

# South Cove Character Area Local Planning Policy

Draft December 2024

## Version Control

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| 3         | Date of Amendment           | Amended |

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# 1. Citation

This is a local planning policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as the *South Cove Character Area Local Planning Policy*.

## 2. Purpose and Application

### 2.1 Purpose

The purpose of this policy is to:

- (a) Define the boundaries of and the characteristics of the South Cove Character Area.
- (b) Guide appropriate design outcomes for development within the character area.

### 2.2 Application

This policy applies to all applications for development approval within the South Cove Character Area, the extent of which is shown in Figure 1.

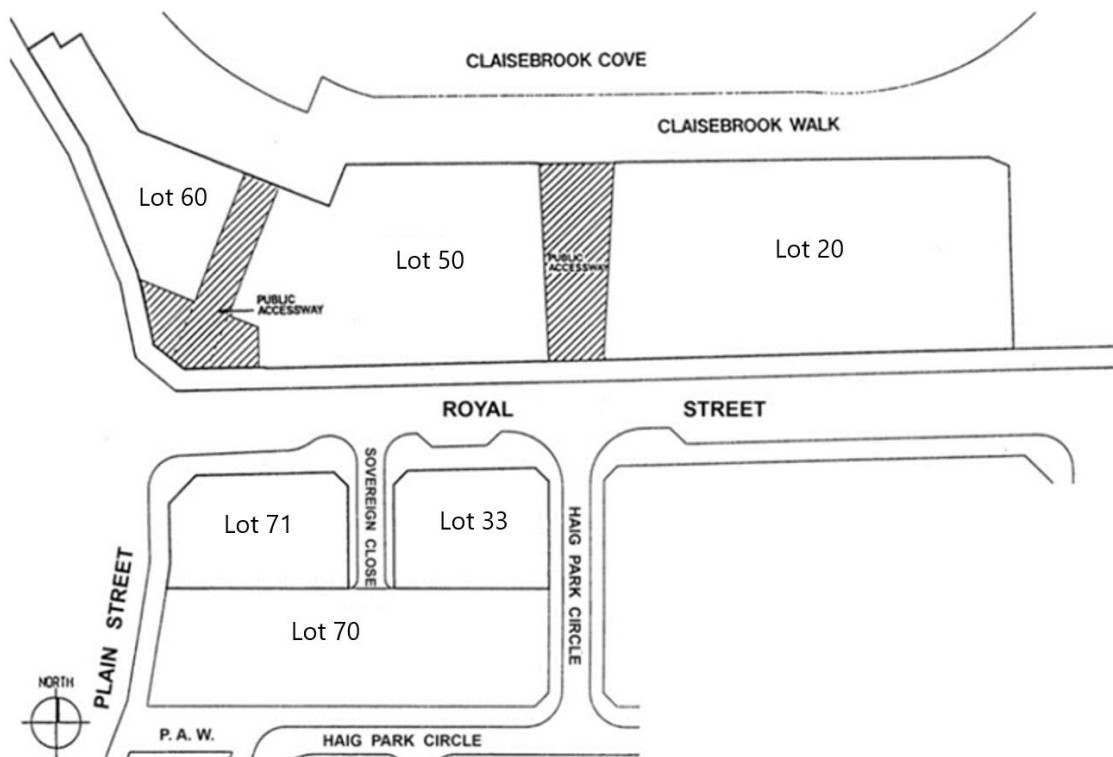


Figure 1. South Cove Character Area

### 2.3 Relationship to other Planning Documents

This policy should be read in conjunction with the City of Perth *Local Planning Scheme No. 3* (LPS3) and other relevant local planning policies, including the *Claisebrook Village Local Planning Policy*.

Where this policy is inconsistent with LPS3, the provisions of LPS3 prevail to the extent of any inconsistency.

Where this policy is inconsistent with other relevant local planning policies, the provisions of this policy prevail to the extent of any inconsistency.

### 2.3.1 Relationship to the Residential Design Codes

For residential development within the South Cove Character Area, this policy should be read in conjunction with the *Residential Design Codes Volume 2* (R-Codes Volume 2) and the *Residential Design (Variation of R-Codes) Local Planning Policy*.

This policy amends, replaces or augments the Acceptable Outcomes of the R-Codes Volume 2 as detailed in Table 1.

**Table 1. Relationship to the R-Codes Volume 2**

| Design Element                      | Acceptable Outcome Modification | Applicable Provision                                                         |
|-------------------------------------|---------------------------------|------------------------------------------------------------------------------|
| 2.2 Building Height                 | Replace<br>A2.2.1               | 4.1, 4.10.3, 4.11.4, 4.12.4, 4.13.4, 4.14.4                                  |
| 2.3 Street Setbacks                 | Replace<br>A2.3.1               | 4.1(a), 4.10.3, 4.11.3, 4.11.4, 4.12.3, 4.13.3, 4.13.4(d), 4.14.3, 4.14.4(d) |
| 2.4 Side and Rear Setbacks          | Replace<br>A2.4.1               | 4.1(a), 4.10.3, 4.11.3, 4.11.4, 4.12.3, 4.13.3, 4.13.4(d), 4.14.3, 4.14.4(d) |
| 3.3 Tree Canopy and Deep Soil Areas | Augment<br>A3.3.5               | 4.7(c)                                                                       |
| 3.6 Public Domain Interface         | Replace<br>A3.6.6               | 4.6                                                                          |
| 3.7 Pedestrian Access and Entries   | Augment<br>A3.7.1               | 4.3.1, 4.4.6(g), 4.10.6(c), 4.11.5(a), 4.12.5(a)                             |
| 3.8 Vehicle Access                  | Augment<br>A3.8.1               | 4.10.4(a), 4.11.5(b), 4.12.5(b), 4.13.5(b), 4.14.5(b)                        |
| 3.9 Car and Bicycle Parking         | Augment<br>A3.9.2<br>A3.9.6     | 4.10.4(c)<br>4.3.2(b), 4.3.2(c), 4.10.4(b), 4.14.5(e)                        |

|                                      |                             |                                                                                                       |
|--------------------------------------|-----------------------------|-------------------------------------------------------------------------------------------------------|
| 4.4 Private Open Space and Balconies | Augment<br>A4.4.1           | 4.2                                                                                                   |
| 4.10 Façade Design                   | Augment<br>A4.10.1          | 4.4.1, 4.4.4, 4.4.5, 4.4.6,<br>4.4.7, 4.5.1, 4.5.2, 4.8,<br>4.10.6, 4.11.6, 4.12.6,<br>4.13.6, 4.14.6 |
| 4.11 Roof Design                     | Augment<br>A4.11.1          | 4.4.3, 4.5.3, 4.10.6(d),<br>4.10.6(f), 4.13.6(f),<br>4.14.6(a)ix., 4.14.6(b)v.,<br>4.14.6(b)ix.       |
| 4.12 Landscape Design                | Augment<br>A4.12.1          | 4.7, 4.10.7                                                                                           |
| 4.18 Utilities                       | Augment<br>A4.18.2, A4.18.3 | 4.9(a), 4.9(b)                                                                                        |

### 3. Desired Character

The South Cove character area is one of the most prominently located areas within East Perth. Developments are to be of a high quality and perform a landmark function as the ‘drawcard’ for the eastern gateway into the City.

Development and land uses in the South Cove character area should prioritise pedestrian engagement, particularly along Royal Street and Claisebrook Cove pedestrian promenade (“Claisebrook Walk”). Visual and physical access to the pedestrian promenade needs to be considered and maximised in all developments to allow for active interaction between businesses and the pedestrian promenade.

Developments in the South Cove character area shall balance the expanse and openness of the adjacent cove and nearby river. Developments fronting the pedestrian promenade shall be designed to the street edge to reinforce the relationship between the built urban setting and address the waterfront pedestrian promenade.

Developments on each side of Royal Street should complement one another to create an interactive human scale, urban streetscape. This shall provide a transition between the East Perth Neighbourhood Centre and the residential zone, known as the Haig Park Character Area. The development on Lot 70 should be transitional in nature and design and shall incorporate pedestrian access through the site to connect the residential zone to the west with the East Perth Neighbourhood Centre to the east and Claisebrook Walk to the north.

## 4. Development Provisions

### 4.1 Building Envelopes and Height

- (a) Maximum building height and setback requirements are contained within building envelopes as detailed in this policy. In addition, the setbacks and building heights that apply to Lot 70 are detailed in LPS3.
- (b) Heights of building envelopes are from finished ground levels at the perimeter of the Lot.
- (c) Balconies, awnings and verandahs may project beyond the building envelope in accordance with the specific requirements applicable to these features.
- (d) Minor projections outside building envelopes may be permitted for chimneys, finials, pergolas, small portions of bay and dormer windows, and approved landmark features which in the opinion of the local government, contribute to the character and identity of the character area.
- (e) Building envelopes define the limits of building bulk. It is not intended that the building profile should mirror the building envelope.

### 4.2 Open space

- (a) Open space is not required for non-residential uses.
- (b) An area of private open space directly accessible from a living area is required for each residential dwelling. This open space may be at ground level or be provided as a balcony terrace or deck.
- (c) All private open space is to be sufficiently dimensioned so as to be useable.

### 4.3 Access and Parking

#### 4.3.1 Pedestrian access

- (a) Priority is to be given to maximising pedestrian access and circulation within the character area. Pedestrian access from Royal Street is to be at grade directly from the footpath. Consideration is to be given to designing access suitable for people with impaired mobility and all relevant Australian Standards and codes are to be adhered to.

#### 4.3.2 Vehicle and service access parking

- (a) All parking is to be provided in basement or otherwise adequately concealed from public view.
- (b) Basement car parks abutting pedestrian access ways or Royal Street, should be below ground level where possible. Any wall projecting above ground is to be of minimal extent and detailed to provide visual interest and pedestrian scale.
- (c) Ventilation grilles to parking basements are to be screened from public view. In any case, they should be detailed to reduce their visual impact, and be sympathetic in proportion and placement to the building design.

- (d) Unless noted otherwise, servicing of buildings is to take place from Royal Street or within an approved internal screened service yard, as appropriate to the nature and scale of the proposed development.

#### 4.3.3 Crossovers

- (a) Vehicle crossovers are to be constructed to the City's specifications at the developer's expense.

#### 4.3.4 Bicycle and end of trip facilities

- (a) Each development is to make provision for secure public bicycle parking and appropriate end of trip facilities for building occupants.

