst maintaining privacy between adjoining properties. Any overshadowing of the adjoining property is limited to afternoon sun only and the proposal is not considered to create any additional noise concerns.

The applicant has responded to the concerns raised within the objection and they have highlighted that they are willing to cooperate with the City to address any major issues identified and can be satisfactorily addressed as conditions of any approval. It is recommended that the proposal for the alterations and additions to the existing residence be approved.

ATTACHMENT 8.2A



2017/5469 - 52B (LOT 115) WITTENOOM STREET, EAST PERTH



2017/5469 - 52B (LOT 115) WITTENOOM STREET, EAST PERTH (PERSPECTIVES)

Agenda **240 (Lot 3000) St Georges Terrace, Perth – Alterations and**
Item 8.3 **Additions to Woodside Plaza**

Recommendation:

That, in accordance with the provisions of the City Planning Scheme No. 2, the Metropolitan Region Scheme and the Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed provisions for local planning schemes, the Council APPROVES the application for alterations and additions to ‘Woodside Plaza’ at 240 (Lot 3000) St Georges Terrace, Perth as indicated on the Metropolitan Region Scheme Form One dated 6 July 2017 and as shown on the plans received on 17 January 2018 subject to:

- 1. final details including a sample board of the high quality and durable materials, colours and finishes being submitted for approval by the City prior to applying for a building permit;*
- 2. all building plant including water tanks, transformers, lift overruns and air condensers shall be located internally or screened from all external views including from above to form an integral part of the design of the building with final details of the location and screening of such plant and services being submitted for approval by the City prior to applying for a building permit;*
- 3. a consolidated/updated Waste Management Plan demonstrating the storage and servicing of waste generated by the new and modified tenancies and facilities being submitted for approval by the City prior to applying for a building permit;*
- 4. all existing pedestrian access easements on the site impacted by the proposed development being extinguished and/or modified prior to occupation of the new tenancies, with the public being granted permanent, unrestricted access to the public plaza from Milligan Street and St Georges Terrace for 364 days out of every year, with the written consent of the City being first obtained if it becomes necessary for public access to this area to be restricted for more than one day per year;*
- 5. final details of the design, dimensions, treatment and content of the corner LED sign box element addressing matters relating, but not limited to, traffic safety, integration with the streetscape and compliance with the requirements of the City’s Signs Policy (4.6), being submitted for approval by the City prior to applying for a building permit;*

6. ***a final environmental wind assessment, including wind tunnel model measurements, being undertaken to quantify and compare the wind conditions against the relevant pedestrian wind comfort criteria and, if necessary, including mitigation strategies to achieve compliance with the criteria, with details being submitted by the applicant and approved by the City prior to applying for a building permit. Any significant design changes resulting from the amended wind impact analysis being the subject of a separate application for approval;***
7. ***a detailed landscaping, reticulation and management plan being submitted for approval by the City prior to its installation with the approved landscaping being maintained thereafter to a high standard and to the satisfaction of the City; and***
8. ***any new signage being integrated into the design of the building and any signs which are not exempt from approval under the City's Signs Policy 4.6 requiring a separate application for approval.***

FILE REFERENCE: 2017/5403
 SUBURB/LOCATION: 240 St Georges Terrace, Perth
 REPORTING UNIT: Development Approvals
 RESPONSIBLE DIRECTORATE: Planning and Development
 DATE: 29 January 2018
 ATTACHMENT/S: Attachment 8.3A – Location plan
 Attachment 8.3B – Perspectives

3D MODEL PRESENTATION: No

LANDOWNER: Perpetual Trustee Co Ltd
 APPLICANT: Hames Sharley
 ZONING: (MRS Zone) Central City Area Zone
 (City Planning Scheme Precinct) St Georges (P6)/Citiplace
 (P5)
 (City Planning Scheme Use Area) City Centre
 (CPS2 Special Control Area) 5.0 - 240 St Georges Terrace
 (Lot 3000) and 899-915 Hay Street (Lot 3001)
 APPROXIMATE COST: \$9.5 million

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative *Includes adopting local laws, town planning schemes and policies.*

- Quasi-Judicial *When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
- Information *For the Council/Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation

*Planning and Development Act 2005
 Planning and Development (Local Planning Scheme) Regulations 2015
 City Planning Scheme No. 2 - Clause 28(6) Bonus Plot Ratio*

Policy

Policy No. and Name: 4.1 - City Development Design Guidelines
 4.6 - Signs

Background:

The 5,520m² site is located on the corner of St Georges Terrace and Milligan Street and is occupied by 'Woodside Plaza' which comprises a 29 level office and retail building and associated landscaped plaza.

At its meeting held on **12 December 2000**, Council granted conditional approval for an office and hotel development on the subject site comprising a 26 storey office building and a 15 level hotel building accommodating 235 rooms and 284 tenant car parking bays. At its meeting held on **27 February 2001**, Council considered and granted conditional approval for amendments to the previous approval. Development of the approved hotel component did not proceed with the current office tower and adjacent plaza area being constructed and finalised/occupied in 2004. The Hotel development was later replaced by an office development fronting Hay Street which was constructed in 2010.

No major refurbishments or redevelopments have occurred at Woodside Plaza since that time. It is noted that Woodside has since entered into a lease for an office building at 98 Mounts Bay Road and will be vacating Woodside Plaza in the near future. The office tower is to be refurbished and rebranded.

