

# LOCAL PLANNING POLICY: BROOKMAN & MOIR STREETS – HERITAGE AREA



<b>Legislation / local law requirements</b>	This policy has been prepared under the provisions of clause 9(2) of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
<b>Relevant delegations</b>	16.1.1 Determination of various applications for development approval under the City's Local Planning Scheme
<b>Related policies, procedures and supporting documentation</b>	<p>Planning and Development (Local Planning Schemes) Regulations 2015;</p> <p>Heritage Act 2018;</p> <p>State Planning Policy 7.3 – Residential Design Codes (Volume 1)</p> <p>Local Planning Policy 7.7.1 Built Form</p> <p>Local Planning Policy 7.6.1 Heritage Management – Development Guidelines for Heritage and Adjacent Properties</p>

## PRELIMINARY

### STATUTORY BACKGROUND

Brookman and Moir Streets Heritage Area is designated as a heritage area in accordance with clause 9 of Schedule 2 Part 2 (the deemed provisions) of the *Planning and Development (Local Planning Scheme) Regulations 2015*.

This local planning policy is adopted consistent with Clause 9(2) of the deemed provisions, which requires a local planning policy for each heritage area. In addition to the minimum requirements outlined in the deemed provisions, this policy identifies the contribution, or otherwise, of all places within the heritage area; and sets out planning controls that support conservation of the identified heritage values of the area.

Brookman and Moir Streets Heritage Area is also included on the State Register of Heritage Places as it has cultural heritage value at a state level. Under Section 73(1) of the *Heritage Act 2018* the City must elect to refer any development proposal to the Heritage Council for advice if it is considered that the proposal has the potential to affect the significance of the place.

### STATEMENT OF SIGNIFICANCE

The following statement of significance relates to extent of the Heritage Area is identified in Map 1. Brookman and Moir Streets Heritage Area is made up of two streets comprising 58 semi-detached residences and one detached residence. The prevailing architectural style is the Federation Queen Anne style, constructed of limestone and brick with corrugated-iron roofs in 1897-98, and a shop at the corner of Moir Street and Forbes Road built in 1940, has cultural heritage significance for the following reasons:

- The historic precinct is an almost-complete example of two late 19th century streets of modestly-scaled residential buildings in the Federation Queen Anne style of architecture, built between 1897-98 in the wake of the rapid population expansion following the Western Australian gold boom;

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- The historic precinct is a substantial section of the residential estate developed by the Colonial Finance Corporation in 1897-1898. This estate, comprising the historic precinct in Brookman and Moir Streets, and Baker's Terrace in Lake Street, was the largest estate of its type developed in Western Australia;
- The historic precinct is rare in Western Australia as two streets in which a single basic design was utilised for all the residences in a large estate, with the exception of Numbers 2 and 4 Brookman Street, which are grander variations of the same pattern used throughout the precinct, that is relatively intact;
- The buildings contained within the precinct are representative of what was considered to be 'working class' rental accommodation from the late 19th and early 20th centuries;
- The one-way thoroughfares and modest lot sizes of the semi-detached dwellings contained within the precinct give it a particular character and sense of enclosure;
- The homogeneity of the modestly scaled, semi-detached residential buildings creates a visually striking precinct in an inner city residential area; and
- The historic precinct was developed by the Colonial Finance Corporation who named Brookman and Moir Streets after two of the principal investors in the company who were prominent Western Australians.

## PURPOSE

The primary purpose of this policy is to conserve and enhance the heritage significance and cohesive streetscape character of the Brookman and Moir Streets Heritage Area. This policy identifies those contributory buildings are to be retained and that alterations and additions to these buildings are carried out in a way which respects the integrity and aesthetic value of the streetscape, whilst also illustrating innovative architectural and sustainable design excellence.

## OBJECTIVES

The Objectives of this policy are to:

- Retain, conserve, and protect the cultural heritage significance of the Brookman and Moir Streets Heritage Area as identified by its entry of the State Register of Heritage Places and as a designated Heritage Area protected under the City's Local Planning Scheme No. 2.
- Ensure that additions to existing heritage places do not adversely affect the significance of the area, the contributory buildings, or neighbouring heritage places;
- Ensure that future development is sympathetic to the existing built form, context of the streetscape, roof form, and public domain in all elements of design;
- Maintain and improve existing street vegetation and front gardens in a manner that conserves the significance;
- Ensure front fences, if required, are low height or open style which are consistent with the precinct in terms of materiality and colour; and
- Encourage a high standard of architectural and sustainable building design for alterations to contributory buildings.