### 4.4 Building Design

#### 4.4.1 General requirements

- (a) The massing of buildings should respect the scale of the adjacent public domain and of neighbouring buildings.
- (b) Buildings should enclose and define the public street space at an appropriate scale and provide a continuity along streets.
- (c) Building forms should reflect an innovative and contemporary interpretation of Perth architecture utilising a rich palette of materials.

#### 4.4.2 Floor to floor height

- (a) The minimum ground floor to first floor height is 3m to all developments at Royal Street and waterfront promenade levels.

#### 4.4.3 Roof form

- (a) Generally roofs should be pitched, with a slope of between 30 and 45 degrees. Provision of a decorative parapet with a shallow roof pitch beyond, in the tradition of a shopping street, is acceptable for the Royal Street frontage.

#### 4.4.4 Windows

- (a) Overall window opening proportion must be vertical or square.
- (b) Horizontally proportioned window openings are acceptable only if they are integral to the elevation and a minor element of the overall composition of the elevation.
- (c) Door and window shutters if fitted must be operable.

#### 4.4.5 Security

- (a) Building design should contribute to the creation of a safe environment by avoiding the formation of "blind" spaces. Sites should be well lit to enhance the personal safety of people within the development and public in general.

#### 4.4.6 Balconies, verandahs, and awnings

- (a) The inclusion of balconies to take advantage of views is encouraged. Balconies can also assist the composition, articulation, and visual interest of buildings. Balconies should be of usable proportions with a minimum area of 10m<sup>2</sup> with a minimum dimension of 2m. Wherever possible balconies should be enhanced by the provision of shading from summer sun.

- (b) Any verandah or awning that overhangs or abuts a trafficable street or lane must have 0.6m minimum clearance from the likely passage of vehicles. Allowance should also be made for the unimpeded growth of any nearby street tree. In any case, the fascia of a verandah or awning must be no less than 0.6m closer to the outer face of the kerb, where one exists.
- (c) Verandahs and awnings are not to exceed 2.7m in width.
- (d) Generally, a verandah must have a clearance above footpath level of 3m. Where necessary verandahs may be stepped to conform with the grade of the footpath. In such cases, the steps should not exceed 600mm and the clearance above footpath level may be reduced to a minimum of 2.7m. Figure 2 illustrates this principle.
- (e) Where a verandah abuts another verandah, the two are to be finished so as to prevent rain falling between them. It will be the responsibility of the person erecting the new verandah to effect this result. Figure 2 illustrates this principle.
- (f) Decorative elements on verandahs will be considered on their merits. If intended to accommodate signage the finished depth of a verandah fascia should be 450mm.
- (g) Frontages to Royal Street are required to provide pedestrian protection from sun and rain. It is preferable that this is achieved using suspended fabric awnings, although box type verandahs are acceptable to Royal Street.

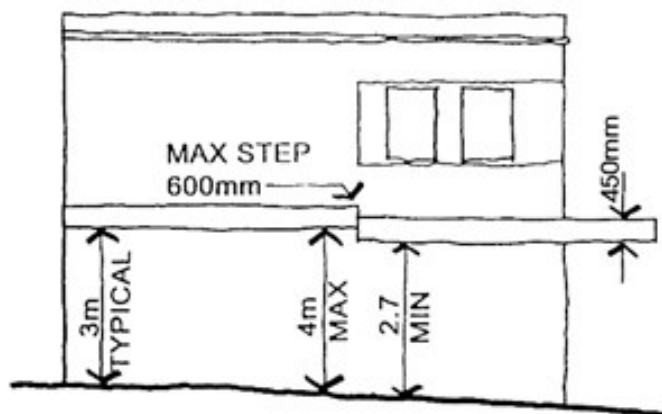


Figure 2. Verandah Clearances and Connections

#### 4.4.7 Articulation and detailing

- (a) Building design is to enhance individual identity for all building types. Buildings must present a "front" to public spaces.
- (b) Buildings are to provide a vertically modulated street frontage and are to use elements such as verandahs, balconies, awnings, dormers and window projections to provide visual interest and establish a fine grained scale to the development.
- (c) Detailing is to provide visual richness, variety, interest, identity and assist in reducing the visual bulk of building mass.
- (d) Corner sites tend to be very prominent. Buildings situated at the intersection of roads and pedestrian access ways play a special role in defining the quality of the adjoining public spaces and by providing landmarks which assist people's understanding of the local environment. Extra height at corners through the use of decorative parapets, tower elements or similar features helps to give prominence to these buildings and is therefore encouraged. In approved instances a "tower element" may take the form of an

additional storey if the local government is satisfied that it contributes to the landmark quality of the building.

- (e) Aluminium lace or cast-iron lace is not permitted.

## 4.5 Materials and colours

### 4.5.1 Walls and windows

- (a) The following construction materials are acceptable:
  - i. Natural stone, including limestone;
  - ii. Rammed earth and rammed limestone;
  - iii. Render paint finished in ochres, reds and limewash colours. Red or terracotta brick;
  - iv. Timber and lightweight cladding which is paint finished or stained is acceptable on upper floors and as a minor element at ground floor level;
  - v. The well considered use of more than one material or finish is encouraged where it adds variety and reduces perceived building bulk. Finishes that separate or partly separate ground and upper floors are encouraged.
  - vi. Reflective glass or dark tint is not permitted.
- (b) Blank walls abutting public spaces are to be kept to a minimum. Walls are to be detailed to provide visual interest and pedestrian scale.

### 4.5.2 Colour

- (a) Colour scheme involving well considered colours are encouraged as distinct from predominantly monochrome colour scheme.
- (b) Trim colours which enhance and complement the wall and roof colours are preferred.

### 4.5.3 Roof and shade structure covering

- (a) Roof materials are to be selected from the following colour range: corrugated metal decking in Colorbond Surfmist, Paperbark, Classic Cream, Dune, Evening Haze, Pale Eucalypt, Shale grey or similar approved colour; tiles in autumn or terracotta tones; shingles or tiles resembling shingles in slate grey (not black).
- (b) A Zinalume finish will only be accepted where it can be demonstrated that glare and reflectivity will not be a problem to neighbours and surrounding activities, including those across the Cove.

## 4.6 Fences and retaining walls

- (a) Fencing is to comply with the standard illustrated in Figure 3. This consists of limestone piers to a maximum of 2m high, and infill panels to a maximum of 1.8m. No more than 50% of any length of fence should consist of solid infill.
- (b) Fencing which abuts Claisebrook Walk should be of visually permeable materials such as metal railings, although minor solid components may be permitted where residential private open space requires screening.
- (c) Generally, buildings constructed to lot boundaries are preferred over fences. Where solid infill fencing is required, materials should match the building walls.

- (d) Retaining walls are to be no higher than 1.2m high when measured from the adjacent pedestrian zone (eg: Claisebrook walk).
- (e) The combined heights of retaining walls and fences are not to exceed 2m when measured from the adjacent pedestrian zone. Where walls extend from retaining walls, the materials should be integrated. Walls should be detailed to minimise the sense of bulk and scale.

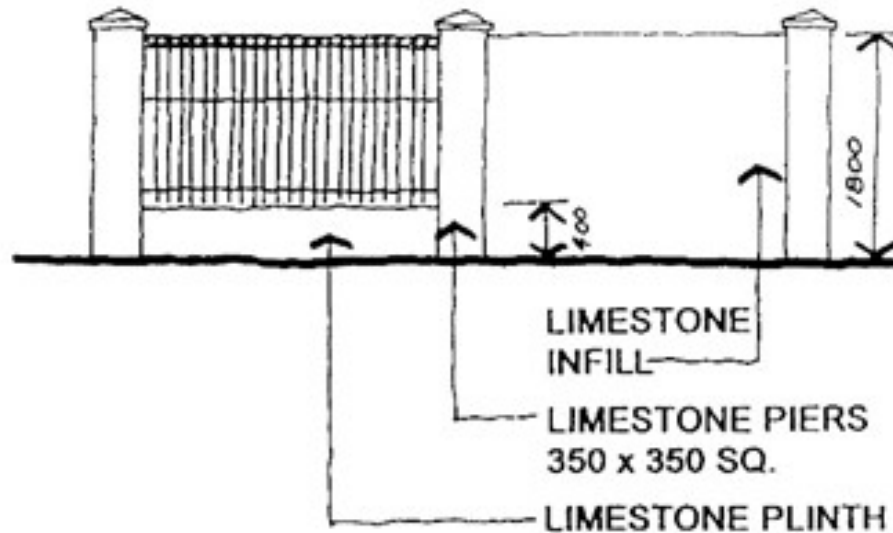


Figure 3. Typical Fences Styles

## 4.7 Landscape

- (a) In order to increase on-site water absorption and reduce run-off, permeable segmental paving is to be used for all hard surfaces.
- (b) Where paving inside a Lot abuts and is visible from paved surfaces in streets or public access ways, the new paving should be coordinated in colour, texture and scale with the surface in the public area.
- (c) Select suitable tree species of semi-matured size, form and scale to relate to, but not overwhelm the building mass.
- (d) Developers should note that trees used within the public spaces such as the PAW's are likely to overhang property boundaries once they are mature. The local government will be responsible for cleaning leaves, etc., which fall within public areas only.
- (e) A detailed landscape plan is to be submitted with each development application.

## 4.8 Integration of art

- (a) The use of artists as part of the design team for a new development is strongly encouraged. Areas in which artworks can be integrated into a new development include detailing to walls, balustrades and railings, paving, shade structures, seating, rubbish bins, bollards, drinking fountains, lighting, building fittings, entry treatments and signage.

## 4.9 Services

- (a) All piped and wired services, air-conditioners, clothes drying areas and hot water storage tanks are to be concealed from street and public area view.
- (b) Solar panels and solar water heaters may be visible where they are in the same plane as the roof and there is no alternative location that can provide a similar level of solar efficiency.
- (c) All stormwater is to be discharged to the stormwater connection provided on site.
- (d) A stormwater drainage plan is to be provided with all building permit applications.

