

# CITY OF SUBIACO

## PLANNING POLICY No. 4.9

### West Subiaco Precinct Policy

**ADOPTION DATE:** 1999  
**REVIEW DATE:** 26 May 2015  
**AUTHORITY:** TOWN PLANNING SCHEME NO. 4.  
RESIDENTIAL DESIGN CODES (2013)

#### **Statutory background**

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

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

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

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

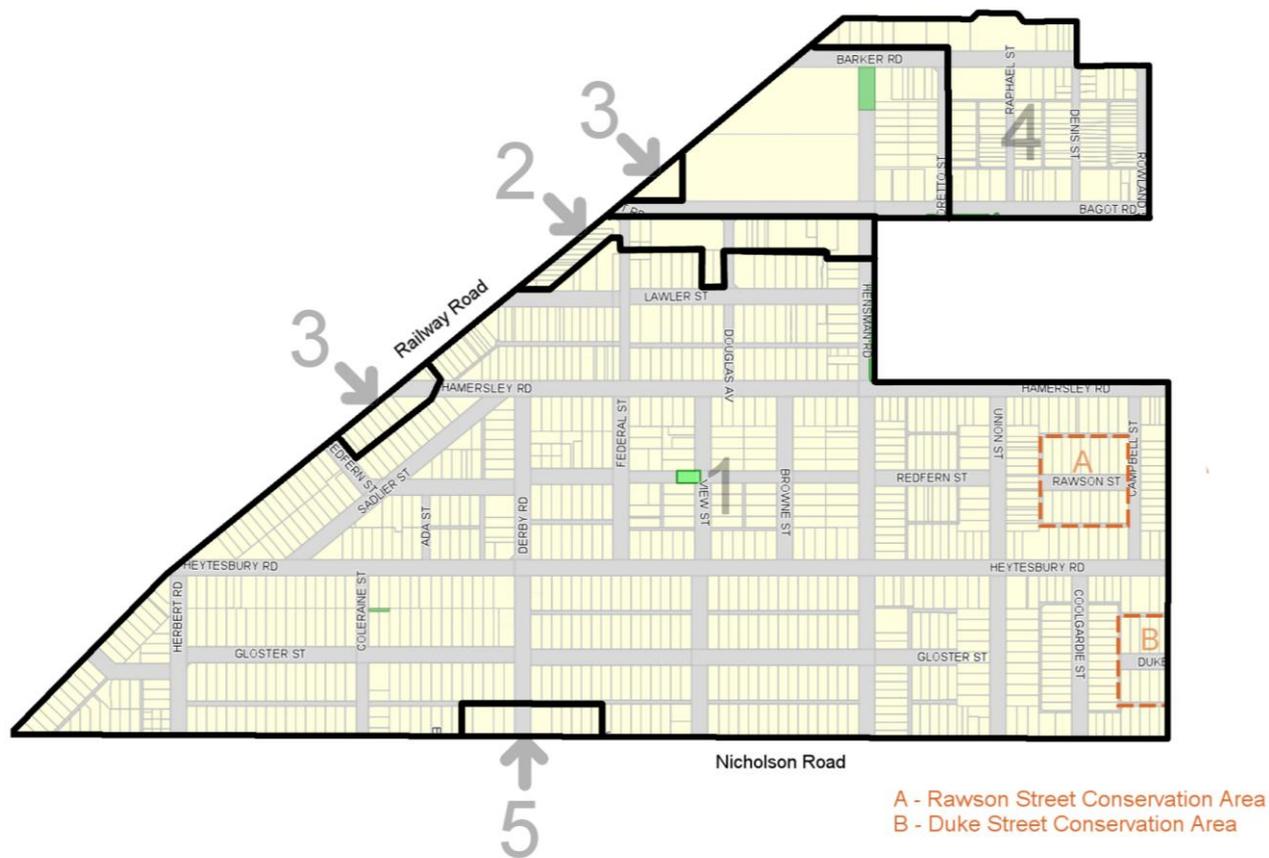
#### **Purpose**

This policy has been adopted for the purpose of preserving and enhancing the established neighbourhood character and amenity of the West Subiaco Precinct while still allowing for new development to occur that meets the changing needs of the community.

