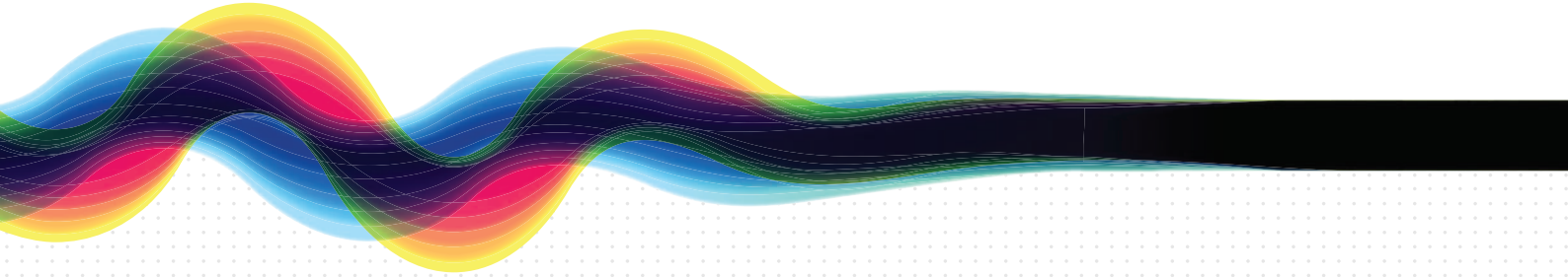
Review of Residential Character Study Area and Local Planning Policy 25 'Streetscape'

Stage 4: Final Conclusions and Recommendations Report

April 2020 | 18-287



element.
the art and science of place

We acknowledge the custodians of this land, the Whadjuk Noongar and their Elders past, present and emerging. We wish to acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

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Introduction

The recognition and protection of an area's local character and distinctiveness is becoming an increasingly important part of the planning agenda. In areas such as the Town of Victoria Park (the Town)'s Residential Character Study Area (RCSA) whose residential character could be described as largely mixed with pockets of intact streetscapes - yet with a sense of cohesion due to the number of 'Original dwellings' still present- the recognition of character in the statutory planning realm can be seen by some as inconsequential. Certain building types can be seen as an impediment to contemporary (re)development. It is, however, areas such as these that create a sense of place among the community and a tangible reminder of their history and heritage.

Planning plays an important role in maintaining urban and environmental amenity. In the case of Victoria Park's RCSA, previous studies and recent community sentiment have confirmed that the presence of original dwellings contributes positively to the character, and therefore amenity, of the area.

This report has been prepared by **element** for the Town of Victoria Park as an independent review of the RCSA and Local Planning Policy 25 (LPP 25) 'Streetscape'. It examines community awareness and aspirations with respect to the contribution of original dwellings to the streetscape character and the extent and type of development controls that should continue to be applied to development within the RCSA; an area with over 5,000 dwellings. The review is also informed by Officer insight into the day-to-day administration of LPP 25 and an appreciation of best practice planning for character retention. The report then recommends a series of measures that can respond to the values of the community.

Project Milestones

The project milestones relevant to the project are summarised below:

- **February 2017:** The town sought comment on Scheme Amendment No. 73, with strong opinions being expressed.
- **September 2017:** Council resolved to adopt a modified version of Amendment 73 (refused by Minister May 2018) and seek expressions of interest for an independent review of the RCSA including community consultation.
- **May 2018:** Expressions of interest closed.
- **September 2018:** Council appointed element to undertake the independent review.
- **October 2018:** The Town undertook initial community consultation (Stage 1) to understand the community's awareness and aspirations with regard to Original dwellings and character in the area.
- **August 2019:** The Town sought comment on the Stage 2 Draft Recommendations Report (including summary posters).
- **November 2019:** Final conclusions and recommendations to be presented to Council.

Purpose and Scope of Works of Independent Review

The purpose of the independent review is to obtain a clear, broad level of understanding of the community's desires with respect to the retention and demolition of original dwellings and of the extent and type of development controls that should continue to be applied to development within the Residential Character Study Area. Our work aims to enhance the effectiveness and efficiency of the local planning framework in achieving character retention in line with community aspirations, whilst not stifling creatively innovative and sustainable development solutions.

The scope of works includes the following key stages:

Stage 1: Community Awareness and Aspirations Consultation – a survey receiving over 350 submissions supported by a consultation outcomes summary report.

Stage 2: Draft Recommendations – a comprehensive report detailing review purpose, principles and process, project background, planning framework analysis, heritage and character discussion, insights and influences, rationale for change and draft recommendations.

Stage 3: Community Consultation on Draft Recommendations – feedback received has informed the final conclusions and recommendations.

Stage 4: Final Conclusions and Recommendations - this report, including draft planning instruments and tools prepared in a manner and form suitable for Council progression.

Review Principles

- Following the outcomes of Stage 1 community consultation, this review has adopted the following key principles:
- Encourage the retention of original dwellings;
- Conserve and enhance the established streetscape character;
- Recognise the area's mixed character;
- Be more user friendly - simpler to read, understand and navigate; and
- Change the way planning decisions are made - facilitate good design outcomes rather than impose 'deemed to comply' regulatory controls.

Review Process

This review has been guided by the project brief provided by the Town and adapted by the consultant team as follows:

1. **Look and listen** – review relevant background information including previous studies, outcomes of Amendment 73, and consult the community regarding their awareness and aspirations for the RCSA's existing and future character;
2. **Change over time** – evaluate those elements of physical and social change and shift in planning focus;
3. **Officer insight** – spend time to listen to the day-to-day administration of LPP 25 and discuss key elements of character;
4. **Statutory framework** – research existing local controls and State regulatory frameworks to understand the planning mechanisms and tools available for use;
5. **Recommendations** – develop recommendations based on sound planning principles; and
6. **Reflect** – consider the implication and potential consequences for recommended changes to the existing planning framework.

Background

Residential Character Study 2003 (Hocking Planning & Architecture)

The RCSA was first introduced following a Study undertaken in 2003. The Study recommended that the Town "give priority to, and actively encourage, the retention and conservation of residential character for the longer term benefit of the community and the owners of properties." It identified that the 'original dwellings' located within the older established areas of the Town (located generally between Berwick Street and the railway line) contribute to a unique, identifiable 'streetscape character' that should be protected and maintained.

The Study defined an 'original dwelling' as an existing dwelling on a site, generally constructed prior to 1945:

> *the first dwelling to be constructed on the site that's considered to make a positive contribution to the streetscape due to its period of construction, architectural style and inherent character.*

The elements that collectively form the area's character, as set out in the 2003 Study, continue to apply today. This review focuses on how those elements can be retained in light of community aspirations, contemporary development standards and changes to the regulatory frameworks that govern development in the area.

Residential Character Study Review 2010 (Town of Victoria Park)

The Town undertook a review of the RCSA in 2010 in response to conflicts arising between the current residential densities and Council's intention to retain original dwellings. The 2010 review focused on selecting appropriate split residential densities to ensure development potential is not lost when compared to demolishing original dwellings. This work, including proposed split density codings, encouraging retention of existing dwellings and infill development at the rear, was then incorporated into the Town's draft Local Planning Scheme No. 2, which was forwarded to the WAPC for consent to advertise. For various reasons, draft LPS No. 2 did not proceed.

Amendment 73 to Town of Victoria Park Town Planning Scheme No. 1

The original intent of Amendment 73 was to re-instate the requirement for development approval that existed prior to October 2015 (refer below for detail), through the designation of the RCSA as a 'Special Control Area' (SCA).

During the referral period of Amendment 73, the State Heritage Office provided the following advice that is considered important to this review:

a) *State Planning Policy 3.5, Historic Heritage Conservation (SPP 3.5) details the importance of distinguishing between heritage areas and urban character areas. It explains that heritage is retained through conservation and preservation of identified heritage places, while character may be maintained through replication of design and landscape elements.*

b) *Where a place has been identified as having heritage value, the WA planning framework allows for it to be subject to additional controls to support retention and conservation. Heritage values are associated with the fabric of a place and cannot be replicated by new development.*

c) *Elements that contribute to an area's character simply through their form and design may be replaced by new development, which has the potential to make similar or greater contribution to the character of an area by following design guidelines and related policies.*

d) *The scheme amendment proposes to designate the Residential Character Study Area as a Special Control Area, which will result in the need for approval to demolish 'original dwellings'.*

e) *Given the intention to retain these 'original dwellings' we would suggest that they are places of heritage significance, and should be managed through the declaration of a heritage area under the local planning scheme.*

f) *Heritage areas should be designated on the basis of a clear statement of significance and are likely to be rare in any given location. However, the extent and concentration of 'original' dwellings suggests that there are a number of potential heritage areas within the Town, some of substantial size.*

g) *The research, consultation and drafting required to adopt a heritage area and associated local planning policy may take some time, and may be a medium – to long-term objective of the Town.*

h) *Whilst the use of a special control area is not the preferred approach, we recognise that it could provide some benefits in retaining significant fabric that, with further assessment, may be identified as forming a heritage area. We therefore have no objection to this proposal.*

i) *Noting the difficulties experienced in similar situations in determining which buildings contribute to the significance of a 'character' area, the Town may wish to review its definition of 'original' to ensure that it provides sufficient clarity and direction to support the Council's intended outcomes.*

Amendment 73 attracted 69 public submissions from over 5,000 letters delivered to residents (note: Stage 1 consultation of this review attracted over 350 public submissions). Community feedback on Amendment 73 can be summarised as follows:

a) *Property owners and residents do not want to feel dictated to by the Council or have their perceived freedoms/rights reduced or curtailed;*

b) *A majority of those who made submissions feel restrictions on the ability to demolish is an onerous, 'big brother' approach that unreasonably impinges upon their property rights;*

c) *The proposed ability of the Council to serve Conservation Notices is a draconian, heavy-handed measure and one that unfairly considers property owners who may be in poor financial circumstances;*

d) *A large number of objectors felt that the mandated retention of original timber weatherboard dwellings is unreasonable as they believe they are of poor structural quality, poor environmental performance and were built as inexpensive worker and post-war accommodation rather than permanent, high quality (e.g. brick and tile) residential homes;*

e) *The Local Planning Policy – Streetscape is in need of significant review and further efforts should be made to incentivise and promote environmentally sustainable design and innovative, contemporary architecture;*

f) *The Town's planning department does not encourage design innovation and is overly restrictive and narrowly focused in its application of the Local Planning Policy – Streetscape;*

g) *Any new or revised planning controls via a Scheme Amendment or Local Planning Policies should be crafted and designed with the input and feedback of community members before being progressed by Council; and*

h) *The Council should consider an independent review of its current planning policy framework and design controls, that focuses on best practice solutions and looks beyond a 'business as usual' approach or maintaining the status quo.*

Council, in finally adopting Amendment 73, modified its provisions to include only definitions and objectives for the SCA, deferring more detail to an independent review of the RCSA and LPP 25 (refer below). Amendment 73 was subsequently refused by the Minister for Planning in May 2018 on the basis that:

a) *The amendment does not include any planning controls to implement the objectives proposed to be inserted;*

b) *Local planning policies are considered the appropriate planning mechanism to control streetscape design to protect local character; and*

c) *The Regulations provide appropriate heritage controls.*

This review acknowledges the intent behind both the Council's and Minister's decisions on Amendment 73, as well as the submissions received from residents and referral agencies.

Council Direction

At its Ordinary Meeting on 12 September 2017, Council resolved to:

"Review and provide a list of recommendations to the Council to amend Town Planning Scheme No. 1 and/or amend Local Planning Policy 25 'Streetscape', having regard to the outcomes of the community engagement process, and arriving at a recommended series of statutory and/or policy framework measures that:

a) *Is aligned with the values of the community and the Council;*

b) *Can be easily understand by the community;*

c) *Is relatively simple to administer; and*

d) *Minimises the need to impose additional levels of regulation contrary to the intent of the Planning and Development (Local Planning Schemes) Regulations 2015".*

This independent review responds to the above Council directive.

Planning Framework Context

Planning and Development (Local Planning Schemes) Regulations 2015: Deemed Provisions

The *Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)* contain Deemed Provisions 'read in' to all local planning schemes, meaning their provisions automatically apply and prevail over any inconsistency with a local planning scheme.

Upon their gazettal in October 2015, the Deemed Provisions exempt certain types of 'works' (and uses) from the need to obtain development approval from the local government, including the demolition and the erection of single dwellings where a proposal complies with the Residential Design Codes (R-Codes) or any adopted local planning policy that replaces provisions of the R-Codes. That exemption does not, however, extend to dwellings or areas with heritage value or located within a special control area that states otherwise.

This review considers what planning tools and mechanisms are available to implement the recommendations at a local regulatory level as well as the implications of their use.

In particular it should be noted that the Regulations mandate the preparation of a statutory Heritage List to be protected under the provisions of a local planning scheme and offer the ability for Heritage Areas to be identified and predicted in the same manner (refer below).

Town of Victoria Park Local Planning Scheme No. 1

TPS 1 is the overarching statutory planning framework controlling land use and development within the Town of Victoria Park. It is supported by a number of local planning policies, including LPP 25 'Streetscape'. Provisions contained within TPS 1, where not inconsistent with the Deemed Provisions, have statutory effect and those contained within local planning policies, given 'due regard'. The RCSA is not identified under the TPS 1 Text or Maps and is instead identified within LPP 25.

This Review considers how TPS 1 could be amended to achieve the intent of character retention from a statutory perspective, while deferring character interpretation and encouragement to retain original dwellings to local planning policy.

Local Planning Policy 25 'Streetscape'

LPP 25 was first adopted by Council in 2003. LPP 25 focuses on the built form of new dwellings and additions and seeks to ensure new works are in keeping with the streetscape character of the area. The policy outlines a number of precincts, defined by a particular residential character. Different controls are then given to the different precincts (coloured pages) as well as general controls to the whole of the policy area (white pages).

State Planning Policies No. 3.1 Residential Design Codes and No. 7 Design of the Built Environment

The Residential Design Codes (R-Codes) apply to all residential development within the Town. The Deemed Provisions state that a single dwelling is exempt from requiring development approval if it satisfies the deemed-to-comply requirements of the R-Codes or any local planning framework that amends or replaces the deemed-to-comply requirements. LPP 25 contains matters that amend deemed-to-comply requirements of the R-Codes as well as addressing other matters not covered by the R-Codes. This notwithstanding, the Deemed Provisions stipulate a decision maker must give due regard to any local planning policy when determining an application for development approval.

The State Government has recently released State Planning Policy 7 'Design of the Built Environment' which applies to the whole built environment through detailing 10 principles of good design. Part 5 of the R-Codes (single, grouped and multiple dwellings in areas coded less than R40) is set to be replaced by Volume 1 of SPP 7.3 Residential Design Codes in the near future. This review should be re-evaluated following the release of SPP 7.3 Volume 1.

State Planning Policy 3.5 Historic Heritage Conservation

SPP 3.5 seeks to guide the conservation of places and areas of historic heritage significance and ensure that development does not adversely affect the significance of those places. It sets out how and why heritage significance at both the State and local levels is given due weight in planning decision-making and provides a level of certainty to landowners and the community about the planning processes for heritage identification, conservation and protection. This review puts the qualities of heritage value and protection into perspective for the future of the RCSA.

Heritage and Character

Heritage in WA

The Heritage of Western Australia Act 1990 requires each local government to identify buildings of cultural heritage significance in its district through a Municipal Heritage Inventory (MHI) (soon to be termed Local Heritage Surveys under the new Heritage Act, 2018). An MHI is an information source (a list) of places of local heritage value, grouped into management category classifications, however inclusion on the MHI has no statutory implications/protection requirements. For a local government to have statutory authority and the ability to influence or manage the development of a heritage place, the property needs to be included in the 'Heritage List', which sits under the local planning scheme. There is a general presumption against the demolition of places on a Heritage List therefore it is expected that new work will incorporate and integrate sensitively with, and adjacent to, heritage listed buildings.

The Town does not currently have a Heritage List adopted under TPS 1 and as such no statutory protection is afforded to dwellings within the study area from a heritage perspective.

Difference in Terminology

As noted in State Planning Policy 3.5 Historic Heritage Conservation it is important to distinguish between 'historic heritage significance' and 'urban character'. Areas of 'historic heritage significance' are select areas with special qualities embodied in the built form, will generally be quite rare within a locality and will have some form of underlying aesthetic, social, scientific or historic cultural heritage value. The retention (i.e. prohibition of demolition) of contributory buildings is important to protect areas of historic heritage significance.

Urban character can essentially be identified by the built form and age of an area and its relationship with the surrounding streetscape, open space, land use and activity. Different combinations of these factors help create local distinctiveness and character.

Overview of Difference in Statutory Application

It is widely accepted that places assessed as being of cultural heritage value are given 'protection' under the statutory framework where development must manage the cultural heritage value of the place. Character on the other hand is best 'protected' through the local planning policy framework, where details surrounding built form can be guided for a specific area. This has been recognised by the decision of the Minister for Planning on Amendment 73.

Generally speaking, a heritage assessment or review of the Municipal Heritage Inventory may look at prioritising the more highly intact or landmark buildings for inclusion on the Town's Heritage List.

Relevance to this Review

Some feedback received by the Town on Amendment 73 suggested the quality of original dwellings in the locality is poor and not same as other localities where higher quality character and heritage homes exit (e.g. Subiaco) and therefore should not be retained. However, local community responses as part of Stage 1 of this Review indicate the streetscape character is seen to play an important role in telling the story of the local area in which original dwellings were seen as integral, regardless of the uniqueness or relative quality of these dwellings within the wider Perth Metropolitan area. Incentives can be used to encourage owners to retain and conserve original dwellings, and therefore help improve their perceived quality in the local area.