## 4.10 Site Specific Provisions for Lot 70

### 4.10.1 Context

- (a) Lot 70 is located between the Royal Street Neighbourhood Centre and medium density residential area on the southern and eastern sides of Haig Park Circle. It also has frontage to Plain Street, making it visually prominent to the north and south. Refer to Figure 4.
- (b) The City envisages a high-quality development on the site to form a sensitive transition between the different land uses to the north, south and east, and to respond to its visual prominence. This development should continue to provide north south pedestrian access through the site from Haig Park Circle to Royal Street via Sovereign Close.

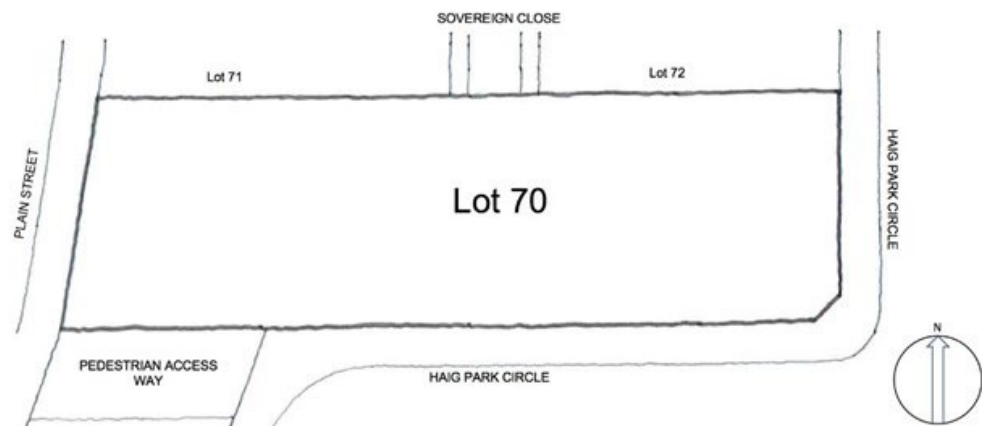


Figure 4. Lot 70

### 4.10.2 Land use

- (a) Land use permissibility shall be in accordance with LPS3.
- (b) The site provides a transitional interface between the East Perth Neighbourhood Centre along Royal Street and the medium scaled residential development in the Haig Park Character Area, and therefore the location and distribution of land uses within a mixed-use development shall respond to it accordingly.

### 4.10.3 Building Envelope and Setbacks

- (a) The building envelopes and setbacks for development on site are depicted in Figures 5-10.
- (b) The maximum building heights shall be measured from the existing level of the footpath adjoining the site at its southern boundary to Haig Park Circle.

- (c) The only projections outside the building envelope that may be approved by the local government are:
  - i. an awning over the Plain Street footpath in the case of non-residential development;
  - ii. measures to integrate the electrical substation at the south-east corner of the site if retained;
  - iii. minor projections for items such as chimneys, finials and other similar architectural features.
- (d) These projections will only be approved where the local government is satisfied that they make a positive contribution to the design of the building/s and the amenity of the locality and will not add significantly to the bulk and scale of the building/s. Balconies may not project outside the building envelope.
- (e) Any easements specified on title will need to be accommodated as part of any application for development approval.

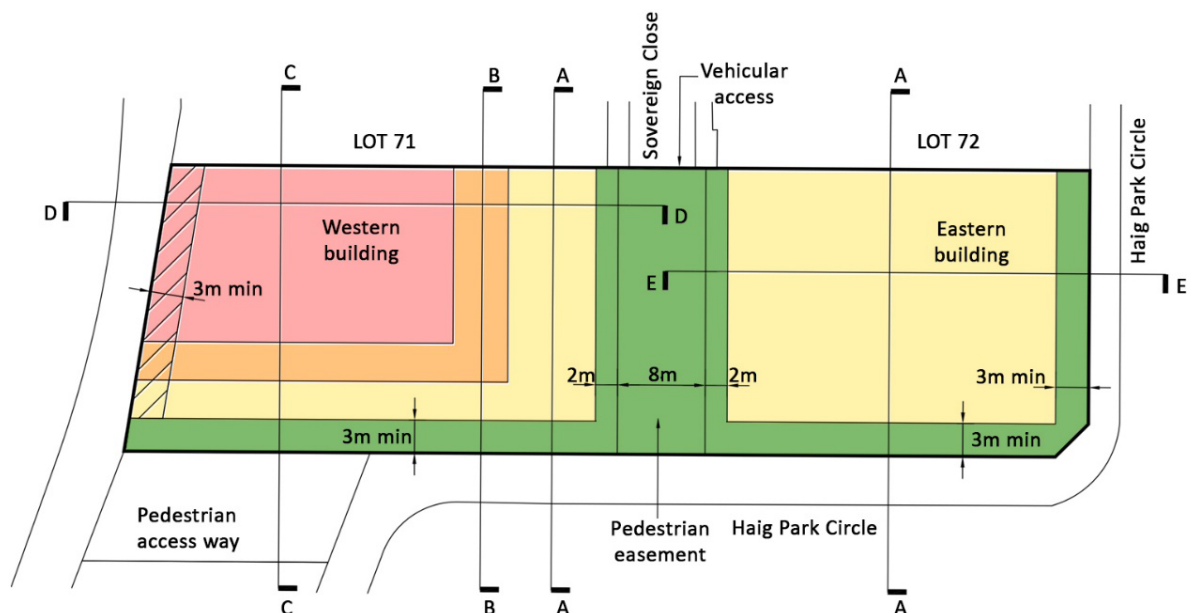


Figure 3. Lot 70 - Building Setbacks and Building Envelope cross section location.

**Note:** Minimum 3m setback from Plain Street only applies to residential and short term accommodation uses. For all other uses, a nil setback from Plain Street may be permitted.

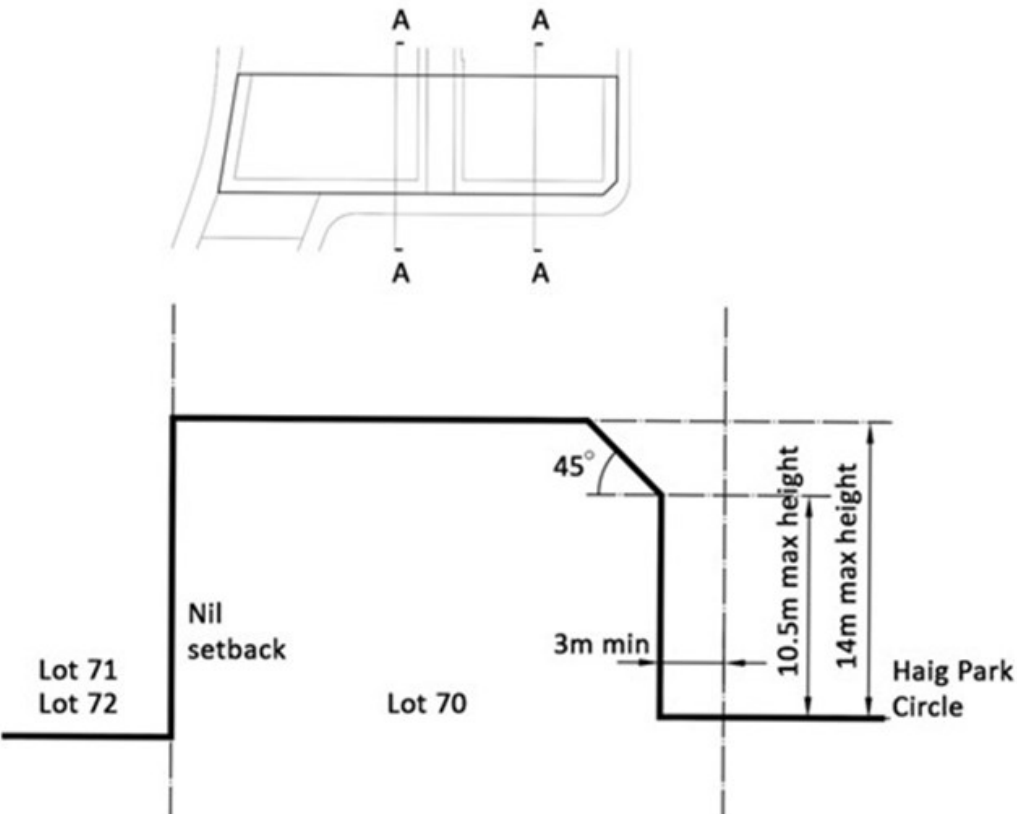


Figure 4. Section AA - North south section of building envelopes through eastern and western buildings

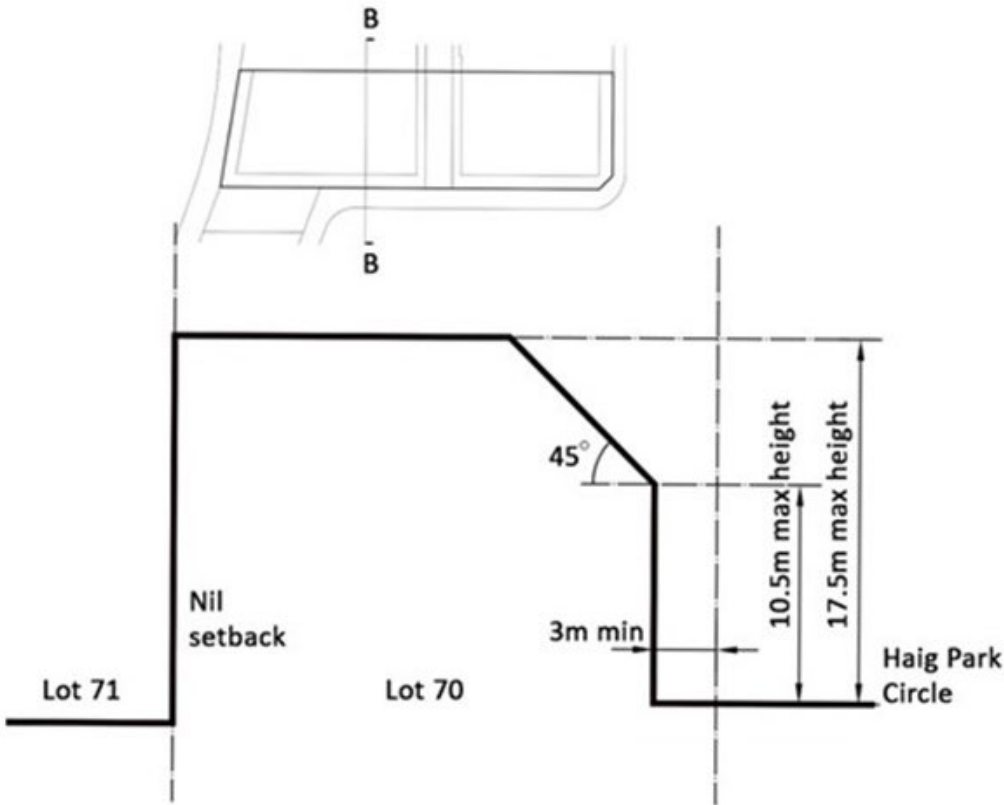


Figure 5. Section BB - North south section of building envelope through western building