This planning policy applies to the West Subiaco Precinct as identified in City of Subiaco Town Planning Scheme No. 4 and as shown in Figure One.

The Precinct comprises the land generally bounded by Nicholson Road to the south, the railway reserve to the west and follows the rear boundaries of the properties to Rokeby Road, the Civic and Cultural Precinct and the Town Centre Precinct. Within the Precinct there are five identifiable sub-precincts which are distinct in character. The West Subiaco Precinct and its sub-precincts are shown in Figure One (on the following page).

**Figure 1: West Subiaco Precinct Sub-Precincts**



To assist in achieving the above purpose, this policy:

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

**TABLE 1: Summary of Sub-precinct Requirements**

<b>Sub-precinct</b>	<b>Design Element</b>	<b>Matters for Consideration in Applying Design Principles Provided</b>	<b>Deemed-to-comply Requirements Replaced</b>	<b>Additional Deemed-to-comply Requirements Provided</b>
<b>Sub-precinct 1</b>	5.1.2 Street Setback	P2.1 P2.2	C2.1 C2.2 Note: C2.3 & C2.4 have not been replaced and still apply	Yes C2.5 – C2.9
	5.2.1 Setbacks of Garages and Carports	P1	C1.1 C1.2 C1.4 C1.5 Note: C1.3 has not been replaced and still applies	No
	5.2.2 Garage Width	N/A	No	Yes C2.1
	5.2.3 Street Surveillance	P3	No	Yes C3.3
	5.2.4 Street Walls and Fences	P4	Yes C4.1 - C4.5	No
	5.3.3 Parking	P3.1 P3.2 P3.3	No	No
	5.3.5 Vehicular Access	P5	No	No
<b>Sub-precinct 2</b>	5.2.4 6.2.2 Street Walls and Fences	P4 P2	C4 C2	No No
<b>Sub-precinct 3 (Railway Road Local Centre and Commercial/ Residential)</b>	Requirements as per the Codes for residential development and mixed use development. Requirements relating to setbacks, built form, separation of uses for mixed use developments, safety and security and loading, unloading and service facilities have been provided to apply to commercial development.			
<b>Sub-precinct 4</b>	Development is to be in accordance with the provisions of the Scheme and Codes.			
<b>Sub-precinct 5 (Nicholson Road Neighbourhood Centre)</b>	Requirements as per the Codes for residential development and mixed use development. Requirements relating to setbacks, built form, separation of uses for mixed use developments, safety and security and loading, unloading and service facilities have been provided to apply to commercial development.			

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

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

## **Precinct Description**

The West Subiaco Precinct is a large, predominantly residential area abutting the south-west portion of the Town Centre. The Precinct has a variety of accommodation types, but is mostly made up of single dwellings on lots ranging in area from 330 sq.m to 600 sq.m. The street system is laid out in a conventional grid pattern, with narrow rear laneways being a common feature.

High levels of on-street car parking are evident in some areas where lots are narrow and/or no rear laneways exist, which reduces the ability of residents in those areas to provide sufficient on-site car parking.

Many dwellings constructed during the Federation and Interwar periods remain in existence today, with the relatively intact streetscapes giving the Precinct a distinctive and attractive suburban character. New replacement dwellings have steadily appeared throughout the West Subiaco Precinct over time. These are of one or two storeys, and have generally been respectful of the original dwelling forms and scale.

The northern part of the Precinct on the southern side of Bagot Road has a more pronounced urban character influenced by its proximity to the nearby King Edward Memorial Hospital and the Subiaco town centre. This small area contains a variety of medium density housing types. The part of the Precinct north of Bagot Road and west of the Town Centre is proposed to be included in the Subiaco Activity Centre. It features a collection of dwellings built in a 'terrace' style.