Insights and Influences

Original Dwellings and Change Over Time

LPP 25 'Streetscape' includes a map of the RCSA identifying those lots containing original dwellings, as prepared in 2010. This review sought to update this graphic to understand change in the area over time by mapping data of applications involving demolition since. The updated map is shown in Figure 1.

The updated map could be said to reflect the community's feedback that change in the character of the area, either positive or negative, has not been widely perceived. Change is also noted to be spread throughout the Study Area and not confined or concentrated on any particular street or smaller precinct. The updated map together with general observations and the majority of community feedback infer that the presence of Original dwellings not only contribute to the collective character of the area as a whole but are also a defining element of some more intact streetscapes.

Town of Victoria Park Planning Officer Insight

As part of Stage 2's early analysis, a working session was held between the Town's Statutory Planning officers and element staff on 12 February 2019. The session aimed to gain clarity on project background and work completed to date and gather insights from officer day-to-day administration of LPP 25 'Streetscape'. The session explored what's working and not working with the current policy from an application and end-user point of view, with a number of case studies discussed.

a) Key areas of discussion included:
b) Project and policy objectives;
c) Managing character through retention and desired future character;
d) Community and stakeholder communication and consultation; and
e) Officer negotiation with applicants and associated outcomes using the prescriptive nature of LPP 25 (what's working well and not as well).

Knowledge shared at the working session has been considered independently in the context of the Stage 2 review recommendations, detailed further below.

Contextual Shifts

Since the original preparation of LPP 25 in 2003, there have been numerous shifts in the way we plan for, regulate, design and construct dwellings as well as how character fits within that context. These changes can be summarised as follows:

a) The introduction of the Deemed Provisions regarding works exempt from requiring development approval and heritage 'protection' (as above), as well as a modified Model Scheme Text;
b) The introduction of the State Government's 'Design WA' suite of documents and the 10 Principles of Good Design;
c) A focus on sustainability, climate sensitive design and improved building quality, residential amenity and liveability;
d) An increased value placed on 'urban forests' and the role of street trees and landscaping;
e) The endorsement of the State Government's Sub-Regional Planning Frameworks which focus infill in strategic locations in order to 'protect' the lower density established neighbourhoods;
f) The extent of demolitions of original and non-original dwellings across the study area;
g) The Council and the Minister for Planning's decisions on Amendment 73; and
h) A shift to facilitative rather than regulative approaches to some planning decision-making.

Community Sentiment

As part of Stage 1, a community survey was undertaken to capture community awareness and aspirations as it relates to the existing and future character of the Residential Character Study Area. The survey returned over 350 public submissions. Key consultation outcomes can be summarised as follows (see Appendix 1 for full report):

a) Streetscape character is seen to play an important role in telling the story of the Victoria Park area;
b) While there are pockets of 'intact' streetscapes, the overwhelming description respondents used for the character of the area they live in is 'mixed';
c) The majority of respondents recognised that the character of the area deserves protection;
d) There is a clear desire from respondents to retain original dwellings;
e) There is no clear perception of either positive or negative change in character over time;
f) A flexible approach to policy administration is desired to encourage the retention of original dwellings as well as new development within character, rather than enforcing it; and
g) There is seen to be a need for an equal effort in protecting and enhancing the natural beauty of the area.

As part of Stage 3, the community was invited to comment upon the Stage 2 draft recommendations report, supplemented by summary posters. At the close of advertising, 12 submissions were received, of which eight were generally in support and four provided comment or concerns.

Refer to Appendix 4 Draft Recommendations Consultation Summary Posters and Consultation Summary

The feedback received as part of Stages 1 and 3 has informed the review recommendations, detailed further below.

Elements Which Negatively Impact the Character of the Area

Over time changes have occurred which have a negative effect on the traditional character of the area, including:

a) Demolition of original dwellings that make a positive contribution to the streetscape character;
b) Large or solid fences and walls to front and side boundaries within the street setback. These obscure the original dwellings and remove the contribution they make to the streetscape character;
c) Garages and large carports within front setback. Any large roofed structure within the front setback may obscure the original dwelling behind and result in the diminishing of the contribution that dwelling makes to the streetscape character of the area;
d) Second storey additions to original dwellings which are built in front of the primary ridge line and overwhelm the traditional scale and character of the original;
e) New development that does not relate to the traditional established setbacks to the street and side boundaries;
f) New development that does not draw influence from the traditional materiality and streetscape character of the immediate area; and
g) New development which mimics historic styles of architecture. This can diminish the authentic character of the area.

Analysis and Rationale for Change to Planning Framework

The following table provides an analysis of the planning framework and illustrates the rationale and rigour behind the recommendations of the RCSA review. The table functions as a 'Dynamic Implementation Matrix' and has been updated through this review.

Existing Context		**Opportunities for Change**			**Planning Response**		
TPS 1	**LPP25/ R-Codes/ Previous Study Reports**	**Community Sentiment (Stage 1 Awareness and Aspirations)**	**Planning Officer Insight**	**Tools available/ Best Practice**	**Draft Recommendations**	**Community Sentiment (Stage 3 Testing and Evaluation)**	**Final Conclusions and Recommendations**
Theme 1: Area of Application							
RCSA not identified on Scheme Maps or Text.	Identifies RCSA and individual precincts of differing character and lot size. Study area adjusted through 2010 Review to exclude St James, areas around Carnarvon Street, Hampton to Teague Streets and to include area southwest of Berwick and Oats Streets. Opportunity to retain larger residential lots.	The history of Victoria Park and East Victoria Park contribute to the character of the overall area and Council have a role to protect it. Some believe Council should focus effort elsewhere or on the more intact streetscapes.	Infill development focussed in strategic locations away from established residential neighbourhoods.	The endorsement of the State Government's Sub-Regional Planning Frameworks which focus infill in strategic locations in order to 'protect' the lower density established neighbourhoods such as the RCSA. Ability to target a single issue or related set of issues overlapping zone and reserve boundaries and to set out specific development requirements, referral process and matters to be taken into account in determining development proposals – such as the RCSA.	The extent of demolition of Original dwellings across the RCSA since the 2010 Review is modest and does not appear concentrated in any specific areas. Accordingly, the existing boundary of the RCSA is considered to remain valid and should be formally recognised in TPS 1. Consider facilitating community-nominated Heritage Areas for streets/areas where people feel particularly passionate about its aesthetic, social, and historic value.	Agree with extent of area and support context. Vast scale. Should be confined to streets which have significant number of original dwellings, example streetscape too mixed in East Victoria Park.	Special Control Area to cover RSCA to require development approval for original dwelling demolition and for development visible from the street. Local planning policy Character Retention Guidelines with general provisions applicable to entirety of RCSA (based on key deign elements that define the locality's streetscape character) with specific provisions relating to repairs or additions to original dwellings (remove Weatherboard and Raphael Precincts).
Theme 2: Demolition (of Single Dwellings)							
No demolition controls. Objectives and Intentions include promoting and safeguarding the cultural heritage of the Town, however - with the exception of those provisions contained within Part 3 Heritage protection of the Deemed Provisions - TPS 1 does not include any further mention of heritage controls, a Heritage List or specific areas of cultural heritage value worthy of scheme recognition.	The presence of original dwellings contributes to the streetscape character of the area. Original dwellings are those houses generally constructed prior to 1945. Objective to retain original dwellings. Clause 8 of LPP 25 seeks to 'require' retention of dwellings with heritage value, original dwellings (as identified on Map) except where structurally unsound or wholly clad in fibro or asbestos, and 'weatherboard houses' in respective precincts. In all other instances, demolition of an existing dwelling is acceptable. Density bonuses explored to ensure development potential is not lost when compared to demolishing original dwellings.	There is a clear desire to retain original dwellings with the majority of community believing Council should play a role in regulating or encouraging the retention of original dwellings. The demolition of 'original' and non-original dwellings across the study area is not concentrated and change in the character of the area has not been widely perceived. The majority of respondents recognised that the character of the area deserves protection. Some property owners and residents do not want to feel dictated to by the Council or have their perceived freedoms/rights reduced or curtailed.	Desire to facilitate good outcomes that retain streetscape character. MHI in need of review.	Ability to require development approval for certain works that would otherwise be permitted 'as of right', for example demolition. There is a general presumption against the demolition of places on a Heritage List or Heritage Area therefore it is expected that new work will incorporate and integrate sensitively with, and adjacent to, heritage listed buildings.	Introduce a SCA in TPS 1 requiring development approval for demolition of buildings dated pre-1945. Consider facilitating community-nominated Heritage Areas for additional protection. Consider further specialist heritage investigations.	Agree with retention of original dwellings. Trigger date needs more justification. Risk of reducing property values, adding costs and to challenge of living in original dwellings/ keeping original dwellings is cost prohibitive. Some houses are run down and should not be retained.	As above. Local planning policy Character Retention Guidelines to include guidance regarding the consideration of demolition of original dwellings.

Existing Context		Opportunities for Change			Planning Response		
TPS 1	LPP25/ R-Codes/ Previous Study Reports	Community Sentiment (Stage 1 Awareness and Aspirations)	Planning Officer Insight	Tools available/ Best Practice	Draft Recommendations	Community Sentiment (Stage 3 Testing and Evaluation)	Final Conclusions and Recommendations
Theme 3: Alterations and Additions (to Single Dwellings)							
Addressed as 'development', where if the deemed-to-comply requirements of the R-Codes are satisfied, then development approval is not required.	Second storey additions designed to reduce scale and bulk of the building on the streetscape. New materials to match existing dwelling.	Council should play a part in ensuring the street scape is maintained to reflect "original dwellings", but that does not mean there should be a need to retain original dwellings in their entirety. There needs to be scope for homeowners to be able to develop/ renovate their properties and bring them into the 21st century. This includes the capacity to add a second story. Streetscape character can be maintained through keeping the front of "original dwellings" and allow for interesting and modern extensions behind.	Agree with community sentiment.	Generally speaking, if the alteration or addition is not visible from the primary street (or public realm), then its potential to contribute to the desired future streetscape character is limited.	Introduce a SCA in TPS 1 requiring development approval for development but excluding alteration and additions not visible from the street (unless otherwise requiring approval). Provide guidance on how and what does not cause impact on the streetscape in LPP (e.g. street cross-section to define upper setback).	Any alterations or additions should be contemporary in nature and distinctly different. Would like more detail and examples.	Local planning policy Character Retention Guidelines with general provisions applicable to entirety of RCSA (based on key deign elements that define the locality's streetscape character) with specific provisions relating to repairs or additions to original dwellings (remove Weatherboard and Raphael Precincts). Special control area and Local planning policy Character Retention Guidelines do not apply to development not visible from the street.
Theme 4: New Development (of Single Dwellings)							
If the deemed-to-comply requirements of the R-Codes are satisfied, then development approval is not required.	Requires upgrading of retained dwellings in grouped dwelling developments. Key provisions relating to: • Street setbacks and orientation; • Form, Mass and Proportion; • Design of front fencing, planting, garages and carports; and • Access from rights-of-way.	Streetscape character is seen to play an important role in telling the story of the Victoria Park area. While there are pockets of 'intact' streetscapes, the overwhelming description respondents used for the character of the area they live in is 'mixed'.	Modern housing design and apartments definitely have a place and an important role to play within the Town but we would/ will lose valuable character if we simply rely on the R-Codes to guide development in our residential areas.	Ability to require development approval for certain works that would other be permitted 'as of right', for example single dwellings and their extensions that satisfy the deemed-to-comply requirements of the R-Codes and LPP that amends or replaces R-Code requirements.	Introduce a SCA in TPS 1 requiring development approval for development. Provide guidance in supporting LPP.	Should allow new modern, character replication or like for like houses (within reason) without a DA/demolition approval	As above.

Existing Context		Opportunities for Change			Planning Response		
TPS 1	LPP25/ R-Codes/ Previous Study Reports	Community Sentiment (Stage 1 Awareness and Aspirations)	Planning Officer Insight	Tools available/ Best Practice	Draft Recommendations	Community Sentiment (Stage 3 Testing and Evaluation)	Final Conclusions and Recommendations
Theme 5: Streetscape Character							
No specific character retention provisions.	As above.	Top five elements thought to create the character in the area: • Presence of original dwellings; • Traditional materials; • Verge trees; • Pitched roofs; and • Consistent primary street setbacks. • There is seen to be a need for an equal effort in protecting and enhancing the natural beauty of the area. • New and old architecture can blend together under an evolving streetscape.	As above. Key elements of focus are: • Street setback; • Roof pitch; • Eaves; • Front fencing; • Traditionally proportioned windows; and • Vehicle parking not detracting from streetscape character.	Local planning policies are considered the appropriate planning mechanism to control streetscape design to protect local character. SPP 7 10 principles of good design seek to have development consider the character and context of its surroundings. Contemporary development can coexist with the established character of the area, by making an effort to: Avoid direct mimicry of previous architectural styles in full, or that are not appropriate to the context or building; Exemplify qualities of the existing character, whilst being mindful not to contest these qualities; and Respect qualities of the existing character or provide a point of difference that creates a positive impact and enhances the amenity or character of the area. Guidance places an emphasis on demonstrating contextual considerations. An increased value placed on 'urban forests' and the role of street trees and landscaping in reducing the urban heat island effect and providing general amenity.	As above. Adapt LPP 25 'Streetscape' into a performance-based guideline that echoes the structure of Design WA.	It is near impossible to come up with "one size fits all" regulations for such a variety of aesthetics and streetscapes. Do not oppose overall aim of requiring homeowners to consider the streetscape character and impact in development proposals, but this affects all development not just original dwellings. Street canopy trees and natural beauty vital.	As above. Considered public realm upgrades as detailed in the recommendations section.
Theme 6: Sustainability							
Objective and intent to ensure development is carried out in an efficient and environmentally responsible manner.	Nil. R-Codes require solar access for adjoining sites only.	The Local Planning Policy – Streetscape is in need of significant review and further efforts should be made to incentivise and promote environmentally sustainable design and innovative, contemporary architecture.	Recognise that houses built in the early to mid 20th Century do not necessarily meet contemporary standards of living and environmentally sustainable design.	SPP 7 10 principles of good design capturing environmentally sustainable design. A focus on sustainability, climate sensitive design and improved building quality, residential amenity and liveability.	Incorporate into LPP sustainability objectives and principles of good design from Design WA, allowing innovative designs to meet objectives relating to character where exceptional sustainable outcomes are achieved.	Solar panels should be shielded from street view. Promote advantages of modern design principles, energy efficiency and structurally sound buildings.	As above. Sustainability considerations included within relevant local housing objectives, particularly for the restoration of, or additions to, original dwellings, plus an incentive including a sustainability retrofit package for retaining and restoring an original dwelling.

Existing Context		Opportunities for Change			Planning Response		
TPS 1	LPP25/ R-Codes/ Previous Study Reports	Community Sentiment (Stage 1 Awareness and Aspirations)	Planning Officer Insight	Tools available/ Best Practice	Draft Recommendations	Community Sentiment (Stage 3 Testing and Evaluation)	Final Conclusions and Recommendations
Theme 7: Governance							
An overarching statutory framework for land use and development. Objective and intent to recognise the right of the community to participate in the evolution of localities	Structured into 'Performance Criteria' ("new developments should meet these criteria") and 'Acceptable Development' ("illustrate possible ways of meeting the associated Performance Criteria"). There are over 200 provisions contained within the 65-page policy.	A flexible approach to policy administration is desired to encourage the retention of original dwellings as well as new development within character, rather than enforcing it. The Town's planning department does not encourage design innovation and is overly restrictive and narrowly focused in its application of the Local Planning Policy – Streetscape. Council should work with property owners to ensure best possible character retention outcomes while not being restrictive and difficult. Need to assess character responses based on merit and allow for quality new development. Be more user friendly - simpler to read, understand and navigate.	Be relatively simple to administer. In terms of maintaining a recognisable character, having a relatively detailed and specific policy can help in establishing a good starting point for Officer/ applicant negotiations. Want to be seen as collaborative, consistent and approachable. Want the ability to negotiate and achieve good design outcomes.	A shift to facilitative rather than regulative approaches to some planning decision-making. The State planning direction for policy implementation (via release of Design WA) is one of a performance-based approach. It seeks to facilitate negotiated outcomes between local government and applicants while maintaining a focus on element objectives. While guided by 'acceptable outcomes' there is no deemed-to-comply pathway. Meeting acceptable outcomes also does not guarantee meeting the objective. The Council's adoption of revised final Amendment 73 that sought to remove any 'heavy handed' provisions. The Minister for Planning's decisions on Amendment 73 that clarifies character can be dealt with a guiding planning policy.	Adapt LPP 25 'Streetscape' into an outcomes-based guideline that echoes the structure of Design WA. Consider facilitating community-nominated Heritage Areas and working with community to develop up tailored guidelines for a unique street/area. Consider providing subsidised technical design advice to applicants proposing to retain Original dwellings. Consider design skills workshops for Officers to assist with more efficient merit-based assessments of proposals and to foster a culture of facilitation.	Sensible. Simple, easy to understand policy and a facilitation culture. Should upskill officers to understand good design. Support bottom-up approach and partnerships; enable facilitation of a platform of respect. Support technical advice incentive.	Draft local planning policy Character Retention Guidelines: Design outcomes facilitated through local housing objectives which supplement the relevant R-Codes provisions. Investigate community-nominated heritage areas. Consider investigating the implementation of incentives to retain original dwellings as detailed in the recommendations section.

Final Recommendations

Extent of Residential Character Study Area

The extent of demolition of original dwellings across the RCSA since the 2010 review is modest and does not appear concentrated in any specific areas. Accordingly, the existing boundary of the RCSA is considered to remain valid (i.e. the presence of original dwellings provides a cohesive streetscape character across the RCSA).

