

Schedule of Modifications Local Planning Policy No. 7.1.1 – Built Form

	Issue	Recommended Modification
1	Canopy Cover	
1.1	<p>The definition of canopy coverage in the City's current Built Form Policy includes all land covered by tree crowns.</p> <p>The City identified that neighbouring properties' trees would also be included in this definition. Since neighbouring properties' trees are outside of the control of whichever application is subject to the Built Form Policy, it was determined that it is not appropriate for them to be included as canopy coverage.</p>	<p>Amend the definition of Canopy Coverage as follows:</p> <p>Land area covered by tree crowns (branches, leaves, and reproductive structures extending from the trunk or main stems) from trees located within the subject site, excluding any area that falls within an adjoining privately owned lot.</p>
1.2	<p>In the current Built Form Policy Deemed to Comply Clause C1.7.3 requires 80% of rear and side setback areas to be provided as canopy coverage at maturity and Deemed to Comply Clauses C4.10.4 and C5.14.3 require 30% of the site area to be provided as canopy coverage at maturity.</p> <p>The City applied for approval of these requirements from the WAPC under Clause 7.3.2 of the R Codes.</p> <p>The WAPC proposed a modification that the provision be reworded to require Deep Soil Area to be located to enable canopy coverage over the site to be maximised at maturity. The justification for this was that the change is more consistent with draft Design WA, which does not have canopy cover requirements, but focuses on a minimum Deep Soil Area being provided.</p> <p>The City does not support this modification as it does not add any value to the existing requirement for 15% Deep Soil Area over the site, and it does not directly and link to the City's canopy cover targets. It is important that the original intent of the Built Form Policy is maintained to ensure that new development has an appropriate amount of canopy coverage to screen large scale development and provide a high amenity environment for neighbouring properties and residents.</p> <p>Through implementing the Built Form Policy the City also identified a number of improvements that are recommended to be made to the policy provisions including:</p> <ul style="list-style-type: none"> • C1.7.3 should apply to lot boundary setback areas only at the ground level. Lot boundary setbacks are generally stepped back at higher levels and it would be impractical to require those higher levels to provide canopy coverage due to the difficulty of maintaining appropriate soil depth/quality. • All percentage canopy cover requirements should be a minimum, whereas currently they are written as an exact requirement. 	<p>Modify C1.7.3 (now C1.7.4) as follows:</p> <p><u>At least 80% of the lot boundary rear or side setback area at ground level shall be</u> area is to be provided as canopy coverage at maturity.</p> <p>Modify C4.10.4 (now C4.10.5) and C5.14.3 (now C5.14.4) as follows:</p> <p><u>At least 30% of the site area is to be</u> provided as canopy coverage within at maturity.</p>
1.3	<p>Deemed to Comply Clause C5.14.10 in the City's current Built Form Policy requires that alterations and additions provide 30% of the front setback as canopy coverage unless an existing mature tree with equivalent coverage is retained on site.</p> <p>The City applied for approval of this requirement from the WAPC under Clause 7.3.2 of the R Codes.</p> <p>The WAPC proposed a modification that the provision be reworded to require deep soil area located within the front setback to maximise canopy coverage at maturity. The justification for this was that the change is more consistent with draft Design WA, which does not have canopy cover requirements, but focuses on a minimum Deep Soil Area being provided.</p> <p>The City does not support this change as it does not require any specific size of deep soil area, canopy cover, or timeframe. This could result in developments providing less canopy coverage than the current Built Form Policy requirement.</p> <p>The City also identified that the current requirement only relates to retaining one existing tree. It was determined that, if a development retained multiple trees with equivalent canopy, that would also be acceptable.</p>	<p>Amend the wording of C5.14.10 (now C5.14.8) as follows:</p> <p>Where any additions or alterations to a building is proposed, 30% of the front setback area is to be provided as canopy coverage <u>at maturity</u> within 5 years of development approval, unless an existing mature tree/s <u>with equivalent coverage are</u> is retained anywhere on the site.</p>
2	Deep Soil Areas	
2.1	<p>The definition of Deep Soil Zone in the current Built Form Policy does not align with the definition of Deep Soil Area in draft Design WA. The City's definition specifies a minimum depth of 1m where the definition in draft Design WA requires there to be no development above or below. Under the definition of Deep Soil Area in draft Design WA planting on structure would not contribute to the required percentage of site coverage.</p> <p>Despite this difference it is considered appropriate to align the definition of Deep Soil Zone with draft Design WA's definition of Deep Soil Area, to be consistent with the draft state planning policy.</p> <p>As the new definition of Deep Soil Area removes the ability to consider on-structure planting and there may be instances where on structure planting is desirable such as in large scale development where it contributes to the amenity for residents, it is recommended that a new definition and provision be introduced into the Built Form Policy to require this.</p>	<p>Amend the title and definition of Deep Soil Zone as follows:</p> <p>Deep Soil Zone Area</p> <p>Areas of soil within a development which provide a minimum space of 1 metre that allows for and supports mature plant and tree growth excluding areas covered with impervious surfaces.</p> <p><u>Soft landscape area on lot with no impeding building structure or feature above or below, which supports growth of medium to large canopy trees and meets a stated minimum dimension. Deep soil areas exclude basement car parks, services, swimming pools, tennis courts and impervious surfaces including car parks, driveways and roof areas.</u></p> <p>Include a new definition of Planting Area as follows:</p> <p>Planting Area</p> <p><u>An area with a minimum soil depth of 1m that supports growth of medium to large canopy trees.</u></p>

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2.2	<p>Deemed to Comply Clauses C1.7.1, C4.10.1 and C5.14.1 require all properties to provide 15% of the development site as Deep Soil Area.</p> <p>The City applied for approval of this requirement from the WAPC under Clause 7.3.2 of the R Codes.</p> <p>The WAPC proposed a modification to this provision to require 12% Deep Soil Area and to require a minimum number of trees within that Deep Soil Area depending on the lot size. The justification for this was that the change is more consistent with draft Design WA, which does not have canopy cover requirements, but focuses on a minimum number of trees being provided.</p> <p>The table below provides a comparison of the estimated impact on the canopy coverage based on the WAPC's proposed provision for various lot sizes.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <thead> <tr> <th rowspan="2">Lot size</th> <th colspan="2">Current Built Form Policy</th> <th colspan="2">WAPC modified provisions</th> </tr> <tr> <th>Deep Soil Area</th> <th>Canopy</th> <th>Deep Soil Area</th> <th>Canopy</th> </tr> </thead> <tbody> <tr> <td>184m²</td> <td>15%</td> <td>30%</td> <td>12%</td> <td>27%</td> </tr> <tr> <td>300m²</td> <td>15%</td> <td>30%</td> <td>12%</td> <td>17%</td> </tr> <tr> <td>649m²</td> <td>15%</td> <td>30%</td> <td>12%</td> <td>20%</td> </tr> <tr> <td>650m²</td> <td>15%</td> <td>30%</td> <td>12%</td> <td>20%</td> </tr> <tr> <td>1499m²</td> <td>15%</td> <td>30%</td> <td>12%</td> <td>17%</td> </tr> <tr> <td>1500m²</td> <td>15%</td> <td>30%</td> <td>12%</td> <td>19%</td> </tr> <tr> <td>6000m²</td> <td>15%</td> <td>30%</td> <td>12%</td> <td>26%</td> </tr> </tbody> </table> <p>The City does not support this as it would result in a reduced canopy coverage requirement compared to the Built Form Policy. The extent of the variance depends on the size of the lot and the tree types selected. In addition, the method of calculation is significantly more complex than the Built Form Policy's canopy coverage percentage requirement and does not directly and demonstrably link to the City's intent of achieving a measurable canopy cover target.</p> <p>The resulting canopy coverage depends on the specific tree selection and lot size, so the impact of replacing the City's canopy coverage requirements with requirements for tree planting will differ in each development application. In addition, there is no requirement for the trees to be planted in such a way to maximise canopy coverage of the site so trees may be planted with their canopies overlapping, therefore reducing the overall canopy coverage of the site. This is not an issue with the percentage-based canopy coverage requirement.