While traditional low front fencing is characteristic of the Precinct, solid screen walls and car ports have been constructed more recently in some places to the detriment of streetscapes. Some examples of high solid fencing in Redfern and Coleraine Streets in the west of the Precinct are particularly unattractive, and detrimental to the amenity of passing pedestrians.

## **POLICY**

### **1.0 Objectives**

The objectives of this policy are as follows:

- a) To protect and enhance the existing established neighbourhood character of the Precinct;
- b) To enhance the residential amenity of the Precinct;
- c) To encourage the conservation and enhancement of the original housing stock of the area, particularly where properties are listed on the City of Subiaco Town Planning Scheme Register of Places of Cultural Heritage Significance, and/or located within designated Conservation Areas declared under the Scheme;
- d) To consolidate the established local centre located on Railway Road opposite the DalGLISH railway station;
- e) To encourage any new development within sub-precinct one to reflect the existing scale, character, details and materials of the surrounding area;
- f) To encourage the access of car parking areas, garages and carports from the rear of the property where possible;
- g) To minimise the impact of car parking structures on the existing established neighbourhood character of the surrounding area;
- h) To encourage residential development to be orientated to the street or other public areas.

## 2.0 Interpretation

### 2.1 Definitions

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

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

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

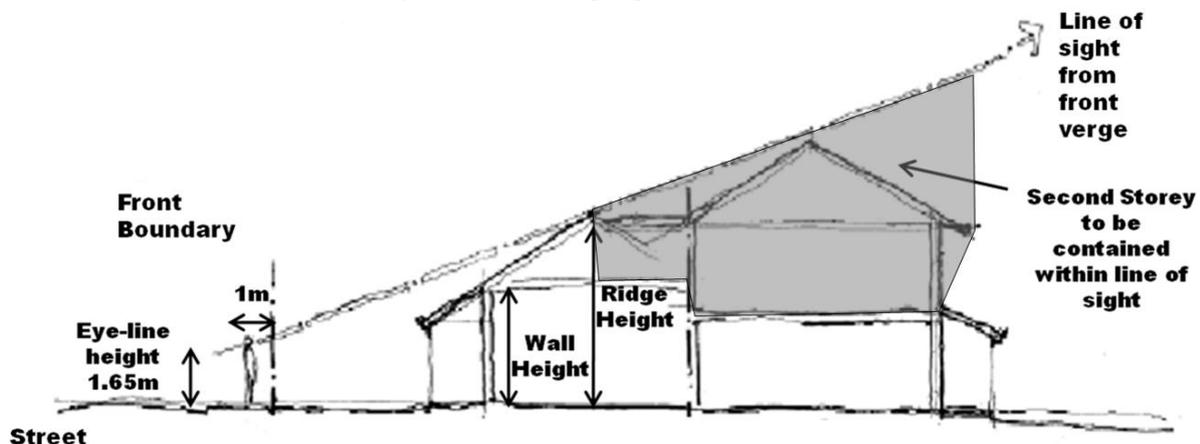
**Identified Heritage Significance:**

Means those properties:

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

**Line of Sight:**

Line of sight is calculated 1 metre from outside the property boundary with an 'eye line' height of 1.65 metres as illustrated by the following figure:



Note: the line of sight for each property will vary depending on the wall height, roof pitch and overall height of the dwelling. Illustrations depicting typical architectural dwelling styles located within the city with the upper floor setback within the

line of sight are included in a separate information sheet available from the city.