Details:

Approval is sought for alterations and additions to the existing office building and plaza at the subject site as follows:

Basement Level Two	<ul style="list-style-type: none"> • Removal of two tenant car parking bays; • Installation of new lift.
---------------------------	--

Basement Level One	<ul style="list-style-type: none"> • Removal of existing end of trip facility and five courier bays; • Installation of new lift and bicycle storage area.
Basement Mezzanine Level	<ul style="list-style-type: none"> • Removal of existing stairs from St Georges Terrace to the retail arcade; • Modification to existing retail tenancy; • Relocation of fire booster and fire egress.
Ground Floor Level	<ul style="list-style-type: none"> • Demolition of existing retail arcade and tenancies; • New wellness centre and retail tenancy; • New food and beverage tenancies; • Removal of existing service infrastructure, planter boxes and vegetation with the retention of the existing car park exhaust with new cladding and a LED sign.
Plaza	<ul style="list-style-type: none"> • Replacement of existing astro turf with higher quality synthetic turf; • Addition of timber and precast concrete seating elements to the existing trees along the western edge; • Upgrading of existing shade sails and lighting.
Mezzanine Level	<ul style="list-style-type: none"> • Removal of existing canopy fronting St Georges Terrace; • Demolition of existing office space to accommodate an auditorium and childcare centre with an associated external play area.
Sixteenth Floor Level	<ul style="list-style-type: none"> • Refurbishment of the existing external deck area.
Roof Level	<ul style="list-style-type: none"> • Removal of existing 'butterfly roof' and flagpole and replacement with screening treatments to screen the plant area and allow for a more uniform and streamlined built form.

Compliance with Planning Scheme:

Land Use

The subject site is located within the City Centre use area of the Citiplace (P5) and St Georges (P6) Precincts of City Planning Scheme No. 2 (CPS2). The majority of the site, which contains the main office/retail building, is located within the St Georges Precinct (P6) with only the outdoor landscaped plaza being located within the Citiplace Precinct (P5). The St Georges Precinct will continue to function as the State's principal centre for business, finance, commerce and administration. While offices will form the major activity, the Precinct will also accommodate a range of commercial and educational uses, including banks, travel agencies, educational establishments, art galleries and convenient facilities for the work force, such as restaurants, lunch bars, kiosks and local shops, particularly at street or pedestrian level, to create more diversity and interest.

The proposed refurbishment works includes the retention and introduction of new uses including restaurants/cafes ('Dining'), childcare centre ('Healthcare 1'), florist ('Retail [General]') and wellness centre ('Recreation and Leisure'). The proposed 'Dining' uses are classified as preferred ('P') in the City Centre use area of the St Georges Precinct (P6) under CPS2. Whilst the 'Healthcare 1', 'Retail (General)' and 'Recreation and Leisure' uses are contemplated 'C' within the Precinct and 'Healthcare 1' and 'Recreation Leisure' uses being prohibited 'X' where they front the street at pedestrian level. It is noted that the wellness centre and childcare centre are located internally on the site and are not adjacent to Milligan Street or St Georges Terrace.

The mix of uses are considered to be consistent with the precinct statement of intent in contributing to the local day and night time economy in support of the predominant commercial uses and providing essential services for those working and living in the area as well as enhancing the vibrancy of the area.

Development Requirements

The continuation of large scale development in this Precinct will reflect its high profile, its image as a group of landmark buildings and the predominance of the Precinct as the State's business heart. Buildings will be of a high standard of design and presentation, including signs, in keeping with the prestigious character of the Precinct. The present skyline character of tall, slender, interestingly shaped towers, lighting and appropriate roof signs, will be maintained in any future development.

Special Control Area 5 (SCA5) applies to the subject site and the adjoining site being 919 Hay Street. SCA5 was established to facilitate the comprehensive redevelopment of the land parcels in a coordinated manner. The provisions of SCA5 include requirements relating to plot ratio, car parking, pedestrian movement, heritage conservation and landscaping.

The proposal's compliance with the relevant CPS2 and SCA5 development requirements is summarised below:

Development Standard	Proposed	Permitted/Required
Maximum Plot Ratio	57, 992m ² (10m ² net reduction from existing 58,002m ²)	58,113m ²
Landscaped Area	Retention and upgrading of the existing landscaped areas	Landscaped areas shall be provided and maintained

Comments:

Design Advisory Committee

The application was considered by the Design Advisory Committee at its 16 November 2017 meeting. The DAC, having considered the design for the proposed alterations and additions to 'Woodside Plaza' advised that it:-

- "1. has no objection to the closure of the existing retail arcade due to its commercial failure but advises that the building's interface with the street and the amenity of the pedestrian environment, particularly along the Milligan Street frontage of the site, needs to be further enhanced to be more welcoming and attractive;*

2. *notes the removal of the established landscaping adjacent to the street corner and encourages the review of opportunities for greening the street frontages of the site ;*
3. *considers that the scale and detail of the proposed corner LED screen/light box requires more design thinking, taking into account views into the ground floor lobby; traffic safety (potential 'backgrounding' of traffic signals); the City's Sign Policy and the character of the locality;*
4. *supports the proposed north facing tenancies that will contribute to activating the plaza space together with the softening treatment of the level above, but requests more detail of the changes to the landscaping within the plaza, including plant species;*
5. *notes the proposal to remove the existing canopy along St Georges Terrace but advises that the design approach to canopies should be further considered in relation to the City's Design Guidelines and ameliorating wind impacts of the existing office tower, and also the potential to integrate a canopy with the new corner retail element;*
6. *considers that more detail is required in respect of the proposed roof lantern element, with more design attention being given to its materials and its contribution to the city skyline as viewed from all directions;*
7. *advises that it is premature for the Committee to consider any request for bonus plot ratio until such time as the applicant has provided details of how much bonus plot ratio is being sought together with information and plans addressing the relevant essential and performance criteria of the City's Bonus Plot Ratio Policy."*