</p> <p>The City recommends maintaining the percentage-based canopy cover provisions as they have been successfully implemented and demonstrated ability to achieve the desired canopy coverage, with a simpler method of calculation and assessment, than the proposed draft Design WA provisions.</p> <p>The City also identified that the new definition of Deep Soil Area is more onerous than the definition of Deep Soil Zone. As such, it was determined that the Deep Soil Area requirement (and incentive) should be reduced and a Planting Area requirement be introduced. It was also identified that, if a property meets the Deep Soil Area and Planting Area target, there is no need to include a minimum area. A minimum dimension is more appropriate to ensure sufficient space for a medium to large tree.</p>	Lot size	Current Built Form Policy		WAPC modified provisions		Deep Soil Area	Canopy	Deep Soil Area	Canopy	184m ²	15%	30%	12%	27%	300m ²	15%	30%	12%	17%	649m ²	15%	30%	12%	20%	650m ²	15%	30%	12%	20%	1499m ²	15%	30%	12%	17%	1500m ²	15%	30%	12%	19%	6000m ²	15%	30%	12%	26%	<p>Modify C1.7.1, C4.10.1 and C5.14.1 as follows:</p> <p><u>Deep Soil zone Areas are to be provided as follows shall be provided in accordance with the following requirements:</u></p> <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <thead> <tr> <th>Site Area</th> <th>Minimum area Dimension</th> <th>Deep Soil Zone Areas (% of site)</th> </tr> </thead> <tbody> <tr> <td><650m²</td> <td>1m x 1m²</td> <td>1510%</td> </tr> <tr> <td>650m² – 1,500m²</td> <td>1m x 13m²</td> <td>1510%</td> </tr> <tr> <td>>1,500m²</td> <td>1m x 16m²</td> <td>1510%</td> </tr> </tbody> </table> <p style="text-align: center;"><i>NOTE: the minimum dimension for the area of deep soil zone is to be 1m</i></p> <p>Add new C1.7.3, C4.10.4 and C5.14.3 as follows:</p> <p><u>Planting Areas shall be provided in accordance with the following requirements:</u></p> <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <thead> <tr> <th>Site Area</th> <th>Minimum Dimension</th> <th>Planting Area (minimum % of site)</th> </tr> </thead> <tbody> <tr> <td><650m²</td> <td>1m x 1m</td> <td>5%</td> </tr> <tr> <td>650m² – 1,500m²</td> <td>1m x 1m</td> <td>5%</td> </tr> <tr> <td>>1,500m²</td> <td>1m x 1m</td> <td>5%</td> </tr> </tbody> </table>	Site Area	Minimum area Dimension	Deep Soil Zone Areas (% of site)	<650m ²	1m x 1m ²	1510%	650m ² – 1,500m ²	1m x 13m ²	1510%	>1,500m ²	1m x 16m ²	1510%	Site Area	Minimum Dimension	Planting Area (minimum % of site)	<650m ²	1m x 1m	5%	650m ² – 1,500m ²	1m x 1m	5%	>1,500m ²	1m x 1m	5%
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2.3	<p>Deemed to Comply Clause C1.7.2, C4.10.3 and C5.14.2 allow for a reduction in deep soil zone from 15% to 12% where mature trees, which contribute to 30% or more of the required canopy coverage, are retained.</p> <p>To respond to the new definition of Deep Soil Area and the minimum requirement of 10%, the City determined that a further reduction to would be appropriate.</p>	<p>Modify C1.7.2, C4.10.3 and C5.14.2 as follows:</p> <p>The required <u>Deep Soil zone Area</u> may be reduced to 12% where mature trees, which contribute to 30% or more of the required canopy coverage, are retained.</p>																																																																				
3	Car Park Landscaping																																																																					
3.1	<p>Deemed to Comply Clauses C1.7.6, C4.10.7 and C5.14.7 require canopy coverage of 80% for car parks.</p> <p>The City applied for approval of this requirement from the WAPC under Clause 7.3.2 of the R Codes.</p> <p>The WAPC proposed a modification that the provision be reworded to require Deep Soil Area to be provided in open air car parks to enable canopy coverage to be maximised at maturity. The justification for this was that the change is more consistent with draft Design WA, which does not have canopy cover requirements, but focuses on a minimum Deep Soil Area being provided.</p> <p>The City does not support this change as it does not directly address the City's intent of shading car parks and it has no measurable target for applicants to meet.</p> <p>The City also identified that an 80% canopy coverage requirement is not achievable in most, if not all, cases. This was due to the fact that the site area of a car park was not defined and assumed to be inclusive of all thoroughfares, roads and accessways. It was determined that, if thoroughfares, roads and accessways are included in the calculation, a canopy coverage of 40% is a very strict, but more realistic and achievable target.</p>	<p>Modify C1.7.6 (now 1.7.5), C4.10.7 (now C4.10.5) and C5.14.7 (now C5.14.4) as follows:</p> <p>Open air car parks, <u>including access ways, shall</u> are to have a minimum of 8040% canopy coverage at maturity.</p>																																																																				

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<p>3.2 Deemed to Comply Clauses C1.7.8, C4.10.9 and C5.14.9 require the perimeter of all open-air parking areas to be landscaped by a planting strip of at least 1.5m.</p> <p>The City applied for approval of this requirement from the WAPC under Clause 7.3.2 of the R Codes.</p> <p>The WAPC proposed modifications to this provision such that it only applies to large expanses of car parking; and that the landscaping strip be reduced to 1m and apply between car parking and site/street boundaries.</p> <p>The City does not support this change as it will reduce the landscaping width by a third and it is unclear to which parking areas it would apply.</p> <p>The City identified some minor changes to the wording that should be made to improve clarity.</p>	<p>Modify C1.7.8 (now C1.7.6), C4.10.9 (now C4.10.8) and C5.14.9 (now C5.14.6) as follows:</p> <p>The perimeter of all open-air parking areas shall be landscaped by a planting strip <u>with a minimum dimension of at least 1.5m width.</u></p>
<p>3.3 Deemed to Comply Clause C5.14.8 requires all open-air parking areas for multiple dwellings to be landscaped at a rate of one tree per four car bays.</p> <p>The City also identified that this requirement should include grouped dwellings, as those may contain open-air parking areas that require amenity improvements through landscaping.</p>	<p>Modify C5.14.8 as follows:</p> <p>All open-air parking areas <u>for Multiple and Grouped Dwelling developments</u> are to <u>shall</u> be landscaped at a rate of one tree per four car bays.</p>
4 Tree Retention	
<p>4.1 The City identified that, while there are requirements for providing canopy coverage and incentives for retaining trees, there is no requirement in the Deemed to Comply provisions to retain existing mature trees.</p> <p>The City determined that a Deemed to Comply requirement would provide the ability for the City to require the retention of existing trees, and this would provide a beneficial outcome in line with the City's targets and objectives of the Policy.</p>	<p>Add new Clauses C1.7.8, C4.10.9 and C5.14.8:</p> <p><u>Existing trees providing canopy coverage shall be retained.</u></p>
<p>4.2 Local housing objectives P1.7.5, P4.10.5 and P5.14.5 provide that developments should facilitate the retention of existing vegetation and deep soil zones.</p> <p>In accordance with Clause 7.3.1 (b) of the R Codes, the proposed Clauses augment the R Codes by providing a local housing objective for an aspect of development that is not provided for in the R Codes.</p> <p>The City identified that these objectives have no clarity about what kind of vegetation, or whether there is another option that achieves the same result.</p> <p>Since development cannot always retain trees on site, it may be appropriate in some cases to offset that impact through another method. This objective would rely on the applicant justifying their proposal and it being accepted by the City.</p>	<p>Modify P1.7.5, P4.10.5 and P5.14.5 as follows:</p> <p><u>Development that offsets the impact of removing existing trees. Landscaping design which facilitates the retention of existing vegetation and deep soil zones.</u></p>
5 Landscaping Plan	
<p>5.1 Deemed to Comply Clauses C1.7.4, C1.7.5, C4.10.5, C4.10.6, C5.14.5 and C5.14.6 requires a landscape plan and a landscape maintenance schedule prepared by a registered landscape architect to be provided.</p> <p>The WAPC suggested that the policy is not the most appropriate planning mechanism to require a landscaping plan.</p> <p>The City also agrees and determined that a landscaping plan can be required through the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> as accompanying material to a development application. The City will modify the development application checklist accordingly.</p>	<p>Delete Clauses C1.7.4, C1.7.5, C4.10.5 C4.10.6, C5.14.5, C5.14.16.</p>

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6	Rear Boundary Setbacks																																																																																																																																