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

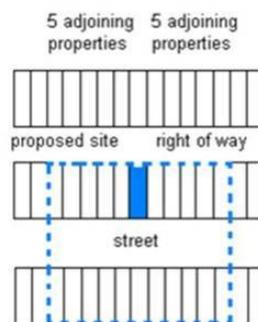
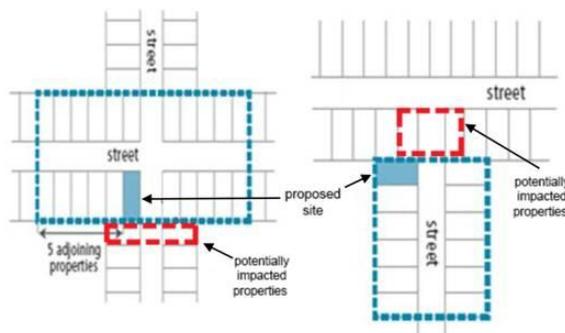
**Prevailing Street Setback:** The setback calculated by averaging the street setback of properties within the surrounding area.

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

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

**Surrounding Area:** Means the five properties on either side of the proposed development on both sides of the street (excluding laneways/rights of way) that the dwelling is orientated towards.

In instances where there are less than 5 properties on either side of the proposed development, the surrounding area will be determined on a case by case basis having due regard to the total number of properties on either side of the proposed development on both sides of the street, in the opinion of the Manager Planning Services.



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

## **2.2 Architectural Styles**

This policy refers to the following architectural dwelling styles:

- Federation Bungalow; and
- Interwar Bungalow.

These architectural dwelling styles are described and illustrated in a separate information sheet available from the city.

## **3.0 Structure of Provisions**

Provisions for sub-precincts one, two, three, four and five are found in Parts 4.0, 5.0, 6.0, 7.0 and 8.0 respectively.

## **4.0 Sub-precinct One**

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

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

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

With respect to the application of P2.1 of design element 5.1.2, council will have regard to the prevailing street setback for both the primary and secondary street (if any).

With respect to the application of P2.2 of design element 5.1.2, council will have regard to the following matters:

##### Upper Level of a Building

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

##### Roof Form and Pitch

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

##### Design of Carports and Garages

- a) any identified heritage significance of the existing dwelling;
- b) the predominant architectural style within the surrounding area; and

- c) the impact of the proposed carport or garage on the dwelling as viewed from the street, particularly with respect to its visual dominance.

#### Materials

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

#### **4.1.2 Deemed-to-Comply Requirements**

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

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

- i. at a distance not less than the 'prevailing street setback'; or
- ii. in instances where the setback of surrounding development is greatly varied, in accordance with the setback of the houses on either side of the subject property. Where the setback of the two adjoining houses varies, the setback is to be mid-way between those of the adjoining houses.

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

In addition to the above and 5.1.2C2.3 and 5.1.2C2.4 of the Codes, the following will apply:

C2.5 The upper floors of buildings are to be set back from the primary street ground floor facade as follows:

- i. So as to be contained within the line of sight; or
- ii. So as to be wholly contained within the roof space.

C2.6 Where applicable, the upper floor of development is not to exceed 15% of the site area.

C2.7 Where applicable, the upper floor of all development is to be setback a minimum of 1.5 metres from the ground floor secondary street facade.

C2.8 The roof pitch of new development as viewed from the primary street and the secondary street where applicable, is to be between 30 to 32 degrees.

C2.9 Garages located adjacent to or within 1 metre of the main building line and carports within the front setback area to be:

- i. Designed in a minimal fashion to the minimum dimensions and standards of the relevant Australian Standard; and
- ii. Designed in a manner that allows the visual presence of the existing house to remain the dominant visual feature when viewed from the street; and
- iii. Lightly framed and roofed, allowing views through it to the house to which it relates.

*Note: Design Elements 5.1.2C2.3 and C2.4 have not been replaced and are still applicable.*

## **4.2 Setback of Garages and Carports (Streetscape - Design Element 5.2.1 of the Codes)**

### **4.2.1 Matters for Consideration in Applying Design Principle P1**

With respect to the application of P1 of design element 5.2.1, council will have regard to the following matters:

- a) Existing site constraints as follows:
  - i. Any existing vehicular access points to the site;
  - ii. The location of any existing development on the site;
  - iii. The front setback distance; and
  - iv. The topography of the site.
- b) The architectural style and development period of any existing development on the lot and surrounding area; and
- c) The impact of the proposed structure on the dwelling and/or the established neighbourhood character.