The applicant has submitted revised plans and details to address the above points. The following sections detail the extent to which the revised plans respond to the design matters raised by the DAC. In relation to item 7 above, the applicant has advised that whilst the child care centre remains part of the proposed refurbishment, no bonus plot ratio is being sought at this stage and does not form part of this application. As noted in the development compliance table, the proposed works will result in a minor reduction in plot ratio floor area from 58,002m² to 57,992m².

Building Design and Presentation to Street

Under CPS2, development within the St Georges Precinct shall contribute to an interesting and comfortable pedestrian environment, minimising strong wind conditions, glare and sun reflection in the street. St George's Terrace is to be developed as a grand boulevard to provide an improved pedestrian environment. North-south pedestrian links across the Precinct are to be maintained, improved and added to where appropriate. In addition, SCA5 includes objectives relating to the adequate provision of landscaped areas accessible to the public and the provision of pedestrian accessways to enable pedestrian movement throughout the site.

In view of these requirements and as outlined previously, the overall design of the proposed refurbishment was generally supported by the DAC, subject to the submission of additional details to address matters relating to:

- the building's interface with the street and the amenity of the pedestrian environment, particularly along the Milligan Street frontage;
- the scale and impact of the corner LED screen/lightbox;
- landscaping within the plaza, including plant species;
- the removal of canopies and potential wind impacts; and
- the design of the roof lantern element as viewed from all directions and its contribution to the city skyline.

In relation to the building's interface with the street, the applicant has revised elements of the design to include the provision of landscaping and increased articulation of the ground floor retail tenancy adjacent to St Georges Terrace. Whilst the revised plans are considered to partly address the DAC's concerns, it is noted that potential exists for further improvements to the Milligan Street frontage. The applicant has advised that an additional food and beverage tenancy is planned for the area adjacent to and above the Wilsons car park entry which is likely to progress via a subsequent development application and will improve the existing interface along Milligan Street. Notwithstanding, the proposed improvements to the street frontages are considered to be acceptable.

In terms of the corner LED screen/lightbox, the revised plans include increased landscaping and planters adjacent to the corner element to soften its potential impact on the streetscape. Whilst the addition of planters and landscaping is supported, the scale and traffic safety concerns raised by the DAC have not been adequately addressed in the revised submission. The applicant has advised that the exact content and strategy of the LED sign element is not known at this stage and will be subject to further review. It is therefore considered appropriate that any approval should be conditioned to require the final design and details of the LED screen/lightbox, addressing sightlines, safety and requirements of the City's Signs Policy (4.6), be provided prior the building permit stage.

With regards to the proposed plaza, the revised plans include a greater level of detail in relation to the proposed refurbishment works and landscape species. City officers are supportive of the proposed shade structures, seating elements and plant species. It is also noted that whilst the retention of artificial turf is not an optimal outcome in terms of microclimate and comfort of use, the reversion to natural turf is not feasible noting previous issues with drainage and basement leakages.

With respect to the removal of canopies and potential wind impacts, the applicant has submitted a preliminary Wind Impact Statement which concludes that based on the proposed design, the ground level footpaths would be expected to have wind levels within the walking comfort criterion and the wind conditions near the main entrance areas would be expected to be within the criterion for standing. However, the report does include a final recommendation for a scaled wind tunnel study in the detail design stage to verify the predictions and determine the optimal wind controls, wherever necessary. It is recommended that this be required as part of any approval.

With respect to the roof element, the revised plans include greater design details of the potential impact on the city skyline, with additional views and vantage points being provided. The plans confirm the structural elements of the lantern element will be screened from all views.

In addition, the applicant has confirmed that the lantern element will be a singular white colour to provide for an elegant and continuous 'halo' effect for the roof of the building. The materials and lighting elements have been designed to ensure consistency across the main southern façade and the more minor eastern and western facades. The revised plans and details are considered to address the main concerns of the DAC. However, it is noted that the lantern element is likely to form a backdrop to future signage for a major tenant of the building which will form part of a separate application for development and require suitable design consideration at that time.

Pedestrian Access

In accordance with the relevant objectives of SCA5, the approval for the existing development on the site included the requirement for a north-south pedestrian connection to be provided and maintained via appropriate physical linkages with associated easement arrangements. This is currently in the form of a retail arcade on the eastern portion of the site which is accessed via stairs from St Georges Terrace and provides access through the building to the rear plaza space and to Hay Street.

The proposed development seeks to remove the retail arcade element and extinguish the relevant easement/s to facilitate its removal. Whilst this could be construed as being contrary to the objectives of SCA5 if considered in isolation, it is noted that the existing arcade linkage is underutilised and is not a highly functioning or critical linkage. This is particularly due to the level difference along the St Georges Terrace frontage, which is a significant barrier to the success of a north-south pedestrian connection from the central to eastern portions of the frontage. It is noted that the removal of the arcade will be offset by improvements to the accessibility of the site from the central and western portions of the St Georges Terrace frontage and Milligan Street intersection area. In addition, improvements to the lobby area are also proposed to provide improved north-south connectivity across the site.