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## POLICY SCOPE AND CONTRIBUTION OF INDIVIDUAL PLACES

This policy applies to all proposals for development within the Brookman and Moir Heritage Area in Perth, as listed and shown on the below map.



**Map 1: Brookman and Moir Heritage Area.**

Level of Significance	Description	Desired Outcome
<b>Contributes</b>	Contributes to the significance of the Heritage Area; recommended for entry in the Heritage List	Conservation of the place is desirable. Any external alterations or extensions should reinforce the significance of the area, in accordance with the Design Guidelines.
<b>Does not contribute</b>	Does not contribute to the significance of the Heritage Area.	Existing fabric does not need to be retained. Any new (replacement) development on the site should reinforce the significance of the area, in accordance with the Design Guidelines.

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## RELATIONSHIP TO THE PLANNING FRAMEWORK

This policy is made pursuant to Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) and Part 7 of State Planning Policy 7.3 Residential Design Codes Volume 1 (R Codes Volume 1).

This Local Planning Policy forms part of the City of Vincent's (the City) local planning policy framework, including but not limited to, the City's Local Planning Policy 7.1.1 Built Form (Built Form Policy) and Local Planning Policy 7.6.1 Heritage Management – Development Guidelines for Heritage and Adjacent Properties (LPP 7.6.1). Where this Policy is inconsistent with the City's local planning scheme, the local planning scheme prevails.

Where inconsistency exists between this policy and a state planning policy or another local planning policy, this policy prevails to the extent of the inconsistency.

Where a development application does not satisfy the deemed to comply requirements, it will require a performance assessment against the relevant Local Housing Objectives and the Objectives of this policy, as well as the Local Housing Objectives of the Built Form Policy.

## ADDITIONAL REQUIREMENTS FOR DEVELOPMENT APPLICATIONS

Applications for development approval within the Brookman and Moir Heritage Area must be accompanied by the following documentation. The City may also elect to obtain its own independent advice on any of the following items to assist in the development application process.

### 1.1 Heritage Impact Statement

- i. The Heritage Impact Statement undertaken by a qualified heritage professional in accordance with the Department of Planning, Lands and Heritage publication 'Heritage Impact Statement: A Guide' will be required for the following types of development proposals:
  - i. Partial or full demolition of a **Contributory Place** including proposed new development.
  - ii. Alterations or additions.
  - iii. Seeking variations to any built form controls set out in this policy.

Note: Some alterations and additions may be exempt from requiring a Heritage Impact Statement, Contact the City's Development & Design directorate for further information.

The Heritage Impact Statement is a written report to be undertaken by a qualified heritage professional in accordance with the Department of Planning, Lands and Heritage publication 'Heritage Impact Statement: A Guide' addressing:

- i. How will the proposed works affect the cultural significance of the place and the Heritage Area?
- ii. What measures (if any) are proposed to ameliorate any adverse impacts?
- iii. Will the proposal result in any heritage conservation benefits that might offset any adverse impacts?

1.2 A contextual street elevation drawn on one continuous scale no smaller than 1:100 showing the proposed development and the whole of the existing development on each lot immediately adjoining the land subject to the application;

1.3 Detailed schedule of all finishes, including materials and colours of the proposed development and how

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these related to the adjoining developments.

1.4 Sightline drawings of any additions when viewed from the public realm. Diagrams/images from multiple viewpoints from the street will be required.

1.5 Structural Condition Assessment in case of demolition.

If structural failure is cited as a justification for demolition, evidence in the form of a structural condition assessment is required, provided by a practicing structural engineer with experience in heritage buildings, in line with Building Act requirements. The assessment must demonstrate that the structural integrity of the building has failed to the point where it cannot be rectified without removal of a majority of its significant fabric. Financial considerations are secondary to heritage and structural considerations.

An application for development approval may be referred to the City's Design Review Panel comprising of suitably experienced and qualified members as appointed by the City for advice regarding the proposal.

In addition, it should be noted that a condition of development approval will require the submission of a construction and demolition plan prior to the commencement of development. This plan is to be in accordance with the City's LPP 7.5.23 *Construction Management Plans*.

### DEFINITIONS

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

**Contributory Place** means places and structures that make a positive contribution to the cultural heritage significance of the Brookman and Moir Heritage Area.

**Non-Contributory Place** means buildings and structures which do not contribute to the cultural heritage significance of Brookman and Moir.