Refer to Figure 1 – RCSA Change Over Time

Planning Mechanisms and Tools

Dual Density Code

The 2010 RCSA review contained recommendation to introduce dual density coding within the RCSA in an effort to provide equitable development rights and incentivise the retention of original dwellings. In 2015 the State Government endorsed the Perth and Peel @ 3.5 Million suite of documents, including the Metro Central Sub-Regional Planning Framework (the Framework). Under the Framework, infill residential development is encouraged within strategic locations (activity centres and activity corridors) in order to 'protect' lower density established neighbourhoods such as the RCSA.

Accordingly, it is not recommended to pursue dual density coding within the RCSA.

In light of the information presented earlier in this report, it is recommended the following planning mechanisms and tools be pursued (refer to Appendix 2 and Appendix 3 for more information).

Scheme Amendment – 'Character Retention Area Special Control Area'

Aims and Rationale

As previously detailed, the SCA proposed as part of Amendment 73 comprised three main aspects:

1. Required development approval for demolition of original dwellings and all other forms of a development within the RCSA except where exempt under an LPP (not drafted at the time);
2. Prohibited demolition of original dwellings except where structurally unsound, clad in asbestos or having had extensive external alterations; and
3. Introduced the ability for the Town to issue a conservation notice to owners requiring maintenance of an original dwelling (demolition by neglect).

Subsequent feedback received during the public advertising period of Amendment 73 indicated a non-acceptance of the above, particularly in response to the potential for a conservation notice to be served on owners as this was perceived as being heavy-handed.

While Town Officers recommended Council modify Amendment 73 to primarily deal with demolition of original dwellings supported by a two year sunset clause (and removed the demolition by neglect provisions), Council resolved to adopt Amendment 73 subject to different modifications that removed all development provisions applying to the proposed SCA and to include definitions and objectives only.

As mentioned previously, the Minister for Planning refused Amendment 73 on the basis that it did not include any planning controls to implement the SCA objectives, character is best addressed through an LPP, and the Regulations provide appropriate heritage controls.

This review maintains that a SCA is the most appropriate planning tool in accordance with Schedule 2, Clause 61(3) of the *Regulations* to:

1. To the likelihood of retaining the positive contribution that original dwellings make to the streetscape character by requiring development approval for the demolition of any dwelling constructed prior to 1945 independently of a subdivision or development application for redevelopment of that site; and
2. To ensure all development contributes positively towards the desired future streetscape character of the area by requiring development approval for all works visible from the street, guided by Character Retention Guidelines (discussed below).

Implementation

The introduction of a Special Control Area over the RCSA is recommended as per the draft provisions contained within Appendix 5 Draft Special Control Area 'Character Retention Area' Scheme Amendment provisions. It is further recommended that the draft final amendment be reviewed by a planning lawyer.

Defining original dwellings as single dwellings constructed prior to 1January 1946 (pre-1945 date taken from RCSA Study) provides clarity on what is and what is not considered 'original' as it removes any subjectivity. This also responds to the State Heritage Office's advice on Amendment 73 (discussed earlier).

Refer to Appendix 5 Draft Special Control Area 'Character Retention Area' Scheme Amendment provisions

Potential Implications

Positive

Ensures the contribution that original dwellings make to the streetscape character will be considered as part of an application to demolish. Similarly, new development must demonstrate that streetscape character has been given due regard. Guidance is then provided through local planning policy (Character Retention Guidelines).

Negative

The provisions of the SCA would apply to all development proposals within the SCA visible from the street irrespective of the scale or level of compliance of a proposal with local planning policy requirements. This has the potential to increase not only the work loads of Town officers but the timeframes for projects which may cause frustration for landowners, however with time and familiarity this will ease.

Strictly speaking, while not a planning consideration, landowners may perceive that the need to obtain development approval may consequently reduce the value of a property, given the inherent uncertainty and process that it involves; a quasi 'heritage listing'. However, there is no evidence of this in other like LG's. Furthermore, the Town would be reinstating similar provisions that applied to land prior to October 2015.

Defining original dwellings as single dwellings dating pre-1945 can also bring its own difficulties given it relies upon accuracy of Council's records and/or requires landowners to demonstrated the year of construction. It may also involve disputes when construction is a month or so either side of 1945, particularly for different houses is in the same street. Discretion is therefore proposed within the local planning policy to consider development applications for demolition where the date of construction is not clearly established.

Other

The draft scheme amendment provisions do not take into consideration traditional corner stores (note an 'original dwelling'). As this review focussed on residential streetscape character it did not pursue mechanisms to similarly encourage the retention of traditional corner stores, however their contribution to the locality's character is considered to be a positive one and should be investigated further to aid their adaption to suit modern living requirements.

Local Planning Policy - 'Character Retention Guidelines' and Governance

Aims and Rationale

The Minister for Planning determined that LPPs are considered the appropriate planning mechanism to control streetscape design to protect local character. Existing LPP 25 Streetscape is considered to contain provisions that largely remain relevant today; it is a policy which by and large details the character of the area well and provides standards to protect that character, albeit it with little in-built flexibility.

Some standards are, anecdotally, working well to provide good design outcomes, for example street setbacks, roof pith, eaves, front fencing, traditionally proportioned windows, and vehicle parking. The policy is, however, quite unwieldy and not overly accessible to the average end user.

The State planning direction for policy implementation is also one of a performance-based approach that facilitates negotiated outcomes between local government and applicants while maintaining a focus on element objectives.

In response to the above, a comprehensive review of the City's existing LPP 25 Streetscape was undertaken, which largely informed the content and structure of the new draft Character Retention Guidelines LPP (the Guidelines) – refer to Appendix 7.

The Guidelines have been developed using relevant built form controls from LPP 25 and seek to remove unnecessary duplication from within the existing Policy and with content already contained within the R-Codes. Provisions which have not been carried over have either been replaced with more appropriate built form controls elsewhere within the Guidelines (focussing on the three areas of key design as discussed below), or were not required in order for development to make a positive contribution to the streetscape character.

The Guidelines represent a condensed version of LPP 25 which provides for ease of implementation both in assessment by Town officers and understanding by the community. The provisions have been tailored from community feedback and aim to provide a clear set of development controls which protect streetscapes within character areas of the Town of Victoria Park while having imbedded flexibility through a guided design principle approach.

Importantly, the document has been prepared in a format consistent with the requirements of the current version of the R-Codes (2019). This format ensures the policy can be properly adopted and the provisions can be given due-regard in the determination of development applications and does not require Western Australian Planning Commission approval. In this respect the Policy augments, replaces or provides supplementary deemed-to-comply provisions to the R-Codes or provides local housing objectives (as required by the R-Codes) to address matters not contained within the R-Codes.

Refer to Appendix 7 – Summary of LPP25 Key Elements and Review

Implementation

It is recommended that LPP 25 Streetscape be revoked and new draft LPP, Character Retention Guidelines, be adopted that seek to:

a) Confirm the contribution that original dwellings make to the streetscape character;
b) Retain the traditional streetscape pattern in particular the existing rhythm of front and side setbacks;
c) Ensure development reflects the prevailing form, scale and materiality of the streetscape in which it is located, with particular reference to roof pitch, traditionally proportioned windows and the grain of existing building materials;
d) Avoid development that mimics styles of architecture from the past and instead uses the design of the original dwellings to influence and inspire new design;
e) Ensure additions and extensions to original dwellings do not visually dominate the streetscape presence of the original dwelling;
f) Minimise the visual impact of car parking structures on the streetscape and in particular original dwellings;
g) Retain the open nature of front gardens within the streetscape, with particular reference to low fencing to front and side boundaries within the street setback area; and
h) Encourage the retention of mature trees wherever practical.

Refer to Appendix 6: Draft Local Planning Policy 'Character Retention Guidelines'

It is important to note that the LPP relates the management of a Character Retention Area not a Heritage Protection Area. State Planning Policy 3.5 Historic Heritage Conservation notes that it is important to distinguish between 'historic heritage significance' and 'urban character':

a) Areas of historic heritage significance are select areas with special qualities embodied in the built form, will generally be quite rare within a locality and will have some form of underlying aesthetic, social, scientific or historic cultural heritage value assessed using the principles established by the ICOMOS Burra Charter.

b) Urban character can essentially be identified by the built form and age of an area and the relationships between buildings, the surrounding streetscape, open space, land use and activity. Different combinations of these factors help create local distinctiveness and character.

With a shift in direction to an outcomes-based policy, the different precincts of the RCSA can be condensed into one, with any elements of particular design importance included as necessary for original dwellings.

The key design elements that respond to the identified character of the area include:

a) **Siting and scale** – primary street and lot boundary setbacks, mass and proportions;

b) **Form and Materiality** – roof pitch, window style, the use of traditional materials to repair original dwellings and to inform materials on new development; and

c) **Connection to the street** – front fencing, verandahs, front gardens and vehicle parking.

Criteria for demolition has been proposed, including the liveability, feasibility of restoration or adaptation/ incorporation into new development and requiring a redevelopment proposal accompanying the demolition application.

An element that has not been included in the draft Guidelines but could have an influence on future development through separate investigation is a relaxation on car parking requirements where the incorporation of new vehicle parking is likely to make a negative contribution to the streetscape character.

Potential Implications

Positive

A policy that responds to the community's desire and values for having a flexible approach to policy administration that encourages design innovation (through key design elements and guided local housing objectives). A policy that is reduced in length and complexity and is arguably simpler to administer.

Negative

Guidance places an emphasis on demonstrating contextual considerations and as such can be subjective. Council could consider investing in design skill workshops for officers to assist with more efficient merit-based assessments of proposals and to foster a culture of facilitation under the new Guidelines.

Community Nomination of 'Heritage Area(s)'

Aims and Rationale

Given the community sentiment to retain original dwellings and acknowledging other feedback to the contrary, the Town could consider community-nominated character streets as smaller Heritage Areas, in place of Town-led Heritage Areas (refer below).

Implementation

Similar to the process adopted by the City of Vincent, residents would have the opportunity to gather neighbour support for nominating their street for character protection (Vincent use a nominal 40 per cent of landowners of a street or portion of a street being happy to proceed). Once nominated, the Town would then work with the landowners of the nominated area to develop draft 'guidelines' (LPP) on character retention from a heritage perspective prior to following the due planning process of advertising and adoption. The guidelines would apply in addition to any policy covering the RCSA and prevail in the event of inconsistency.

Potential Implications

Positive:

Is a bottom-up partnership in influencing built form and character outcomes. It has the opportunity to create policy that has 'shared ownership' of both the local government and select residents that take great pride in, and respect, their character homes and streetscape.

Negative

The possible negative implications of this approach include:

- The potential for there be no statutory protection of valued character or heritage should no streets be nominated;
- The preparation of potentially vastly different or conflicting guidelines for streets within an area considered to share a collective character; and
- The sheer number of guidelines all focusing on similar intents and objectives and the time lag it may take for all to come into operation.

It is recommended that a draft revised streetscape policy be advertised for both wider community comment and targeted consultation to those residents that have expressed a genuine desire for the original dwellings in their street to be retained (garnered from confidential street address information in the survey). The idea of community-nominated Heritage Areas can then be explained further to these residents. Seeking assistance from a specialist heritage consultant and community engagement facilitator could help bring residents and the Town together to work constructively on the task at hand.

Incentives to Encourage the Retention of Original Dwellings

Aims and Rationale

Incentives for retaining an original dwelling can often help overcome the impediments of why an owner would opt to demolish one; the obvious reasons being financial disincentive to retain, structural inadequacy, their construction not being up to contemporary lifestyle or sustainability standards and a disinclination to engage professional services to address character.

Implementation

The following optional incentives could be introduced to encourage the retention of original dwellings in an attempt to combat these common reasons for demolition:

- **Waiver/refund of development application fees** – either or both planning and building fees where the streetscape contribution Original dwellings is retained and appropriately managed through development;
- **Maintenance grants** - local government financial assistance for maintenance of original dwellings (e.g. dollar for dollar up to an agreed cap) (typically used for places on a Heritage List);
- **Rates concessions** – owners of properties containing original dwellings could apply for a conditional rates concession to assist with the maintenance of their property (typically used for places on a Heritage List);
- **Sustainability retrofit package** – a number of environmentally sustainable products offered at discounted value (e.g. solar panels, rain water tanks, high performance glazing) where an application retains an original dwelling and demonstrates it achieves exceptional character contribution in line with policy objectives (potential inequality);
- **Relaxation provision** – the express ability for the local government to relax any standard within the policy where an Original dwelling is retained (similar to existing heritage provision within the Regulations);
- **Transferrable development rights** – bonuses in density or similar to other property within the Town for proposals that retain Original dwellings;
- **Technical advice** – the provision of subsidised pre-lodgement professional advice for properties containing Original dwellings to assist with the design solutions; and/or
- **Smaller infill development** – similar to City of Fremantle's recent Amendment 63 where smaller site areas are permitted for certain lots, in return for retaining an Original dwelling (can be further investigated following community consultation).

Some incentives have included as a list within the draft Guidelines, which are recommended to be supported by a separate council policy or stand-alone actions/ further research. Any incentives should be advertised, and their interest should be monitored and reviewed with the cyclical review of the policy.

Potential Implications

Positive

Encourages landowners to think about the benefits of retaining an original dwelling and increases the likelihood of their retention.

Negative

Incentives alone may not be sufficient enough to encourage retention of original dwellings based on market value of land and what is achievable under current density codings, specifically in the larger lot areas of the Raphael Precinct. As 'down-coding' areas to disincentivise demolition for infill development would not typically be supported by the Western Australian Planning Commission, a coordinated approach of both incentives to retain original dwellings and statutory requirements to apply for demolition is preferred.

Public Domain Improvements

With regard to the public domain, the recommendations above have focussed on maintain the streetscape character as influenced by residential built form on private property. Parallel consideration should also be given to public domain improvements that complement the desired streetscape character.

The integration of new development in the RCSA under evolving streetscapes can be enhanced by Council investing in public domain upgrades, which would also help respond to the community's desire for Council to provide an equal effort in enhancing the natural beauty of the area including maintaining Council-owned land. In this regard, Council could enhance the identified character of the area through street tree planting, themed street furniture and public art installations.

Further Research

Specialist Heritage Investigations for Future Heritage Area(s) and/or Heritage Listings

Based on a preliminary review of the study area, we believe there may be scope for the more intact streetscapes to be designated as 'Heritage Areas' (such as the weatherboard housing in around Westminster Street). Some individual dwellings may also meet the threshold to be included on the Town's Heritage List, which would provide sufficient protection for buildings in their own right. Such designation or listing would give weight to the cultural significance of the area and/or dwelling and trigger further assessment of demolition and development proposals against the principles of the Burra Charter (and any locally adopted heritage guidelines). Refer to Appendix 3 for further information on how other inner metropolitan local governments manage heritage.

Investigations into potential Heritage Area(s) and Heritage Listing are a lengthy and in-depth due-process, as set out in State Planning Policy 3.5 and Part 3 of the Deemed Provisions of the Regulations. In the absence of specialist heritage investigations, it is our opinion that a SCA can still achieve the long-term protection of streetscape character by requiring development approval for works within the character retention area, guided by an objective to conserve and retain buildings generally dating prior to 1945 where the architectural style of the building is largely intact.

Summary of Final Recommendations and Next Steps

Based on the analysis and rationale detailed within this report, we make the following final conclusions and recommendations:

1. Introduce a Special Control Area Character Retention Area over the RCSA requiring development approval for demolition of original dwellings and development visible from the street (recommend review by a planning lawyer to ensure no unintended consequences);
2. Revoke existing LPP 25 'Streetscape' and adopt new draft Character Retention Guidelines applicable to development within the SCA; a condensed version of LPP 25 focusing only on key design elements that affect streetscape character and encouraging sustainable and innovative design outcomes with an element of character education;
3. Further investigate and facilitate a discussion regarding community-nominated Heritage Areas;
4. Consider implementing incentives to encourage the retention of original dwellings; and
5. Invest in public domain improvements to enhance the natural beauty and character of the area.

Priorities for further consideration include the review of the Town's MHI and update to statements of significance by a specialist heritage consultant.

The next steps in this project are:

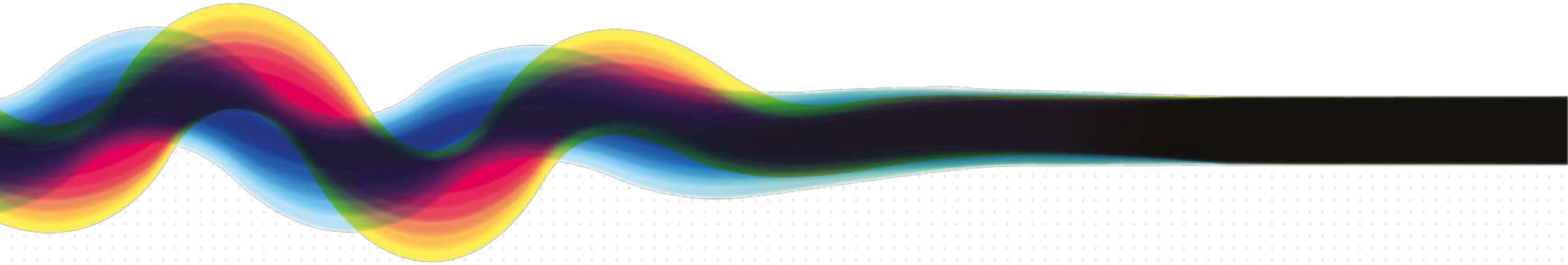
1. Report to Council to adopt draft scheme amendment provisions and Character Retention Guidelines for the purpose of advertising (including consent to advertise the scheme amendment from the Western Australian Planning Commission and comment from the Environmental Protection Authority);
2. Call for public submissions on the draft scheme amendment provisions and Character Retention Guidelines concurrently; and
3. Review public submissions and follow the relevant statutory processes to finalise and effect the documents if and as required.

