

CITY OF SUBIACO
PLANNING POLICY No. 4.12

University Precinct Policy

ADOPTION DATE: 1999
REVIEW DATE: 24 February 2015
AUTHORITY: TOWN PLANNING SCHEME NO. 4.
RESIDENTIAL DESIGN CODES (2013)

Statutory background

This policy is made pursuant to clause 78 and clause 37(2) of *City of Subiaco Town Planning Scheme No. 4* (Scheme). Where relevant to an application for development approval, clause 27(4)(b) of the Scheme requires council to have regard to this policy in exercising its discretion to determine the application.

Clause 7.3.1(a) of the *Residential Design Codes* (Codes) provides that local planning policies may vary or replace the deemed-to-comply requirements of certain design elements of the Codes.

This policy is to be used in conjunction with the Scheme, Parts 5 and 6 of the Codes and any other relevant council policies. Should there be any inconsistencies between the provisions of this policy and:

- (1) the Scheme, the provisions of the Scheme prevail;
- (2) the Codes, the provisions of the Codes prevail;
- (3) the sub-precinct guidelines, the provisions of the sub-precinct guidelines prevail;
- (4) a Conservation Area policy, the Conservation Area policy will prevail; and
- (5) other general council policies, the provisions of this policy prevail.

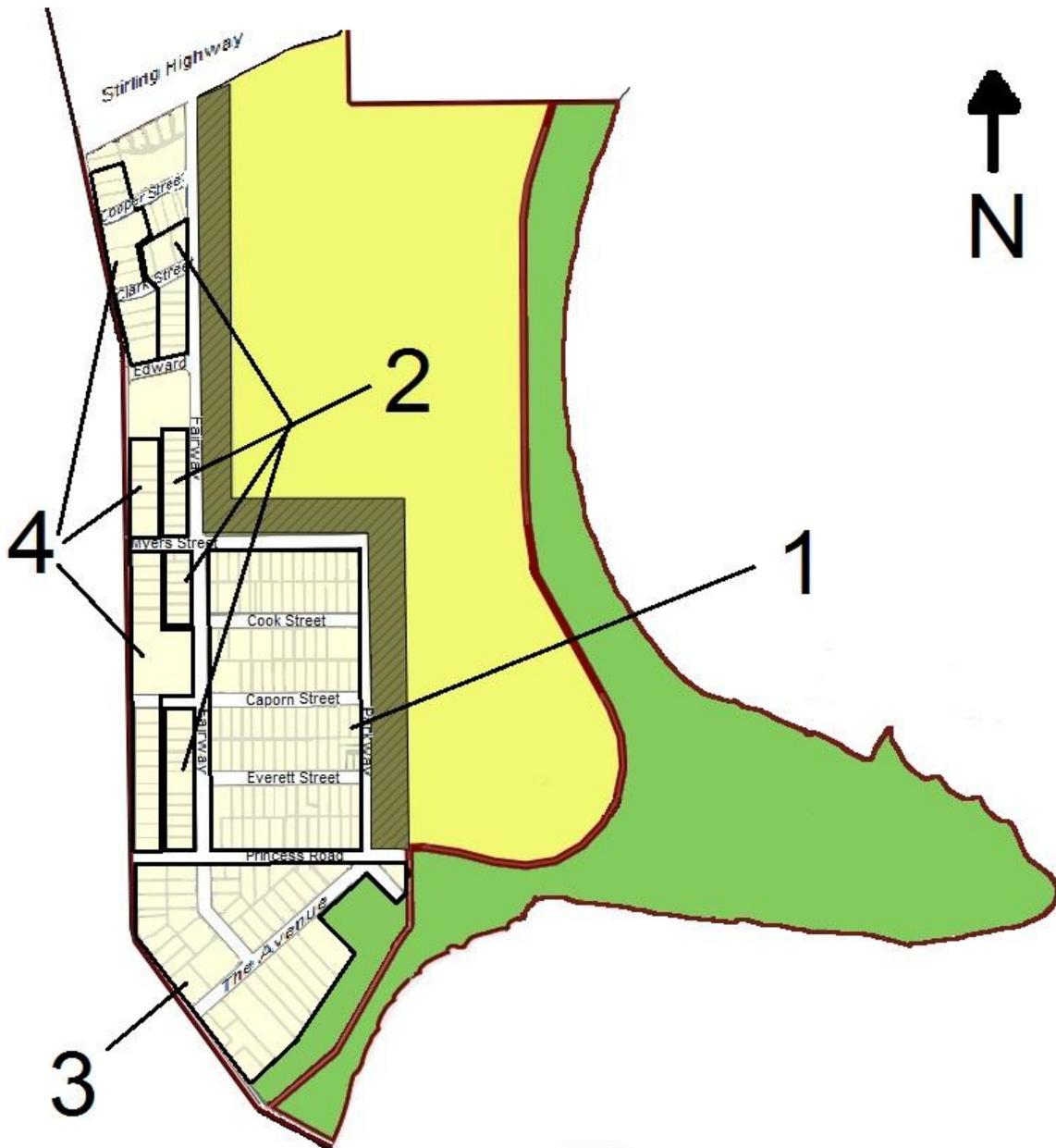
All land within the University Precinct that is contained within Metropolitan Region Scheme Reserves and Local Scheme Reserves has not been considered under this policy.