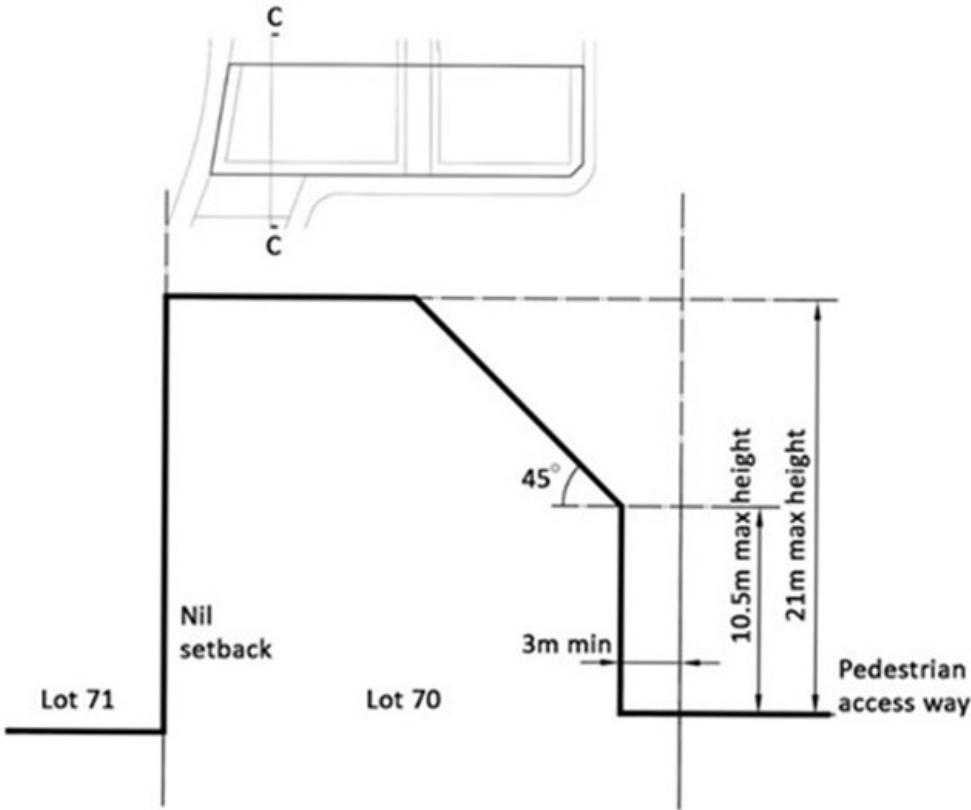


Figure 6. Section CC - North south section of building envelope through western building

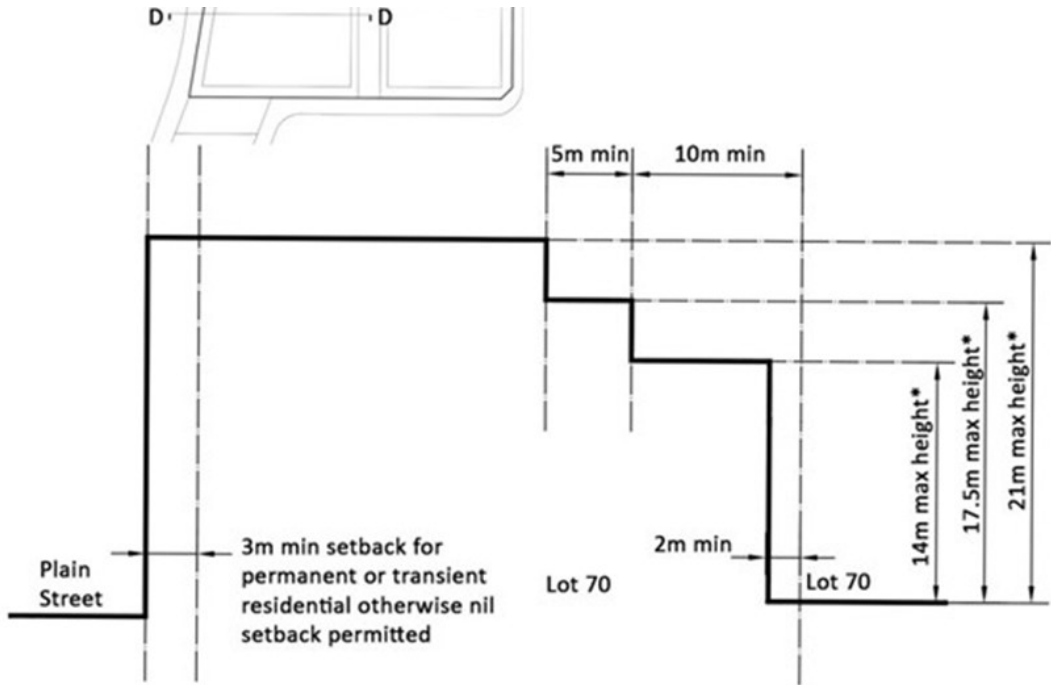


Figure 7. Section DD - East west section of building envelope through western building

**Note:** Building heights measured from the existing level of the footpath adjoining the site at its southern boundary.

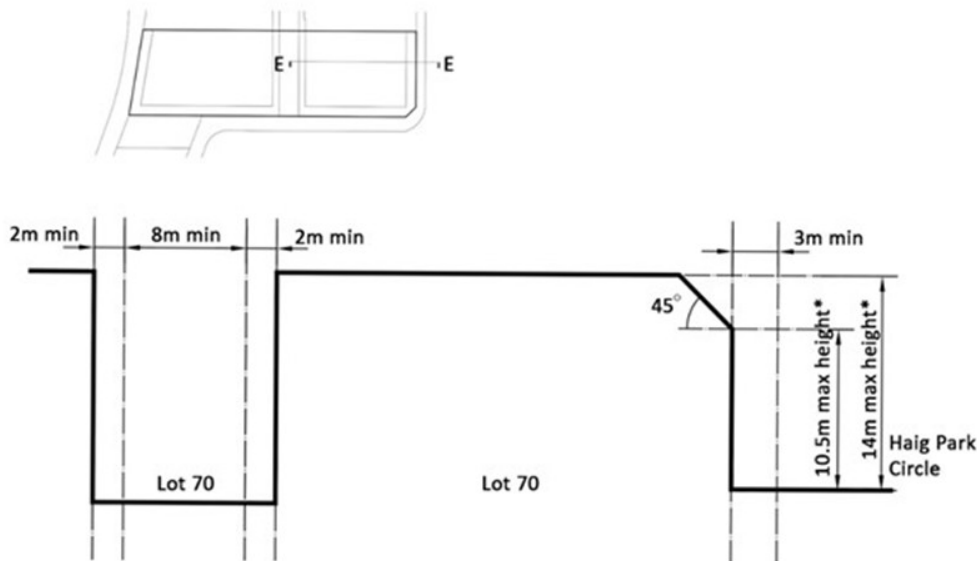


Figure 8. Section EE - East west section of building envelope through eastern building.

#### 4.10.4 Access and parking

- (a) The principal vehicular access to the site shall be from Sovereign Close, while secondary vehicular access may be permitted from the eastern section of Haig Park Circle (as indicated in Figure 11). The crossover in Haig Park Circle should be located and designed to discourage movement of vehicular traffic from the site into the residential area to the south.
- (b) All car parking shall be located within the building/s, at basement level or sleeved behind other land uses, so that it is not visible from the public realm and adjacent properties.
- (c) If public fee-paying car parking is not provided on site, a minimum of one car parking bay per four dwellings, or part thereof in excess of four dwellings, shall be provided on site for residents' visitors.
- (d) Adequate provision shall be made for service vehicles and loading/unloading areas on site. The design and location of these facilities shall be an integral part of the overall design of the development to ensure that traffic movement on adjacent streets is not disrupted and the amenity of the adjacent residential area is not reduced.

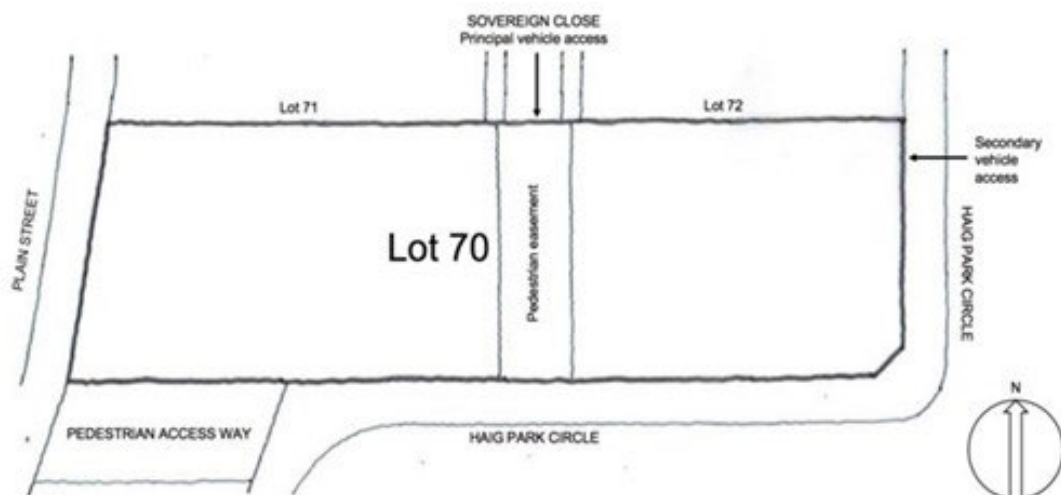


Figure 9. Pedestrian easement and vehicular access

#### 4.10.5 Pedestrian easement

- (a) A pedestrian easement with a minimum width of 8m and no height limit shall be provided across the lot to provide public pedestrian access from Sovereign Close to Haig Park Circle (refer Figure 11).
- (b) The width of the pedestrian easement may be reduced at its northern end and the alignment shown on Figures 4 and 11 may be moved to the east a maximum of 2m where required to accommodate vehicular access to the site from Sovereign Close and associated access easements on title. These variations will only be supported if the City is satisfied that any encroachment into the pedestrian easement has been minimised, appropriate pedestrian connection to the Sovereign Close footpath is provided and there is minimum impact on amenity for users of the pedestrian easement.
- (c) The design and detailing of the development shall provide for the safety and security of users of the pedestrian easement. Sightlines shall be incorporated into the development for pedestrians, minimising conflict with vehicles, the avoidance of entrapment areas and maximising opportunities for passive surveillance from adjoining buildings.
- (d) Lighting shall be provided to illuminate the pedestrian easement and contribute to a secure night-time environment for users, without causing disturbance to the occupants of any adjoining dwellings.
- (e) The hard and soft landscaping of the pedestrian easement shall be designed, and plant species selected, to enhance the safety and microclimate of the pedestrian easement.