### **4.2.2 Deemed-to-Comply Requirements**

Design Elements 5.2.1C1.1, C1.2, C1.4 and C1.5 of the Codes are replaced with the following:

C1.1 Having regard to access and site constraints, garages and carports are to be located:

- i. At the rear of the property behind the dwelling; or
- ii. 0.5m behind the main building line adjacent to the primary or secondary street.

C1.2 Where vehicular access to garages and/or carports is permitted from the primary or secondary street under the provisions of the Codes:

- i. The garage or carport is to be located 0.5m behind the main building line adjacent to the primary or secondary street;
- ii. Carports within the primary or secondary setback area are permitted where 50% or more of dwellings within the surrounding area have carports within the primary or secondary setback area; and

- iii. Where carports are permitted within the primary or secondary street setback area, the width of the carport will not exceed 50% of the frontage of the building line and the construction should allow an unobstructed view between the dwelling and the street (refer 4.1.2 C2.9).

*Note: Design Element 5.2.1 C1.3 has not been replaced and is still applicable.*

#### **4.3 Garage Width (Streetscape - Design Element 5.2.2 of the Codes)**

##### **4.3.1 Deemed-to-Comply Requirements**

In addition to 5.2.2C2 of the Codes, the following will apply:

- C2.1 Garages located to the side of a dwelling within 1 metre of the main building line adjacent to the primary or secondary street are to be fitted with visually permeable doors.

#### **4.4 Street Surveillance (Streetscape - Design Element 5.2.3 of the Codes)**

##### **4.4.1 Matters for Consideration in applying Design Principle P3**

With respect to the application of P3 of design element 5.2.3, council will also have regard to the safety and amenity benefits of residential development overlooking parks and public spaces.

##### **4.4.2 Deemed-to-Comply Requirements**

In addition to 5.2.3C3.1 and 5.2.3C3.2 of the Codes, the following will apply:

C3.3 In the case of corner lots:

- i. the secondary street facade is articulated with windows; and
- ii. at least one major opening from a habitable room window of the dwelling has a clear view of the secondary street.

#### **4.5 Street Walls and Fences (Streetscape - Design Element 5.2.4 of the Codes)**

##### **4.5.1 Matters for Consideration in Applying Design Principle P4**

With respect to the application of P4 of design element 5.2.4, council will have regard to the following matters:

- a) the architectural style and development period of the dwelling to which the fence relates;
- b) the extent to which the proposed fence complements the style of the existing dwelling;
- c) the extent to which the proposed fence allows clear public views of the dwelling on the lot from the street; and
- d) the volume of traffic on Railway Road and its likely negative environmental impact on the amenity of abutting lots.

#### **4.5.2 Deemed-to-Comply Requirements**

Design element 5.2.4C4 of the Codes is replaced with the following:

- C4.1 Street walls and fences on lots abutting Railway Road are to comply with the following:
  - i Solid fencing to a maximum height of 1.8 metres above natural ground level, measured from the primary street side of the front fence, will be permitted.
  - ii The maximum height of piers with decorative capping to be 2 metres above natural ground level, measured from the primary street side of the front fence.
  
- C4.2 Street walls and fences on all lots (with the exception of those abutting Railway Road) are to comply with the following:
  - i. Solid fencing to a maximum height of 0.9 metres above natural ground level, measured from the primary street side of the front fence, will be permitted; and
  - ii. Any portion of fencing above 0.9 metres in height is to be visually permeable to a maximum height of 1.8 metres, measured from the primary street side of the front fence.
  