**Character** is the defining features of a place, including scale, materiality, style or repetition.

**Heritage Impact Statement** means a document that evaluates the likely impact of proposed development on the significance of a heritage place and its setting any conservation areas within which it is situated. The Heritage Impact Statement should outline measures proposed to minimize any identified impact and any conservation benefits associated with the proposal. It should be prepared in accordance with the Heritage Council's Guide 'Heritage Impact Statement – a Guide'

**Streetscape** means the collective elements that contribute to a street, including architectural styles, front yards, car parking structures and access, infrastructure, footpaths, signage, street trees and landscaping and fencing and front boundary treatments

**Sympathetic or complementary** means a design outcome that respects its context. It would not be identical to historic neighbours, nor would it intrude on their presence in the streetscape. It would be of a similar or lesser scale.

**Public Domain View** means sightline from the front property line on the opposite side of the road of Brookman Street and Moir Street with a viewing height of 1.65 metres above the level of the pavement. The

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rear right of way behind Moir Street and Wellman Street are not included in this requirement. Refer to **figure 4** for further guidance.

## EXPLANATORY NOTES

Demolition of any building in the Heritage Area requires approval by Council with advice from the Heritage Council.

Contributory places are those identified on Map 1.

Decorative detail includes the treatment of the gables, with timber barges, barge caps, finials, pierced timber fretwork, fretwork verge closing boards, modillions, console brackets to gutters, and decorative cast-iron lacework. Refer to Figure 2 for further guidance.

The plan of contributory buildings (refer to Figure 3) has five principal rooms under the pitched roof and then a series of spaces under a skillion roof of the rear verandah.

Contributory external features within the 'additions zone' (refer to Figure 5), such as the rear skillion additions are not intended to be retained or conserved.

The original colours of the dwellings were drawn from a very limited palette. Houses that retain their original features sometimes retain strong evidence of the original colours. Paint scraping can reveal original colours and assist with making new colour choices.

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## POLICY PROVISIONS

### 1. Demolition

**Intent:** The loss of a contributory place negatively impacts on the cultural significance and character of the heritage area. Demolition of a contributory building is rarely appropriate, and demolition of a contributory buildings located within a state registered heritage place will have a negative impact.

It is acknowledged that there will be some circumstances where demolition cannot be avoided. In these circumstances, the obligation rests with the applicant to provide a sound justification for demolition to a Contributory Place.

#### Local Housing Objectives

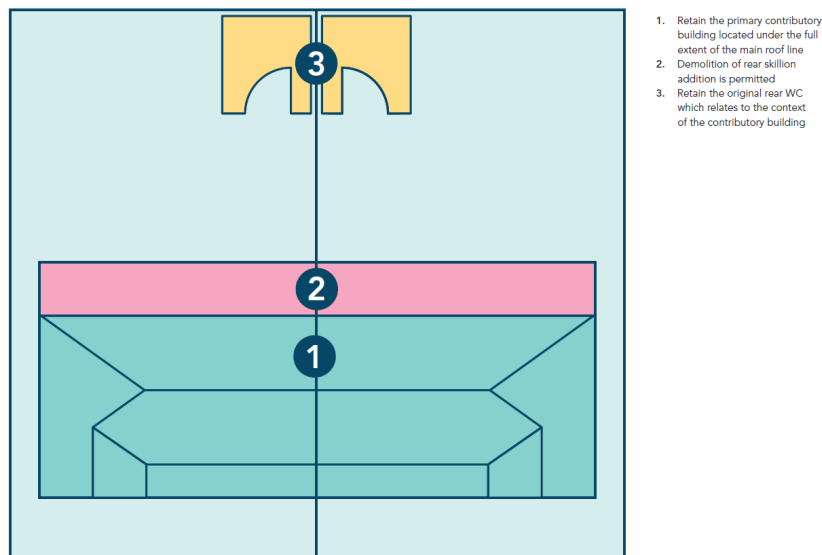
**LO1.1** Demolition of the **Contributory Place** and associated structures to be avoided. In exceptional circumstances where demolition approval is sought the onus rests with the applicant to provide a compelling justification via an assessment by a qualified structural engineer with heritage experience supported by a **Heritage Impact Statement** prepared by a qualified heritage consultant.

**LO1.2** Partial demolition of non-contributory or intrusive elements to accommodate conservation and enhancement of Brookman and Moir Heritage Area is encouraged.

#### Deemed to Comply

**C1.1** All contributory buildings are retained and conserved in accordance with this policy.

**C1.2** Demolition of the **Contributory Place** will not be permitted where there has been a demonstrable period of neglect leading to deterioration in the building's condition.



**Figure 1: Retention of Contributory Buildings**

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### 2. Conservation of Contributory Places

**Intent:** Conservation works are essential for protecting a contributory place and ensuring its long-term survival and contribution to the significance of the Brookman and Moir Heritage Area. Conservation works can include repair, maintenance, restoration and reconstruction. The appropriate conservation approach for individual buildings should be based on an understanding of the significance of that place and in consultation with a qualified heritage professional.