#### 4.10.6 Building form and character

- (a) Development shall be of a high design quality to make a positive contribution to the character of the locality.
- (b) A pedestrian easement shall be provided across the lot to provide public pedestrian access from Sovereign Close to Haig Park Circle (refer Figure 11). It may also accommodate vehicular access to the development at its northern end. This easement will result in development on the site above ground level forming two distinct buildings at the east and west of the site.
- (c) The sections of building facing the pedestrian easement should include ground level entries, major openings, and balconies to habitable rooms to provide opportunities for passive surveillance of the easement from within the buildings. At the same time the design of the buildings, particularly in relation to overlooking and noise attenuation, should be carefully considered to ensure that high levels of amenity will be provided for occupants.
- (d) The design of development shall respect the residential character of development to the south and east of Haig Park Circle. Buildings are to provide a modulated street frontage with articulated facades and use of elements such as balconies, awnings, windows and appropriate use of materials and colours to provide visual interest and to establish a fine-grained scale to development. Roof pitches of 30 to 45 degrees are preferred where visible from the south and east.
- (e) Development facing Plain Street shall respond to the volumes of traffic on Plain Street. Priority will be given to ensuring maximum amenity for occupants, particularly in terms of noise and privacy for residential uses. Non-residential development should address the street in a more traditional manner with nil setbacks, ground level entrances facing the street and awnings over the footpath encouraged.

- (f) The north-western corner of the site is where the greatest building height and bulk may be permitted. The design of the upper levels, including the roof and any roof plant, should give consideration to how the building will be viewed from all directions given its visually prominent location.

#### 4.10.7 Landscaping

- (a) The majority of the street setback areas shall be landscaped with a significant portion of in-ground planting, including small trees.

#### 4.10.8 Existing retaining walls

- (a) Any existing retaining walls on the site that are proposed to remain are to be visually integrated with the overall development.

#### 4.10.9 Electricity substation

- (a) Preferably the electricity substation on the site shall be located so that it is not visible from the public realm. If this is not possible it shall be integrated into the design of the development and the streetscape.

### 4.11 Site Specific Conditions for Lot 71

#### 4.11.1 Context

- (a) The site is situated at the corner of Royal and Plain Streets. The intersection of these two streets forms a major activity node, bounded by the South Cove, Haig Park and Eastbrook areas. Lot 71 forms a gateway to the neighbourhood centre along Royal Street and the Haig Park area.
- (b) Lot 71 is visually prominent to vehicular through traffic along Plain Street and is also easily accessible by residents of Haig Park and surrounding residential areas. As such, the site shall accommodate a high-quality development and shall play a key role in effecting the transition between Royal Street to the west of Plain Street.

#### 4.11.2 Land use

- (a) Land use permissibility shall be in accordance with LPS3.
- (b) The site provides key local retail service functions to meet the day-to-day retail needs of residents of East Perth and beyond.

#### 4.11.3 Setbacks

- (a) Setbacks shall be in accordance with Table 2. Setbacks are measured at right angles from the relevant boundary to the closest section of wall.

**Table 2. Lot 71 Setbacks**

| Lot Boundary (Setback) | Minimum Setback | Maximum Setback |
|------------------------|-----------------|-----------------|
| Royal Street           | Nil             | Nil             |
| Sovereign Close        | 3m              | -               |
| Plain Street           | Nil             | 3m              |
| Rear                   | 3m              | -               |

#### 4.11.4 Building height and envelope

- (a) Building envelope requirements are in accordance with clause 4.1 and detailed in Figure 12 (top portion of the building envelope set at 45° to the vertical).

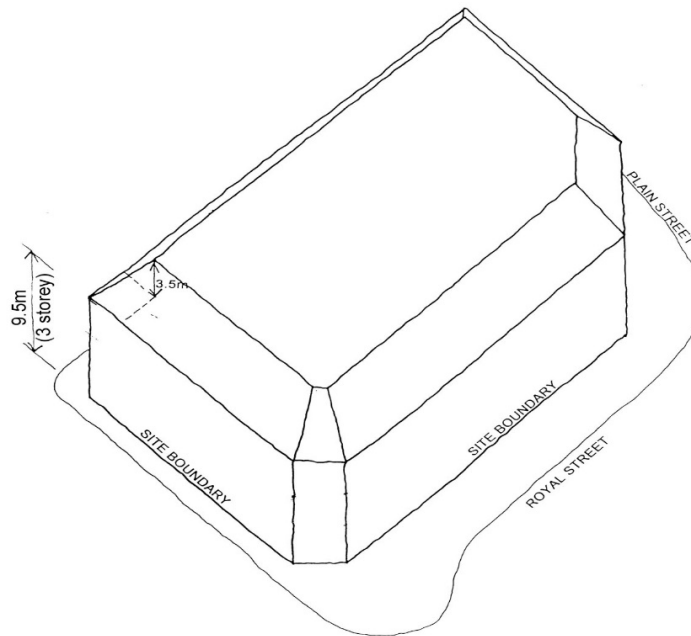


Figure 10. Building Envelope for Lot 71

#### 4.11.5 Access and parking

- (a) Principal pedestrian access is to be provided from Royal Street and the sidewalk adjacent to Sovereign Close.
- (b) Vehicular access is to be from Sovereign Close.
- (c) Delivery areas are to be located near the southern boundary and are to be accessible from the access road to Lot 70 and screened from view. The truck dock is to be provided within the site boundary.

#### 4.11.6 Building form and character

- (a) As this development site is highly visible from all aspects, it is imperative that the building presents well from every angle. The building design must respond to both the highly urban, commercial character of Royal Street and the more open thoroughfare of Plain Street. The building should effect the transition between these two zones as far as possible by making a strong corner statement. Two to three storey (9.5m) or double volume construction is encouraged to ensure adequate building bulk is maintained at this corner location.
- (b) The site forms a gateway to the Royal Street neighbourhood centre west of Plain Street. Consequently, developers are encouraged to hold the building line to the property boundaries of Royal and Plain Streets to create an active pedestrian frontage at ground level.
- (c) The majority of ground floor facades should be glazed and interesting and modulated built form is sought. Particular regard will need to be given to facades which front Plain Street to ensure that they are visually active and articulated. Blank walls will not be accepted to Plain and Royal Streets.

## 4.12 Site Specific Provisions for Lot 33

### 4.12.1 Context

- (a) Lot 33 is critical to ensuring the continued success of the retail precinct at this end of Royal Street. The site should be of appropriate size a scale, to balance the residential development to the east and commercial development to the west. Development on this site also fosters an interactive pathway along Royal Street with the adjacent retail functions of Lot 71 and Lot 50. This is particularly important as collectively Lots 60, 71, 33 and 50 create the core of the local retail facilities. Development on Lot 33 shall reinforce the traditional relationship to the street and provide active ground floor tenancies.

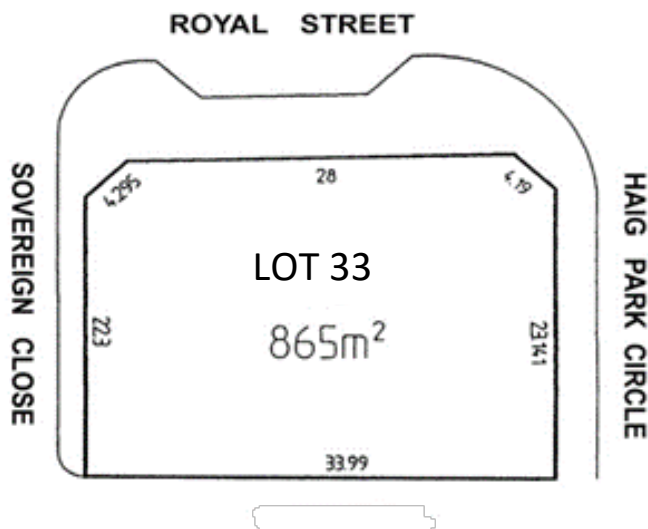


Figure 11. Lot 33

### 4.12.2 Land uses

- (a) Land uses are in accordance with LPS3.
- (b) Land uses at ground level are to be non-residential uses that have an interactive shopfront presentation. It is imperative that the buildings on this site actively engage Royal Street and create a shopfront quality providing visual interest to pedestrians. Facilities which would present a blank frontage are considered inappropriate. It is suggested that ground level tenancies provide a range of shops to support the day-to-day retail and service needs of residents. Residential apartments, commercial offices, medical suites and other professional offices are considered suitable for upper levels.

### 4.12.3 Setbacks

- (a) Setbacks shall be in accordance with Table 3. Setbacks are measured at right angles from the relevant boundary to the closest section of wall.

Table 3. Lot 33 Setbacks

| Setbacks frontage | Minimum Setback | Maximum Setback |
|-------------------|-----------------|-----------------|
| Royal Street      | Nil             | Nil             |
| Sovereign Close   | Nil             | 3m              |
| Haig Park Circle  | 3m              | -               |
| Rear              | 3m              | -               |

#### 4.12.4 Building height and envelope

- (a) Building envelope requirements are in accordance with clause 4.1 and detailed in Figure 14 (the top portion of Building Envelope set at 45° to the vertical).