6.1	<p>Deemed to Comply Clauses C1.2.5 and C4.3.6 require the following lot boundary setbacks where development adjoins a property within the Residential Built Form Area coded R50 and below:</p> <ul style="list-style-type: none"> 6.5m for the ground floor, second and third storey; and 12.5m setback for the fourth storey and above. <p>Deemed to Comply Clause C5.3.3 requires the following rear boundary setbacks where development adjoins a property coded R50 and below:</p> <ul style="list-style-type: none"> 6.5m for the ground floor, second and third storey; and 12.5m setback for the fourth storey and above. <p>The City applied for approval of these requirement from the WAPC under Clause 7.3.2 of the R Codes.</p> <p>The WAPC proposed to modify this provision to base the setback assessment on the height of the proposed development, the type of room in the proposed development and the type of room on the adjacent property.</p> <p>The difference between the current setback requirement and the WAPC's proposed setback requirement depends on the specific development proposed. As an example, a four storey development in a Town Centre adjoining an R60 property would require a ground, second and third storey setback of 4.5 metres and the fourth storey setback would be 6.5 metres. Under the WAPC's proposed provision the setback requirement would range from between 6 metres and 9 metres depending on the type of room it faces on the adjoining property.</p> <p>The modification states that it applies where adjoining properties are coded "R50 and below or R60 and above". Since there is no R-Code between R50 and R60 this requirement will apply to every property adjoining a residential area, rather than specific guidance being applied according to the code of the adjoining property (e.g. an R80 next to an R60 requires a different setback to an R100 next to an R40).</p> <p>The proposed approach for determining the setback requirement is more complex than the current Built Form Policy as it relies on knowing what sort of room is in the building/s adjoining the development site. In many cases, this information may be unavailable. It would also result in a potential disadvantage to developers who do not redevelop first as they may be required to setback their development further.</p> <p>The proposed setback distances in the WAPC's modifications appear to be based on the building separation distances in draft Design WA rather than the setback distances in draft Design WA. Building separation is measured from the wall of the building on an adjoining lot whereas a setback distance is measures from the lot boundary. The result of this is that the proposed setbacks are approximately double those required in draft Design WA, and in most instances higher than those proposed by the City.</p> <p>The City does not support the proposed modification.</p> <p>The City also identified that where a subject site is a lower or equal coding to an adjoining site the large setback distances apply. It is considered unnecessary for large setback distances to apply as it reduces the development potential of the subject site in order to protect the adjoining site which may be of a higher coding. This would result in a large building separation for the subject site whilst the adjoining site has greater density potential and may impact the lower density subject site.</p> <p>It is recommended that the setback assessment be simplified into a table to clearly convey the applicable setbacks and remove the unintended consequence of large setback distances for similar coded land.</p>	<p>Insert setback table as Part 2, Clause C1.2.5, C4.3.6 and C5.3.3 as follows, and renumber the remaining clauses:</p> <p>Lot boundary setbacks in accordance with the following tables:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th colspan="2" rowspan="2"></th> <th colspan="9">Subject Property</th> </tr> <tr> <th>R20</th> <th>R30</th> <th>R40</th> <th>R50</th> <th>R60</th> <th>R80</th> <th>R100+</th> <th>R-Code</th> <th>No R-Code</th> </tr> </thead> <tbody> <tr> <th rowspan="8" style="writing-mode: vertical-rl; transform: rotate(180deg);">Neighbouring Property</th> <th rowspan="8" style="writing-mode: vertical-rl; transform: rotate(180deg);">Residential Built Form Area</th> <th>R20</th> <td>A</td> <td>B</td> <td>B</td> <td>C</td> <td>C</td> <td>C</td> <td>C</td> <td>C</td> <td>C</td> </tr> <tr> <th>R30</th> <td>A</td> <td>A</td> <td>B</td> <td>B</td> <td>C</td> <td>C</td> <td>C</td> <td>C</td> <td>C</td> </tr> <tr> <th>R40</th> <td>A</td> <td>A</td> <td>A</td> <td>B</td> <td>B</td> <td>C</td> <td>C</td> <td>C</td> <td>C</td> </tr> <tr> <th>R50</th> <td>A</td> <td>A</td> <td>A</td> <td>A</td> <td>B</td> <td>B</td> <td>C</td> <td>C</td> <td>C</td> </tr> <tr> <th>R60</th> <td>A</td> <td>A</td> <td>A</td> <td>A</td> <td>A</td> <td>B</td> <td>B</td> <td>B</td> <td>B</td> </tr> <tr> <th>R80</th> <td>A</td> <td>A</td> <td>A</td> <td>A</td> <td>A</td> <td>D</td> <td>D</td> <td>D</td> <td>D</td> </tr> <tr> <th>R100+</th> <td>A</td> <td>A</td> <td>A</td> <td>A</td> <td>A</td> <td>D</td> <td>D</td> <td>D</td> <td>D</td> </tr> <tr> <th>No R-Code</th> <td>A</td> <td>A</td> <td>A</td> <td>A</td> <td>A</td> <td>D</td> <td>D</td> <td>D</td> <td>D</td> </tr> <tr> <th>Non-Residential Built Form Area</th> <td>A</td> <td>A</td> <td>A</td> <td>A</td> <td>A</td> <td>D</td> <td>D</td> <td>D</td> <td>D</td> </tr> </tbody> </table> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th>Setback for ground floor, second storey and third storey</th> <th>Setback for the fourth storey and above</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>R Codes table 2a and 2b;</td> <td>R Codes table 2a and 2b;</td> </tr> <tr> <td>B</td> <td>4.5m</td> <td>6.5m</td> </tr> <tr> <td>C</td> <td>6.5m</td> <td>12.5</td> </tr> <tr> <td>D</td> <td>R Codes Table 5</td> <td>R codes Table 5</td> </tr> </tbody> </table>			Subject Property									R20	R30	R40	R50	R60	R80	R100+	R-Code	No R-Code	Neighbouring Property	Residential Built Form Area	R20	A	B	B	C	C	C	C	C	C	R30	A	A	B	B	C	C	C	C	C	R40	A	A	A	B	B	C	C	C	C	R50	A	A	A	A	B	B	C	C	C	R60	A	A	A	A	A	B	B	B	B	R80	A	A	A	A	A	D	D	D	D	R100+	A	A	A	A	A	D	D	D	D	No R-Code	A	A	A	A	A	D	D	D	D	Non-Residential Built Form Area	A	A	A	A	A	D	D	D	D		Setback for ground floor, second storey and third storey	Setback for the fourth storey and above	A	R Codes table 2a and 2b;	R Codes table 2a and 2b;	B	4.5m	6.5m	C	6.5m	12.5	D	R Codes Table 5	R codes Table 5
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	Issue	Recommended Modification
6.2	<p>Deemed to comply criteria C1.2.3, C1.2.4, C1.2.5, C4.3.3, C4.3.4, C4.3.5, C4.3.6, C5.3.2 and C5.3.3 all contain setback provisions followed by the wording:</p> <p>‘Unless a balcony is proposed in which case the setback shall be as per Clause 5.4.1 C1.1 (i) and 6.4.1 (i) of the R Codes for the code of the adjacent property.’</p> <p>The intent of this wording was to ensure that development is separated from the adjoining land a sufficient distance so that overlooking is not an issue and screening devices are not necessary. This provides better amenity for building occupants, and provides a better building design as balconies are not screened.</p> <p>The City applied for approval of these requirement from the WAPC under Clause 7.3.2 of the R Codes.</p> <p>The wording of the clause is not acceptable to the WAPC as it is perceived to circumvent privacy provisions.</p> <p>The WAPC suggested that the provision be modified to replace R Codes Clauses 5.4.1/6.4.1 C1.1 ii and C1.2, with an additional provision that requires any balcony to be unscreened for at least 25% of its perimeter (which includes the edges of a balcony abutting the building).</p> <p>The WAPC’s modification proposes to replace the guidance in the R Codes relating to screening.</p> <p>The proposed modification is not supported as it removes the explanation of what a screening device is and when it may be required, which could result in worse visual privacy issues in certain circumstances.</p> <p>Under the current Built Form Policy where a development proposes to vary the setback requirements that would result in the building and balcony being within the ‘cone of vision’ and the balcony would be required to be screened in accordance with 5.4.1/6.4.1 of the R Codes.</p> <p>The City would like to maintain the intent of the clause and provide a deemed to comply criteria within the building setback Clauses aligned with the Design Principle of the R Codes, ‘buildings set back from boundaries or adjacent buildings on the same lot so as to: assist with the protection of privacy between adjoining properties.’</p>	<p>Modify Clause C1.2.3 as follows:</p> <p>Side boundary setbacks for development three storeys and above and rear boundary setbacks are to be in accordance with Table 5 of the R Codes unless a balcony is proposed in which case the setback shall be <u>7.5m as per Clause 5.4.1 C1.1 (i) and 6.4.1 C1.1 (i) of the R Codes for the code of the adjacent property.</u></p> <p>Add new Clause C1.2.6 as follows:</p> <p><u>Balconies are to be setback a minimum of 7.5 metres.</u></p> <p>Add new Clauses C4.3.4 and C5.3.3 as follows:</p> <p><u>Balconies are to be setback a minimum of 7.5 metres.</u></p>
7	Setbacks from Rights of Way	