- C4.3 Street walls and fences that abut a secondary street and which screen an outdoor living area behind the primary street setback line are to comply with the following:
  - i. The maximum height of the wall may be 1.8 metres above natural ground level, measured from the secondary street side of the side fence; and
  - ii. The maximum height of piers with decorative capping to be 2 metres above natural ground level, measured from the secondary street side of the side fence.
  
- C4.4 Street walls and fences that abut a secondary street and which do not screen an outdoor living area are to meet the relevant standards for a front fence contained in 5.2.4C4.2 above.
  
- C4.5 Gatehouses and porticos are not permitted within the primary street setback area.

#### **4.6 Parking (Site Planning and Design - Design Element 5.3.3 of the Codes)**

##### **4.6.1 Matters for Consideration in Applying Design Principles P3.1 to 3.3**

With respect to the application of P3.1 to 3.3 of design element 5.3.3, council will have regard to the following matters:

- a) Existing site constraints such as
  - i. The location of existing development on the site; and
  - ii. The topography of the site; and

- b) How the addition of a covered parking structure would impact on other design elements such as outdoor living area and open space.

#### **4.7 Vehicular Access (Site Planning and Design - Design Element 5.3.5 of the Codes)**

##### **4.7.1 Matters for Consideration in Applying Design Principle P5**

With respect to the application of P5 of design element 5.3.5, council will have regard to the following matters:

- a) Whether the site has alternative access to the primary street (secondary street or right-of-way);
- b) Whether the property abuts a right-of-way of sufficient width to enable sufficient manoeuvring space for vehicular access located at the rear of the property;
- c) Whether the property abuts a secondary street from which a crossover already exists or could be constructed;
- d) Whether adequate space is available on the site to enable manoeuvring into car parking spaces or structures (garage or carport) located from a right-of-way;
- e) The orientation of the subject lot and whether parking structures can be located in an area where an energy efficient outcome can be achieved;
- f) Whether the subject property abuts a right-of-way over which it has a legal right-of-carriageway; and
- g) Existing site constraints, including:
  - i. the location of existing development on site, including ancillary accommodation;
  - ii. the amount of open space available at the rear of the site;
  - iii. the impact that parking access from the rear and any associated car parking areas or structures in this location would have on open space and/or outdoor living area/s;
  - iv. the topography of the site; and
  - v. the front setback distance.

#### **5.0 Sub-precinct Two**

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

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

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

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

- a) the architectural style and development period of the dwelling(s) to which the fence relates;
- b) the extent to which the proposed fence complements the style of the existing dwelling(s);
- c) the extent to which the proposed fence allows clear public views of the dwelling(s) on the lot from the street; and
- d) the volume of traffic on Railway Road and its likely negative environmental impact on the amenity of abutting lots.

### 5.1.2 Deemed-to-Comply Requirements

Design element 5.2.4C4 and 6.2.2C2 of the Codes are replaced with the following:

- C4.1/C2.1 A maximum height of 1.8 metres above natural ground level, measured from the primary street side of the front fence; and
- C4.2/C2.2 Visually permeable above 0.9 metres in height above natural ground level for at least 50% of the length of any fencing forward of the building line but may be solid below 0.9 metres in height; and
- C4.3/C2.3 The maximum height of piers with decorative capping to be 2 metres above natural ground level, measured from the primary street side of the front fence; and
- C4.4/C2.4 Gatehouses and porticos included in the design of a front fence are permitted if:
  - i. The area between pillars or columns is to be unenclosed; and
  - ii. Built to a maximum width and depth of 2 metres; and
  - iii. No more than 2.4 metres in wall height and 3.5 metres in overall height; and
  - iv. The roofing material used is to be non-reflective. For example, Colorbond;
  - v. Lighting on the exterior of the portico or gatehouse is to be provided; and
  - vi. The gate is to have a visually permeable panel at a suitable height for viewing purposes.
- C4.5/C2.5 Street walls and fences on lots abutting Railway Road are to comply with the following:
  - i Solid fencing to a maximum height of 1.8 metres above natural ground level, measured from the primary street side of the front fence, will be permitted.
  - ii The maximum height of piers with decorative capping to be 2 metres above natural ground level, measured from the primary street side of the front fence.