Noting the above, and the DAC's support for the removal of the existing retail arcade, it is considered appropriate that any approval include conditions relating to the consolidation of the existing pedestrian access easements to provide alternative easement arrangements maintaining suitable north-south connectivity across the site.

Waste Management

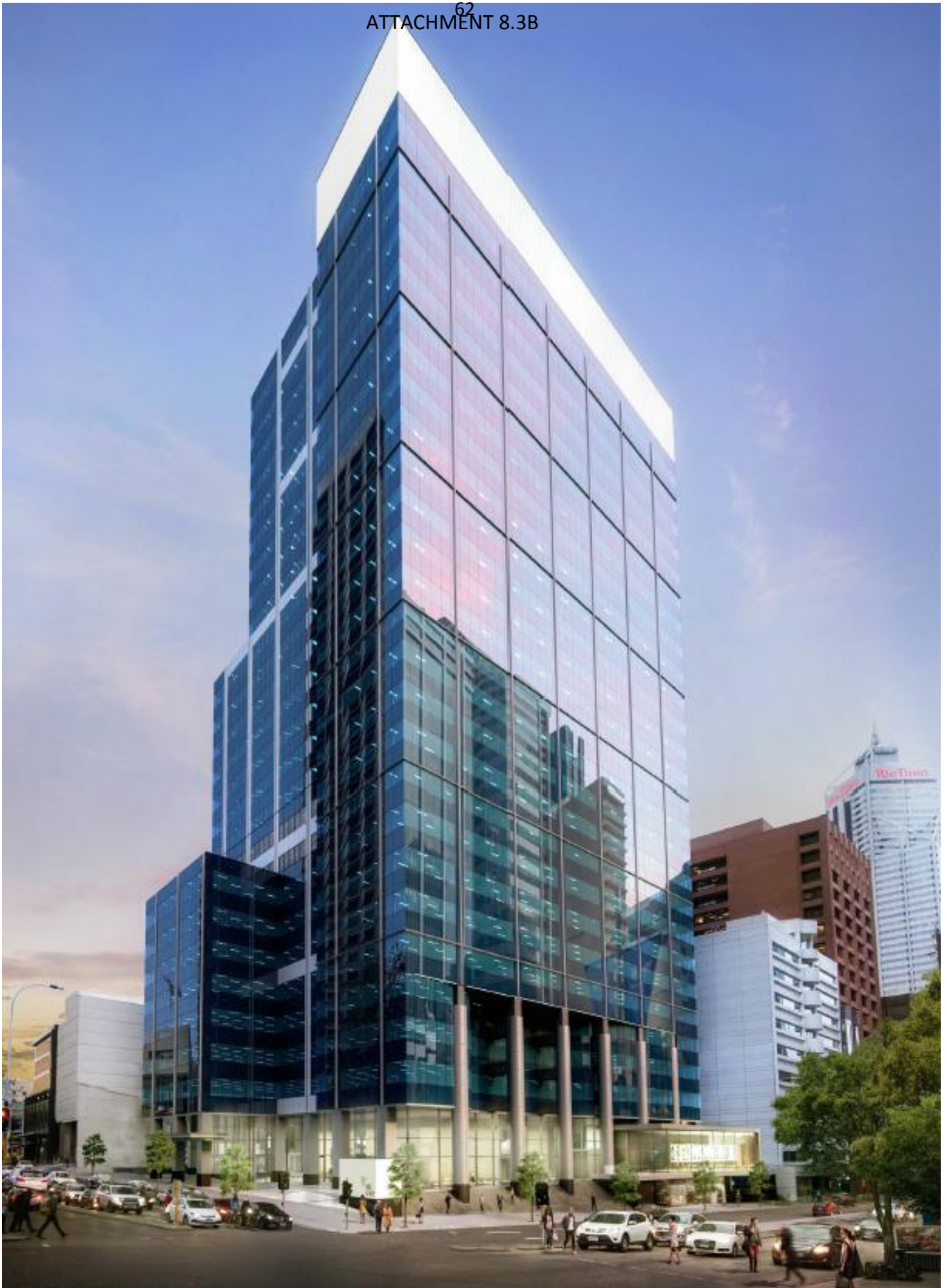
The application was not supported by an updated Waste Management Plan (WMP) detailing the servicing of the modified and new tenancies on the site. The applicant advised that matters relating to waste servicing can be dealt with at the building permit stage once the operators of the tenancies have been secured. City officers are supportive of this approach noting the type and internal configuration of the dining, child care and wellness tenancies will impact on the waste storage and servicing requirements of the site. It is therefore recommended any approval be subject to the submission of an appropriate WMP.

Conclusion

The proposed development aims to reinvigorate a prominent site along the western end of St Georges Terrace. The submission of revised plans and details has generally addressed the design and functional matters raised by the DAC. The proposal is generally consistent with the relevant planning framework and based on the above it is recommended that the application for alterations and additions to the office tower at 240 St Georges Terrace be conditionally approved.