7.1	<p>Clause 5.31 Development on Rights of Way contains Design Principles, Local Housing Objectives and Deemed to Comply requirements to guide the development of buildings which have their sole frontage to a right of way.</p> <p>In accordance with Clause 7.3.1 (b) of the R Codes, the proposed Clause augments the R Codes by providing a local housing objective that is not provided for in the R Codes. Approval of the WAPC is not necessary for this provision.</p> <p>The design principles and local housing objectives relate to the design of development and its need to facilitate safe and welcoming spaces, and to pedestrian and service access to a dedicated road. However, there are no design principles or local housing objectives outlining the intention of the setbacks from rights-of-way in terms of vehicle access. It is recommended that a design principle, local housing objective and deemed to comply criteria be provided.</p>	<p>Add new local housing objective as Part 2, Clause P5.31.3:</p> <p><u>Development which provides suitable space for safe vehicle movement in the right of way.</u></p> <p>Add new Clause C5.31.3:</p> <p><u>The City may consider reduced setbacks where it can be demonstrated that there is suitable space in the right of way for safe vehicle movements.</u></p>
8	Boundary Walls	
8.1	<p>The deemed to comply lot boundary setback criteria for development on a transit corridor, which abuts a transit corridor, reverts to the R Codes. The R Codes allow walls built to one lot boundary subject to height and length limits dependant on the coding of the land. These height and length limits are considered suitable to these situations, as they would apply between lots of similar density. Where development abuts the residential built form area, these boundary wall provisions would not apply.</p> <p>In accordance with Clause 7.3.1 (a) of the R Codes, the City has the ability to amend or replace the deemed to comply provisions relating to boundary walls.</p> <p>It is considered suitable in the transit corridor that walls be built to two lot boundaries within the acceptable height and length limits provided in the R Codes. This would provide a consistent streetscape along transit corridors allowing the bulk of the built form to be developed to the street whilst maintaining the amenity of the residential built form areas which are generally located behind the transit corridors.</p> <p>New Clause C4.3.4 outlines that walls may be built up to two side boundaries, this new provision replaces Clause 5.1.3 C3.2 and 6.1.4 C4.3 of the R Codes.</p>	<p>Modify the preamble note to C4.3.3 as follows:</p> <p>Pursuant to Clause 7.3.1(a) of the R Codes, the following provisions replace the Deemed to Comply requirements in clauses <u>5.1.3 C3.1, and 6.1.4 C4.1 and 6.1.4 C4.2</u> of the R Codes.</p> <p>Add new Clause C4.3.4 as follows:</p> <p>Clause 5.1.3 C3.2 and 6.1.4 C4.3 of the R Codes apply to the development of walls up to two side boundaries.</p>

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	Issue	Recommended Modification
9	Setbacks	
9.1	<p>Deemed to comply criteria C5.2.1 requires a street setback to be the average of the five properties adjoining the development. The intent of the clause is to provide a consistent street setback based on the predominant setback of the streetscape and in practice is applied as the average of five properties on either adjoining side of the development.</p> <p>In accordance with Clause 7.3.1 (a) of the R Codes, the City has the ability to amend or replace the deemed to comply provisions relating to street setbacks.</p> <p>Clause C5.2.1 should be reworded to be clear that street setback is the average of five properties adjoining both sides of the development.</p>	<p>Modify Clause C5.2.1 as follows:</p> <p>The primary street setback is to be the average of the five properties <u>dwelling</u>s adjoining <u>either side lot boundary</u> of the proposed development.</p>
9.2	<p>Deemed to comply criteria C5.7.3 requires that carports be setback in accordance with Clause 5.2.1 C1.2 of the R Codes. This allows the development of carports to be setback in accordance with Table 1 of the R Codes which is between 1m and 6m depending on the coding of the site. This setback can then be reduced by 50% where an area of open space is provided behind the setback line to offset the reduced setback. The method to reduce the setback for the carport is considered suitable however the use of the table 1 setbacks is not. It is not considered suitable as it does not consider the street setback of Clause C5.2.1 of the Built Form Policy being the average of five properties adjoining either side of the development.</p> <p>In accordance with Clause 7.3.1 (a) of the R Codes, the City has the ability to amend or replace the deemed to comply provisions relating to the setback of garages and carports.</p> <p>Clause C5.7.3 should be reworded to be clear that the setback of carports relates to the C5.2.1 of the Policy and may be reduced in accordance with the R Codes.</p>	<p>Modify Clause C5.7.3 as follows:</p> <p>Carports shall be setback in accordance with Clause C5.2.1 of this Policy. This setback may be reduced <u>in accordance with 5.2.1-C1.2 Clause 5.1.2 C2.1 iii</u> of the R Codes.</p>
10	Built Form Area Objectives	
10.1	<p>Section 1 – Town Centres</p> <p>The Built Form Policy contains five built form areas. Each area contains specific Design Principles and Local Housing Objectives which guide development. However, there are no overall objectives for each built form area that explain the intended development outcomes for each area. It is important to guide the overall style of development, as well as providing advice for applicants and the determining authority when using the policy and making design principle assessments.</p>	<p>Include the following objectives in Part 2, Section 1 of the Policy:</p> <p><u>Section 1 – Objectives</u></p> <ol style="list-style-type: none"> <u>1. Improve all street level ground floor spaces - The relationship of building design and uses to the adjacent public domain is vital to ensure attractive, interesting, pedestrian friendly outcomes.</u> <u>2. Ensure that buildings contribute to public spaces through design and maximise street level interest, articulation, materiality, openness, and interaction between inside and outside.</u> <u>3. Design which encourages active participation by the public - The built form should have a positive influence on improving public health by improving walkability and interest for pedestrians.</u> <u>4. Establish well-connected, weather protected spaces - Protect pedestrians under awnings and increase activation along both north-south and east-west directions.</u> <u>5. Reinforce and continue traditional design and character of established streetscapes - Materials, scale, awnings and appropriately designed outdoor alfresco areas.</u> <u>6. Encourage active built form - Design buildings for a human scale, minimising blank walls and the detrimental impacts of services, utilities and car parking structures. Encourage direct street level pedestrian access wherever possible.</u> <u>7. Design for change – New development should be flexible to respond to future changes in use, lifestyle and demography.</u> <u>8. Provide natural amenity and landscaping – New development should provide areas of deep soil which support healthy plant and tree growth and contribute to the City's tree canopy, reducing urban heat islands, and providing natural beauty and amenity to residents and visitors.</u> <u>9. Development which is sustainable – Design buildings to maximise passive heating and cooling and minimise energy use and emissions.</u>

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	Issue	Recommended Modification
10.2	<p>Section 2 – Activity Corridors</p> <p>The Built Form Policy contains five built form areas. Each area contains specific Design Principles and Local Housing Objectives which guide development. However, there are no overall objectives for each built form area that explain the intended development outcomes for each area. It is important to guide the overall style of development, as well as providing advice for applicants and the determining authority when using the policy and making design principle assessments.</p>	<p>Include the following objectives in Part 2, Section 2 of the Policy:</p> <p>Section 2 – Objectives</p> <ol style="list-style-type: none"> 1. <u>Improve the built form connection between the City's Town Centres – Design which provides connection between the City's Town Centres.</u> 2. <u>Improve all street level ground floor spaces - The relationship of building design and uses to the adjacent public domain is vital to ensure attractive, interesting, pedestrian friendly outcomes;</u> 3. <u>Ensure that buildings contribute to public spaces through design and maximise street level interest, articulation, materiality, openness, and interaction between inside and outside.</u> 4. <u>Design which encourages active participation by the public - The built form should have a positive influence on improving public health by improving walkability and interest for pedestrians.</u> 5. <u>Establish better connected, weather protected spaces - Protect pedestrians under awnings and increase activation along both north-south and east-west directions.</u> 6. <u>Reinforce and continue traditional design and character of established streetscapes - Materials, scale, awnings and appropriately designed outdoor alfresco areas.</u> 7. <u>Encourage active built form - Design buildings for a human scale, minimising blank walls and the detrimental impacts of services, utilities and car parking structures. Encourage direct street level pedestrian access wherever possible.</u> 8. <u>Design for change – New development should be flexible to respond to future changes in use, lifestyle and demography.</u> 9. <u>Provide natural amenity and landscaping – New development should provide areas of deep soil which support healthy plant and tree growth and contribute to the City's tree canopy, reducing urban heat islands, and providing natural beauty and amenity to residents and visitors.</u> 10. <u>Development which is sustainable – Design buildings with suitable building orientation to maximise passive heating and cooling and minimise energy use and emissions.</u>