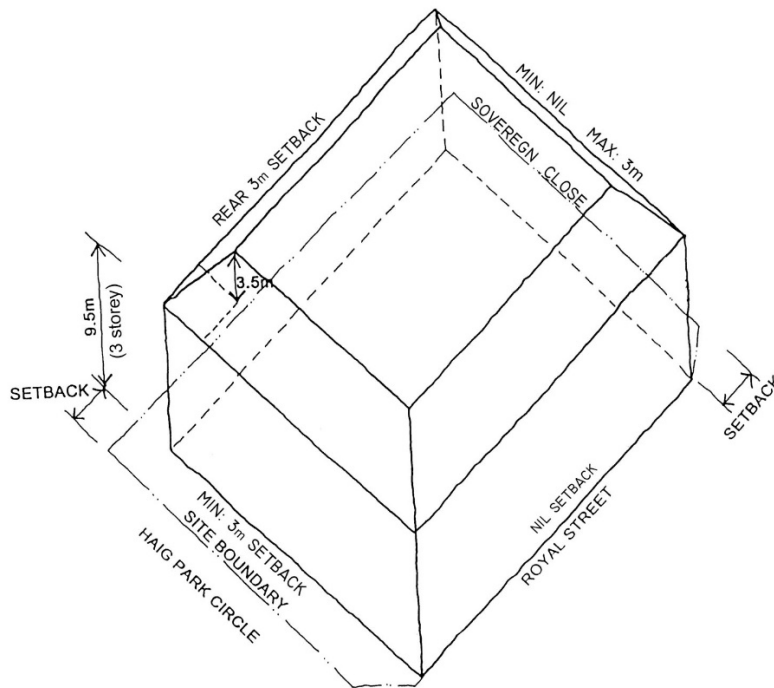


Figure 12. Building Envelope for Lot 33

#### 4.12.5 Access and parking

- (a) Principal pedestrian access is to be provided from Royal Street and the sidewalk adjacent to Sovereign Close.
- (b) Vehicle access is to be from Sovereign Close.

#### 4.12.6 Building form and character

- (a) Development on this site shall respond to the high visibility of this site. It is highly visible from all sides and building designs need to be well considered from every angle. The north, east and west elevations of this development lot are particularly important in terms of the overall urban design of the Royal Street area. Buildings should address the entry to the Haig Park character area at the east of the site and acknowledge the importance of Royal Street and Sovereign Close. All traffic exiting the Haig Park character area will have a clear view of the southern facade of buildings on Lot 33 and the design of this elevation needs to be well considered in the articulation of this building face.
- (b) The emphasis of development on this site should be in establishing a truly inner-urban character. As such, building developments which are built to the property line of Royal Street will be highly encouraged. Similarly, upper levels should also extend to this property line.

## 4.13 Site Specific Provisions for Lot 20

### 4.13.1 Context

- (a) This development site is one of the most prominently located within East Perth. It is critically placed in respect to the overall pattern of redevelopment at East Perth.
- (b) Given the prominence of the site, development shall be of high quality and perform a landmark function. The site affords northern aspects to the main body of Claisebrook Cove and addresses Royal Street which is to become the major retail focus for East Perth. Developments on this site have the potential to be the "draw card" for this part of the City. The site is bounded by Royal Street, the Claisebrook Walk, a pedestrian access way and Victoria Gardens. As such, it is exposed to considerable pedestrian traffic from those who live in the surrounding areas and from those who visit Claisebrook Cove.

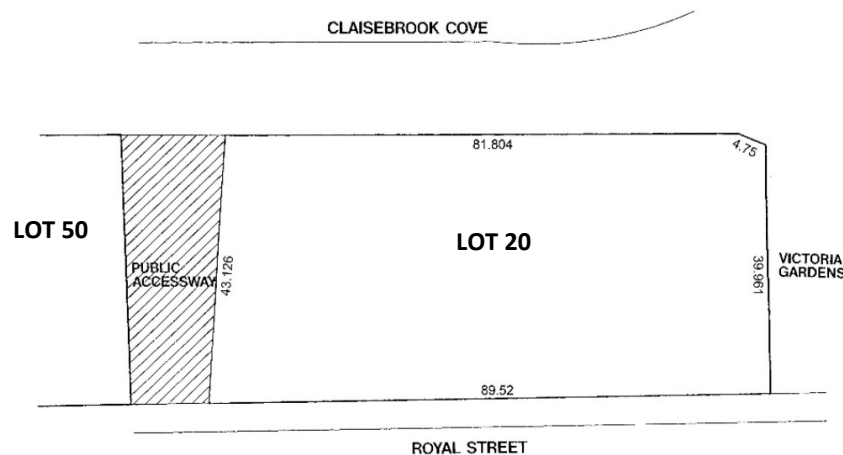


Figure 15. Lot boundary, Lot 20

### 4.13.2 Land use

- (a) Land uses are in accordance with LPS3.
- (b) At the upper and lower ground levels, it is envisaged that most uses will be of an active and specialty nature however, customer focused retail activities, such as banks and real estate agencies would be considered on the Royal Street frontage. Restaurants, cafes, specialty retail and activity supporting leisure orientated uses are considered suitable to face onto Claisebrook Walk.

### 4.13.3 Setbacks

- (a) Development proposals which are setback from the site boundaries are to have the setback areas designed and constructed at the developers cost to the approval of the City and in such a manner that both hard and soft landscaping are integrated to that of the public domain.
- (b) Setbacks shall be in accordance with Table 4. Setbacks are measured at right angles from the relevant boundary to the closest section of wall.

**Table 4. Lot 20 Setbacks**

| Setbacks frontage   | Minimum Setback | Maximum Setback |
|---------------------|-----------------|-----------------|
| Royal Street        | Nil             | 3m              |
| Claisebrook Walk    | Nil             | 3m              |
| Victoria Gardens    | 3m              | No requirement  |
| PAW (West boundary) | Nil             | Nil             |

#### 4.13.4 Building height and envelope

- Building heights shall be in accordance with Figure 16.
- It is expected that the building will extend below existing levels to accommodate basement parking, services, and facilities. Building below existing levels is limited only by functional, structural, or geo-technical considerations.
- Floor Levels shall be in accordance with Figure 19.
- The maximum height to the Royal Street frontage is 4 storeys (13m). Useable loft space within the roof volume with 'attic' type windows is permitted to the Claisebrook Walk frontage (4m). The attic type window may project through the building envelope setback as shown in Figure 16.
- The maximum height to Victoria Gardens shall not exceed the transition between the height and envelope requirements of Royal Street and Claisebrook Walk (refer to Figure 16).

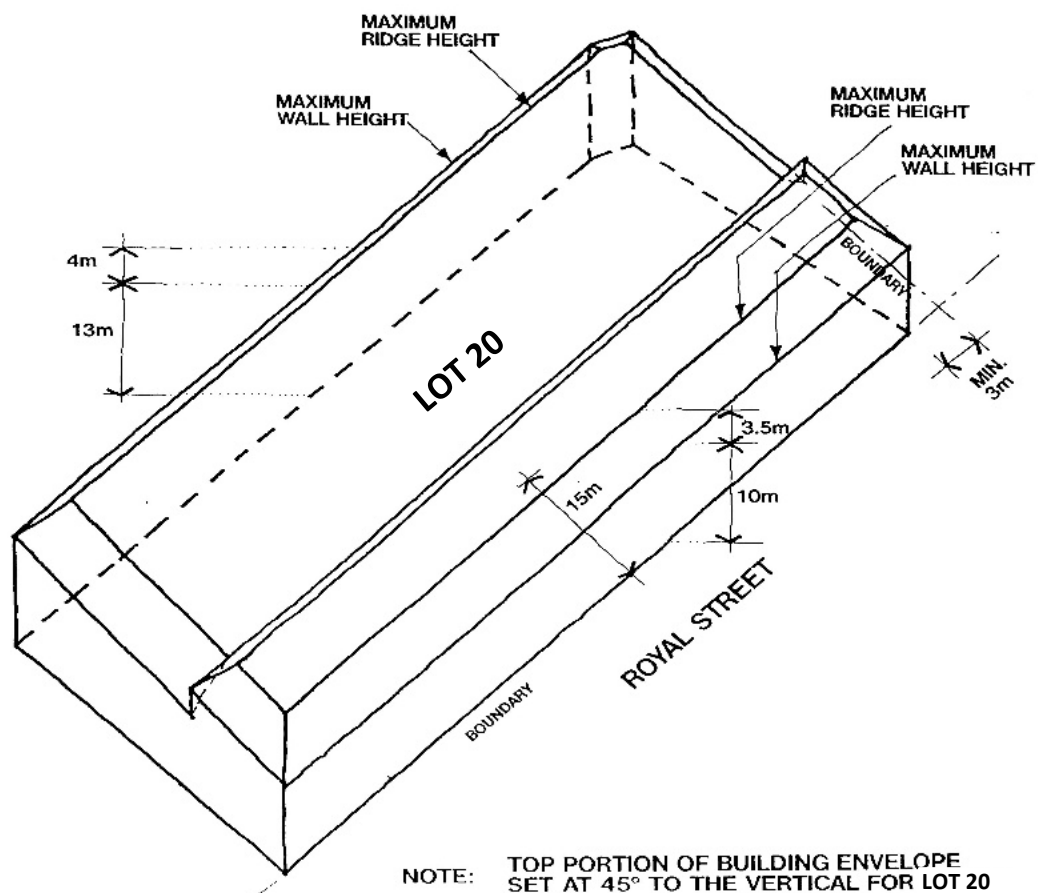


Figure 16. Lot 20 Building Envelope

#### 4.13.5 Access and parking

- (a) The building design should emphasise pedestrian entrances and it is imperative that active and commercial pedestrian frontages are provided to Royal Street, Claisebrook walk and to adjacent public spaces.
- (b) Vehicular access may be gained by the fewest possible crossovers from Royal Street (up to a maximum of three). All car parking must be screened from view in a basement structure. In addition, parking will be permitted within a fully enclosed courtyard at Royal Street level. Service access is to be provided from Royal Street and service yards and truck docks are preferably located at basement level. If service areas are located at grade, they are to be screened from view.
- (c) Retail fronting Royal Street may be serviced from kerb side but preferably from a truck dock contained within the relevant lot boundary.
- (d) Disabled access is to be provided at both Royal Street and Claisebrook Walk and movement within the development for disabled persons in accordance with statutory codes is to be provided.
- (e) Modification to the PAW between Lot 50 and Lot 60 are not envisaged and the City will not consider any such modification except under special circumstances and then only at the cost of the developer. The developer is to provide protection to the existing PAW during all construction work on Lot 20, leaving the steps in use for the public at all times. Any damage shall be made good at the end of construction.