2017/5403 – 240 (LOT 3000) ST GEORGES TERRACE, PERTH



**2017/5403 – WOODSIDE PLAZA - 240 (LOT 3000) ST GEORGES TERRACE, PERTH
(PERSPECTIVES)**



2017/5403 – WOODSIDE PLAZA - 240 (LOT 3000) ST GEORGES TERRACE, PERTH (PERSPECTIVES)



VIEW FROM KINGS PARK



VIEW FROM SOUTH PERTH

2017/5403 – WOODSIDE PLAZA - 240 (LOT 3000) ST GEORGES TERRACE, PERTH (PERSPECTIVES)



VIEW FROM NORTH-WEST



VIEW FROM NORTH



VIEW FROM FREEWAY



VIEW FROM MILLIGAN ST



VIEW FROM NORTH-EAST



VIEW FROM CONVENTION CENTRE

2017/5403 – WOODSIDE PLAZA - 240 (LOT 3000) ST GEORGES TERRACE, PERTH (PERSPECTIVES)

Recommendation:

That Council APPROVES a Heritage Grant of \$57,000 (excluding GST) for paint removal, restoration of tuck-pointing and reconstruction of the verandah for 55-59 Goderich Street, East Perth, divided equally amongst the three properties.

FILE REFERENCE: P1023383-3
 REPORTING UNIT: Arts, Culture and Heritage
 RESPONSIBLE DIRECTORATE: Economic Development and Activation
 DATE: 17 January 2018
 ATTACHMENT/S: Attachment 8.4A – Detailed Officer Assessment
 Attachment 8.4B – Reference photo and render

Council Role:

- | | | |
|-------------------------------------|----------------|---|
| <input type="checkbox"/> | Advocacy | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i> |
| <input checked="" type="checkbox"/> | Executive | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i> |
| <input type="checkbox"/> | Legislative | <i>Includes adopting local laws, town planning schemes and policies.</i> |
| <input type="checkbox"/> | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/> | Information | <i>For the Council/Committee to note.</i> |

Legislation / Strategic Plan / Policy:**Legislation**Section 8 of the *City of Perth Act 2016***Integrated Planning and Reporting Framework Implications****Strategic Community Plan**

Goal 2 An exceptionally well designed, functional and accessible city

2.6 A beautiful city built on exceptional architecture and infrastructure

Goal 6 A city that celebrates its diverse cultural identity

- 6.4 Built and Social Heritage that is protected, enhanced and developed, that showcases the City's story

Policy

Policy No and Name: 18.13 – Sponsorship and Grants

Purpose and Background:

The City of Perth has received a request for a Heritage Grant of \$57,000 (excluding GST) from Mr Chris Maher on behalf of the other owners in the block, for restoration and reconstruction works on the three terraced houses at 55-59 Goderich Street, East Perth.

Details:

The owners of the terraces at 55-59 Goderich Street, East Perth, have been working with the City of Perth on a number of matters following the buildings' listing for heritage protection in 2015. The proposed works that are the subject of this Report result from recommendations detailed in the property's Conservation Management Plan.

The three owners in the block are seeking a Heritage Grant to assist with the costs of removing paint, restoring the tuck-pointing and reconstructing the full length of the front verandah of the three terrace houses in a more sympathetic style. The works will remove later interventions to the building and return it to a more original appearance.

Financial Implications:

ACCOUNT NO:	CL 95D30000-7901
BUDGET ITEM:	Donations & Sponsorships – Heritage Grants
BUDGETED AMOUNT:	\$350,000
AMOUNT SPENT TO DATE:	\$ 0
PROPOSED COST:	\$ 57,000
BALANCE REMAINING:	\$293,000
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE OF LIFE COST:	N/A

All figures quoted in this report are exclusive of GST.

Comments:

The proposed works are consistent with the Heritage Grant guidelines and intent of the program.

The Assessment Panel recognised the positive heritage and streetscape outcomes resulting from the proposed works. They also noted the positivity of three individual owners working collaboratively for a beneficial heritage outcome.

A grant of \$57,000 was requested by the applicant, divided equally across the three properties. The Assessment Panel have recommended supporting the full amount requested of \$57,000, which is 50% of the total project budget and consistent with the Heritage Grant guidelines regarding matched funding.

ATTACHMENT 8.4A

Heritage Grant Application | 2017-18 | 55-59 Goderich Street

Applicant	Mr Chris Maher
Project Start Date	01/03/2018
Project End Date	26/04/2018
Project Address	55-59 Goderich Street, East Perth
Project Type	Physical Works
Heritage Status	Listed as a heritage place in the City of Perth Planning Scheme
Total Project Cost	\$114,000
Total Amount Requested	\$57,000 (\$19,000 to each property)
Recommendation	Approval
Recommended amount	\$57,000 (50% of the total project budget)
Assessment Score	29.67 out of 40 (74 %)

Applicant Details

Information from the Australian Business Register

ABN	32 928 829 200
Entity Name	Christopher Ruben Maher
Entity Type	Individual/Sole Trader
ABN Status	Active
ATO Endorsed Charity Type	Not endorsed
Goods & Services (GST)	Yes
Endorsed as DGR	No
Tax Concessions	No tax concessions
Main Business Location Postcode	6050 WA
ACNC Registration	No

Project Summary

The three applicants are seeking a Heritage Grant from the City of Perth , for assistance with Physical Works at the property 55-59 Goderich Street, East Perth, which is listed as a heritage place in the City of Perth Planning Scheme. The proposed works include the removal of paint, restoration of the tuck-pointing and reconstruction of the full length of the front verandah of the three terrace houses in a more sympathetic style, as proposed in the property's Conservation Management Plan. The works will remove later interventions to the building and return it to a more original appearance.

In total the budget for the works is \$114,000, which will be split equally amongst the three owners. The applicants are seeking match funding of \$19,000 each, to the \$57,000 total.