Purpose

This policy has been adopted for the purpose of preserving and enhancing the established neighbourhood character and amenity of the University Precinct while still allowing for new development to occur that meets the changing needs of the community. This planning policy applies to the University Precinct as identified in City of Subiaco Town Planning Scheme No. 4 and as shown in Figure One.

The Precinct comprises the land generally bounded by Broadway to the west, Stirling Highway, and the municipal boundary to the north, east and south. Within the Precinct there are four identifiable sub-precincts which are distinct in character. The University Precinct and its sub-precincts are shown in Figure One.

Figure One: University Precinct Sub-Precincts



To assist in achieving the above purpose, this policy:

- (1) Provides a comprehensive basis for the control of development within the University Precinct; and
- (2) Where applicable to residential development:
 - (i) identifies matters which will be considered when applying the design principles in certain design elements of the Codes; and
 - (ii) replaces the deemed-to-comply requirements and/or provides additional deemed-to-comply requirements in relation to certain design elements of the Codes; as summarised in Table One following.

TABLE ONE: Summary of Sub-precinct Requirements

Sub-precinct	Design Element	Matters for Consideration in Applying Design Principles Provided	Deemed-to-comply Requirements Replaced	Additional Deemed-to-comply Requirements Provided
Sub-precinct 1	5.1.2 Street Setback	P2.1 P2.2	C2.1 C2.2 <small>Note: C2.3 & C2.4 have not been replaced and still apply</small>	No
	5.2.4 Street Walls and Fences	P4	No	Yes
	5.2.6 Appearance of Retained Dwelling	P6	No	Yes
Sub-precincts 2 and 3	5.2.4 6.2.2 Street Walls and Fences	P4 P2	C4 C2	No No
Sub-precinct 4	Requirements as per the Codes for residential development and mixed use development. Requirements relating to setbacks, car parking, built form, separation of uses for mixed use developments, safety and security and loading, unloading and service facilities have been provided to apply to commercial development.			

Where matters are identified for consideration when applying design principles of the Codes, these are not exhaustive and council may consider any other matter which is relevant to the application of the design principle to a particular development application.

This policy is to be read in conjunction with the Scheme and Codes.

Precinct Description

The University Precinct is dominated by the University of Western Australia (UWA) campus, which occupies about half of the precinct area. To the east and south of the campus lie the Swan River and its attractive foreshore recreation areas.

The street pattern throughout the Precinct is a fairly regular grid pattern, with some streets closed at one end to deter through traffic. There are no rear ROWs.

The Broadway Neighbourhood Mixed Use Centre functions as the community and commercial focus for the University Precinct. Commercial uses can be identified along Broadway, interspersed between medium-density residential land uses that have been developed predominantly as townhouses and multiple dwellings, with many providing student accommodation.

Commercial buildings typically have nil setbacks, while residential buildings are set back further from the street. Vehicle access is provided via Broadway with a single access point for each property.

The flat land east of Fairway is occupied by a broad mix of residential types, including dwellings from the interwar and post war periods interspersed with numerous townhouse

and flat developments of two, three and four storeys. Original lots range in area from 600 m² to 900 m².

The residential area south of Princess Road contains a broad mix of housing types, predominantly townhouses and flats. The latter are two, three and four storeys in height, with one development located on the foreshore edge of five storeys.