Appendix 1

Stage 1 Community Awareness and Aspirations Consultation Outcomes Report

Review of Residential Character Study Area and Local Planning Policy 25 'Streetscape'

Stage 1 Consultation Summary Report



Prepared for Town of Victoria Park | January 2019 (updated July 2019)

element.
the art and science of place

Contents

element.

Introduction

Introduction

Consultation Purpose and Methodology

- The purpose of Stage 1 consultation was to capture community awareness and aspirations as it relates to the existing and future character of the Residential Character Study Area (RCSA).
- Consultation was undertaken in the form an online survey, with hard copy alternative.
- The survey was promoted via:
    - The Town's 'Your Thoughts' webpage and eNewsletters;
    - The Town's 'Life in the Park' eNewsletters;
    - Southern Gazette Newspaper notice;
    - Letters to residents and landowners within the RCSA (5,524 consultation letters sent);
    - Email to all Amendment 73 submitters; and
    - The Town's social media page.
- The survey was active from 22 October to 19 November 2018.

The Survey

The Survey

Content and Accompanying Information

- The survey involved 12 questions structured to understand the views of residents and landowners within the Study Area regarding:
    - How streetscape character is valued;
    - How change in character over time is observed; and
    - How the role that town planning plays in character protection/enhancement and development potential is perceived.
- The Survey was accompanied by:
    - A Map of the RCSA and 'Original Dwellings' (2010);
    - Ordinary Council Meeting Minutes 12 September 2017;
    - Local Planning Policy 25 'Streetscape'; and
    - Project-based Frequently Asked Questions.
- A copy of the Survey is attached as Appendix 1.

The Survey

Acknowledgements

- The project team acknowledges the following limitations with the survey:
    - ‘Original Dwellings’ incorrectly described as pre-1960. This should have read pre-1945 as per the RCSA Report 2003 and project FAQs;
    - Question 5 (defining character) was updated shortly after survey launch to include selections of ‘other’ and ‘not applicable’;
    - Question 10 (Council role) selection options were restricted in error in the online survey; and
    - The online survey unintentionally and temporarily closed on 9 November, and reopened on 10 November 2018.
- The limitations above are not considered to detrimentally affect the outcomes of consultation.
- The project team acknowledges that the responses received on the survey may not be representative of the wider community, being a 6.4% response rate. The responses do, however, provide an indication of common issues and opportunities.
- State Planning Policy 7.3 Residential Design Codes: Volume 2- Apartments was gazetted in May 2019.

Response Summary

Response Summary

Participation and Respondent Information

- The survey returned 357 responses (343 online; 12 hard copy; and 2 written submissions).
- The majority of respondents were owner-occupiers within the RCSA and resided within the suburbs of Victoria Park and East Victoria Park.
- Just over half of all respondents had lived or owned property within the RCSA for more than 10 years.
- Residents/owners of 'Original Dwellings' represented two-thirds of all respondents.

Response summary graphs are attached as Appendix 2.

A copy of all responses is attached as Appendix 3.

Response Summary

Defining Character

Q: Which elements do you think create the character in the area in which you live or own property? (choose three)

A: The top five aggregated selections were:

- Presence of ‘original dwelling’ (67%). All respondents selected this as no. 1.
- Traditional materials and colours (e.g. brick, galvanised iron, timber verandahs, weatherboards) (61%).
- Verge trees (48%).
- Pitch roofs (21%).
- Consistent primary street set backs (spatial separation from soft landscaped front gardens to the street) (15%).

The least nominated elements from respondents was Uniform pattern of buildings and the spaces between them; medium height front fencing; and presence of carports (<4%).

Response Summary

Defining Character

Q: What one word would best describe the character of the street in which you live or own property?

A: In order of popularity:

Top Themes	Key words
A melting pot	Mixed, diverse, varied, eclectic, mismash.
Simpler times	Quaint, traditional, character, charming, original, Federation, weatherboard, established, heritage, historical, old.
Aesthetics	Beautiful, attractive, leafy, tranquil.
User groups	Family, friendly, community.
Activity	Vibrant, busy.
Negative	Boring, dump, confused, run down.

Response Summary

Planning Awareness and Change Over Time

Q: How did the character of your street change during 2003-2015 (policy period)?

A: Almost half of respondents believed character remained the same (47%). Key themes identified were:

- Emphasising the value of character retention (18%) or there being little to none, or a neutral, observation of new development (15%).

Those respondents who believed character eroded (21.5%) commonly explained:

- New construction or subdivision had detracted from character (10.6%) and maintenance had become an issue (4%).

Those respondents who believed character improved (21.5%) commonly explained:

- Emphasising the value of character retention (18%), that development in character had even fostered sense of community (4.3%).

Response Summary

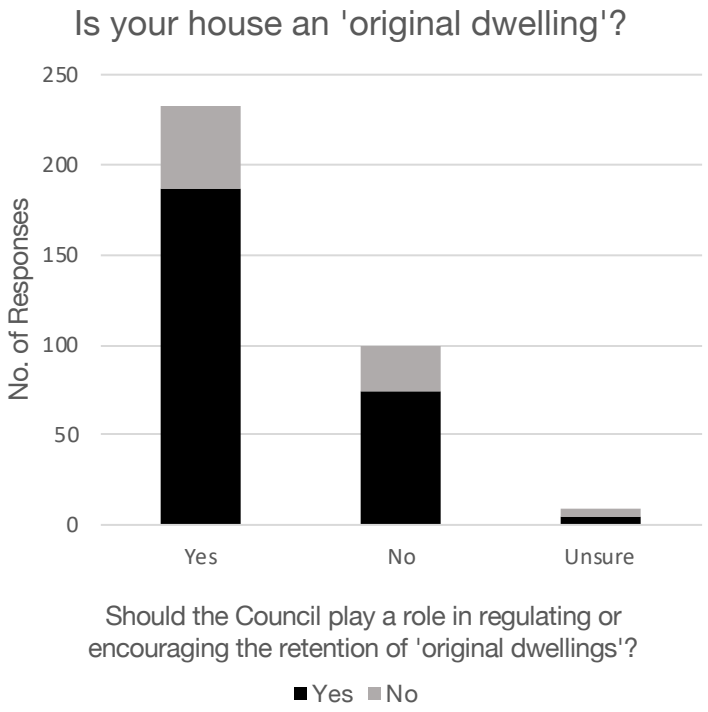
Planning Awareness and Change Over Time

Q: How did the character of your street change since 2015 (new planning regulations introduced)?

A: Almost an equal proportion of respondents believed character either remained the same (42.6%) or eroded (40.9%). Key themes identified were:

- New development being poor quality/out of character/contributing to the loss of character (30.6%).
- No real notable change or little to no development (17.5%).
- New development had improved the quality and character of the area (14%).
- The need to maintain the streetscape (11.2%) and have stricter planning controls (6.3%).
- Owners should have the ability to develop at their discretion and buildings should be assessed on their merits (6.3%).

Response Summary



Council Role In Planning for Character Protection

Q: Should the Council play a role in regulating or encouraging the retention of 'original dwellings'?

A: Over three quarters of respondents answered in the affirmative (77%), including 80% of those who live in or own an original dwelling. Key themes identified were:

- Council needs to take the lead and manage the retention of the existing character and streetscape (55.4%).
- Need for balance in ensuring character retention while allowing for new development (17%), guidelines should facilitate character retention rather than enforce it (6%), and developing in character should be subsidised (5.6%).
- Property owners should be able to develop at their discretion (4.6%) or the Town needs to modernise and offer flexible solutions (4.2%).
- Council should focus its energy elsewhere (3.9%) or its too late for meaningful character retention (2.5%).

Response Summary

Council Role In Planning for Character Protection

Q: Do you support Council having Local Planning Polices that restrict the design and appearance of new development in your neighbourhood?

A: Almost two thirds of respondents answered in the affirmative (65.9%).

Some interesting anecdotes amongst responses regarding the Council's role in planning for original dwelling retention included:

- *"Definitely! As a council you have a responsibility to maintain and enhance this unique area, which is so close to the city and other major attractions which draws numerous people and families who want to live here and be amongst these character homes not to be just the same as every where else."*
- *"…character in many instances protects itself where there is limited economic incentive to do otherwise..."*
- *"The perceived inflexibility of the council in regard to retaining seemingly unrepairable buildings does not result in an improved streetscape, but rather one where people build to keep with council requirements rather than improving the streetscape."*
- *Original dwellings are the history of the area, they tell a story about the character of the town. They set our town apart from suburbs in urban sprawl…"*

Response Summary

Character Protection

Q: Do you believe the character within the area that you live deserves protection?

A: Almost three quarters of respondents answered in the affirmative (74.6%). Key themes and interesting anecdotes identified were:

- Simply put, original character must be kept (57.1%).
  - *"Original character is irreplaceable", "protected to … retain uniqueness".*

- New development needs to be sensitive to character and interpret it, not mimic it (17.5%). Such design should be assessed on its merits.
  - *"Character can change within time", "new and old architecture can blend together under an evolving Streetscape", "It deserves enhancement, not protection. You don't necessarily enhance by protecting…".*

- Too late for meaningful character retention (8.2%) and character comes from diversity (2.8%).
- Interestingly, 67% of respondents who described the character of their area as 'mixed' wanted it protected.

Response Summary

General Commentary

Respondents were given the opportunity to make any further comments. Key themes identified were:

- Emphasising the need for character protection.
- Council should work with property owners to ensure best possible character retention outcomes while not being restrictive and difficult.
- Council needs to maintain its own land to a higher standard and the street trees and natural beauty of the area needs to be protected and enhanced (street greening).
- Subdivision is diminishing the character and streetscape.
- Need to assess character responses based on merit and allow for quality new development.

Conclusion

Conclusion

- Streetscape character is seen to play an important role in telling the story of the Victoria Park area.
- While there are pockets of ‘intact’ streetscapes, the overwhelming description respondents used for the character of the area they live in is ‘mixed’.
- The majority of respondents recognised that the character of the area deserves protection.
- There is a clear desire to retain original dwellings.
- There is no clear perception of either positive or negative change in character over time.
- A flexible approach to policy administration is desired to encourage the retention of original dwellings as well as new development within character, rather than enforcing it.
- There is seen to be a need for an equal effort in protecting and enhancing the natural beauty of the area.

Conclusion: Key Question

The results of Stage 1 consultation raised a key question for resolution in Stage 2 …

The community identified the area as having a mixed character and want that character protected. How do we protect a mixed character?

Next Steps

Next Steps

1. Review the existing local planning framework including Local Planning Policy 25 'Streetscape'.
2. Develop draft recommended modifications.
3. **Seek community feedback on draft recommendations (Stage 2 consultation 'Testing and Evaluation') – anticipated 1st quarter 2019.**
4. Prepare Stage 2 consultation summary report.
5. Draft modified/new planning document(s).
6. Report to Council.

Beyond this current Review project, there is potential to formally initiate the proposed modified/new planning document(s) for **further consultation** through the relevant statutory planning process.

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Appendix 2

Tools Available for Implementation

The following table summarises the different planning tools available for use to implement the outcomes of this Review.

Local Planning Mechanism	Description	Comment
Specific Character Provisions within Scheme	Clauses within a local planning scheme that have the force and effect of requiring or restricting certain development outcomes and may or may not be subject to discretionary decision making. Scheme Amendment determined by the Western Australian Planning Commission (WAPC).	Provides certainty to both Council and community as to what is required. The Minister for Planning as advised that protection of local character is best addressed through local planning policy.
Heritage Area within Scheme	A geographically defined area designated for Heritage protection within a local planning scheme. Related to areas that have been assessed as having cultural heritage value. Scheme Amendment determined by the Western Australian Planning Commission (WAPC).	Triggers the requirement for development approval for all works and use within that area. Enables the variation of any scheme provision as permitted under the Deemed Provisions of the Regulations.
Special Control Area (SCA) within Scheme	A geographically defined area within a local planning scheme that is significant for a particular reason and where special provisions apply in addition to the provisions of the zones and reserves. Scheme Amendment determined by the Western Australian Planning Commission (WAPC).	Ability to target a single issue or related set of issues overlapping zone and reserve boundaries and to set out specific development requirements, referral process and matters to be taken into account in determining development proposals. Can trigger the requirement for development approval for certain works and use within that area. Would apply to all development proposals within the SCA irrespective of the scale or level of compliance of a proposal unless otherwise specified.
Local Planning Policy	A document that provides guidance on and additional information about the position that local government will take on certain planning matters. LPPs do not form part of a scheme (and do not bind decision makers in respect of any development application), however must be given due regard. Determined by Council.	Must be consistent with the intent of the relevant local planning scheme provisions and by implication any relevant SPP. LPPs cannot impose mandatory requirements upon development. Can amend or replace requirements of the R-Codes. Can also contain 'non-planning' incentives to complement the planning intent of the policy.
Local Development Plan	A spatial tool used to control built form outcomes on particular lots, often where there is concern about the relationship between the lot and built form for both the private and public realm. Determined by Council.	Can amend or replace requirements of the R-Codes. A Local Development Plan is better placed to address site-specific matters rather than wider areas.

Appendix 3

Benchmarking of how other inner metropolitan local governments manage heritage and character protection

City of Stirling	
Areas Related to Heritage/ Character	Mount Lawley, Menora and Inglewood Heritage Protection Areas – contains four separate character areas within one special control area.
Heritage Areas (HAs) or Special Control Areas (SCAs)	SCA (City of Stirling currently has no HAs)
Scheme Provisions	The SCA is protected under clause 6.6 (Special Control Areas) of the Local Planning Scheme (LPS3).
Local Planning Policies	Character Retention Guidelines Mount Lawley, Menora and Inglewood – relates to all development in the SCA but especially residential areas. Beaufort Street Local Development Plan – development within the designated development area. Has a particular focus on the differing character between the residential areas, commercial development and new infill.
Overview	The Objectives of the Heritage Protection Special Control Areas are: To ensure the conservation and retention of buildings within the Heritage Protection Area Special Control Area dating from the early 1900s to the 1950s where the architectural style of the building is generally intact; To ensure the retention of existing buildings referred to in (a) irrespective of whether the demolition of the building would have no adverse impact on the streetscape; To ensure that new buildings (where permitted), alterations, additions to existing buildings, carports, garages and front fences are in keeping with the heritage character of the area, respect the scale and proportions of surrounding buildings, and are designed to fit into the existing streetscape; To maintain and improve existing street trees, grass verges and front gardens; To retain mature trees wherever possible; and To ensure that new development within the area which is subject to the Beaufort Street Local Development Plan enhances and respects the heritage, character and amenity of Beaufort Street.
Lessons learned based on user experience	Pros Ensures the retention of all buildings that contribute to the pre-1960 character of the area is protected. Identifies styles that contribute to the character of each area. Mature front gardens, street trees, boundary elements and other character elements that contribute to streetscape are protected. Community have a clear set of expectations clearly set out in character protection guidelines. Avoids the need for comprehensive heritage listing of private property. Cons Design guidelines encourage the use of historical architectural styles which diminishes quality of design outcomes. Requires DA for anything not considered maintenance. Administratively time consuming for planning officers. Does not protect interiors or streetscape elements of Original dwellings.

City of Vincent	
Areas Related to Heritage/ Character	St Albans Avenue Character Retention Area Harley Street Heritage Areas Carr Street Character Retention Area Janet Street Heritage Areas
Heritage Areas (HAs) or Special Control Areas (SCAs)	HAs (City of Vincent currently has no SCAs)
Scheme Provisions	No specific scheme provisions, Reference to Schedule 2, Part 2 and 3 of the Planning and Development (Local Planning Schemes) Regulations 2015. Specifically; Residential Amenity and Heritage Areas.
Local Planning Policies	Character Retention Areas and Heritage Areas (Policy No. 7.5.15)
Overview	Character Retention Areas are nominated by the community and must attract support from a minimum of 40% of the affected property owners. Once Character Retention Areas are nominated there is an extensive engagement process based on the draft guidelines to protect that area. This may result in cancellation of nomination at any stage. Following a public advertising period, the nominations go to council and, if successful the new guidelines for that area become part of Policy 7.5.15. Character Retention Areas may then undergo a heritage assessment (undertaken by heritage consultant) to determine relative heritage significance of the area. This may result in the City nominating a heritage area. Each area is supported by specific guidelines however, in all areas character contributory styles of architecture are retained.
Lessons learned based on user experience	Pros Encourages contemporary design solutions that are respectful of character and vary the 'Deemed to Comply' provisions of R-Codes. Must be owner nominated with at least 40% of affected owners which encourages community led participation in character protection. Policy deals with both character and heritage areas. Heritage Areas are assessed following protection of Character Retention Areas to ensure community support. Guidelines for each area are concise and accessible. Cons Overly reliant on owner nomination which may lead to some Character Retention Areas not being identified before being irreparably altered. Only 40% owner nomination may attract criticism. No specific scheme provisions relating to Character Retention Areas could lead to challenges in SAT.