#### 2.1 Roofs

##### Local Housing Objectives

**LO 2.1.1** Roof forms that incorporate proportions, materials and design elements that respect and reference the character of the precinct

##### Deemed to Comply

**C2.1.1** Roof pitches visible from the street match the existing roof pitches.

**C2.1.2** Rolled-top ridges, timber barge caps (not metal), with Ogee gutters and circular down pipes are included when replacing roof details.

**C2.1.3** Television aerials, air conditioning and other fittings may be roof-mounted but are not visible from the public domain.

#### 2.2 External Walls

##### Local Housing Objectives

**LO 2.2.1** Building façades that incorporate proportions, materials and design elements that respect and reference the character of the precinct.

##### Deemed to Comply

**C2.2.1.** Original features are retained and conserved. Previously unpainted surfaces must not be painted.

**C2.2.2** The streetscape presentation of Contributory Places reflects their original appearance either by preservation or restoration back to the original aesthetic.

#### 2.3 Front Verandahs

##### Local Housing Objectives

**LO2.3.1.** Front verandahs are retained and conserved to match the original appearance.

##### Deemed to Comply

**C2.3.1.** The open verandahs and decorative features must be retained and conserved in their original form where they still exist. Material that is damaged beyond conservation is reconstructed correctly to original detail.

#### 2.4 Windows

##### Local Housing Objectives

**LO2.4.1** Windows are retained and conserved to match the original appearance.

##### Deemed to Comply

**C2.4.1.** All original timber window features, including single pane double hung sashes and sun hoods are retained.

**C2.4.2** Development does not propose enlargement of openings and the use of aluminium window frames.

#### 2.5 Front Doors and Hopper Lights

##### Local Housing Objectives

**LO2.5.1** Front doors are retained and conserved to match the original appearance.

##### Deemed to Comply

**C2.5.1.** All original four-panel timber doors are retained. Hopper lights must not be removed. With the exception of Nos. 2 and 4 Brookman Street retaining their five panel front doors.