POLICY

1.0 Objectives

The objectives of this policy are as follows:

- a) To protect and enhance the existing established neighbourhood character of the Precinct;
- b) To enhance the amenity of established residential areas;
- c) To encourage the conservation and enhancement of the original housing stock where appropriate, particularly where properties are listed on the City of Subiaco Town Planning Scheme Register of Places of Cultural Heritage Significance, and/or located within designated Conservation Areas;
- d) To encourage a mix of dwelling types within the Precinct to suit the needs of the diverse population;
- e) To encourage new development that respects established streetscape qualities, including the pattern, setbacks, roof pitches and materials of other development within the street and the locality;
- f) To facilitate medium and high density residential development consistent with the zoning on land located west of Fairway and south of Princess Road; and
- g) To consolidate the established Broadway Neighbourhood Mixed Use Centre.

2.0 Interpretation

2.1 Definitions

The following terms are defined as follows for the purposes of this policy:

Bulk: Refers to the overall physical mass of a building as viewed from the street. The design elements that most notably contribute to bulk with respect to the streetscape are height and street setbacks.

Established Neighbourhood Character: Means the dominant visual characteristics of the surrounding area formed by the interrelationship of built form, vegetation and formed topographic characteristics in both the private and public domains within that area. The elements of the built form that contribute to established neighbourhood character are orientation of buildings, window and door proportions, side setbacks as viewed from the street, roof form and bulk. These elements do not include colours and finishes.

Identified Heritage Significance:

Means those properties:

- Listed on the State Register of Heritage Places;
- Listed on the City of Subiaco Town Planning Scheme Register of Places of Cultural Heritage Significance;

- Contributory places located within a Conservation Area designated under clause 59 of the Town Planning Scheme;
- Adopted on the city's Local Government Inventory; and
- Identified as having cultural significance on the city's draft 2002 Local Government Inventory as a Level 1 or 2 property.

Predominant: Where there is, in the surrounding area, an existing pattern of a design element or feature, nominally greater than 50%.

Prevailing Street Setback: The setback calculated by averaging the street setback of properties within the surrounding area.

Main Building Line: The point at which the wall of the main building is closest to the front lot boundary, but does not include walls of minor incursions such as verandahs, porticos, porches and the like.

Scale: The interrelationship of the height and street setbacks as viewed from the street of all buildings within the surrounding area.

All other terms, words and expression used in this policy have the same meaning as they have in the Scheme or Codes.

2.2 Architectural Styles

This policy refers to the following architectural dwelling style:

- California Bungalow.

This architectural dwelling style is described and illustrated in a separate information sheet available from the city.

3.0 Structure of Provisions

Provisions for sub-precincts one, two/three and four are outlined in Parts 4, 5 and 6 of this policy respectively. The requirements for sub-precincts two and three are the same (Part 5).

4.0 Sub-precinct One

In addition to the provisions of the Scheme, Codes and all relevant policies, development in residential zoned land is to be in accordance with the standards outlined in part four of this policy. Where a matter is not dealt with by this policy the requirements are as per the Scheme and Codes.

4.1 Street Setback (Context - Design Element 5.1.2 of the Codes)

4.1.1 Matters for Consideration in Applying Design Principles P2.1 and P2.2

With respect to the application of P2.1, council will have regard to the prevailing street setback for both the primary and secondary street (if any).

With respect to the application of P2.2, council will have regard to the following matters:

Upper Level of a Building

- a) the established neighbourhood character, particularly with respect to scale in terms of height and building bulk;
- b) whether the proposed development is consistent with the scale of development, in terms of height and building bulk, of the surrounding area; and
- c) the visual impact of the upper floor as viewed from the street.

Roof Form and Pitch

- a) the predominant roof form within the surrounding area;
- b) the impact of the proposed roof form as viewed from the street on the established neighbourhood character;
- c) whether the proposed roof form as viewed from the street is consistent with the predominant roof form within the surrounding area; and
- d) the predominant roof pitch of the surrounding area.

Materials

- a) the extent to which materials and finishes harmonise with the established neighbourhood character, particularly the Precinct's Interwar Period building stock (California Bungalows). Development, whether designed in the same general style of the established neighbourhood character or in an openly contemporary yet compatible manner, should, where possible, utilise materials that are consistent or sympathetic with traditional materials.