Town of East Fremantle	
Areas Related to Heritage/ Character	Nil (There are five recognised residential precincts which have a defined character but no statutory protection)
Heritage Areas (HAs) or Special Control Areas (SCAs)	Nil (Town of East Fremantle currently has no HAs or SCAs. All Residential Zoned Areas are considered under policy)
Scheme Provisions	Part 4 Zones (specifically clause 4.2 Objectives of each Zone) and Part 7 Heritage Protection. (Specifically, Clause 7.1 Heritage List)
Local Planning Policies	All development in residential zoned precincts are subject to LPP 3.1.1 Residential Design Guidelines.
Overview	Development control is managed with the Heritage List (The Town has 1126 Heritage Places) and the Residential Design Guidelines inform new development or extensions to existing heritage listed buildings in residentially zoned areas. The residentially zoned areas have defined character precincts where it is desirable to protect those elements which contribute to that character. The objectives of the LPP3.1.1 are: a. To conserve and protect individual residences considered to have significant heritage value; b. To provide development and design guidance to landowners wanting to extend or refurbish existing dwellings of heritage significance; c. To guide additions to existing dwellings, which do not adversely affect the significance of the dwelling, or of neighbouring heritage places; d. To guide new dwellings and additions/alterations to existing dwellings (particularly second storey additions), which are compatible with the character, form and scale of existing residential development in the locality, and harmonise with the existing streetscape; and e. To encourage creative design solutions of quality that meet the standards of this Policy, and which enhance the character of the residential precincts and Policy Area.
Lessons learned based on user experience	Pros Heritage listing is the best way to protect the significance of individual places and when those places are grouped together the character will invariably be conserved. Heritage listing private property protects against demolition. Recognises the quality of the Town's residential character and manages it all with one comprehensive policy. LPP3.1.1 encourages contemporary design a sympathetic manner. Cons Character elements with no statutory heritage listing (i.e. not within state or local heritage listed lot) are at risk of demolition without approval. Administratively time consuming as all changes to heritage listed property (not including maintenance) requires a DA. Heritage listing should be focussed on best local places.

City of Subiaco	
Areas Related to Heritage/ Character	Chester's subdivision Heritage Area Duke Street Heritage Area Hammersley Road Group Heritage Area Kershaw Street Heritage Area Kings Road Heritage Area Rokeby Road and Hay Street Heritage Area Sadlier and Redfern Heritage Area Salisbury and Rupert Street Heritage Area Union and Redfern Heritage Area
Heritage Areas (HAs) or Special Control Areas (SCAs)	HAs (City of Subiaco currently has no SCAs)
Scheme Provisions	Division 7 Places of Cultural Heritage Significance (specifically clause 59 Designation of Heritage Areas) of Town Planning Scheme (TPS4) Clauses 4 and 9 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.
Local Planning Policies	Each Heritage Area has a Local Planning Policy. Local Planning Policy 3.6 Development Guidelines for Residential Heritage Areas is a general overview of how to vary the R-Codes design extensions and additions in the heritage areas.
Overview	Historically the community has been resistant to heritage areas and adopted a nomination system (similar to City of Vincent) this subsequently led to the community being less resistant and since then a number of new HAs have been nominated by the City with little resistance. Each Heritage Area categorises the contribution each property makes to the heritage value of the area and is managed accordingly. Non-contributory buildings allow more design innovation albeit within the identified design parameters (i.e. scale, form, setback, materiality, fenestration pattern etc.). Each heritage area has the following objectives: To conserve existing buildings identified as making a considerable or some contribution to the heritage significance and traditional streetscape character of a designated Heritage Area; To encourage innovative and contemporary new building developments, and alterations and additions to existing buildings, that are in harmony with, and maintain the integrity of, the Heritage Area's cultural heritage significance, its established character and visual amenity; and to conserve the cultural heritage significance of Heritage Areas.
Lessons learned based on user experience	Pros Clearly defined Heritage Areas with well-structured policy relating to each area. Range of heritage areas reflects the different building typologies in the local area. Design Guidelines in particular for alterations and additions are clearly articulated in the general policy. Cons Heritage Areas can be less flexible than special control areas and often development applications can be daunting to private owners. Heritage areas require assessment from heritage consultants and often large DAs will require input from heritage consultants which may place pressure on resources.

Appendix 4

Stage 3 Draft Recommendations Consultation Summary Posters and Consultation Summary

The Stage 2 Draft Recommendations Report was advertised on the Town's Your Thoughts webpage from 28 August to 25 September 2019. At the close of advertising, 12 submissions were received (plus one double up), of which eight were generally in support and four provided comment or concerns. Key themes from those submissions are summarised in the table below:

	Draft Recommendation	Key Themes in Support	Key Themes of Concern
DR1	Special Control Area 'Character Retention Area'	Agree with extent of area and support context. Agree with retention of original dwellings. Should also apply to development visible from street behind dwelling. Trigger date needs more justification.	Vast scale. Should be confined to streets which have significant number of original dwellings, example streetscape too mixed in East Victoria Park. Albany Highway has been excluded but is part of Victoria Park. Risk of reducing property values, adding costs and to challenge of living in original dwellings/ keeping original dwellings is cost prohibitive. Opinion that there is no factual large scale threat to original dwellings. Consultants are proposing prohibition. It is near impossible to come up with "one size fits all" regulations for such a variety of aesthetics and streetscapes.
DR2	Local Planning Policy 'Character Retention Guidelines'	Sensible. Simple, easy to understand policy and a facilitation culture. Any alterations or additions should be contemporary in nature and distinctly different. Promote advantages of modern design principles, energy efficiency and structurally sound buildings. Solar panels should be shielded from street view. Water tanks should be galvanised iron to keep in character. Would like more detail and examples. Should upskill officers to understand good design. Do not oppose overall aim of requiring homeowners to consider the streetscape character and impact in development proposals, but this affects all development not just original dwellings.	Should also cover commercial developments and apartments. Should allow new modern, character replication or like for like houses (within reason) without a DA/demolition approval. Prohibition of demolition is out of alignment with what we said as part of the Stage 1 consultation. This is an extreme measure. Stage 1 consultation referred to mixed, diverse, varied, eclectic, mishmash character, yet consultant refers to cohesiveness.

	Draft Recommendation	Key Themes in Support	Key Themes of Concern
DR3	Community-Nominated Heritage Areas	Support bottom-up approach and partnerships; enable facilitation of a platform of respect. Some houses are run down and should not be retained. Town could facilitate community engagement on matter. Should be based around inclusivity and respect for heritage, neighbours, streetscape, diversity of the area, employees, simplicity, flexibility, homeowners and councillors.	Should be confined to limited number of (intact) neighbourhoods. Reliant on active support by people who may have ulterior motive. 40% of homeowners in an area is not enough.
DR4	Incentives to Retain original dwellings	Seems reasonable. Encourages investment and attracts people to the area looking for character homes. Need to ensure incentives are actually spent. Support technical advice incentive. Could include educational aspect with the aim of encouraging applications to consider retention in a renewed light without coercion.	Maintaining an original dwellings is expensive and incentives will fall short of what is required. Transferrable bonuses can disadvantage residents without two houses and should be removed.
DR5	Public Domain Improvements	Very supportive. Street canopy trees and natural beauty vital. Town could facilitate community engagement on matter. Road resurfacing desired.	Should be done economically with minimal impact to ratepayers.

In addition to feedback on the specific draft recommendations, the following general comments received included:

- Overall, the proposed recommendations seem better phrased, more professionally placed within the planning system and less draconian;
- Appreciation of work, seriousness and thought put into the project;
- Allowing demolition of post-1945 dwellings could mean no legacy of post-war 'Australiana' for future generations;

In response to some key comments received on the draft recommendations, we note the following:

- The draft local planning scheme provisions and local planning policy do not propose the prohibition of original dwelling demolition. These tools create a trigger for further assessment and considered of an application to demolish and provide circumstances where demolition may be considered acceptable. There will always be a scenario that is not captured under policy and this is where the flexibility and discretional nature of the policy come into effect.
- The draft policy focusses on defining the streetscape character using broad categories of siting and scale, form and materiality, and connection to the street. Contemporary design is encouraged where it respects this streetscape character.
- Incentives are not intended to fund works 100% but rather to assist those who choose to live in a character home to consider its retention in a different light. It is recommended that a separate policy on such incentives be drafted to support the administration of the Character Retention Guidelines.
- We agree that buildings built after 1945 may still have heritage value. There appears to be concern that the recommended SCA could promote 'facadism' in an effort to retain built heritage. It is noted that the recommended Character Retention Guidelines is focussed on streetscape character rather than cultural heritage value and encourages the retention of the majority of an original dwelling.

Appendix 5

Draft Special Control Area ‘Character Retention Area’ Scheme Amendment provisions

Planning and Development (Local Planning Schemes) Regulations 2015

RESOLUTION TO PREPARE OR ADOPT

COMPLEX AMENDMENT TO LOCAL PLANNING SCHEME

Town of Victoria Park Local Planning Scheme No. 1

Amendment No. #

RESOVLED THAT the local government pursuant to section 72 of the *Planning and Development Act 2005,* amend the above local planning scheme by:

1. Amending the Scheme map by introducing a Special Control Area over the area shown below.

insert map.

2. Including a new sub-clause 25A(1)(c) as follows:

   c) Character Retention Area shown on the Precinct Plans as CRA with a number (1) and included in Schedule E.

3. Inserting a new clause 25AC as follows:

   25AC. Character Retention Area

   (1) The purpose of the Character Retention Area is to:

      a. Retain and enhance the contribution made by original dwellings towards streetscape character; and

      b. To facilitate the consideration of streetscape character in development proposals.

   (2) Schedule E sets out the specific objectives and additional provisions that apply to the Character Retention Area.

4. Including Character Retention Area within Schedule E as follows:

Area No	Land Description	Purpose and Particular Requirements
CRA1	Land generally extending between the railway line and to around Berwick Street and Canning Highway to around Oats Street.	Development approval is required for the following works: the demolition of a single house constructed prior to 1 January 1946; or any development visible from the street, defined as being situated within 12m of a primary street boundary and/or exceeding 5m above the nature ground level of the street boundary as determined by the local government. All development shall be designed with due regard for any relevant local planning policy adopted for the CRA.

5. The amendment is considered complex under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

   a. The amendment is not addressed by any Local Planning Strategy; and

   b. The amendment has the potential to result in significant environmental, social, economic or governance impacts on land in the scheme area.

Appendix 6

LPP25 Summary of Key Policy Elements and Review

LPP25 Summary of Key Policy Elements	Review
1. Setbacks of buildings generally a) Specifies metres for buildings and boundary walls to primary streets. b) Specifies metres for secondary streets. c) Specifies frontage percentage for a porch or chimney. d) Includes rights-of-way (ROW) provisions.	a) Setbacks consistent with the prevailing street setback considered more appropriate and effective at retaining streetscape character. b) Most dwellings do not address secondary streets in the area, R-Codes provision considered sufficient in this instance. c) ROWs not a priority for a streetscape character policy. Irregularity should be encouraged in ROW environments to create a distinctively different character from the primary streetscape character of the area. Should the Town wish to control ROW development generally across the town, a specific local planning policy could be prepared. In the interim, parts of LPP25 relating to ROWs could remain in effect, however they are not proposed to be carried forward into the new LPP.
2. Setbacks of garages and carports a) Specifics metres to primary and secondary streets for a variety of scenarios for garages and carports. b) Specifies metres for garages projecting forward of dwelling façade. c) Specifies percentage for garage width (57%). d) Specifies number of columns for a carport and eave overhand. e) Requires unobstructed view of dwelling. f) Garages only permitted from ROW in Weatherboard Precinct/Streetscapes (WBP). g) Specifies metre range for carport width relative to lot width (for WBP). h) Requires structures to reflect architectural style of dwelling (for WBP). i) Includes rights-of-way (ROW) provisions.	a) Considered important and carried forward to new LPP in a generalisd manner to require garages in line or behind main building line. b) As above. c) Considered important and carried forward to new policy. d) Considered unnecessary. e) Considered important and carried forward to new policy. f) Considered important and carried forward to new policy in similar fashion to R-Codes 5.3.5 vehicular access. g) Considered important and carried forward to new policy. h) Considered mimicry and often produces outcomes that are overbearing to the original or existing dwelling Provision ‘softened’ to not require reflection of roof form and instead be positioned lower than plate height of the dwelling. i) As per 1(c).
3. Outbuildings a) Specifies behind building line or to the side. b) Includes rights-of-way (ROW) provisions.	a) R-Codes provision considered sufficient in this instance (noting 5.4.3 Outbuildings unable to be varied without WAPC approval). b) As per 1(c).

LPP25 Summary of Key Policy Elements	Review
4. Patios and Shade Sails a) Patios permitted forward of building line where they reflect architectural style of dwelling. b) Flat roof patios not acceptable where visible from the street. c) Contains provisions for patios not visible from the street. d) Shade sails located behind building line, or forward in limited circumstances.	a) As per 2(h). b) As per 2(h). c) Considered unnecessary for a streetscape policy (and where DA is only required for development visible from the street). R-Codes considered sufficient. d) Considered unnecessary.
5. Surveillance of the Street a) Requires a habitable room window facing the street and a visible front entry. b) Includes rights-of-way (ROW) provisions.	a) R-Codes provisions considered sufficient in this instance. b) As per 1(c).
6. Street Walls and Fences a) Solid walls to 1.2m height for front and side boundary fencing forward of building line. b) Max. 1.8m height, provided solid portion is max. 600mm and visually permeable above. c) Lists acceptable materials. d) Specifies fencing for lots fronting high-traffic roads (max. 75% 1.8m solid for length of fence). e) Permits 1.8m high fencing to secondary street of specified material. f) Includes rights-of-way (ROW) provisions.	a) Principle of low fencing within primary street setback area (front and side) considered important and carried forward to new LPP. Overall height 1.2m retained and worded consistent with R-Codes. b) 1.8m in front setback area considered to negatively detract from the open nature of front gardens and vistas of the streetscape at oblique angles. Max. solid portion raised to 750mm in compromise plus 1.5m piers. c) Considered important and carried forward to new policy. d) Considered reasonable and carried forward to new policy. e) Considered reasonable and carried forward to new policy. f) As per 1(c).
7. Sightline at Vehicle Access Points a) Specifies 1.5x1.5m truncation and max. height of structures within it (including specifics of picket gap width). b) Includes rights-of-way (ROW) provisions.	a) R-Codes provisions considered sufficient in this instance. b) As per 1(c).
8. Retention of Dwelling a) Requires sensitive incorporation of retained dwelling. b) Lists when a dwelling shall be retained (as 'acceptable development), including heritage list, a weatherboard house in WBP, an original dwelling (figure) except where structurally unsound or wholly clad in fibro or asbestos). c) Planning approval 'required' to demolish plus DA for redevelopment that contributes to streetscape character and of a 'higher standard' than otherwise compliant.	a) New policy provisions as a whole, including objectives, considered sufficient in this instance, plus the existence of 5.2.6 Appearance of retained dwelling of the R-Codes. b) Considered important in concept and carried forward to new LPP, with the exception of fibro/asbestos cladding because such materials can be replaced by a modern alternative. c) Considered important in concept and carried forward to new LPP, however existing ambiguous/potentially unmeasurable terms removed.

LPP25 Summary of Key Policy Elements	Review
9. Appearance of Retained Dwelling a) Retained dwelling upgraded equivalent standard.	a) R-Codes provisions considered sufficient in this instance plus policy objectives.
10 – 13. Building Design (specific precincts) **WBP** a) References Burra Charter. b) Requires inappropriate features to be replaced. c) Requires structures within street setback area to reflect architectural styles of dwelling. d) Clad with weatherboard. e) Consistent with street and side setbacks, heights, roof pitches (30deg) and materials. f) Specifies plate height plus wall height for second storey. g) Two storey development designed to reduce bulk and scale and lists general principles. h) Requires open eaves. i) Requires traditionally proportioned windows. j) Roof fixtures not visible from street. k) Dwelling oriented to street, including front entrance. l) Lists acceptable materials. m) Generally duplicates provisions from General regarding carports, patios and shade sails. n) Requires retention of existing trees wherever possible. o) Front setback development as predominantly soft landscaped garden. **Within RCSA but not WBP** p) As per (e) but with 25deg roof pitch. q) Wall height similar to adjacent dwellings but does not preclude two storeys. r) Generally duplicates provisions (g)-(o). **Raphael Precinct** s) As per (e). t) Generally duplicates provisions (g)-(o).	a) Considered important however the provisions of the new LPP themselves are consistent with the principles of the Burra Charter without needing to reference it specifically. b) Considered important and carried forward into new LPP c) As per 2(h). d) Considered important and carried forward into new LPP more broadly (use of traditional materials). e) Sound principle considered important and carried forward into new LPP in a more general sense (rather than precinct specific). f) R-Codes provision considered sufficient in this instance. g) Considered important and carried forward into new LPP with specific guidance regarding ridge lines etc. h) Considered important and carried forward into new LPP more broadly. i) Considered important and carried forward into new LPP with specific guidance. j) R-Codes provision considered sufficient in this instance. k) R-Codes provision considered sufficient in this instance. l) Considered important and carried forward into new LPP. m) Duplication unnecessary. n) Considered important for whole of policy area and carried forward into new LPP. o) Considered important and carried forward into new LPP. p) As per 10-13(e). q) R-Codes provision considered sufficient in this instance. r) Duplication unnecessary. s) As per 10-13(e). t) Duplication unnecessary.
14. Development Abutting ROW a) Contains additional provisions for ROWs including pedestrian access to public street, taking vehicular access from ROW, widening of ROW, vegetated setback area, lighting, street numbering.	a) As per 1(c).

Appendix 7

Draft Local Planning Policy ‘Character Retention Guidelines’

Town of Victoria Park

Draft Local Planning Policy No. #

Character Retention Guidelines

Date of Adoption: #

INTRODUCTION

The Town of Victoria Park (Town) contains some of the oldest suburbs within the Perth Metropolitan Area. The original subdivision pattern and much of the original pre-1945 building fabric is still apparent in the area. While the level of intactness across the Town's Character Retention Area (as identified under the Town's Local Planning Scheme No. 1 by a Special Control Area) varies, there is an identifiable residential **streetscape character** which the community have expressed a desire to retain and enhance[1].

The purpose of this policy is to define the special residential **streetscape character** that is found within the Town's Character Retention Area and to set out how new development that is **visible from the street** should contribute positively to that character, while accommodating contemporary and sustainable designs. Contemporary development within character areas provides the opportunity to bring new life into an historic area, revitalise vacant lots, encourage innovative contextual design, attract new investment whilst maintaining the amenity for owners of **original dwellings**.