#### 2.6 Chimneys

##### Local Housing Objectives

**LO2.6.1.** Chimneys are retained and conserved to match the original appearance.

##### Deemed to Comply

**C2.6.1** All original brick chimneys are retained except those located within the addition zone (refer to Figure X)

#### 2.7 External Decorative Details

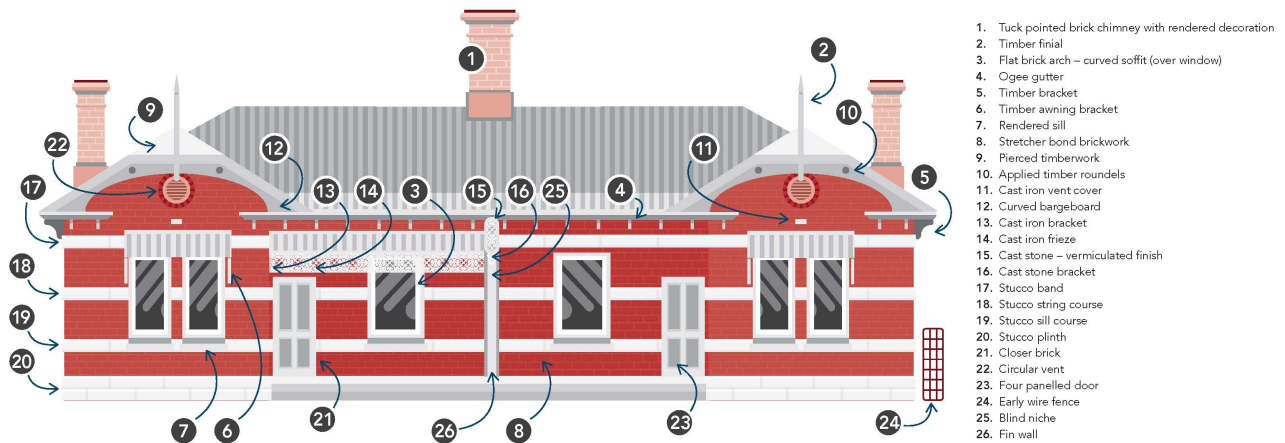
##### Local Housing Objectives

##### Deemed to Comply

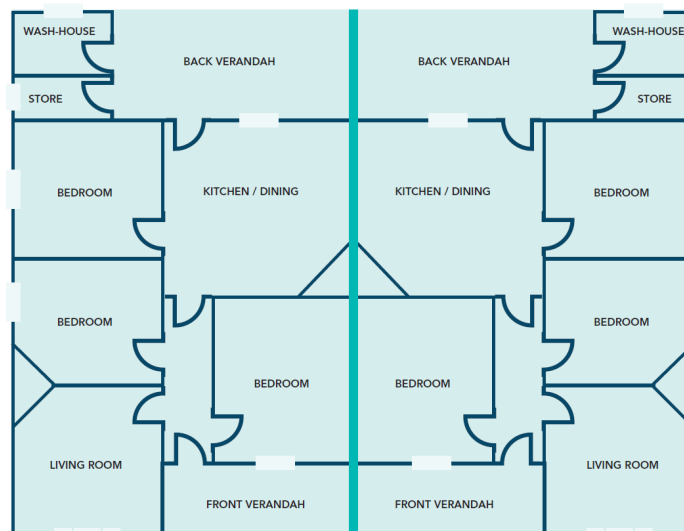
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**LO2.7.1.** Decorative details are retained and conserved to match the original appearance.

**C2.7.1** All original decorative details are retained or reconstructed correctly to detail.



**Figure 2: Front Elevation**



**Figure 3 – Typical Mirrored House Plan**

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## 3. Built form

**Intent:** Most existing buildings can accept some level of alteration or new additions without having a negative impact on the cultural significance and character of the Brookman and Moir Heritage Area. Acceptable new alterations and additions to the building envelope do not visually intrude on Contributory Places or the overall streetscape and are consistent with the character of the area in which they are located taking into account style, scale, materiality, form, function and siting.

### Local Housing Objectives

**LO3.1** Additions respect the predominant scale (height, bulk, density and pattern of arrangement) of the existing building and do not have an adverse visual impact on it.

**LO3.1** Additions are compatible to the predominant form and character of the existing building, its streetscape context and the urban character in the surrounding area.

**LO3.1** Development preserves and enhances the visual character of existing streetscape by considering building bulk and scale

### Deemed to Comply

**C3.1** Above ground level extensions should be setback behind the main roofline of the building as so they are not visible from the **public domain view** of Brookman and Moir street. Refer to **Figure 4** for further information.

**C3.2** Where additions are visible from the public domain view of Forbes Street and Robinson Avenue, they are to be sympathetic to the contributory-built form in terms of scale, form, colour and materiality.

**C3.3** Side setbacks to corner lots shall not encroach into the setback established by the contributory building

1. Additions are located behind the primary building to areas not visible from the public realm
2. Retain contributory built form
3. Ground floor height to complement existing ceiling height
4. Additions to be sympathetic/complement the existing built form
5. Line of existing skillion roof addition allowed to be demolished
6. Retain any mature trees