4.1.2 Deemed-to-Comply Requirements

5.1.2C2.1 to C2.2 of the Codes are replaced with the following:

C2.1 The ground floor of buildings set back from the primary street:

- a. at a distance not less than the 'prevailing street setback'; or
- b. in instances where the setback of surrounding development is greatly varied, in accordance with the setback of the houses on either side of the subject property. Where the setback of the two adjoining houses varies, the setback is to be mid-way between those of the adjoining houses; or
- c. reduced by up to 50 per cent for carports.

C2.2 The ground floors of buildings set back from the secondary street in accordance with Table 1 of the Codes.

4.2 Street Walls and Fences (Streetscape - Design Element 5.2.4 of the Codes)

4.2.1 Matters for Consideration in Applying Design Principle P4

With respect to the application of P4, council will have regard to the following matters:

- a) the architectural style and development period of the dwelling to which the fence relates;
- b) the extent to which the proposed fence complements the style of the existing dwelling; and
- c) the extent to which the proposed fence allows clear public views of the dwelling on the lot from the street.

4.2.2 Deemed-to-Comply Requirements

In addition to 5.2.4C4 of the Codes, the following will apply:

C4.1 Street walls and fences that abut a secondary street and which screen an outdoor living area behind the primary street setback line are to comply with the following:

- i. The maximum height of the wall may be 1.8 metres above natural ground level, measured from the secondary street side of the side fence; and
- ii. The maximum height of piers with decorative capping to be 2 metres above natural ground level, measured from the secondary street side of the side fence.

C4.2 Street walls and fences that abut a secondary street and which do not screen an outdoor living area are to meet the relevant standards for a front fence contained in 5.2.4C4 of the Codes.

C4.3 Gatehouses and porticos are not permitted within the primary street setback area.

4.3 Appearance of Retained Dwelling (Context - Design Element 5.2.6 of the Codes)

4.3.1 Matters for Consideration in Applying Design Principle P6

With respect to the application of P6, council will have regard to the following matters:

- a) Where the facade and a substantial part of the structure of the original dwelling is retained, new dwellings should respond to, and interpret, the articulation and detail of the original dwelling, particularly when visible from the street.
- b) Where able to be viewed from the street, new development should reference the established neighbourhood character

with particular consideration given to design aspects such as roof pitch and form and materials and colours.

4.3.2 Deemed-to-Comply Requirements

Note: In order for a proposed development to qualify for the upper density R50 coding, the proposal must, amongst other things, retain the original house on the lot.

In addition to 5.2.6C6 of the Codes the following will apply:

C6.1 Where an existing dwelling is retained as part of a grouped dwelling development both the façade and a substantial part of the structure of the original dwelling is retained

5.0 Sub-precincts Two and Three

In addition to the provisions of the Scheme, Codes and all relevant policies, development in sub-precincts two and three is to be in accordance with the standards outlined in Part 5 of this policy. Where a matter is not dealt with by this policy the requirements are as per the Codes.

5.1 Street Walls and Fences (Streetscape - Design Elements 5.2.4 and 6.2.2 of the Codes)

5.1.1 Matters for Consideration in Applying Design Principles P4 of Element 5.2.4 and P2 of Element 6.2.2

With respect of the application of P4 of Element 5.2.4 and P2 of Element 6.2.2, council will have regard to the following matters:

- a) the architectural style and development period of the dwelling(s) to which the fence relates;
- b) the extent to which the proposed fence complements the style of the existing dwelling(s); and
- c) the extent to which the proposed fence allows clear public views of the dwelling(s) on the lot from the street.

5.1.2 Deemed-to-Comply Requirements

5.2.4C4 and 6.2.2C2 are replaced with the following:

C4.1/C2.1 A maximum height of 1.8 metres above natural ground level, measured from the primary street side of the front fence; and

C4.2/C2.2 Visually permeable above 1.2 metres in height above natural ground level for at least 50% of any fencing forward of the building line but may be solid below 1.2 metres in height; and

C4.3/C2.3 The maximum height of piers with decorative capping to be 2 metres above natural ground level, measured from the primary street side of the front fence; and

C4.4/C2.4 Gatehouses and porticos included in the design of a front fence are permitted if:

- i. The area between pillars or columns is to be unenclosed; and
- ii. The structures are built to a maximum width and depth of 2 metres; and
- iii. The structures are no more than 2.4 metres in wall height and 3.5 metres in overall height; and
- iv. The roofing material used is to be non-reflective. For example, Colorbond;
- v. Lighting on the exterior of the portico or gatehouse is to be provided; and
- vi. The gate is to have a visually permeable panel at a suitable height for viewing purposes.