The Grant would allow the project to proceed, as the applicants have noted they would not be able to proceed with the project without the match funding assistance.

Previous City of Perth Support

The three owners were the recipients of a Heritage Grant of \$11,996 in 2015 for the development of a Conservation Management Plan. The proposed works were recommended by this Plan and are consistent with this document.

In May 2016, Chris Maher was granted an Heritage Grant of \$3,630 to restore the tuck pointing of the front façade to 57 Goderich Street. This Grant has not been uplifted and will be withdrawn if this application covering works to all three properties is approved.

Heritage Grant Application | Assessment Score Card

The application was assessed by a three person assessment panel and the scoring has been averaged for each outcome.

ASSESSMENT SCORE CARD – ESSENTIAL CRITERIA	
How do the proposed works align with the Heritage Grant Guidelines in terms of the type of project/works and overall intent of the program?	2.67
Do the proposed works result in a positive heritage preservation or adaptive re-use outcome for the place?	2.67
Do the proposed works improve the condition of the heritage place?	2.33
Are the proposed works consistent with best practice heritage conservation?	2.67
Do the proposed works demonstrate good project design and achievability?	2.67
Do the proposed works demonstrate budget rigour and value for money?	3.00
Does the project demonstrate financial support through other external funding sources or suitable funding by the applicant?	2.33
Do the works promote and enhance community appreciation and understanding of the heritage place?	2.67
ASSESSMENT SCORE CARD – DESIRABLE CRITERIA	
Is the heritage place is located in an area that is planned for revitalization or streetscape/laneway enhancement?	1.33
Does the project improve access to a heritage place, either in terms of public accessibility or access for people with disabilities?	1.00
Does the project form part of a tourist or visitor attraction?	1.33
Does the project facilitate activation of a heritage place (upper floors, basements)?	1.33
ASSESSMENT SCORE CARD - GENERAL	
How do you rate the overall quality of the application for accuracy, content, detail, attachments and response to the questions?	3.67
TOTAL ASSESSMENT SCORE 29.67 out of 40 (74 %)	

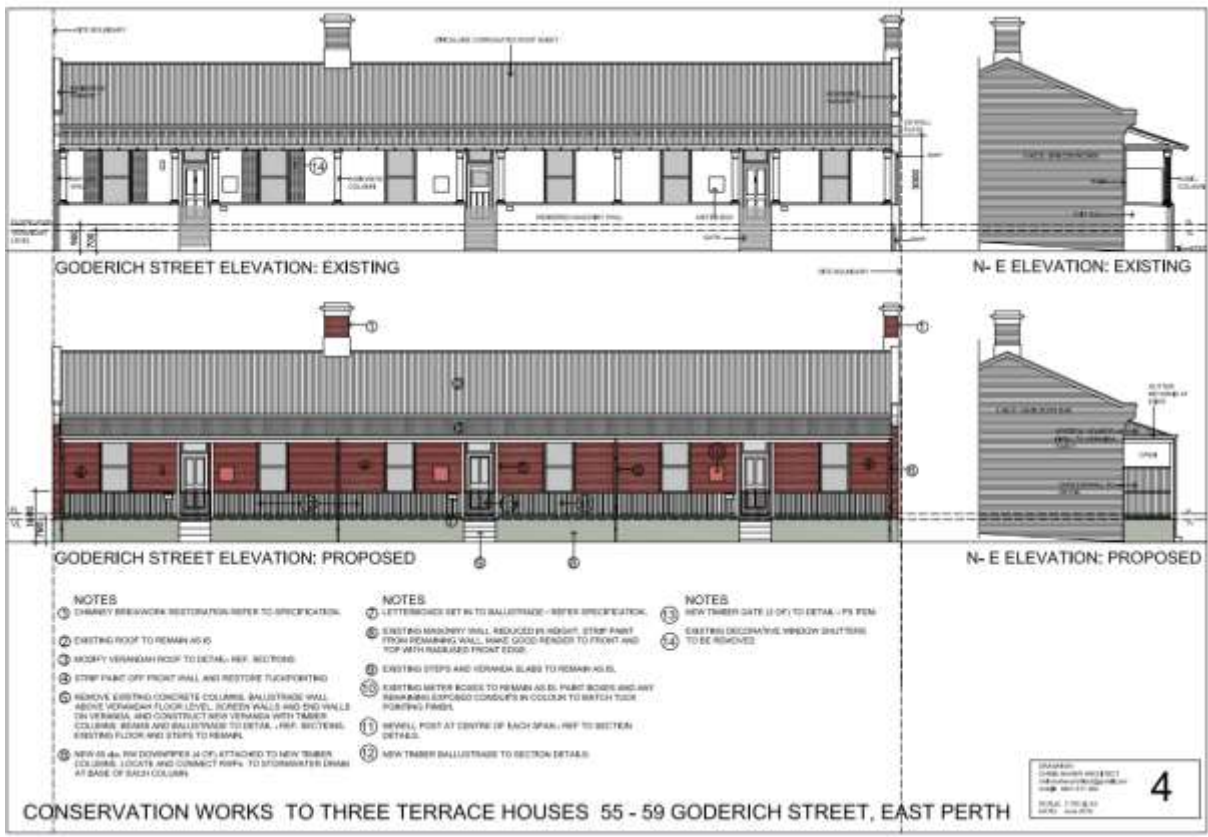
Assessment Panel comments:

- A positive outcome to be achieved by three owners working together on the project;
- The works were motivated by the Conservation Management Plan and consistent with this document;
- The project will result in improvement to the streetscape at a limited cost;
- The works will contribute to the attractiveness of the area and promote it as a historic residential area; and
- The Panel recommended a grant of \$57,000 to support the project, which is 50% of the total project budget and consistent with the Heritage Grant Guidelines related to match funding.