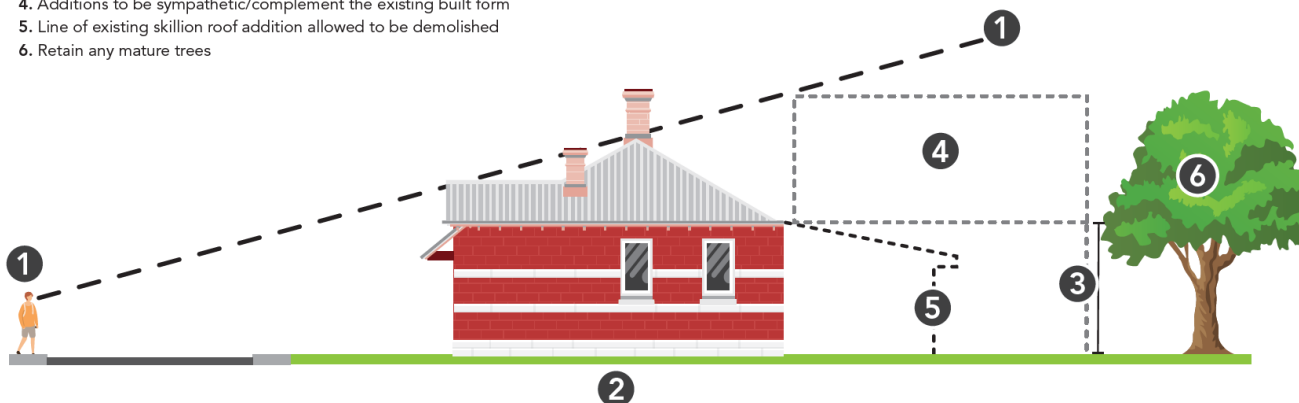
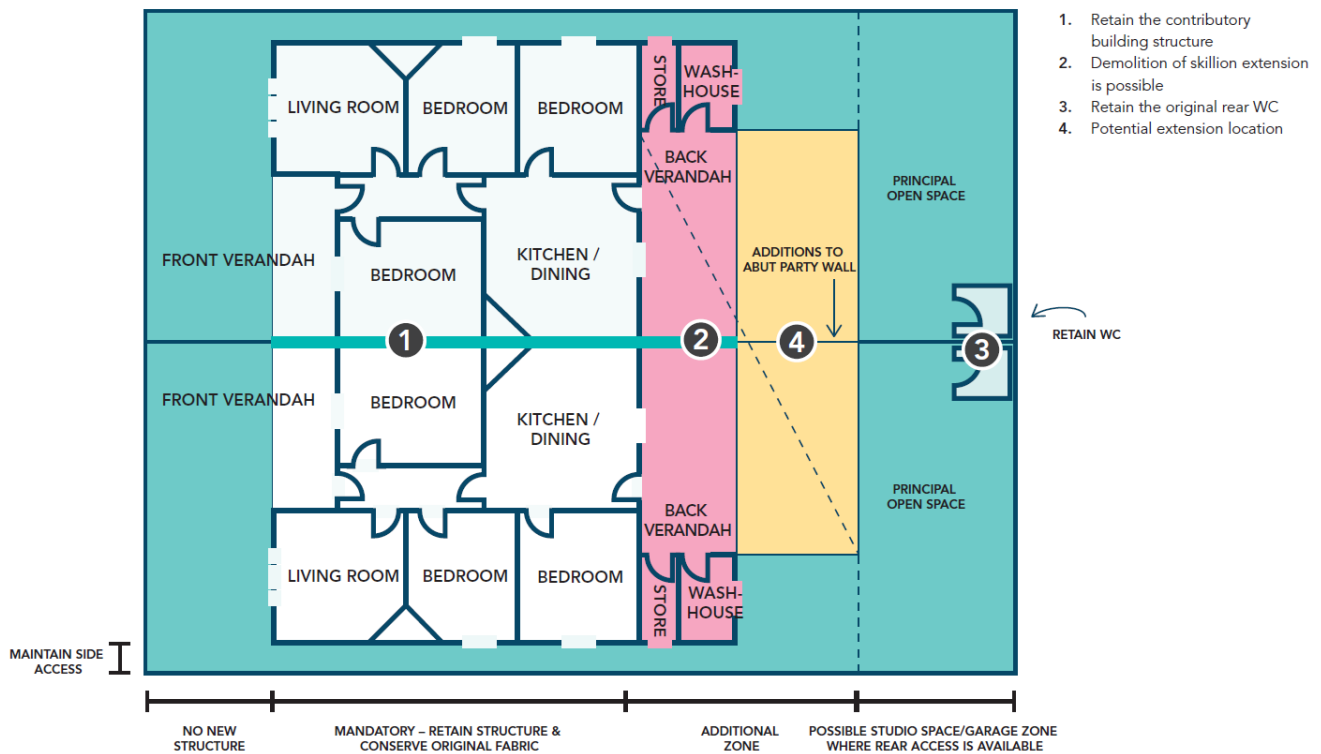
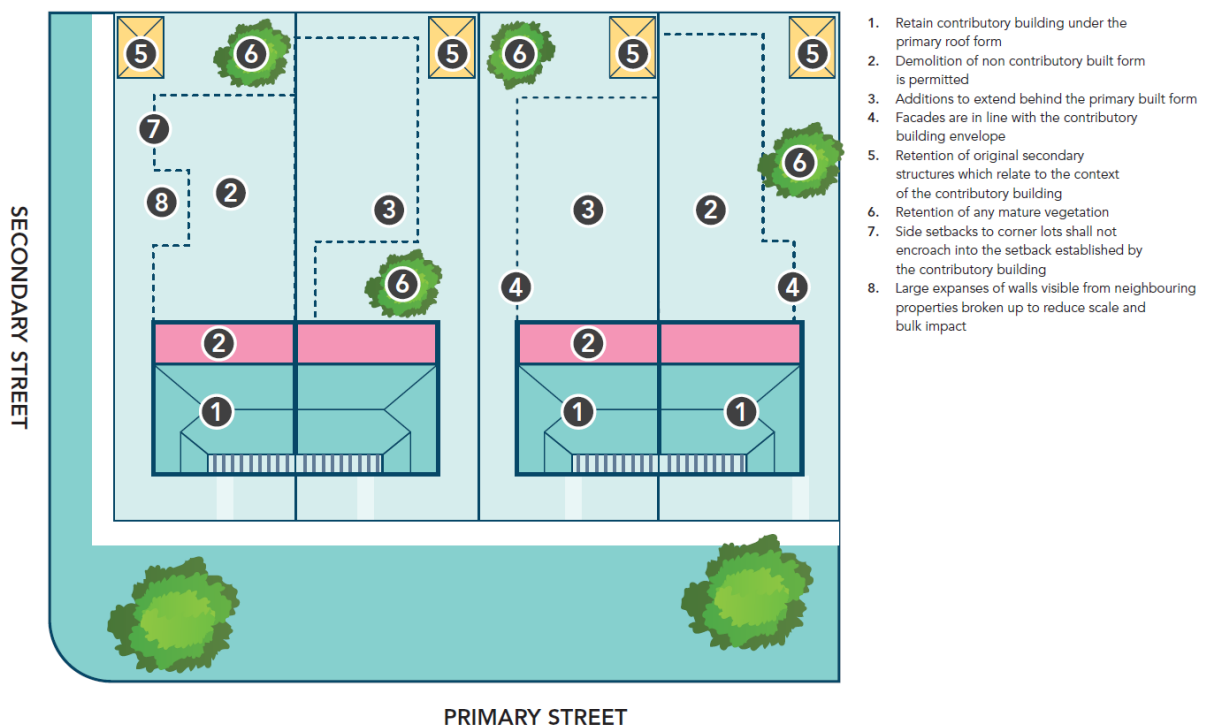