6.0 Sub-precinct Four

In addition to the provisions of the Scheme, Codes and all relevant policies, development in sub-precinct four is to be in accordance with the standards outlined in Part 6 of this policy. Where a matter is not dealt with by this policy the requirements are as per the Scheme and Codes.

6.1 Development Requirements

6.1.1 Setbacks

- a) Development will be required to be built up to the street alignment (i.e., to the back edge of the footpath) except where:
 - i) The setback of surrounding development is varied. In such cases setbacks from the street alignment are to be determined by council, having regard for the streetscape and the existing building setbacks on adjacent land and in the immediate locality; or
 - ii) To provide a forecourt area for outdoor dining. In such cases a suitable low wall or other device may be required in order to provide a demarcation between the public footpath and private court. In other cases, continuity of awnings or verandahs around the forecourt may be required, depending upon the uses and activities to be carried on within the building(s) abutting the forecourt.
- b) Boundary walls will generally be permitted to both side boundaries provided that:
 - i) Adequate daylight, direct sun and ventilation are provided for buildings;
 - ii) The privacy of adjoining properties is protected;
 - iii) The visual impact of building bulk on neighbouring properties is moderated;
 - iv) The separation of residential and non-residential uses has been adequately addressed; and
 - v) Proposed development is in accordance with existing street context.

- c) Where development adjoins residential zoned land the side setback requirements of the Codes for the applicable residential zone will apply.

6.1.2 Car Parking

- a) Parking areas are to be screened from views from the street by suitable vegetation or some permanent screening mechanism.
- b) Parking areas are to be provided at the rear of the property wherever possible and practicable.
- c) Only one crossover will be permitted to each lot, except in circumstances where:
 - i. the nature of the development on the site requires or warrants an additional crossover; and
 - ii. it can be demonstrated that the provision of more than one crossover will have no adverse effects on vehicular or pedestrian traffic, and will result in no conflict between the two.
- d) Where possible, the provision of full underground parking is encouraged.

6.1.3 Built Form

- a) Continuous awnings are to be provided over footpaths where a nil building setback is proposed.
- b) Articulation is to be incorporated into the façade above ground level through the inclusion of balconies, recessed outdoor living areas, and/or architectural features.
- c) Surveillance of the street is to be provided from upper levels from balconies, outdoor living areas or habitable spaces.
- d) Air conditioners, plant equipment, lift overruns and antennae are to be screened from view from the street.
- e) Commercial uses on the ground floor must provide a glazed surface for a minimum of 60% of the ground floor façade facing the street.

6.1.4 Separation of Uses for Mixed Use Developments

- a) The address and entrance to the residential component shall be kept separate and secure from that for the non-residential uses.
- b) The rubbish bin areas, letterboxes, laundry facilities, clothes drying areas and other similar facilities and services for any residential component shall be kept separate from the areas designated for similar uses for occupants of the non-residential component.
- c) There shall be no overlooking of the internal living spaces or private outdoor areas of the residential units from any point in the non-residential component of the proposed development.
- d) The residential component shall be designed to prevent any unreasonable loss of privacy, to the satisfaction of council, between any of the dwelling units in the development.
- e) Visual and acoustic privacy within the development and of adjoining residential development is to be considered in the design and addressed through the use of landscaped buffer strips, walls, screens, fencing and the shading of elevated lighting.

6.1.5 Safety and Security

- a) Parking areas used by residents of the dwelling units should not be accessible by the general public outside normal business hours.
- b) All parking areas, accessways and entrances to be well-lit.
- c) All spaces should be legible (view lines kept open) and permeable (no dead ends).
- d) The development should lend itself to informal surveillance of public areas.

6.1.6 Loading, Unloading and Service Facilities

- a) Areas for the loading and unloading of vehicles carrying goods or commodities will be provided on the site, and of a size and in a location appropriate to the nature of the non-residential uses on the site.
- b) Service yards and access for service vehicles are to be provided. These are to be separate from shop entrances and pedestrian areas, and screened from view by walls, fencing or planting or any combination thereof.
- c) All air conditioners and other similar service facilities are to be appropriately located (to the satisfaction of council), and are to be screened from the street and from neighbouring properties.