This policy is made pursuant to Schedule 2, Part 2, Division 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (*Regulations*) and is to be read in conjunction with Local Planning Scheme No. 1, Precinct Plans, State Planning Policy 7.3 Residential Design Codes: Volume 1 (R-Codes) and all relevant local planning policies.

This policy amends, replaces and/or augments certain clauses within the R-Codes, however development shall comply with the R-Codes in all other respects. Where an inconsistency exists between this policy and another adopted local planning policy, this policy prevails to the extent of the inconsistency.

POLICY OBJECTIVES

The objectives of this policy are to:

a) Confirm the contribution that **original dwellings** make to the **streetscape character**;

b) Retain the traditional streetscape pattern in particular the existing rhythm of front and side setbacks;

c) Avoid development that mimics styles of architecture from the past and instead encourage innovative new design that reflects the prevailing form, scale and materiality of the streetscape in which it is located, with particular reference to roof pitch, traditionally proportioned windows and the grain of existing building materials;

d) Ensure additions and extensions to **original dwellings** do not visually dominate the streetscape presence of the **original dwelling**;

e) Minimise the visual impact of car parking structures on the streetscape and in particular **original dwellings**;

f) Retain the open nature of front gardens within the streetscape, with particular reference to low, visually permeable fencing to front and side boundaries within the street setback area; and

g) Encourage the retention of mature trees wherever practical.

[1] Town of Victoria Park Review of Residential Character Study Area and Local Planning Policy 25 Streetscapes: Stage 4 Final Conclusions and Recommendations Report, **element** Oct 2019

POLICY SCOPE

This policy applies to all residential development **visible from the street** on land contained within the Policy Area as shown in Figures 1 and 2. All other residential development is subject to the R-Codes.

Figure 1 – Policy Area

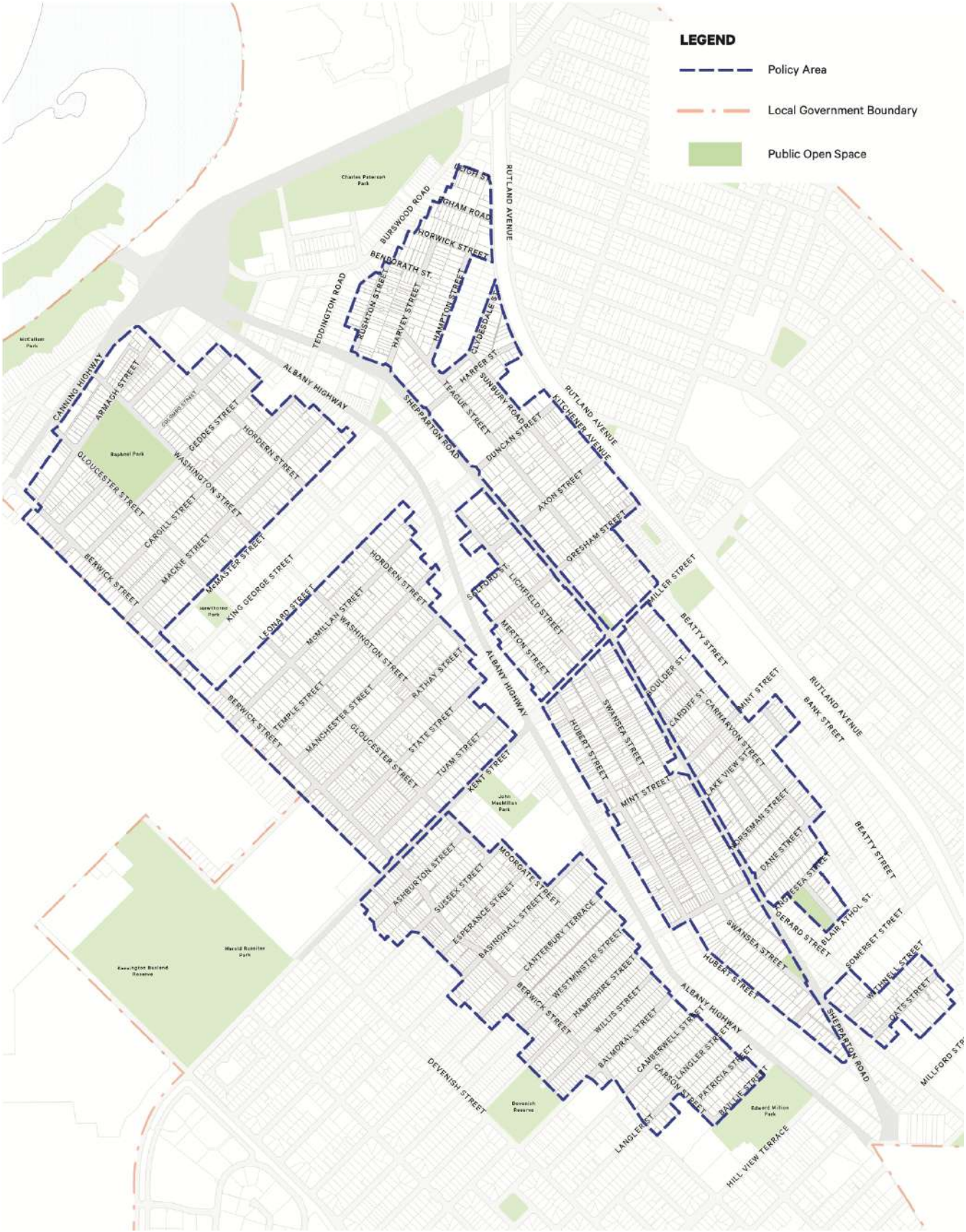
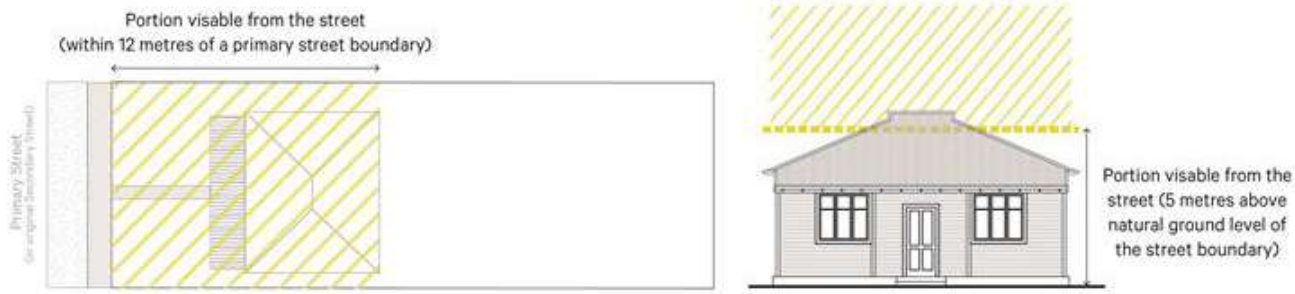
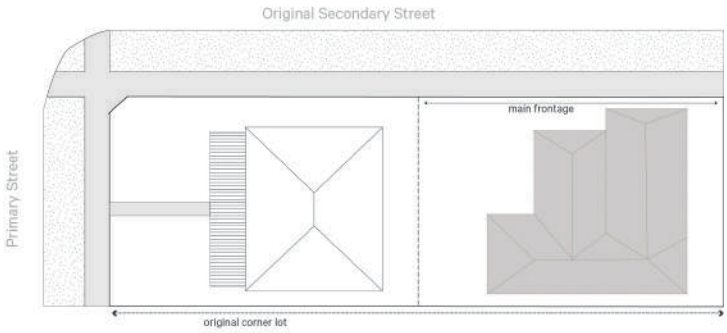


Figure 2 – Visible from the street



Note:
For the purposes of applying this policy, '**primary street**' also includes the public street to which a grouped dwelling has it main frontage and the original secondary street from which a single dwelling results from the subdivision of an original corner lot.



DEFINITIONS

Terms used in this policy are defined as per the R-Codes unless listed below:

a) **Original dwelling** means a dwelling built prior to 1 January 1946.

b) **Plate height** means the horizontal plane where the exterior walls meet the roof rafters or trusses.

c) **Prevailing street setback** means the average street setback of the **primary building line** of five dwellings either side of the lot on that same side of the street and within the same street block, or up to five dwellings where not possible in accordance with Figure 3.

d) **Primary building line** means the longest vertical plane of the exterior wall to a dwelling fronting the primary street in accordance with Figure 4,

e) **Repairs** means minor works that are undertaken to repair, or prevent, a building, structure or place from falling into a state of disrepair and include:

   i. Painting of existing painted surfaces;

   ii. Rendering of existing rendered surfaces;

   iii. Re-roofing with like-for-like materials and where there is no change to the roof form, pitch or colour;

   iv. Replacement of cladding materials with like-for-like;

   v. Replacing or repairing materials, fittings or architectural features with like-for-like.

f) **Streetscape character** means the visible components in a street between the facing buildings, including but not limited to the form and scale of the buildings, car parking structures, setbacks, materials, fencing, gardens and street trees that together form its urban identity.

g) **Visible from the street** means development that is situated within 12m of a primary street boundary and/or exceeding 5m above the natural ground level of the primary street boundary, as determined by the local government (refer to Figure 2).

Figure 3 – Prevailing Street Setback

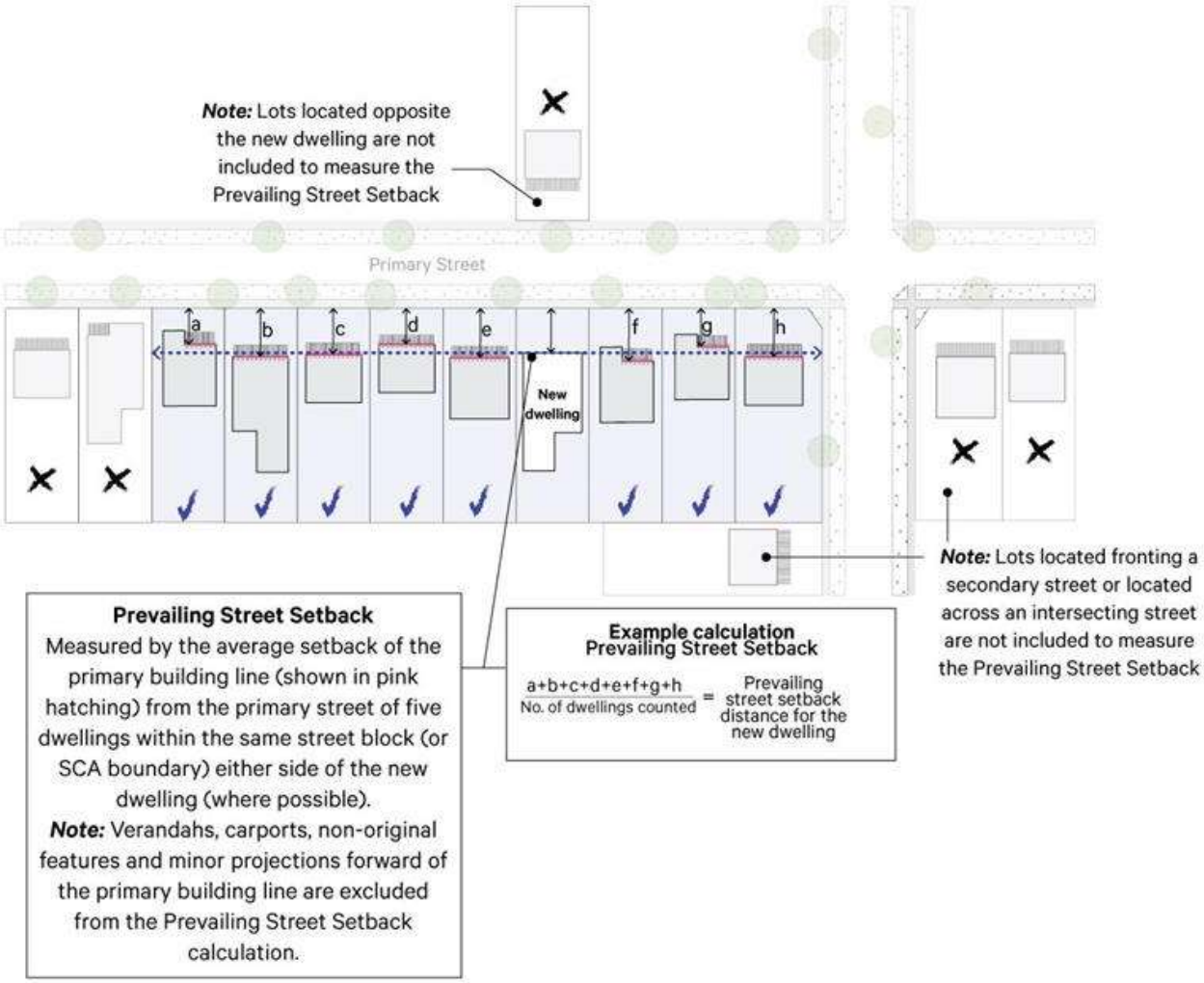
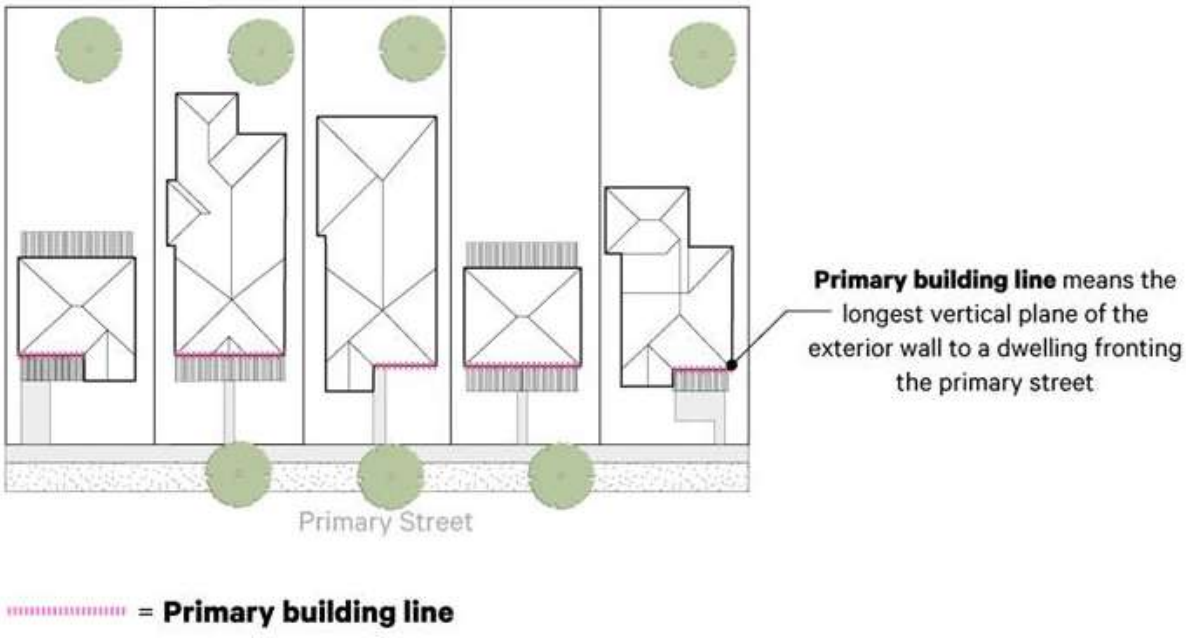


Figure 4 – Primary Building Line



THE CHARACTER OF THE POLICY AREA

The residential character of the Policy Area is defined by the relationship between original pre-1945 single storey dwellings including their form, scale and materiality, the development pattern of the historic estate lot sizes, street widths and the quality of street trees and front gardens.

A brief history and development of the area is explained within *Schedule 1 Historic Estates* of this policy and should be given due regard when considering development against the policy objectives.

The following specific characteristics have been identified[2] as making a positive contribution to the **streetscape character,** which should be protected and enhanced in future development to retain the **streetscape character** of the Policy Area.

1. **Built Form**

   a) **Original dwellings** are generally single storey in scale which forms a distinct single storey character;

   b) Corner buildings almost exclusively address the primary street (with the exception of corner shops);

   c) Styles of **original dwellings** are often grouped to reflect period of development;

   d) **Original dwellings** are characterised by steeply pitched hipped and gabled roofs, timber framed doors and windows with vertical emphasis, front verandahs and entry doors facing the street;

   e) **Original dwellings** are predominantly built of timber frame with weatherboards and galvanised metal roof cladding from the Gold Boom and Interwar periods and brick, tile and render bungalows from the Federation period (refer to *Schedule 1 Historic Estates*);

   f) Very few **original dwellings** when first constructed had vehicle parking or other roofed structures in the front setback;

   g) Front and side setbacks are generally consistent with neighbouring dwellings; and

   h) Front fences and side fencing forward of the **primary building line** are generally low, open or absent.

2. **Public Domain**

   a) Vehicular crossovers are generally restricted to one per lot;

   b) Mature street trees are located on verges creating visual avenues and natural shade; and

   c) Low front fences provide visual transparency through front gardens creating vistas along streets at oblique angles.