Reference photo and render



Existing verandah and façade



Proposed changes to verandah and façade

Recommendation:

That Council:

1. ***APPROVES an exemption to the Heritage Grant eligibility criteria for the building at 7 Queen Street, Perth on the basis of its strong heritage values and location in the proposed Queen Street Heritage Area; and***
2. ***APPROVES a Heritage Grant of \$90,000 (excluding GST) for paint removal, restoration of tuck-pointing and accessibility improvements for 7 Queen Street, Perth.***

FILE REFERENCE: P1023383-3
 REPORTING UNIT: Arts, Culture and Heritage
 RESPONSIBLE DIRECTORATE: Economic Development and Activation
 DATE: 17 January 2018
 ATTACHMENT/S: Attachment 8.5A – Detailed Officer Assessment
 Attachment 8.5B – Reference photo and render

Council Role:

- | | | |
|-------------------------------------|----------------|---|
| <input type="checkbox"/> | Advocacy | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i> |
| <input checked="" type="checkbox"/> | Executive | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i> |
| <input type="checkbox"/> | Legislative | <i>Includes adopting local laws, town planning schemes and policies.</i> |
| <input type="checkbox"/> | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/> | Information | <i>For the Council/Committee to note.</i> |

Legislation / Strategic Plan / Policy:

Legislation	Section 8 of the <i>City of Perth Act 2016</i>
Integrated Planning and Reporting Framework Implications	<p>Strategic Community Plan</p> <p>Goal 2 An exceptionally well designed, functional and accessible city</p> <p>2.6 A beautiful city built on exceptional architecture and infrastructure</p> <p>Goal 6 A city that celebrates its diverse cultural identity</p> <p>6.4 Built and social heritage that is protected, enhanced and developed, that showcases the City's story</p>
Policy	
Policy No and Name:	18.13 – Sponsorship and Grants

Purpose and Background:

The City of Perth has received a request for a Heritage Grant of \$90,000 (excluding GST) from James Litis for restoration and accessibility works on the building at 7 Queen Street, Perth.

Details:

The owner of 7 Queen Street, Perth is currently planning to undertake a substantial adaptive re-use project. The proposed works will upgrade the entire building, provide a range of differing tenancy sizes, improve accessibility, remove intrusive elements and involve significant improvements to the exterior of the building, including both restorative works and new interventions.

The building, originally built in 1910, is a fine example of the Federation Warehouse style of architecture. Its original heritage assessment for the City of Perth noted that it had historic significance because it reflects the expansion and development of commerce and trade in the City of Perth in the early years of the twentieth century. It was noted as having aesthetic significance as an example of a commercial building constructed during the period of economic affluence and increased development that followed the gold boom. It was also noted as contributing aesthetically to the streetscape through its simple, robust design, modest scale and rhythm created by the recessed arches.

The owner of 7 Queen Street has been in discussions with City of Perth administration for a number of months about their development application. At an early stage, City of Perth Officers advocated for the owner to remove paint and restore of the tuck-pointing, as opposed to simply re-painting the façade, given the heritage benefits of this work to both the building and surrounding area. The applicant was receptive to this proposal and delayed façade works pending the outcome of Council's consideration of revised Heritage Grant Guidelines which were approved by Council on 19 December 2017.

The applicant is seeking a Heritage Grant to assist with the costs of removing the paint, repairing damaged brickwork and restoring the building's original tuck-pointing. The

proposed works will restore the building's original brick exterior, which was a key part of its architectural detail in the past.

The applicant is also seeking grant assistance for the enhancement of the building's accessibility for people with disabilities, by way of the installation of a lift and ramps. The works are part of a much larger adaptive re-use and upgrade of the building costing in excess of \$1.5 million.

The applicant has noted that should their application for a Heritage Grant be unsuccessful, the overall adaptive reuse project will still go ahead. However, the exterior paint removal and tuck-pointing restoration will not be progressed and the building will be repainted instead.

Administration is recommending Council provide a single exemption – allowed for under the revised Heritage Grant Guidelines – for restoration works to 7 Queen Street. The exemption relates to the building not yet being listed in the City's Planning Scheme as a Heritage Building or located within an existing Heritage Area. Grounds for the exemption are that the building is located within the *proposed* Queen Street Heritage Area and recorded on the City's Municipal Heritage Inventory as a building with historic significance. The building has significant identifiable heritage and architectural value and will be recorded as a contributing building in the Heritage Area, meaning it will likely be eligible in the near future should Council adopt the proposed Heritage Area.

Financial Implications:

ACCOUNT NO:	CL 95D30000-7901
BUDGET ITEM:	Donations & Sponsorships – Heritage Grants
BUDGETED AMOUNT:	\$ 350,000
AMOUNT SPENT TO DATE:	\$ 0
PROPOSED COST:	\$ 90,000
BALANCE REMAINING:	\$ 260,000
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE OF LIFE COST:	N/A

All figures quoted in this report are exclusive of GST.

Comments:

The proposed works are consistent with the Heritage Grant Guidelines and intent of the program.