Figure 4: Line of Sight Diagram

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**Figure 5 – Principles of external extensions**



**Figure 6: Potential Form and Scale of New Development**

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## 4. Front Street Fences, Secondary Street Fence & the Front Garden

**Intent:** The treatment of front setback area has a significant impact on the streetscape. Retaining uniformity in the scale and proportions of front fences and gates and walls will allow visual transparency between the heritage buildings and the streetscape which is critical in maintaining the character of the Heritage Area.

The landscape character of the small front gardens reflects their heritage as workers cottages.

### Local Housing Objectives

**LO4.1.** Fences that incorporate proportions, materials and design elements that respect and reference the character of the precinct.

**LO4.2** Fences in the front setback which maintain views of the heritage dwellings.

**LO4.3** Any landscape is to be low in scale as to not obscure the heritage places

### Deemed to Comply

**C4.1.** Front fences can be solid up to 0.75m and visually permeable above to maximum of 1.2m

**C4.2.** Visually permeable secondary street (Forbes Street and Robinson Avenue) fences are to have a maximum height of 1.8m.



Figure 7: Fencing

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## 5. Car Parking

**Intent:** The precinct was developed prior to the cars coming into common usage. As a result, the homes within the Brookman and Moir Heritage Area have not been designed to accommodate the parking of vehicles. The introduction of garages and carports can become a dominant feature in the streetscape as such they must be carefully sited and designed to avoid negative impacts to the heritage character.

### Local Housing Objectives

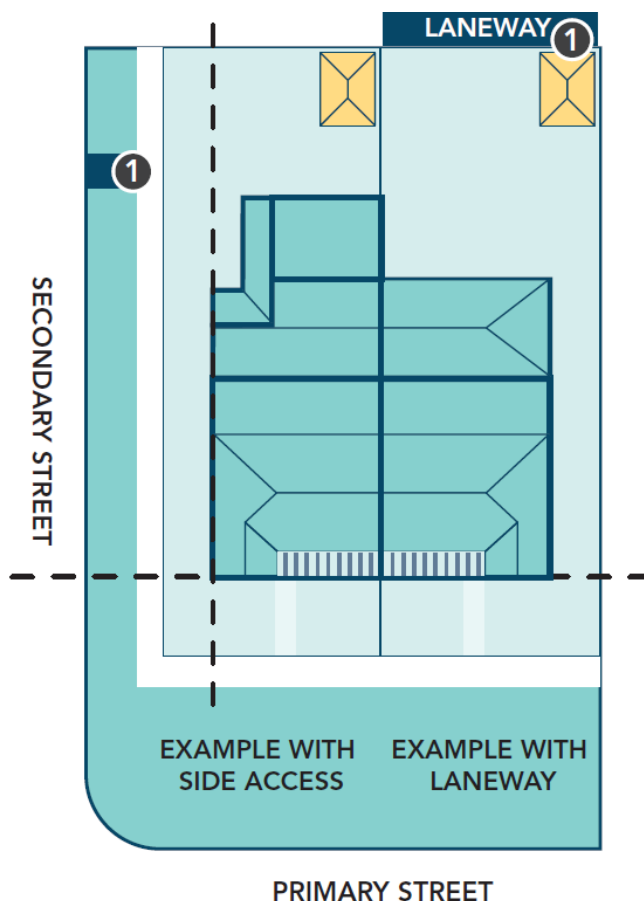
**LO5.1** The introduction of car parking to minimise the impact of parking infrastructure on the heritage dwellings and streetscape.