10.3	<p>Section 3 – Mixed Use</p> <p>The Built Form Policy contains five built form areas. Each area contains specific Design Principles and Local Housing Objectives which guide development. However, there are no overall objectives for each built form area that explain the intended development outcomes for each area. It is important to guide the overall style of development, as well as providing advice for applicants and the determining authority when using the policy and making design principle assessments.</p>	<p>Include the following objectives in Part 2, Section 3 of the Policy:</p> <p>Section 3 – Objectives</p> <ol style="list-style-type: none"> 1. <u>Provide for a variety of Built Form - built form which facilitates positive interaction between a mix of land uses and residential densities.</u> 2. <u>Improve all street level ground floor spaces - The relationship of building design and uses to the adjacent public domain is vital to ensure attractive, interesting, pedestrian friendly outcomes;</u> 3. <u>Ensure that buildings contribute to public spaces through design and maximise street level interest, articulation, materiality, openness, and interaction between inside and outside.</u> 4. <u>Design which encourages active participation by the public - The built form should have a positive influence on improving public health by improving walkability and interest for pedestrians.</u> 5. <u>Establish better connected, weather protected spaces - Protect pedestrians under awnings and increase activation along both north-south and east-west directions.</u> 6. <u>Reinforce and continue traditional design and character of established streetscapes - Materials, scale, awnings and appropriately designed outdoor alfresco areas.</u> 7. <u>Encourage active built form - Design buildings for a human scale, minimising blank walls and the detrimental impacts of services, utilities and car parking structures. Encourage direct street level pedestrian access wherever possible.</u> 8. <u>Design for change – New development should be flexible to respond to future changes in use, lifestyle and demography.</u> 9. <u>Provide natural amenity and landscaping – New development should provide areas of deep soil which support healthy plant and tree growth and contribute to the City's tree canopy, reducing urban heat islands, and providing natural beauty and amenity to residents and visitors.</u> 10. <u>Development which is sustainable – Design buildings with suitable building orientation to maximise passive heating and cooling and minimise energy use and emissions.</u>

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	Issue	Recommended Modification
10.4	<p>Section 4 – Transit Corridors</p> <p>The Built Form Policy contains five built form areas. Each area contains specific Design Principles and Local Housing Objectives which guide development. However, there are no overall objectives for each built form area that explain the intended development outcomes for each area. It is important to guide the overall style of development, as well as providing advice for applicants and the determining authority when using the policy and making design principle assessments.</p>	<p>Include the following objectives in Part 2, Section 4 of the Policy:</p> <p>Section 4 – Objectives</p> <ol style="list-style-type: none"> 1. <u>Provide for medium to high density residential development - built form which facilitates for the quality design of medium to high density development.</u> 2. <u>Improve all street level ground floor spaces - The relationship of building design and uses to the adjacent public domain is vital to ensure attractive, interesting, pedestrian friendly outcomes;</u> 3. <u>Design which encourages active participation by the public - The built form should have a positive influence on improving public health by improving walkability and interest for pedestrians.</u> 4. <u>Reinforce and continue traditional design and character of established streetscapes - Materials and scale which fits within its context.</u> 5. <u>Encourage active built form - Design buildings for a human scale, minimising blank walls and the detrimental impacts of services, utilities and car parking structures. Encourage direct street level pedestrian access wherever possible.</u> 6. <u>Design for change – New development should be flexible to respond to future changes in use, lifestyle and demography.</u> 7. <u>Provide natural amenity and landscaping – New development should provide areas of deep soil which support healthy plant and tree growth and contribute to the City’s tree canopy, reducing urban heat islands, and providing natural beauty and amenity to residents and visitors.</u> 8. <u>Development which is sustainable – Design buildings with suitable building orientation to maximise passive heating and cooling and minimise energy use and emissions.</u>
10.5	<p>Section 5 – Residential</p> <p>The Built Form Policy contains five built form areas. Each area contains specific Design Principles and Local Housing Objectives which guide development. However, there are no overall objectives for each built form area that explain the intended development outcomes for each area. It is important to guide the overall style of development, as well as providing advice for applicants and the determining authority when using the policy and making design principle assessments.</p>	<p>Include the following objectives in Part 2, Section 5 of the Policy:</p> <p>Section 5 – Objectives</p> <ol style="list-style-type: none"> 1. <u>Residential development - built form which facilitates the high quality design of low, medium and high density development.</u> 2. <u>Design that encourages interaction with the street and public spaces - The built form should have a positive influence on improving public health by improving walkability and interest for pedestrians.</u> 3. <u>Reinforce and maintains character of established streetscapes – Architecture and materials which fits within its context.</u> 4. <u>Encourage active built form - Design buildings for a human scale, minimising blank walls and the detrimental impacts of services, utilities and car parking structures. Encourage direct street level pedestrian access wherever possible.</u> 5. <u>Provide natural amenity and landscaping – New development should provide areas of deep soil which support healthy plant and tree growth and contribute to the City’s tree canopy, reducing urban heat islands, and providing natural beauty and amenity to residents and visitors.</u> 6. <u>Development which is sustainable – Design buildings with suitable building orientation to maximise passive heating and cooling and minimise energy use and emissions.</u>
11	Building Design, Materials & Finishes	
11.1	<p>Design Principles P1.6.1, P1.6.2 and P1.6.3 contain guidance on building design and architectural elements for developments. Deemed to Comply Clauses C1.6.1, C1.6.2, C1.6.3 and C1.6.4 require certain materials and architectural standards to be met.</p> <p>The City, on advice of the Design Review Panel, identified that these Design Principles and Deemed to Comply requirements do not clearly articulate the outcome the City is seeking to achieve. It was determined that Deemed to Comply requirements may not achieve the preferred outcome in all circumstances without specific local context being identified and provided for within the policy provisions to great detail.</p> <p>The City determined to, instead, require a level of detail be provided as additional information with a development application. This additional information would consist of an Urban Design Study that identifies characteristics of existing development and complements those characteristics by using a variety of materials, finishes and architectural elements to reduce its impact on adjoining properties.</p>	<p>Modify Section 1.6 as follows:</p> <p>P1.6.1 Quality materials and detail that provide interest at a human scale.</p> <p>P1.6.12 <u>Appropriate use of a variety of materials and finishes that complement elements of the existing local character. Design which incorporates and retains elements of the existing local character and avoids faux materials.</u></p> <p>P1.6.2 <u>Articulation that uses architectural elements in addition to setbacks to reduce its impact on adjoining properties and improves the amenity of adjoining properties and the streetscape. Articulation should be used to reduce scale and bulk.</u></p> <p>P1.6.3 Fire boosters, mail boxes and external fixtures that are located to minimise the impact on the public realm.</p>