POLICY STATEMENT

1. Demolition

a) There is a presumption against the demolition of an **original dwelling**. Demolition approval should not be expected simply because redevelopment is a more attractive economic proposition or because the building has been neglected;

b) An application to demolish the whole or a portion of an **original dwelling** shall be considered where:

   i. evidence is provided by an independent certified structural engineer that the building is structurally unsound or uninhabitable due to unsafe levels of asbestos; or

   ii. extensions and additions proposed to an **original dwelling** involve retention and incorporation of the majority of the **original dwelling** fronting the street;

c) An application to demolish an **original dwelling** shall be accompanied by the following information:

[2] Town of Victoria Park Residential Character Study Final Report, Hocking Planning & Architecture, Sept 2003

i. an assessment by a suitably qualified heritage or architectural professional that describes why the dwelling should not be considered original and/or makes no positive contribution to the **streetscape character**; and

ii. where relevant, a report from a certified structural engineer that clearly states the building is structurally unsound or uninhabitable and the reasons why it cannot be retained and restored.

d) Upon request from the local government, an application to demolish a non-original dwelling must be accompanied by documentation that establishes the date of the construction is after the 31st December 1945, to the satisfaction of the local government;

e) Where the date of construction cannot be established, demolition shall be at the discretion of the local government having regard to the dwelling's contribution to the **streetscape character** as identified in this policy; and

f) A development approval for full demolition will only be granted where demolition forms part of a redevelopment proposal for the lot, or where subclause (b)(i) applies.

Note: The Town may engage their own professionals to undertake an independent assessment or peer review of any documentation provided to support the demolition of a dwelling in the Policy Area, at the applicant's cost in accordance with regulation 49 of the Planning and Development Regulations 2009.

2. General Development Provisions (applicable to all development)

a) Development guidance is provided with respect to the following key design elements as illustrated in Figures 5a and 5b:

- **Siting and Scale** – primary street and lot boundary setbacks, building mass and proportions;
- **Form and Materiality** – roof pitch, window style, use of traditional materials to **repair original dwellings** and to inform materials on new development; and
- **Connection to the Street** - main entry to residence, windows, front fencing, verandahs, front gardens and vehicle parking;

b) All development **visible from the street** shall demonstrate compliance with the development provisions listed in Tables 2.1 – 2.3.

Figure 5a – Key Design Elements

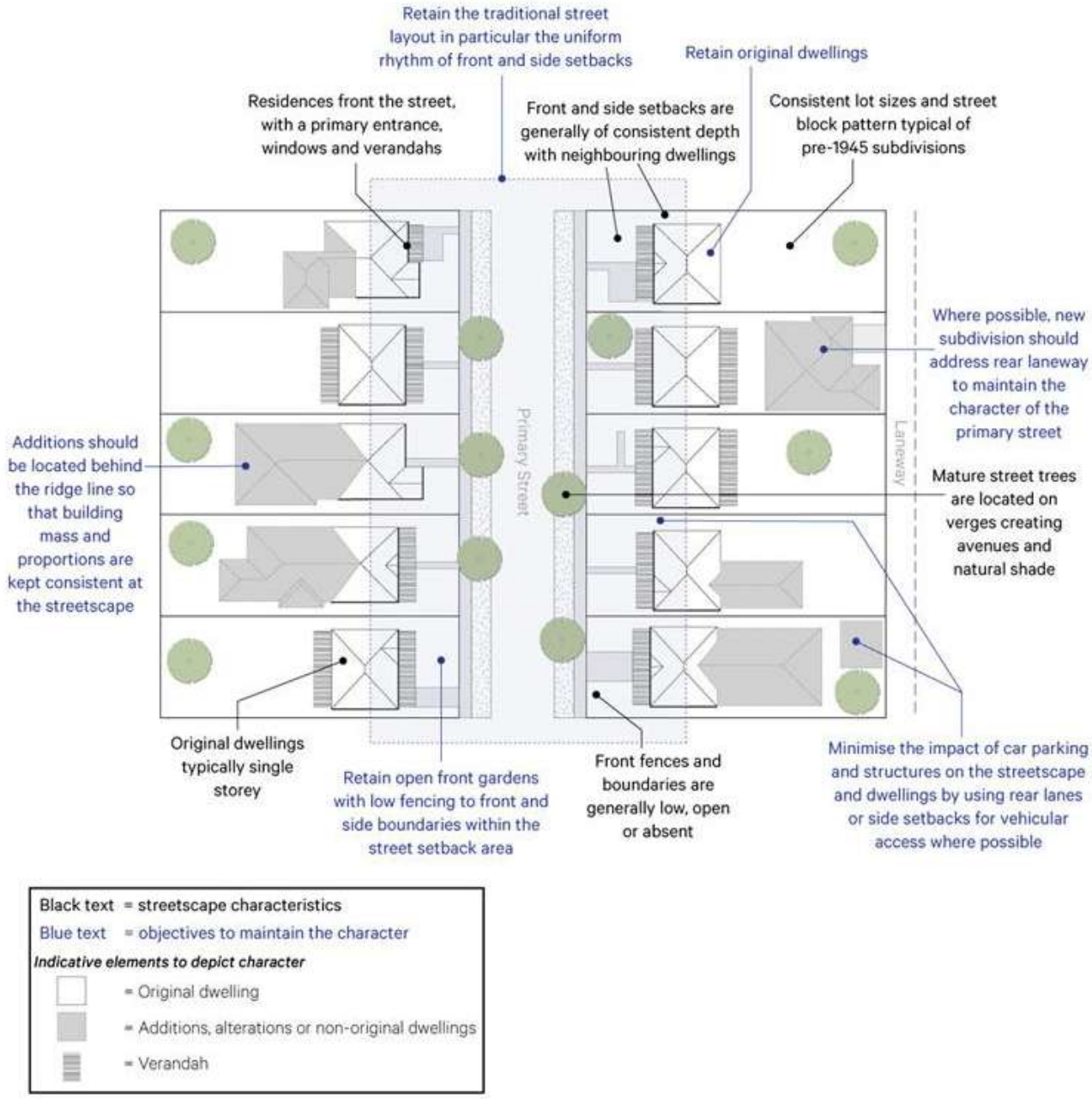
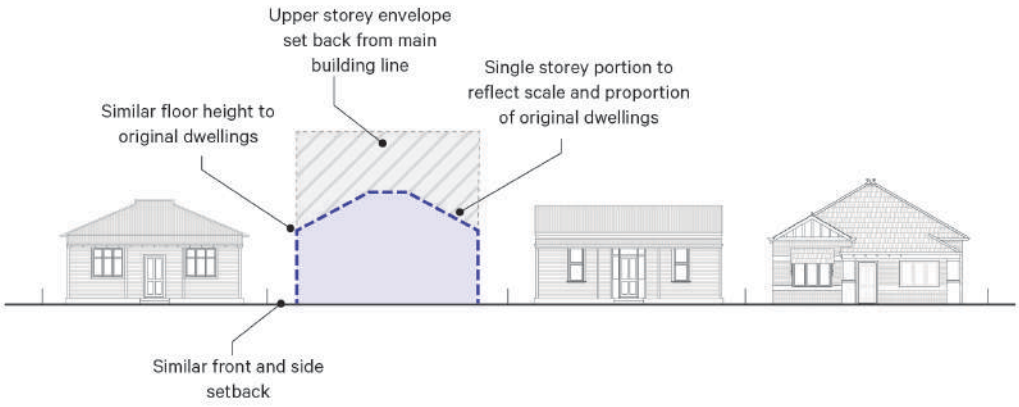


Figure 5b – Key Design (Building Envelope) Response



Example of built form design response to the streetscape character

2.1 Siting and Scale

Table 2.1 – Siting and Scale

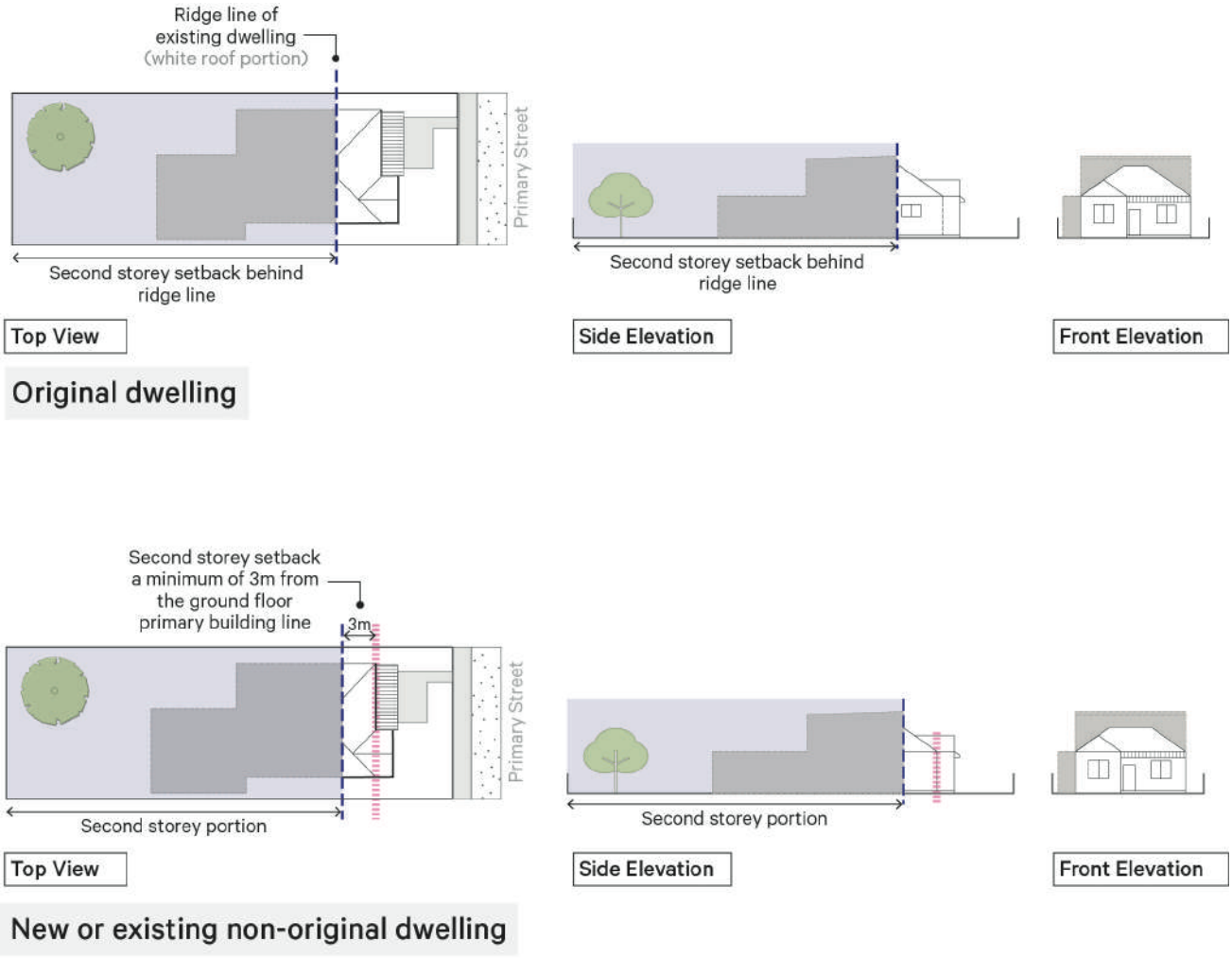
The following Local Housing Objectives and R-Codes Deemed-to-Comply provisions amend, replace or augment the R-Codes in relation to Siting and Scale.

Note: Local Housing Objectives augment the R-Codes and are used to guide judgements about the merits of proposals for aspects of residential development that does not meet the requirements or is not provided for under the R-Codes.

Local Housing Objectives	R-Codes Deemed-to-Comply
5.1.2 Streetscape	
With respect to the application of Design Principle P2.1 'Buildings setback from the street boundaries an appropriate distance', the following matters shall be considered: a) Provides for soft landscaping and tree planting that enhances the **streetscape character**; b) Improves the visual appeal and pedestrian amenity of open garden areas; and c) Retains healthy, mature trees where practical. With respect to the application of Design Principle P2.2 'Building mass and form that positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework', the following matters shall be considered: Upper level setbacks: a) The established **streetscape character**, particularly with respect to scale, massing and proportions, including verandahs and porches.	Clause 5.1.2 Street setback C2.1 (excluding (iv)) and C2.4 are replaced with the following: C2.1 Buildings setback from the primary street: a) At a distance not less than the **prevailing street setback** as illustrated by Figure 3; or Note: applications shall be accompanied by information demonstrating the calculation of the **prevailing street setback**, to the satisfaction of the local government. Note: Where a grouped dwelling has its main frontage to a secondary street or where a single house results from subdivision of an original corner lot and has its frontage to the original secondary street, buildings are to be setback in accordance with C2.1(iv) of the R-Codes and are not subject to a **prevailing street setback** assessment. C2.4 A second storey setback from the primary street as illustrated in Figure 6 as follows: a) For existing dwellings, behind the ridge line of the existing dwelling; or b) For new dwellings, a minimum of 3m from the **primary building line to** ensure the dwelling has a clear single storey component as viewed from the street. Clause 5.1.2 Street Setback is modified to include the following additional deemed-to-comply requirements: C2.5 Pergolas setback in accordance with the street setback requirements applicable to buildings. C2.6 The street setback area is developed primarily as a soft landscaped garden. C2.7 Verandahs or porches that address the primary street frontage and comprise the front door of the property.
5.1.3 Lot Boundary Setbacks	
With respect to the application of Design Principle P3.1 'Buildings setback from lot boundaries or adjacent buildings on the same lot', the following matters shall be considered: Lot boundary walls: a) The established detached **streetscape character** of dwellings as viewed at an oblique angle from the street; and b) Lot frontage widths.	Clause 5.1.3 Lot boundary setback C3.2 is replaced with the following: a) Carports built up to lot boundaries forward of the **prevailing street setback** where compliant with visual truncation requirements of clause 5.2.5 of the R-Codes.

Local Housing Objectives	R-Codes Deemed-to-Comply
5.1.6 Building Height	
With respect to the application of Design Principle P6 'Building height that creates no adverse impact on the amenity of adjoining properties or the streetscape', the following matters shall be considered: a) The established roof form, pitch and eaves height of the streetscape. b) New buildings address the primary street frontage and respond to and reinforce the existing **streetscape character** such as wall height, ridge lines and eaves overhangs.	Clause 5.1.6 Building Height is replaced with the following: a) Maximum two storeys; b) A roof pitch of between 30-35 degrees; c) The single storey portion fronting the street (and for the purposes of 5.1.2 C2.4 above) have an eaves height the average of the two adjoining properties but not less than 2.6m plate height.

Figure 6 – Second Storey Setback



2.2 Form and Materiality

Table 2.2 Form and Materiality

The following Local Housing Objectives augment the R-Codes to guide judgements about the merits of the proposal with respect to the Design of Buildings through Form and Materiality.

Local Housing Objectives
Design of Buildings

1. Form

Windows

Windows facing the primary street are to:

a) Be provided to complement the established **streetscape character**;

b) Have primarily vertical proportion;

c) Be clear-glazed; and

d) Not be floor-to-ceiling.

Eaves

a) Eaves are required to all dwellings and widths are to match the width of the existing dwelling (if an extension) or prevailing eaves style of the streetscape where **visible from the street**.

b) Eaves are to be unlined with roof rafters exposed from the underside.

Roof

a) Traditional roofs are pitched between 30 and 35 degrees. New roofs should aim to conform with the prevailing roof form of the area. This may be dual pitched with gable or hipped.

Note: This should inform the new single storey portion of new development roof pitches however second storey roofs do not necessarily need to comply with traditional roof pitches if not **visible from the street**.

Second Storeys

a) Second storeys should be setback behind the predominant single storey street front portion of a new dwelling and additions thereto and should respect the scale of the traditional **streetscape character** of the area.

2. Materials

Traditional materials used in the Policy Area will vary depending on the period of development. New development should not seek to copy original buildings but instead draw influence from the them in the streetscape in which it's located. As a guide, the following materials should be incorporated in new development that is **visible from the street**:

Roofs

a) Galvanised corrugated iron or prefinished steel.

b) Marseilles profile terracotta tiles.

Walls

c) Painted, horizontal weatherboards of a minimum width of 175mm wide and 18mm thick.

d) Red brick (of a traditional type i.e. non uniform in colour or texture).

e) Painted render as a secondary finish.

Verandahs

f) Timber decking with timber balustrades and posts.

g) Roof form generally matching the dwelling roof. Skillion or bullnose roofs with galvanised iron, terracotta tiles or prefinished steel.

h) Simple timber brackets between posts and facia may be acceptable.

Local Housing Objectives
Windows and doors i) Timber is preferable material for all window frames and doors. j) Aluminium where frames are wider may be acceptable. k) Recessed windows with proportionate framing. Gutters and Downpipes l) Galvanised iron. m) Prefinished steel. Garages and Carports n) Timber or wrought iron gates to crossovers. Ornamentation o) Copying historic details is not permitted on new development; this might include latticework on verandahs, ornate verandah posts, decorative render or stucco corbelling to chimneys and window surrounds.

2.3 Connection to the Street

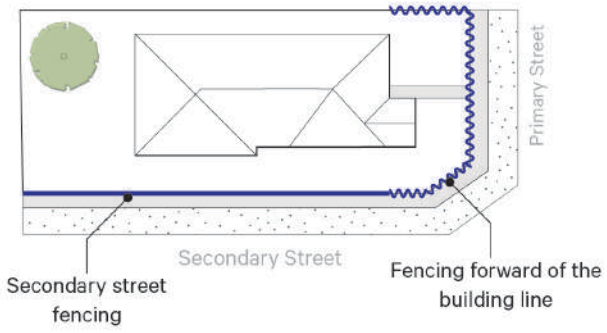
Table 2.3 Connection to the Street

The following Local Housing Objectives and R-Codes Deemed-to-Comply provisions amend, replace or augment the R-Codes in relation to Connection to the Street.