### Deemed to Comply

**C5.1.** Garages are to be located at the rear boundary and do not involve the demolition of the original rear water closet.

**C5.2.** There is no minimum number of on-site car parking spaces required to be provided.

**C5.3** Carports are not located within the street setback.



1. Where side or rear access is available, access should occur from these points

**Figure 8: Garage and Carports**

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## 6. Materials and Colours

**Intent:** These materials, their textures, colours and decorative treatments are important elements of character and cultural significance of the heritage area to inform the palette used on new developments

### Local Housing Objectives

**LO6.1.** The colours are to be in keeping with the historic character and aesthetic of the area. Colour choice may be varied, but consideration should be given to the impact of a colour choice on the Brookman and Moir Streets area, as a whole.

**LO6.2** Materials for new built form and repairing original will reflect the original materials used in the heritage area.

### Deemed to Comply

**C6.1** Materials and colours are to be selected with reference to the prevailing contributory character of the Heritage Area. Houses that retain a high proportion of original fabric, or have been conserved and restored, should have traditional colour schemes, preferably based on the evidence of paint scrapes.



**Figure 9:** The homogeneity of the modestly scaled, semi-detached residential buildings create a visually striking precinct in an inner-city residential area

### OFFICE USE ONLY

Responsible Officer	Manager Policy & Place
Initial Council Adoption	27 March 2001
Previous Title	Brookman and Moir Streets Development Guidelines
Reviewed / Amended	11 May 2004, 28 August 2012, 26 March 2023
Next Review Date	March 2026

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### Modifications to SPP 7.3 Residential Design Codes (Volume 1)

SPP7.3 VOLUME 1 DESIGN ELEMENT	R-CODE DEEMED-TO-COMPLY REQUIREMENT	BMHA LPP EQUIVALENT
5.1.2 C2.1	Primary street setback - Table 1: 6m Secondary street setback - Table 1: 1.5m	<b>3.0 Built Form</b> C3.1-C3.3
5.1.6 C6 BUILDING HEIGHT	Top of external wall (roof above): 7m Top of external wall (concealed roof): 8m Top of pitched roof: 10m	Note: as max roof height is not specified in Policy, max roof height in the Built Form Policy will be applied.
5.2.1 C1.1-1.5 SETBACK OF GARAGES AND CARPORTS	Garages setback 4.5m from the primary street or sited at least 0.5m behind the main dwelling frontage, 3m where parallel to street, provided the parallel wall has openings, 1.5m from secondary streets, and on the boundary of communal streets or right of ways Carports setback in accordance with the primary street setback under Cl.5.1.2	<b>5.0 Carparking</b> C5.1 & C5.3  Garages to be located at rear of the property  Carports to be provided behind the street setback
5.2.4 C4 STREET WALLS AND FENCES	50% visually-permeable above 1.2m height with pillars maximum height  1.8m with maximum horizontal dimensions 400mm x 400mm 1.8m to secondary street	<b>4.0 Front Street Fences, Secondary Street Fence &amp; the Front Garden</b>  C4.1. Front fences can be solid up to 0.75m and visually permeable above to maximum of 1.2m  C4.2. Visually permeable secondary street (Forbes Street and Robinson Avenue) fences are to have a maximum height of 1.8m.
5.2.6 C6 APPEARANCE OF RETAINED DWELLING	Where existing dwelling retained as part of grouped dwelling development, the appearance of the retained dwelling is upgraded to match new development	<b>2.0 – Conservation of Contributory Places</b>
5.4.3 OUTBUILDINGS	Large & Multiple Outbuildings (i) Does not exceed 60m <sup>2</sup> or 10% of site area, whichever is the lesser; (ii) set back as per Table 2a; (iii) wall height <2.4m; (iv) ridge height <4.2m; (v) not within the primary or secondary street setback area; and (vi) does not reduce the open space and outdoor living area as per Table 1.	<b>3.0 Built Form</b> C3.2 & C3.3

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5.4.4 C4.1, C4.2, C4.3, C4.4 EXTERNAL FIXTURES, UTILITIES AND FACILITIES	Solar collectors installed on the roof or other parts of buildings Television aerials and plumbing vent pipes sited above roof line and external roof water down pipes All other fixtures concealed from view Also note C4.5 lockable storage area	As per Built Form Policy requirements.  Also refer to HCWA Renewable Energy Systems in State Registered Places Guidelines
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