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	<p>This method enables the City to conduct a more informed assessment of the building design, rather than simply assessing compliance with Deemed to Comply criteria. It also places the onus on applicants to provide sufficient information and justify the quality of building design, rather than the determining authority taking on that responsibility.</p> <p>In accordance with Clause 7.3.1 (b) of the R Codes, the proposed Clauses augment the R Codes by providing a local housing objective for an aspect of development that is not provided for in the R Codes.</p> <p>Deemed to comply requirements should be limited to less subjective outcomes such as façade depth, and fire booster and mailbox locations.</p>	<p>Amend the preamble to Clause 1.6 as follows:</p> <p><u>'Pursuant to Clause 7.3.1(b) of the R Codes, the following Local Housing Objectives provide guidance for development subject to Part 5 of the R Codes; and augment the Design Principles in clause 6.2.4 of the R Codes. For all development that is not subject to the R Codes, the following apply as Design Principles.'</u></p> <p><u>P1.6.4 Development that achieves visual interaction with the vehicle and pedestrian approaches.</u></p> <p><u>P1.6.5 Development which integrates and/or acknowledges the identified streetscape design elements.</u></p> <p>C1.6.1 Façade depth <u>shall be</u> a minimum of 300mm to allow space for articulation of windows, and other detailing.</p> <p>C1.6.2 Fire boosters, mail boxes and external fixtures, <u>shall</u> are to be integrated into the building design.</p> <p>C1.6.3 Traditional materials found in development in the local area are to be integrated into the design and may include:</p> <p>—— Red brick;</p> <p>—— Limestone; and</p> <p>—— Timber.</p> <p>C1.6.4 The following contemporary materials may be integrated into the design:</p> <p>—— Exposed aggregate concrete;</p> <p>—— Terrazzo</p> <p>—— Ceramics; and</p> <p>—— Detailed precast concrete panels.</p> <p>Amend Clause 4.8.1 as follows:</p> <p><u>'Part 2, Section 1, Clause 1.6 applies to all development. Where Part 5 of the R Codes applies no provisions apply. Where Part 6 of the R Codes applies, and for all other development, all Design Principles and Deemed to Comply criteria of clause 6.2.4 of the R Codes apply.'</u></p> <p>Add new Clause 5.12 and 5.12.1:</p> <p><u>'5.12 Building Appearance</u></p> <p><u>5.12.1 Part 2, Section 1, Clause 1.6 applies to all development.'</u></p>
11.2	<p>Definitions do not include any definition about streetscape design elements, which are incorporated in the proposed amended Section 1.6.</p> <p>The City will now require an Urban Design study be provided as accompanying material with the development application. This is to include a review of the design elements of the streetscape. An applicant is to satisfy the design principle by integrating these elements into the design or by providing justification that they have not been incorporated into the design.</p>	<p>Add new definition for 'Streetscape design elements' as follows:</p> <p><u>Streetscape design elements</u></p> <p><u>Features of the street including, colour palette, texture, scale, materials and roof pitch.</u></p>
12	Commercial Ground Floor	
12.1	<p>Clause C1.4.1 requires a façade depth of 300mm to allow space for entries for development in Town Centres, Activity Corridors and Mixed Use areas.</p> <p>The City identified that, as per the Health Regulations, exit doors of public buildings are to open in the direction of egress. The Policy provisions do not allow enough space for this to happen due to nil street setbacks.</p> <p>With the proposed new Clause C1.4.2, C1.4.1 no longer needs to refer to entries.</p>	<p>Add new Clause C1.4.2 as follows:</p> <p><u>Doorway articulation depth shall be between 500mm and 1m to clearly articulate entrances to buildings and tenancies.</u></p> <p>Modify Clause C1.4.1 as follows:</p> <p><u>Ground floor Façade depth of 300mm to allow space for window openings, seating ledges, the articulation of entries, openings, windows, sills, stall risers and other detailing.</u></p>
12.2	<p>Clause C1.4.15 requires visually permeable ground floor glazing to provide unobscured visibility.</p>	<p>Modify Clause C1.4.15 (now C1.4.16):</p>

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	<p>The City identified that this outcome is not always reached as there is no requirement for a window to be transparent so windows are generally tinted.</p> <p>The definition of visually permeable in the Built Form Policy refers to the definition in the R Codes. The R Codes definition relates to walls, gates, doors and fences but does not relate to windows or glazing. The definition outlines that 'gaps' are to be provided in the surface to reduce the obstruction of view. Gaps would not be appropriate in a window or glazing surface.</p> <p>The City determined that there needs to be reference to visible light transmission in the provisions relating to glazing so there can be a suitable requirement provided for transparency of windows for ground floor spaces.</p>	<p>Ground floor glazing and/or tinting to be have a minimum of 70% visually permeable <u>visible light transmission</u> to provide unobscured visibility.</p>
12.3	<p>Section 5.10 Street Walls and Fences currently states requirements for street walls and fences, including materials, size, visual permeability and location.</p> <p>Since there is a separate City policy regarding visual truncations, it is important to reference Policy 2.2.6 within the Built Form Policy.</p>	<p>Add a note in C5.10:</p> <p><u>Note: Development with a visual truncation area shall give due regard to the City's Policy 2.2.6 – Truncations.</u></p>
13	Environmentally Sustainable Design	
13.1	<p>Local Housing Objective P1.8.1 guides passive solar heating, cooling, natural ventilation and light penetration to reduce energy consumption.</p> <p>In accordance with Clause 7.3.1 (b) of the R Codes, the proposed Clause augments the R Codes by providing a local housing objective for an aspect of development that is not provided for in the R Codes.</p> <p>There are no requirements in the environmentally sustainable design provisions which seek to reduce the urban heat island effect through building design. Further to this, there are no requirements for the colour of flat roof structures which can reduce the urban heat island effect as well as energy consumption within homes.</p>	<p>Add new P1.8.1 (d) as follows:</p> <p><u>Flat roof structures are white.</u></p>
13.2	<p>Clauses 4.23.1 and 5.30.1 require the Environmentally Sustainable Design provisions of Clause 1.8 to apply to all development except single houses or grouped dwellings.</p> <p>The City determined that it would be appropriate for these provisions to apply to single houses and grouped dwellings. The review provides landowners with information on how their development may be improved to reduce energy consumption, which is relevant for all new buildings of any scale.</p>	<p>Modify Clause 4.23.1 as follows:</p> <p><u>The Design Principles and Local Housing Objectives of Clause 1.8 of this Policy apply to development in the Transit Corridor Built Form Area. All Design Principles and Local Housing Objectives of clause 1.8 of Part 2 Section 1 of this Policy apply to all development with the exception of the erection or extension of single houses or grouped dwellings.</u></p> <p>Modify Clause 5.30.1 as follows:</p> <p><u>The Design Principles and Local Housing Objectives of Clause 1.8 of this Policy apply to development in the Transit Corridor Built Form Area. All Design Principles and deemed to comply criteria of clause 1.8 of Part 2 Section 1 of this Policy apply to all development with the exception of the erection or extension of single houses or grouped dwellings.</u></p>
14	Not Accepted Criteria	
14.1	<p>The Policy contains provisions that stipulate what development is considered unacceptable. This is not suitable as the design principles offer an alternative pathway to approval. Where a development proposal meets the design principal the City would not be able to refuse it on the basis of the "not accepted" criteria. Further to this, the deemed to comply criteria provides minimum standards for development. It is considered most suitable to delete the "not accepted" criteria and capture their intent within the design principles, local housing objectives and deemed to comply criteria.</p>	<p>Delete Part 1, Clause 2.2 and renumber the remaining clauses.</p>