## **6.0 Sub-precinct Three**

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

### **6.1 Setbacks**

- a) Development will be required to be built up to the street alignment (i.e., to the back edge of the footpath) except where the setback of surrounding development is varied. In such cases setbacks from the street alignment are to be determined by council, having regard for the streetscape and the existing building setbacks on adjacent land and in the immediate locality.
- b) Boundary walls will generally be permitted to both side boundaries provided that:
  - (i) Adequate daylight, direct sun and ventilation are provided for buildings;
  - (ii) The privacy of adjoining properties is protected;
  - (iii) The visual impact of building bulk on neighbouring properties is moderated;
  - (iv) The separation of residential and non-residential uses has been adequately addressed; and
  - (v) Proposed development is in accordance with existing street context.

Where development adjoins residential zoned land the side setbacks for the applicable residential zone will apply.

### **6.2 Built Form**

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

### **6.3 Separation of Uses for Mixed Use Developments**

- a) The address and entrance to the residential component shall be kept separate and secure from that for the non-residential uses.
- b) The rubbish bin areas, letterboxes, laundry facilities, clothes drying areas and other similar facilities and services for any residential component shall be kept separate from the areas designated for similar uses for occupants of the non-residential component.
- c) There shall be no overlooking of the internal living spaces or private outdoor areas of the residential units from any point in the non-residential component of the proposed development.
- d) The residential component shall be designed to prevent any unreasonable loss of privacy, to the satisfaction of council, between any of the dwelling units in the development.

- e) Visual and acoustic privacy within the development and of adjoining residential development is to be considered in the design and addressed through the use of landscaped buffer strips, walls, screens, fencing and the shading of elevated lighting.

#### **6.4 Safety and Security**

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

#### **6.5 Loading, Unloading and Service Facilities**

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

### **7.0 Sub-precinct Four**

Development is to be in accordance with the provisions of the Scheme and Codes.

### **8.0 Sub-precinct Five**

In addition to the provisions of the Scheme and Codes, commercial development in sub-precinct five is to be in accordance with the standards outlined in Part 8 of this policy. Where a matter is not dealt with by this policy the requirements are as per the Scheme and Codes.

#### **8.1 Setbacks**

- a) Development will be required to be built up to the street alignment (i.e., to the back edge of the footpath) except where:
  - i) The setback of surrounding development is varied. In such cases setbacks from the street alignment are to be determined by council, having regard for the streetscape and the existing building setbacks on adjacent land and in the immediate locality; or
  - ii) To provide a forecourt area for outdoor dining. In such cases a suitable low wall or other device may be required in order to provide a demarcation between the public footpath and private court. In other cases, continuity of awnings or verandahs around the forecourt may be required, depending upon the uses and activities to be carried on within the building(s) abutting the forecourt.

- b) Where applicable, the rear of any proposed building must be set back so as to achieve a minimum 6 metre right-of-way width.
- c) Boundary walls will generally be permitted to both side boundaries provided that:
  - i) Adequate daylight, direct sun and ventilation are provided for buildings;
  - ii) The privacy of adjoining properties is protected;
  - iii) The visual impact of building bulk on neighbouring properties is moderated;
  - iv) The separation of residential and non-residential uses has been adequately addressed; and
  - v) Proposed development is in accordance with existing street context.
- d) Where development adjoins residential zoned land the side setbacks for the applicable residential zone will apply.

## **8.2 Built Form**

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

## **8.3 Separation of Uses for Mixed Use Developments**

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

## **8.4 Safety and Security**

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

- d) The development should lend itself to informal surveillance of public areas.

## **8.5 Loading, Unloading and Service Facilities**

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