#### 4.13.6 Building form and character

- (a) This site is highly visible from every aspect and must be designed accordingly. The building design must have cognisance of the urban design of the South Cove and Haig Park area. Presentation to Victoria gardens is also of importance. Accordingly, developments must create an appropriate urban character to balance the expanse and openness of the adjacent cove and nearby Swan River. To achieve this, buildings on this site are to be located to reinforce the relationship to Royal Street and Claisebrook Walk. Developments are to be oriented to interact with Claisebrook Cove and should emphasise public usage at both the Royal Street and Claisebrook Walk level. The City seeks developments which addresses these urban design issues and optimise the characteristics of the site with particular regard to the larger context of this area.
- (b) The site enjoys northern frontage to Claisebrook Cove and it is envisaged that approved developments will make maximum use of this exposure. The topography of the site enables layering of floor levels to achieve a rich and dynamic development including parking below Royal Street level.
- (c) As the site is highly visible beyond the character area, it is important that the elevations of this building are designed to present a very strong and well detailed development.
- (d) Balconies, bay windows and the like along Royal Street, Claisebrook walk and Victoria Gardens are encouraged in order to articulate building facades. Blank walls will generally not be accepted particularly along the accessway frontages.
- (e) The inclusion of balconies to take advantage of outdoor facilities and views is encouraged. Balconies can also assist the composition, articulation and visual interest of buildings and should be enhanced by the provision of shading from summer sun.
- (f) All roof top mechanical plant and roof penetrations are to be screened from view. If special enclosures are required as a result they are to be designed to form an integral part of the building.

## 4.14 Site Specific Conditions for Lot 50 and Lot 60

### 4.14.1 Context

- (a) The sites are prominently located within East Perth. It is critically placed in respect to the overall pattern of redevelopment at East Perth.
- (b) Given the prominence of the sites, development is to be of high quality to perform a landmark function. The site affords northern aspects to the main body of Claisebrook Cove, addressing Royal Street which is the East Perth Neighbourhood Centre. Development on this site has the potential to be the "draw card" for this part of the City. The site is bounded by Royal Street, two landscaped walkways and the Claisebrook walk. As such, it is exposed to considerable pedestrian traffic from those who live in the surrounding areas and also from those who visit Claisebrook Cove.

### 4.14.2 Land use

- (a) Land use are in accordance with LPS3.
- (b) Eating and drinking places are to be provided to supplement the main use and/or function of the site, and are to be accessible to the public from Royal Street and Claisebrook walk on the waterfront promenade. A limited number of retail or similar active uses are also considered supplementary functions.

### 4.14.3 Setbacks

- (a) The PAW on the corner of Plain and Royal Street has been widened in order to permit a generous presentation at this important location (Refer Figure 13). Landscaped setbacks form the PAW boundaries and an innovative architectural expression at the Royal Street level are encouraged to enhance the corner treatment.
- (b) Development proposals which are setback from the site boundaries are to have the setback area designed and constructed at the developer's cost to the approval of the City and in such a manner that both hard and soft landscaping are integrated to that of the immediately adjoining public domain.
- (c) Setbacks shall be in accordance with Figure 18 and Table 5. Setbacks are measured at right angles from the relevant boundary to the closest section of wall.

**Table 5. Lots 50 and 60 Setbacks**

| Lot Boundary (Setback)                                                                                  | Minimum | Maximum |
|---------------------------------------------------------------------------------------------------------|---------|---------|
| Plain Street                                                                                            | Nil     | N/A     |
| Royal Street                                                                                            | Nil     | 3m      |
| Claisebrook Walk                                                                                        | Nil     | 3m      |
| PAW (East/West boundary)                                                                                | Nil     | Nil     |
| North West boundary                                                                                     | Nil     | Nil     |
| <b>Note:</b> along the Plain Street bridge retaining wall there is to be a nil setback at street level. |         |         |

#### 4.14.4 Building height and envelope

- (a) The building envelope is provided in Figure 18.
- (b) It is expected that the building will extend below existing ground levels to accommodate basement parking, services and facilities. Building below existing ground levels is limited only by functional, structural or geo-technical considerations.
- (c) The floor levels shall be in accordance with Figure 19.
- (d) The building heights are to be provided in accordance with Table 6 and Figure 18.

**Table 6. Lots 50 and 60 Building Heights**

| Street Frontage  | Lot 50                                                                                                                                                                                                                                                   | Lot 60          |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| Royal Street     | Minimum 2 storeys, maximum 3 storeys (10m) being non-habitable roof space.                                                                                                                                                                               | 1 storey (3.5m) |
| Plain Street     | Not Applicable.<br>Lot does not have a frontage to Plain Street.                                                                                                                                                                                         | 2 storeys       |
| Claisebrook Walk | Maximum 4 storeys (13m).<br><br>Useable loft floor space within the roof volume with 'attic' type windows is permitted to the Claisebrook Walk frontage. The attic type windows may project through the building envelope setback as drawn in Figure 18. | 2 storeys       |

- (e) For Lot 60, consideration will be given to a structure higher than the building envelope described in Figure 18 to assist in providing an entry statement on the Plain Street and Royal Street corner. The final dimension, height, use and design of any structure is subject to approval of the local government. It is suggested that such a structure may also be used for the screening of air conditioning equipment and necessary roof penetrations but must not contain habitable public space. The design is to be integral with the building design and respond to the urban requirements of the site.

#### 4.14.5 Access and parking

- (a) The building design should emphasise pedestrian entrances and it is imperative that active and commercial pedestrian frontages are provided to Royal Street, Claisebrook Walk, Plain Street and to adjacent public spaces.
- (b) Lot 60 shall obtain vehicle access via Lot 50, no crossovers are permitted to Lot 60.
- (c) Vehicular access for Lots 50 and 60 shall be provided by the fewest possible crossovers from Royal Street (a maximum of three may be approved).
- (d) Development of car parking on Lot 60 may extend beneath the PAW corner open space and steps between Lots 50 and 60. The City will entertain the formulation of appropriate legal agreement accordingly, refer to Clause 4.14.7.
- (e) All vehicle parking must be screened from view in a basement structure. In addition, parking is permitted within a fully enclosed courtyard at Royal Street level. Service access shall be provided from Royal Street and service yards and truck docks are preferably located at basement level. If service areas are located at grade, they shall be screened from view.
- (f) Retail fronting Royal Street may be serviced from kerb side but preferably from a truck dock contained within the relevant lot boundary.
- (g) Universal access shall be provided at both Royal Street and Claisebrook Walk entrances.

#### 4.14.6 Building form and character

(a) Lot 50:

- i. The site forms a "gateway" to the Royal Street precinct and its western boundary frames the vistas from the top of Plain Street to Claisebrook Cove. Development is to address these urban design issues and optimise the characteristics of the site with particular regards to the larger context of this area.
- ii. The site enjoys northern frontage to Claisebrook Cove, development shall be orientated to the north to allow for natural light. The topography of the site enables layering of floor levels to achieve a rich and dynamic development including parking below Royal Street level.
- iii. Special consideration is to be given to creating an interactive frontage to the public open space and access way stairs on the corner of Royal and Plain Streets and a building set back with complementary landscaping is encouraged to enhance the corner treatment of Plain and Royal Streets at the Royal Street level.
- iv. The building form must acknowledge its "gateway" role and take advantage of its exposure.
- v. It is important that the building strongly addresses all public site edges with particular emphasis given to the treatment of Royal Street and Claisebrook Walk frontages. These facades should reinforce a theme of an active urban streetscape.
- vi. As the site is highly visible beyond the immediate area, it is important that the elevations of this building are designed to present a very strong and well detailed development.
- vii. Balconies, bay windows and the like along Royal Street, Claisebrook Walk and pedestrian accessway frontages are encouraged in order to articulate building facades and assist in the natural surveillance of these places. Blank walls will generally not be accepted.
- viii. The inclusion of balconies to take advantage of outdoor facilities and views is encouraged. Balconies can also assist the composition, articulation and visual interest of buildings and should be enhanced by the provision of shading from summer sun.
- ix. All roof top mechanical plant and roof penetrations are to be screened from view. If special enclosures are required, they are to be designed to form an integral part of the building.

(b) Lot 60:

- i. The site forms a "gateway" to the Royal Street precinct and its western boundary frames the vistas from the top of Plain Street to Claisebrook Cove. Development is to address these urban design issues and optimise the characteristics of the site with particular regard to the larger context of this area.
- ii. The site also commands impressive views across Claisebrook Cove and out towards the Swan River. The site enjoys northern frontage to the Cove and it is envisaged that developments will address these urban design issues and optimise the characteristics of the site with particular regard to the larger context of the precinct.
- iii. The topography of the site and the existing retaining wall enables layering of floor levels to achieve a rich and dynamic development. Special consideration is to be

given to the creation of an interactive frontage to the public open space on the corner of Royal and Plain Street level and a generous building setback from the PAW boundary with complimentary landscaping is encouraged to enhance the corner treatment at Royal Street level.

- iv. The building form must acknowledge its "gateway" role and take advantage of its exposure.
- v. Where the general provisions refer to roofs pitched within a slope of between 30 and 45 degrees, on this particular site (lot 60) developers may vary this requirement in order to enhance an appropriate concept of a "gateway" statement. Refer to Figure 16.
- vi. It is important that the building strongly addresses all public site edges with particular emphasis given to the treatment of Royal Street and Claisebrook walk frontages. These facades would reinforce a theme of an active urban streetscape.
- vii. As the site is particularly prominent, it is important that the elevations of this building are designed to present a very strong and well detailed development with well-ordered and carefully articulated facade elements. Blank walls will generally not be acceptable to any facade and in this respect the local government will be particularly aware of the presentation to Plain Street and the Plain Street / Royal Street corner.
- viii. The inclusion of balconies to take advantage of outdoor facilities and views is encouraged. Balconies can also assist the composition, articulation and visual interest of buildings and should be enhanced by the provision of shading from summer sun.
- ix. All roof top mechanical plant and roof penetrations are to be screened from view. If special enclosures are required as a result they are to be designed to form an integral part of the building.