14.2	<p>Clause N1.4.3 refuses to allow any proposal for a street wall or fence in a Town Centre, Activity Corridor or Mixed Use Area.</p> <p>The City identified that, in some circumstances, street walls and fences may be necessary. This includes changes in level from the street to a property or provision of a secure space for a utility. On this basis it is considered more appropriate to ensure that the Design Principles provide adequate guidance in these situations. It is recommended that the 'not accepted' criteria be removed.</p>	<p>Delete Clause N1.4.3.</p>
14.3	<p>Clause N1.2.1 and N4.3.1 contain not accepted criteria in relation to lot boundary setbacks.</p> <p>The Policy provides deemed to comply minimum lot boundary setbacks. In practice, the City would not approve development that seeks to vary the deemed to comply requirements without sufficient justification and demonstrated that the development meets the relevant Design Principles.</p> <p>It is considered more appropriate to ensure that the Design Principles provide adequate guidance in these situations. It is recommended that the 'not accepted' criteria be removed.</p>	<p>Delete Clause N1.2.1 and N4.3.1.</p>
14.4	<p>Clauses N1.3.1 and N1.3.2 contain not accepted criteria for corner site developments.</p>	<p>Delete Clause N1.3.1.</p>

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	Issue	Recommended Modification
	<p>The City would assess the development of any structures within the visual truncation area of a corner site and determine whether these are suitable. The assessment of fire egress stairs and building entries would be subject to health and building requirements.</p> <p>On this basis is it considered more appropriate to ensure that the Design Principles provide adequate guidance in these situations. It is recommended that the 'not accepted' criteria be removed.</p>	
14.5	<p>Clauses N1.4.1, N1.4.2, N1.4.3, N1.4.4, N1.4.5, N1.4.6, N1.6.1, N1.6.2, N1.10.1, N4.6.1, N4.21.1, N5.7.1, N5.10.1 and N5.25.1 contain not accepted criteria for design elements of new developments. In these situations, the City would not approve development that seeks to vary the deemed to comply requirements without sufficient justification and demonstrated that the development meets the relevant Design Principles.</p> <p>On this basis is it considered more appropriate to ensure that the Design Principles provide adequate guidance in these situations. It is recommended that the 'not accepted' criteria be removed.</p>	Delete Clause N1.4.1, N1.4.2, N1.4.3, N1.4.4, N1.4.5, N1.4.6, N1.6.1, N1.6.2, N1.10.1, N4.6.1, N4.21.1, N5.7.1, N5.10.1 and N5.25.1.
14.6	<p>Clause C4.6.1 and C5.10.1 require street walls, fences and gates to be of a style and materials compatible with the surrounding area.</p> <p>The City identified that, because the proposed Policy amendment removes the not accepted criteria N4.6.1 and N5.10.1, those requirements should be replaced within C4.6.1 and C5.10.1, respectively. These will specifically prohibit fibre cement fencing in Transit Corridors and will prohibit fibre cement and metal sheeting in Residential Areas.</p>	<p>Modify Clause C4.6.1 as follows:</p> <p>Street walls, fences and gates are to be of a style and materials compatible with those of the development on site and/or walls, fences and gates of the immediate surrounding area <u>excluding fibre cement</u>.</p> <p>Modify Clause C5.10.1 as follows:</p> <p>Street walls, fences and gates are to be of a style and materials compatible with those of the development on site and/or walls, fences and gates of the immediate surrounding area <u>excluding fibre cement and metal sheeting</u>.</p>
15	Maps	
15.1	<p>The City has a suite of Design Guidelines that outline specific, location-based requirements for development in nine separate planning cells. Where there is an inconsistency between the Design Guidelines and the Policy, the 'Relationship to Other Documents' section states that the Design Guidelines prevail. This means that the building heights stated within the Design Guidelines are deemed to comply in these areas and override the building heights stated in the Policy.</p> <p>Of the nine Design Guidelines, there are two where the heights are inconsistent with the Policy; William Street and Perth. In the remaining seven, the building heights are consistent.</p> <p>The building height requirement in the William Street Design Guidelines is four storeys and the building height requirement in the Policy is six storeys. There is also an inconsistency within the Policy itself between Figure 2 (the building heights map), which refers back to the Design Guidelines, and Table 1 (the table describing the building heights), which prescribes a maximum height of six storeys.</p> <p>The building height requirement in the Perth Design Guidelines is three storeys (six storeys where a site has dual frontage) and the building height requirement in the Policy is six storeys. There is also an inconsistency within the Policy itself between Figure 2 (the building heights map), which refers to the Design Guidelines, and Table 1 (the table describing the building heights), which prescribes a maximum height of six storeys for development along the Fitzgerald Street Activity Corridor and Mixed Use Area.</p> <p>The City's Local Planning Scheme No. 2 came into effect in May 2018, rezoning a number of properties within the two Design Guidelines areas. Primarily, the William Street area was rezoned from Commercial to District Centre. Due to the inconsistencies between the Policy and the Design Guidelines, and the rezoning, it is considered suitable to review the heights in these areas to align with surrounding properties and similarly-zoned land.</p> <p>For the remaining seven Design Guideline areas, it is proposed to remove reference to 'Design Guideline Areas' in Figure 2 and prescribe the same building heights as contained within the Design Guidelines. This will consolidate all building heights for the City of Vincent within the Policy.</p>	<p>Modify figure 2 to clearly outline the heights within the adopted design guidelines.</p> <p>Modify figure 2 to reflect the proposed concurrent changes to the William Street Design Guidelines, as follows:</p> <p>'Newcastle Street to Brisbane Street</p> <p>The wide reserve of William Street, the area's direct link to the Central Business District and the accommodating topography allowing vistas to Perth, support building height rising to a maximum of <u>43</u> storeys adjacent to the primary streets and up to <u>64</u> storeys within the site. It is considered appropriate for the fourth storey of all developments to be setback a minimum of 5 metres from the primary street. A minimum height of two storeys to the primary street is considered appropriate. This maximises opportunities for redevelopment of undercapitalised and underdeveloped properties within the area. The staggering of storeys of development is encouraged at all times to ensure that there is no undue impact on adjacent properties.'</p> <p>'Brisbane Street to Bulwer Street</p> <p>Due to the unique topography and the vista along William Street towards Perth CBD there is an opportunity for higher density development. A building height to a maximum of <u>43</u> storeys to Bulwer and William Streets and up to <u>64</u> storeys within the site is encouraged. The opportunity to extract maximum impact from corner locations will be encouraged and promoted, and greater heights may be considered by the Council provided acceptable levels of amenity can be maintained at adjoining lots.'</p> <p>Modify figure 2 to reflect the proposed concurrent changes for the Perth Design Guidelines, as follows:</p> <p>'Height and Massing - The wide reserve of Fitzgerald Street, the openness of Robertson Park and the adjacent Maltings development support building height to a maximum of <u>43</u> storeys adjacent to the primary streets. A minimum height of two storeys to the primary streets is considered appropriate. The Council may consider greater development heights up to a maximum of six storeys, particularly on those lots with frontage to both Fitzgerald Street and Pandal Lane provided the greater height is positioned towards the centre of the lot, to ensure consistency with building forms in the immediate surrounding area, and acceptable levels of amenity can be maintained at adjoining lots. It is considered appropriate for those developments that extend above 3 storeys for the fourth storey to be setback a minimum of 10 metres from Fitzgerald Street, and any building height above 4 storeys a minimum of 30 metres from Fitzgerald Street.'</p>

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15.2	Figure 1 does not clearly identify and separate reserves from the Built Form Areas. The reserves are not subject to the provisions of the Policy and should be separated from the Built Form Areas.	Amend Figure 1 to include reserves in the legend as per Part 1, Clause 1.6 of this Policy.
15.3	Figure 1 shows Built Form Areas that do not align with the lot boundaries. The Built Form Areas should align with lot boundaries to allow consistent development rather than varying sets of provisions applying to one lot.	Amend Figure 1 to align the Built Form Areas with the lot boundaries.