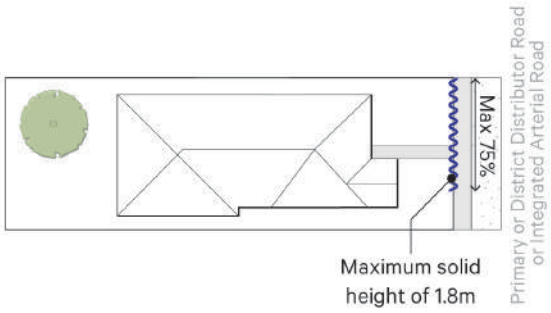
Local Housing Objectives	R-Codes Deemed-to-Comply
5.2.1 Setbacks of Garages and Carports	
With respect to the application of Design Principle P1 'The setting back of carport and garages to maintain clear sight lines along the street and not to detract from the streetscape or appearance of dwellings; obstruct views of dwellings from the street or vice versa', the following maters shall be considered: a) Provides for soft landscaping and tree planting that enhances the **streetscape character** and pedestrian amenity and improves the visual appeal and comfort of open garden areas.	Clause 5.2.1 Setback of garages and carports C1.1 and C1.2 are replaced with the following: C1.6 Carports setback forward of the **prevailing street setback and/or primary building line** provided the following is met: a) Minimum street setback of 1.5m; b) Open on all sides except to the extent it abuts a dwelling; c) Unobstructed view between the dwelling and the street; d) Reflect the style, materials and colours of existing and proposed new dwellings, especially roof form; C1.7 Garages setback behind the **primary building line.**
5.2.2 Garage Width	
With respect to the application of Design Principle P2 'Visual connectivity between the dwelling and streetscape should be maintained and the effect of the garage door on the **streetscape character** should be minimised whereby the streetscape is not dominated by garage doors', the following matters shall be considered: a) Garages which do not dominate the visual appearance of the lot having regard to the width of the lot and building frontage, the location of any upper floor relative to the garage and the general design merit.	Clause 5.2.2 Garage width C2 is replaced with the following: a) The external width of the garage structure is not greater than 50% of the frontage of the site.

Local Housing Objectives	R-Codes Deemed-to-Comply
5.2.4 Street Walls and Fences	
With respect to the application of Design Principle P4 'Front fences are low or restricted in height to permit surveillance and enhance **streetscape character'**, the following maters shall be considered: a) Maintaining open front gardens with views to the building, and across lot frontages as viewed at an oblique angle from the street. b) Fencing that is visually permeable and of materials that respect the **streetscape character.**	Clause 5.2.4 Street walls and fences C4 is replaced with the following: c) Walls and fencing within the primary street setback area that are visually permeable above 750mm from natural ground level to maximum height of 1.2m; d) Piers do not exceed 500mm in width and 1.5m in height; e) Secondary street walls and fencing that have a maximum solid height of 1.8m, setback behind building line in accordance with Figure 7; f) Material(s) proposed include one or more of the following selected to reflect the predominate materials of fences to **original dwellings** in the streetscape: i. Timber pickets; or ii. Brick; or iii. Limestone; or iv. Rendered masonry; or v. Wrought iron. g) For lots with frontage to a Primary or District Distributor Road or Integrated Arterial Road, walls and fencing that have a maximum solid height of 1.8m for a maximum of 75% of the length of that frontage. Refer to Figure 7 for guidance.

Figure 7 – Primary and Secondary Street Fencing



Primary and secondary street fencing



Primary or District Distributor Road or Integrated Arterial Road

3. Development Provisions for Original Dwellings

a) The following provisions apply to **repairs** and extensions and additions to **original dwellings** in addition to those listed in Tables 2.1-2.3. Where any inconsistency occurs between Tables 2.1-2.3 and Table 3, Table 3 prevails.

Table 3: Original Dwellings

*The following Local Housing Objectives augment the R-Codes to guide judgements about the merits of proposals involving **original dwellings** with respect to the Design of Buildings through Form and Materiality.*

Local Housing Objectives

Design of Buildings

1. General

a) No additions or alterations to original dwellings shall occur forward of the primary building line unless restoring an original feature e.g. verandah or as otherwise determined by the local government.

b) **Repairs** to **original dwellings** shall be based on retaining the traditional materials and appearance of the building.

c) Where the street front portion of an **original dwelling** has been altered in the past it is encouraged to be restored to match its original appearance using traditional materials as this will enhance its contribution to the **streetscape character.**

d) Additions to **original dwellings** may be more contemporary in nature, while ensuring they are designed to respect the materiality, scale and form of the **original dwelling** and not overwhelm the streetscape presence of that dwelling.

e) Design solutions are encouraged and shall balance sustainability outcomes with respecting the **streetscape character**. In particular, the retention and ongoing use of **original dwellings** is inherently sustainable as these building represent a considerable amount of embodied energy. Demotion and rebuilding entail disposing of substantial waste and using energy intensive materials.

2. Roofs

a) If roof cladding requires replacement it should match the original based on physical or documentary evidence. In most cases this will be corrugated galvanised iron or terracotta tiles. Often galvanised iron was painted in colours of dark red or green and some prefinished steel can match this but its preferable to retain a 'silver or metallic' appearance.

3. Walls

a) Brickwork – where brickwork is currently exposed it should remain uncoated by paint or render. It should be repointed when required with a mortar mix to match the original in composition and appearance. Where original exposed brick has been painted, restoration to original face brick is encouraged.

b) Render - render was used sparingly as a decoration to brick buildings rather than predominant finish and was often painted. The presence of decorative render shall not be deemed a precedence for the surface area expansion of render.

c) Weatherboards – painted hardwood horizontal weatherboards should be retained and restored where possible. Where weatherboards require replacement, they should match the type of materials (timber), width of boards and lapping of the original.

4. Verandahs

a) Roofs – verandah roofs should reflect the style of the prevailing **streetscape character**. Skillion, or to a lesser extent bullnose, roofs clad in corrugated iron are common on Interwar and Gold Boom period housing. Federation period dwellings may have had continuous or separate verandah structures. Refer to Schedule 1 for examples of verandahs.

b) Posts/ Balustrades – verandah posts and balusters are always timber and may be ornate or simple square posts that should be retained or restored.

c) Decking – timber decking is traditional and should be retained or restored.

Local Housing Objectives	
5.	**Windows and Doors**
	a) Casement windows – usually grouped in pairs or threes and with timber frames- should be retained and restored. Aluminium or other metal frames are not suitable.
	b) Double sash windows – sliding two sash windows in timber frames – should be retained or restored. Aluminium or other metal frames are not suitable.
	c) Doors – generally located centrally in the primary frontage with timber panels and fan lights over (typically of coloured glass) should be retained or restored.
6.	**Ornamentation**
	a) Modest ornamentation was applied to some of the **original dwellings,** most commonly from the Federation Period. Where ornamentation is to be restored it should be based on evidence that it existed originally.
7.	**Services**
	a) Air conditioning, solar panels, hot water systems, meter boxes and other services should be located in areas where they cannot be seen from the primary street. Where dwellings have northern primary street frontage, solar panels will typically be permitted on the back two-thirds of a dwelling so that they do not visually dominate the streetscape.

DEVELOPMENT INCENTIVES TO RETAIN ORIGINAL DWELLINGS

In the opinion of the local government, where development on a lot containing an **original dwelling** retains and enhances that **original dwelling**, an applicant may apply to the local government for one or more of the following:

a) Waiver or refund of development application fees;

b) Subsidised access to technical knowledge (professional heritage architectural advice);

c) Subsidised sustainability retrofit package; and

d) Maintenance grant.

The above may be further detailed within a specific local planning policy and applicants are advised to liaise with the local government prior to lodging a development application to discuss the retention of an **original dwelling**.

VARIATIONS TO DEVELOPMENT PROVISIONS

a) Applications proposing variations to development provisions will be considered against the policy objectives and the **streetscape character** as identified in this policy, including *Schedule 1 Historic Estates*;

b) The local government may vary any development provision contained in this policy to facilitate the retention and enhancement of an **original dwelling**; and

c) If the local government is of the opinion that a proposed variation of a development provision is likely to affect any owners or occupiers of adjoining properties, the local government may advertise the proposed development in accordance with an adopted local planning policy on consultation or, where absent, deemed clause 64 of Schedule 2 of the *Regulations*.

VERSION CONTROL

Date Initially Adopted:	
Date(s) Amended:	

SCHEDULE 1 – HISTORIC ESTATES

Brief History and Development of The Area

The Town of Victoria Park developed as a linear urban village in accordance with the Garden City Movement of the early 20th century where verdant, self-sustaining satellite suburbs developed along transit routes to alleviate inner city urban density. In this case, Victoria Park was structured around the central spine of the tramway, Albany Highway and two railway stations. The suburb developed largely as a working-class neighbourhood as can still be demonstrated by the prevalence of modest workers housing on smaller lots built using a limited palette of materials.

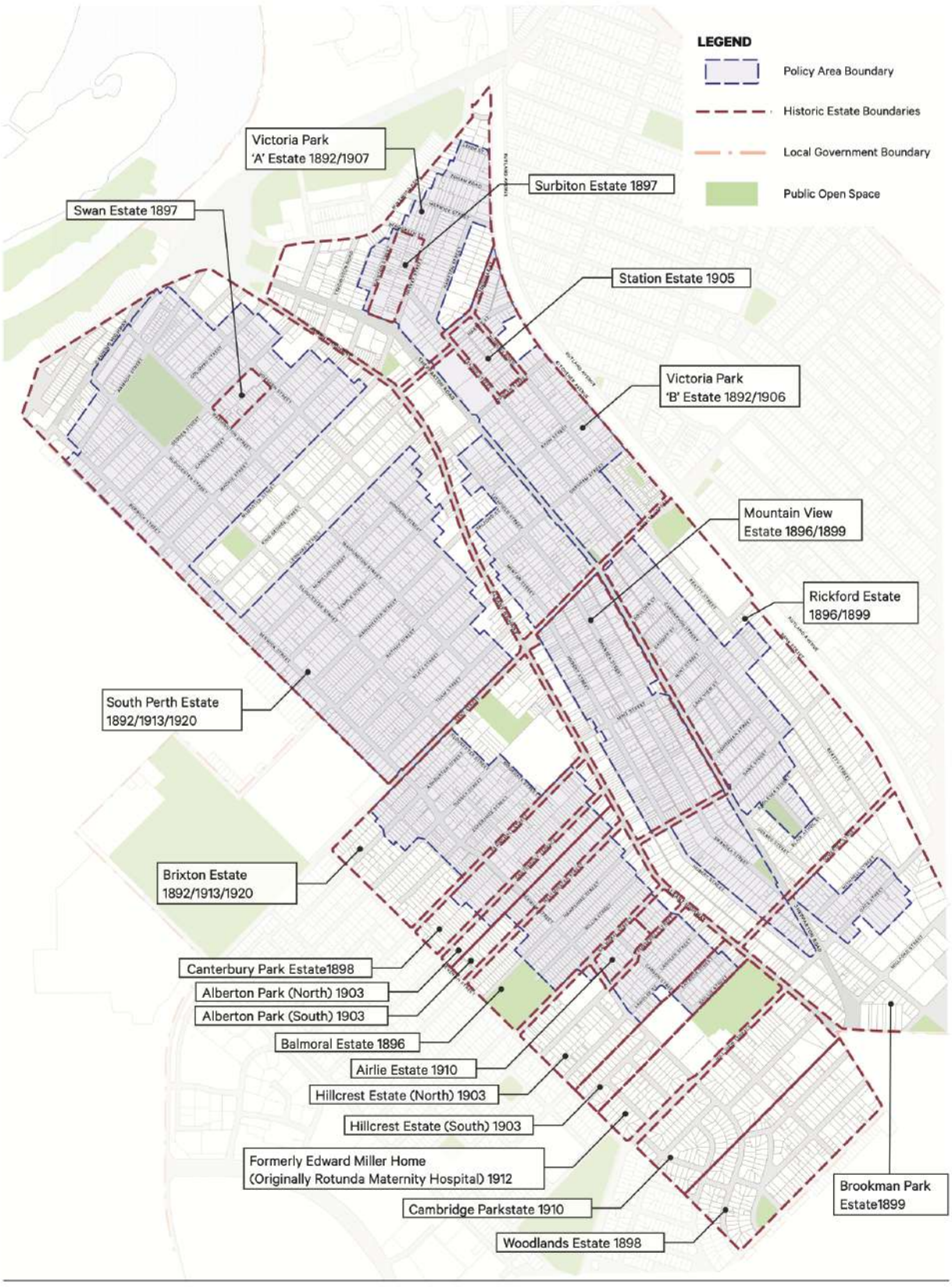
The locality was developed predominantly through the formation of large estates during the Gold Boom period (1890s) up to the years following Federation (1900s) and into the Interwar period (1918-1939). The development of this subdivision, however, took until World War II (1939-1945) to become almost fully developed although a small portion of vacant lots remained beyond 1945.

This history of development has resulted in a generally cohesive series of streetscapes that were developed over a fifty-year period which has resulted in a sequence of residential estates each containing different types of buildings relating to their period of development. It is for this reason that the character of the Policy Area can be considered as mixed across the area with individual streetscapes that are often highly cohesive.

The following table should be referred to in conjunction with Figure A, which together illustrate the location and date in which the historic estates were subdivided and the prevailing traditional styles of architecture which relate that portion of the Policy Area.

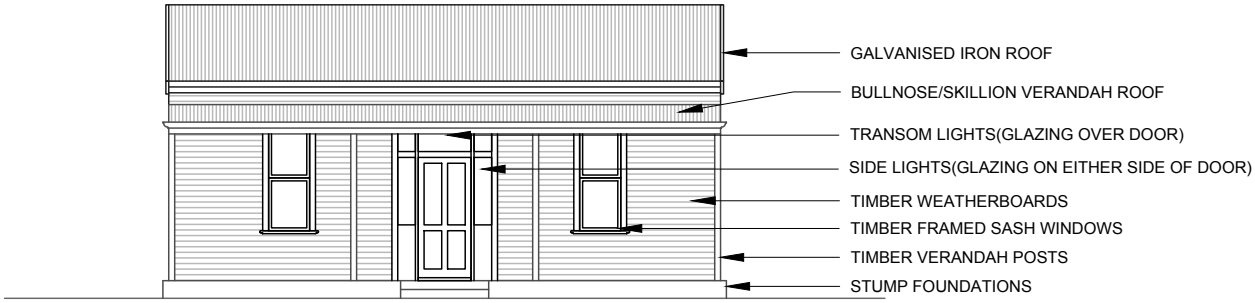
Historic Estate	Date of Subdivision	Period of Development
South Perth (North & South)	1892/1913/1920	Gold Boom/ Federation/ Interwar
Swan	1897	Gold Boom/ Federation/ Interwar
Victoria Park A	1892/1901	Gold Boom/ Federation/ Interwar
Surbiton	1897	Interwar
Station	1905	Interwar
Victoria Park B	1892/1906	Gold Boom/ Federation/ Interwar
Brixton	1897/1897/1916	Gold Boom/ Federation/ Interwar
Canterbury Park	1896	Gold Boom/ Federation/ Interwar
Alberton Park (North)	1903	Gold Boom/ Federation/ Interwar
Alberton Park (South)	1903	Gold Boom/ Federation/ Interwar
Balmoral	1898	Gold Boom/ Federation/ Interwar
Hillcrest (North & South)	1903	Gold Boom/ Federation/ Interwar
Airlie	1911	Interwar
Former Edward Millen Home	1912	Interwar
Mountain View	1896/1899	Gold Boom/ Federation/ Interwar
Bickford	1888/1896	Interwar
Cambridge Park	1910	Interwar
Woodlands	1896	Interwar
Brookman Park	1899	Interwar

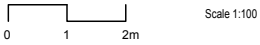
Figure A – Historic Estates



Gold Boom (1890s -1910)

The locality was subdivided following the Gold Boom of the 1890s, however much of the development did not occur until late in that decade. Despite that, the styles of residential being built during that period persisted into the early in 20th Century. Early remaining buildings from this period are characterised by simplicity of form, the uses of simple building materials, and simple decorative treatments. Typical features include simple rectangular plans, timber frame and weatherboard construction, steeply pitched roof (originally covered with short sheet galvanised iron), centrally located front doors often with fan or transom lights, two-paned vertical format window and wide verandahs with square or stop chamfered posts. Simple bracketing may have been applied but ornate decoration would have been a
rarity.

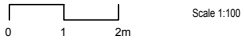




Federation (1900-1920)

The locality experienced initial growth during the Federation period with the opening of the tram service from Perth in 1905 boosting development in those historic estates that had been subdivided in the 1890s. In 1906 the population of the suburb was 1,500 and then by 1909 it had grown to 1,800.

By the Federation period the manufacture of bricks and tile in Perth had increased and became a more affordable material to use for residential construction, particularly on large scale housing developments. As a result, many of the buildings from this period largely reflect these materials but not exclusively, as weatherboards were still being used. While there are some examples of larger more exuberant buildings from this period at the northern and eastern portions of the Policy Area, the locality tends to display less ornate examples of the period. Typical details are decorative timbered and rendered gables, tall chimneys with stucco coping, render banding into face brick and ornate verandah timber posts. Windows were always timber framed, either as double hung sash or casements grouped in twos and threes, with vertical emphasis. The buildings were generally of an a-symmetrical composition on their primary street elevation.



Interwar (1920-1945)

During the 1920s and 30s the locality grew considerably to accommodate returning servicemen from World War I and their expanding young families. In 1917 the population of the suburb was 5,000 which illustrates the rapid expansion from 1906. The socio-economic make up of these new residents were generally young working-class families and the housing was reflective of both the rapid expansion and the affordability of the materials used. As a result, many of the weatherboard houses date from this period.

Most of the Interwar dwellings were similar in form to those of the preceding periods. The proportions and form were similar, with less ornate detailing used on elements such as verandahs and gables. The double hung sash window, once the prevalent window type gave way to the casement window, slightly reduced roof pitches, and eaves overhangs marginally increased. The dwellings were usually asymmetrical in plan with protruding gables.

Examples of Verandah Forms

Bullnose

Skillion

element.

the art and science of place

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