#### 4.14.7 Separate development of Lots 50 and 60

- (a) In the event of Lots 50 and 60 being developed under separate ownership, the local government will require approved, legally recognised cross rights (in perpetuity) of access which will require the owner of lot 50 to provide access for service to lot 60 and quite possibly the right for lot 60 to construct a car park within the basement level of lot 50. These guidelines cannot pre-empt the interface of use or parking requirements for either lot 50 or lot 60. Therefore, it is a requirement that final arrangements in this matter will be subject to negotiation in which the local government will take the approval and directive role.

#### 4.14.8 Modifications to the steps within the PAW

- (a) The local government is prepared to consider reconstruction of the steps in the PAW between lots 50 and 60 in order to achieve compatible connecting access at level 2 (see Diagram 3) on lot 50 and lot 60. The reduced level of level 2 for both lots has been set at RL 5.15. However, by arrangement the respective developers (if separate) of lot 50 and lot 60 may agree to an amended reduced level requirement in this respect. If agreement cannot be reached in such circumstances, the local government will direct accordingly to ensure a reasonable and fair development of each site.
- (b) Pedestrian access and the view corridor of this PAW must not be restricted. Consent of all landowners adjoining the PAW must be given to the proposed works before the local government will sanction such proposals.

- (c) Note that modifications to the PAW between lot 50 and lot 60 are not envisaged and the local government will not consider any such modification except under special circumstances and then only at the cost of the developer. The developer is to provide protection to the existing improvement on the PAW during all construction work on lot 50 leaving the steps in use for the public at all times. Any damage is to be made good on completion of construction.

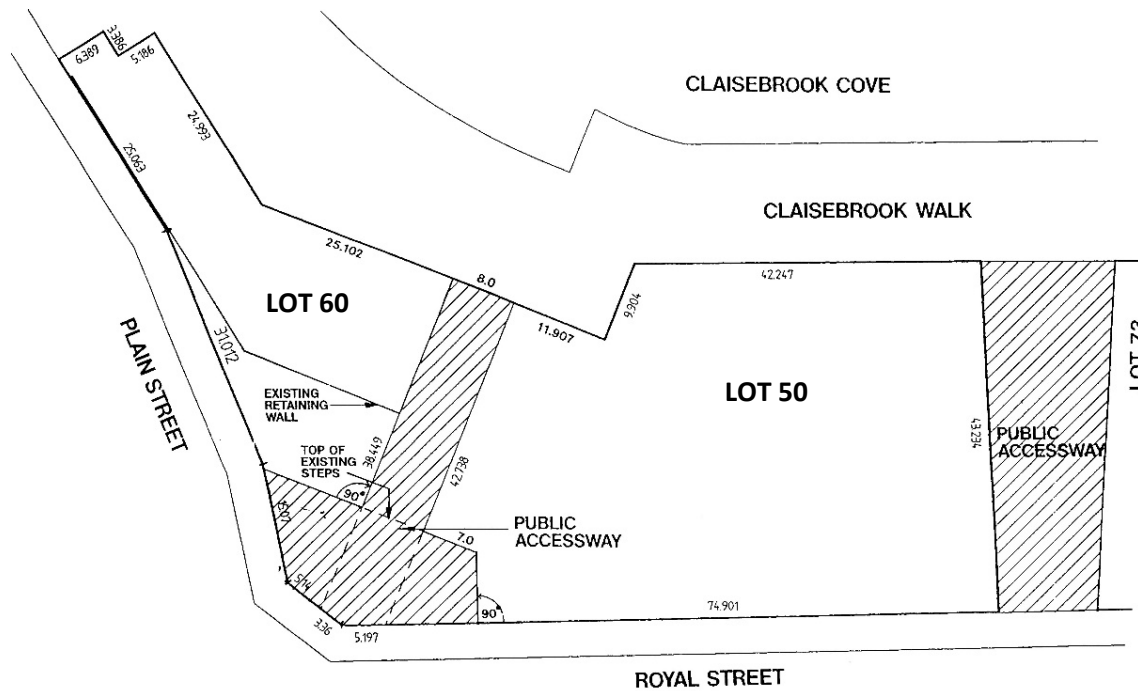


Figure 17. Lot boundaries for Lots 50 and 60

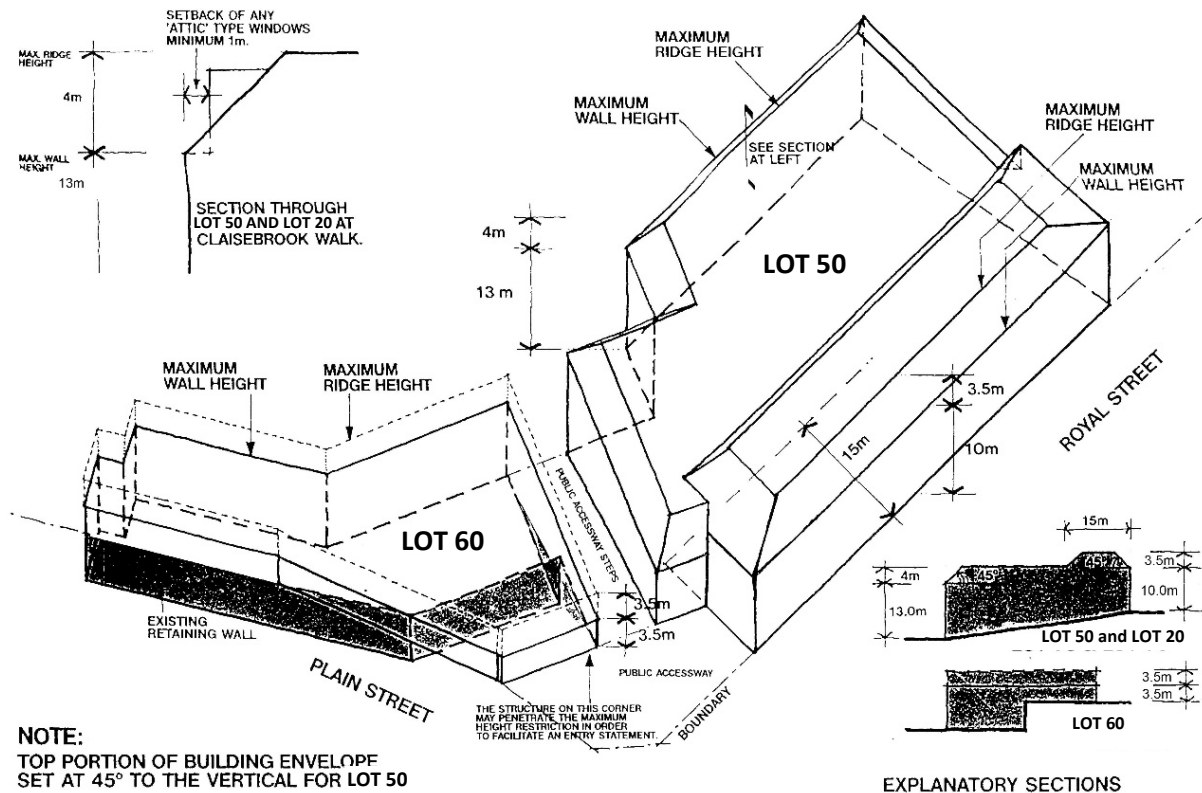


*Figure 18. Building Envelopes for Lots 50 and 60*

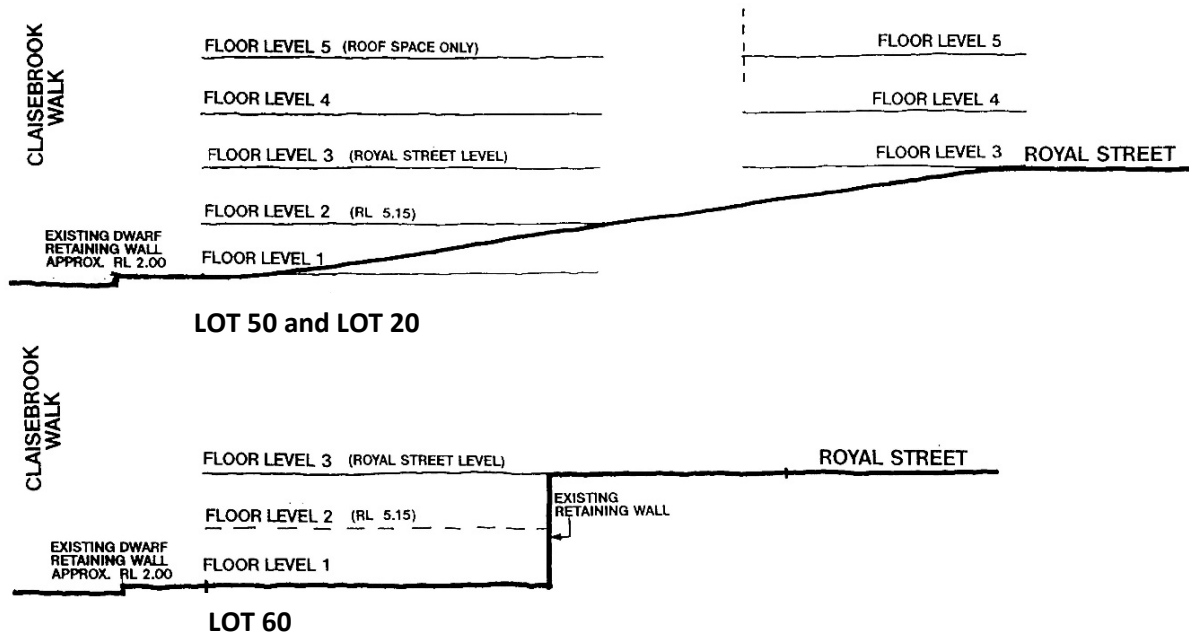


*Figure 19. Assigned Floor Levels for Lots 20, 50 and 60*

#### 4.14.9 Existing retaining walls (Lot 60)

- (a) It is the responsibility of each developer to ensure that the design of their development is suitable for the structural conditions and that all issues relative to the structure of the existing retaining walls, both for the bridge and pertaining to the site have been satisfactorily addressed. It is noted that that certain footings relative to the bridge may

encroach on Lot 60. The local government's requirements in this respect are to be ascertained by the developer and acknowledged in the building design.

- (b) All sections of the existing retaining walls which are not concealed within the building are to be treated in a non-structural manner so that they become visually integrated with the total proposal to the local government's approval.