15.4	Figure 2 shows building heights applying to reserves. The building height limits should not apply to reserves so the map should be amended as appropriate. In addition, the colours of the map should be amended to align with the City's corporate colour scheme to improve legibility.	Amend Figure 2 to remove the height limit of two storeys for reserves and change the colours of the heights.
15.5	Figure 1 and Figure 2 show No. 34 Cheriton Street, Perth as Residential Built Form Area with a height limit of 2 storeys. The property was within the EPRA Scheme area and has been zoned Commercial under LPS2. The Built form Policy is inconsistent with the adjacent properties in the Street that are within the Mixed Use zone and Built Form Area with a height limit of 12 storeys. The City determined that No. 34 Cheriton Street should also be contained within the Mixed Use Built Form Area with a 12-storey height limit for consistency along the street.	Modify Figure 1 and Figure 2 to reflect a Mixed Use Built Form Area and height limit of 12 storeys for No. 34 Cheriton Street, Perth.
15.6	Figure 2 shows No. 291-293 Stirling Street, Perth as a 2-storey height limit. The building height is inconsistent with its Commercial zoning and the adjacent properties, which have 3, 4 and 5 storey height limits. The City determined that this property should have a height limit of 3 storeys, consistent with the northern side of Stirling Street.	Modify Figure 2 to reflect height limit of 3 storeys for 291-293 Stirling Street, Perth.
16	Administrative Changes	
16.1	The current Built Form Policy is set out with the provisions in a list format. For ease of use it is recommended that the Policy be reformatted into a table.	Reformat policy provisions into a table.
16.2	Definitions 'Average natural ground level' should be consistent with the R Codes.	Remove 'Average Natural Ground Level' definition.
16.3	The definitions of the R Codes should include reference to the current R Codes.	Modify the definition of 'R Codes' as follows: Refers to State Planning Policy 3.1: Residential Design Codes <u>(as amended)</u> .
16.4	The definition of 'soft landscaping' should apply to the planting itself rather than an area.	Modify the definition of 'Soft Landscaping' as follows: Any landscaped area with a minimum soil depth of 300mm that contains in-ground planting, and is exclusive of removable planter boxes/pots, artificial turf, green walls and porous paving areas.
16.5	The definition of 'verandah' should refer to the R Codes.	Modify the definition of 'Verandah' as follows: As per the R Codes. A roofed platform partly enclosed or unenclosed extending across the front and sides of a building.
16.6	Figure 3 and Figure 4 are represented in the R Codes.	Remove Figure 3 and Figure 4.
16.7	Figure C1.2.1, Figure C1.2.3, Figure C1.2.5, Figure C1.2.6, Figure C1.3, Figure C1.4.9 and Figure C1.6.1 do not encompass the new provisions regarding setbacks. The new provisions have sufficient guidance to not require replacement figures.	Remove Figure C1.2.1, Figure C1.2.3, Figure C1.2.5, Figure C1.2.6, Figure C1.3, Figure C1.4.9, Figure C1.6.1.
16.8	Figure C1.5 shows under awning signage within 2.75m of the ground. The City of Vincent Local Planning Policy 7.5.2 Signs and Advertising requires under awning signage to have a minimum clearance of 2.75m from the finished ground level to the lowest part of the sign. The Figure should be modified to show this.	Modify Figure C1.5 to show under awning signage at a minimum of 2.75m from the finished ground level.
16.9	Clause 1.2 should reference the appropriate R Codes clause relating to single houses and grouped dwellings within Part 5.	Modify the preamble to Clause 1.2 as follows:

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		Pursuant to Clause 7.3.1(a) of the R Codes, the following provisions replace the Deemed to Comply requirements in clauses 5.1.3 and 6.1.4 C4.2 of the R Codes.'
16.10	Clause 4.4.1 does not specify the need to comply with the communal open space requirements of the R Codes. Clause 5.1.5 of the R Codes, regarding communal open space, applies to residential development in Transit Corridors and this should be made clear in the Policy.	Modify the wording of Clause 4.4.1 as follows: Where Part 5 of the R Codes applies all Design Principles and Deemed to Comply requirements of clause 5.1.4 and 5.1.5 of the R Codes apply.
16.11	Clause 5.2 should only replace subclauses (i) and (ii) of Clause 5.1.2 C2.1.	Modify the preamble to Clause 5.2: 'Pursuant to Clause 7.3.1(a) of the R Codes, the following provisions replace the Deemed to Comply requirements in clause 5.1.2 C2.1 i, 5.1.2 C2.1 ii and 6.1.3 of the R Codes'
16.12	Clause C5.3.1 should be reworded to remove duplication between the Policy and the R Codes.	Remove existing Clause C5.3.1 and replace with the following: <u>For all development subject to Part 5 of the R Codes Clause 5.1.3 C3.2 of the R Codes applies to walls and is acceptable up to two side boundaries. For all development subject to Part 6 of the R Codes Clause 6.1.4 C 4.3.</u>
16.13	The preamble for Deemed to Comply 5.25 should not replace the entire 5.4.4 of the R Codes. Only clause 5.4.4 C4.3 and C4.4 should be replaced. This amendment is suitable as R Codes Clause 5.4.4 C4.1 and C4.2 allows solar collectors, television aerials and downpipes as of right.	Insert the following wording to correct the reference to the R Codes: Pursuant to Clause 7.3.1(a) of the R Codes, the following provisions replace the Deemed to Comply requirements in clauses 5.4.4 <u>C4.3, C4.4</u> , 6.4.5 C5.3 and 6.4.5 C5.4 of the R Codes.
16.14	Various Clauses and Pages. There are spelling, wording and numbering errors. It is recommended that these be corrected to ensure clear application of the Policy provisions.	
16.15	Clause 1.1 wording correction.	Remove the word 'Sections' in the deemed to comply preamble note.
16.16	Table 1 administrative corrections.	Spelling and wording changes.
16.17	Clause C1.10.2 administrative corrections.	Spelling.
16.18	Clause C1.10.9 administrative corrections.	Spelling.
16.19	Clause 4.6 administrative corrections.	Insert wording as follows: 'Design Principles & <u>Local Housing Objectives</u> '.
16.20	Clause 4.7 and 4.9 administrative corrections.	Spelling.
16.21	Clause 4.10 administrative corrections.	Insert wording as follows: 'Design Principles & <u>Local Housing Objectives</u> '.
16.22	Clause C4.10.2 administrative corrections.	Insert 'shall'.
16.23	Clause 5.2 administrative corrections.	Insert wording as follows: 'Design Principles & <u>Local Housing Objectives</u> '.
16.24	Clause 5.3 administrative corrections.	Insert wording as follows: 'Design Principles & <u>Local Housing Objectives</u> '.
16.25	Clause 5.3 note administrative corrections.	Remove reference to street setbacks as this clause only replaces the lot boundary setback provisions of the R Codes.
16.26	Clause 5.3 Deemed to Comply note administrative corrections.	Remove reference to lot boundary setback Clauses of the R Codes as this clause only replaces the boundary wall provisions of the R Codes.
16.27	Clause 5.3 deemed to comply note administrative corrections.	Remove reference to boundary wall provisions of the R Codes as the subsequent clauses relate to lot boundary setbacks.
16.28	Clause 5.7 administrative corrections.	Spelling correction.
16.29	Clause 5.9 administrative corrections.	Remove reference to 'Local Housing Objectives' as there are none provided in this Clause.
16.30	Clause 5.10 administrative corrections.	Insert reference to 'Local Housing Objectives'.

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	Issue	Recommended Modification
16.31	Clause 5.11.1 administrative corrections.	Insert correct numbering of R Codes Clause.
16.32	Clause 5.14 administrative corrections.	Insert reference to 'Local Housing Objectives'.
16.33	Clause 5.25 administrative corrections.	Insert reference to 'Local Housing Objectives'. And correct the reference to the R Codes 6.4.5 instead of 6.4.6.
16.34	Clause 5.31 administrative corrections.	Insert reference to 'Local Housing Objectives'.