The Heritage Grant Guidelines include discretion for Council to consider projects that do not meet all of the eligibility criteria. This flexibility was included in the Guidelines in order that Council could consider supporting projects on a case-by-case basis where there are heritage benefits to doing so. The Assessment Panel have recommended that Council grant a single exemption to 7 Queen Street, on the basis that the building will be located in the Queen Street Heritage Area should this area be formally adopted. In addition, the proposed works contribute significantly to the heritage fabric of the building and contribution to the area.

The Assessment Panel recognised the positive heritage and streetscape outcomes resulting from the proposed works. The grant will help to offset the additional costs of the exterior

works to the project and deliver more positive heritage outcomes, in addition to improved accessibility for people with disabilities.

A grant of \$90,000 was requested by the applicant. The Assessment Panel have recommended supporting the full amount requested of \$90,000, which is 28% of the total project budget and consistent with the Heritage Grant Guidelines relating to matched funding.

Heritage Grant Application | 2017-18 | 7 Queen Street

Applicant	Mr James Litis
Project Start Date	20/02/2018
Project End Date	31/08/2018
Project Address	7 Queen Street, Perth
Project Type	Physical Works
Heritage Status	Seeking exemption – located in proposed Queen Street Heritage Area
Total Project Cost	Façade and accessibility works: \$311,630 Entire adaptive re-use project in excess of \$1.5m
Total Amount Requested	\$90,000
Recommendation	Approval
Recommended amount	\$90,000 (28% of the total project budget)
Assessment Score	35 out of 40 (87.5 %)

Applicant Details

Information from the Australian Business Register

ABN	63 115 153 202
Entity Name	The Trustee for the 7 Queen Street Trust
Entity Type	Fixed Unit Trust
ABN Status	Active
ATO Endorsed Charity Type	Not endorsed
Goods & Services (GST)	Yes
Endorsed as DGR	No
Tax Concessions	No tax concessions
Main Business Location Postcode	6000 WA
ACNC Registration	No

Project Summary

The applicant is seeking a Heritage Grant to assist with the costs of removing the paint, repairing damaged brickwork and restoring the building's original tuck-pointing. The proposed works will restore the building's original brick exterior, which was a key part of its architectural detail in the past.

The applicant is also seeking grant assistance for the enhancement of the building's accessibility for people with disabilities, by way of the installation of a lift and ramps.

The exterior and accessibility works have been costed at \$311,630. The applicants are seeking matched funding to the \$90,000 limit prescribed in the Heritage Grant Guidelines. The works are part of a much larger adaptive re-use and upgrade of the building costing in excess of \$1.5 million.

The grant assistance will allow the exterior works to proceed, where the applicants have noted they will need to re-paint the building, rather than restore the tuck-pointing, should their application be unsuccessful.

Previous City of Perth Support

The owner has received no previous City of Perth support for this building.

Heritage Grant Application | Assessment Score Card

The application was assessed by a three person Assessment Panel and the scoring has been averaged for each outcome.

The Assessment Panel were all supportive of an exemption to the eligibility criteria to support this project, on the basis of its location in the proposed Queen Street Heritage Area and the positive benefits of the works on this area as well as to the building itself.

ASSESSMENT SCORE CARD – ESSENTIAL CRITERIA	
How do the proposed works align with the Heritage Grant Guidelines in terms of the type of project/works and overall intent of the program?	3.00
Do the proposed works result in a positive heritage preservation or adaptive re-use outcome for the place?	2.67
Do the proposed works improve the condition of the heritage place?	3.00
Are the proposed works consistent with best practice heritage conservation?	2.33
Do the proposed works demonstrate good project design and achievability?	3.00
Do the proposed works demonstrate budget rigour and value for money?	2.67
Does the project demonstrate financial support through other external funding sources or suitable funding by the applicant?	2.67
Do the works promote and enhance community appreciation and understanding of the heritage place?	2.67
ASSESSMENT SCORE CARD – DESIRABLE CRITERIA	
Is the heritage place is located in an area that is planned for revitalization or streetscape/laneway enhancement?	1.67
Does the project improve access to a heritage place, either in terms of public accessibility or access for people with disabilities?	2.67
Does the project form part of a tourist or visitor attraction?	2.33
Does the project facilitate activation of a heritage place (upper floors, basements)?	2.67
ASSESSMENT SCORE CARD - GENERAL	
How do you rate the overall quality of the application for accuracy, content, detail, attachments and response to the questions?	3.67
TOTAL ASSESSMENT SCORE 35.00 out of 40 (87.5 %)	35.00

Assessment Panel comments:

- The proposed façade works and removal of intrusive elements to 7-13 Queen Street will help reinstate the culturally significant rhythms and patterns of the building and visually reconnect the ground floor to upper levels;
- The works will result in a vast improvement of the existing façade and enhance the quality of the building;
- The project represent a well-considered adaptive re-use with contemporary inclusions;
- Constructive negotiations with the Development Approvals Unit revised a number of details to improve the outcome;
- The project will provide a substantial uplift to this part of Queen Street;
- A positive contribution to streetscape in an area that will continue to evolve as a result of ongoing development in the Perth City Link and redevelopment of Raine Square;
- The works reflect in a restrained, yet contemporary manner, the Federation Warehouse typology of the existing building and will strongly contribute to the cultural heritage significance of the streetscape; and
- The Panel recommended a grant of \$90,000 to support the project, which is 28% of the project budget and consistent with the Heritage Grant Guidelines related to matched funding.

Reference photo and render



Existing façade



Proposed façade