

**CITY OF SUBIACO**  
**PLANNING POLICY No. 4.1 (November 2013)**

**Jolimont Precinct Policy**

**ADOPTION DATE: 17 DECEMBER 2013**  
**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 planning 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, including those in design elements 5.1.2, 5.2.1, 5.2.2, 5.2.3 and 5.2.4.

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

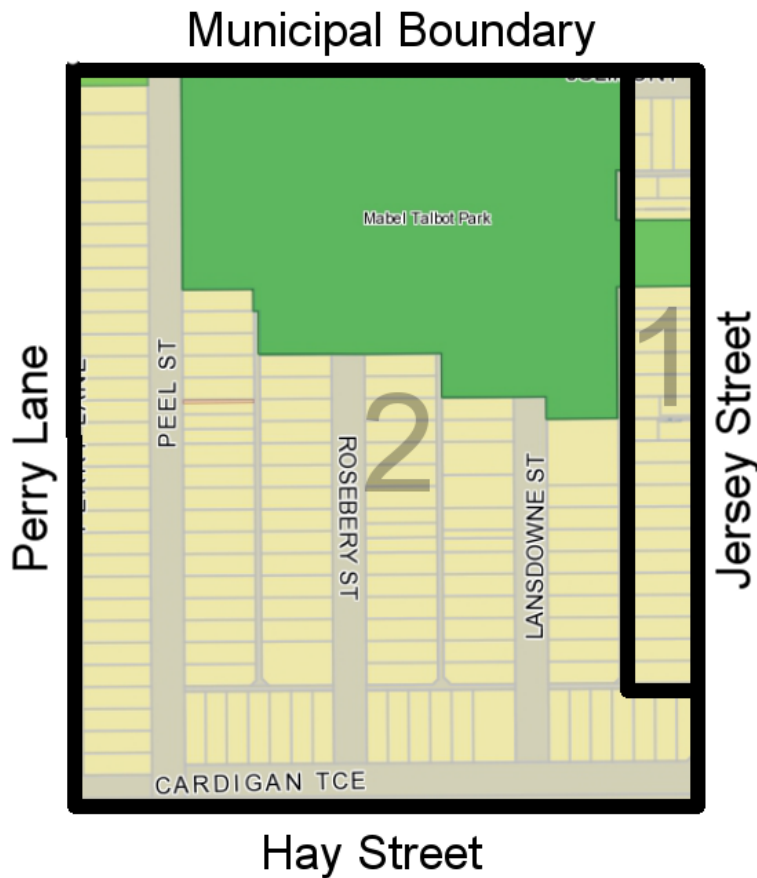
- (1) the Scheme, the provisions of the Scheme prevail;
- (2) the Codes, the provisions of the Codes prevail;
- (3) the Conservation Area policy, the Conservation Area policy will prevail; and
- (4) other general council policies, the provisions of this policy prevail.

There are two sub-precincts within the Jolimont Precinct, as shown in figure one, where some specific requirements will apply under this policy. Where there is an inconsistency between the general precinct guidelines and the sub-precinct guidelines, the provisions of the sub-precinct guidelines shall prevail.

**Purpose**

This policy has been adopted for the purpose of preserving and enhancing the established neighbourhood character and amenity of the Jolimont Precinct while still allowing for new development to occur that meets the changing needs of the community. The Precinct comprises the land bounded by Mabel Talbot Park to the north, Jersey Street to the east, the Municipal boundary to the west and Hay Street to the south. Within the Precinct there are two identifiable sub-precincts which are distinct in character. The Jolimont Precinct and its sub-precincts are shown in figure one.

Figure 1: Jolimont Precinct Sub-Precincts



To assist in achieving the above purpose, this policy:

- (1) Provides a comprehensive basis for the control of development within the Jolimont Precinct; and
- (2) Where applicable to residential development:
  - (i) identifies matters which will be considered when applying the design principles in design elements 5.1.2P2.1 and P2.2 of the Codes;
  - (ii) replaces the deemed-to-comply requirements of design element 5.1.2C2.1 to C2.2 of the Codes;
  - (iii) provides additional deemed-to-comply requirements in relation to design element 5.1.2 of the Codes;
  - (iv) identifies matters which will be considered when applying the design principles in design elements 5.2.1P1 of the Codes;
  - (v) replaces the deemed-to-comply requirements of design element 5.2.1C1.1 to C1.5 (inclusive) of the Codes;
  - (vi) provides additional deemed-to-comply requirements in relation to design elements 5.2.2C2 of the Codes;
  - (vii) identifies matters which will be considered when applying the design principles in design element 5.2.3P3 of the Codes;
  - (viii) replaces the deemed-to-comply requirements in design elements 5.2.3C3.1 and 5.2.3C3.2 of the Codes;

- (ix) identifies matters which will be considered when applying the design principles in design element 5.2.4P4 of the Codes;
- (x) replaces the deemed-to-comply requirements in design element 5.2.4C4 of the Codes;
- (xi) identifies matters which will be considered when applying the design principles in design elements 5.3.3P3.1 to P3.3 of the Codes; and identifies matters which will be considered when applying the design principles in design elements 5.3.5P5 of the Codes.

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.

### **Precinct Description**

The Jolimont Precinct is a predominately residential area located adjacent to Mabel Talbot Park. It was originally developed as a single parcel of land known as the Jolimont Estate in 1891. Consequently, it displays an extremely uniform subdivision pattern, including rear laneways, and also houses a collection of workers' timber cottages from the Federation period. There are two identifiable categories of development within the Jolimont Precinct:

1. The mixed development of Jersey Street that includes past commercial development and some medium density housing; and
2. The low density residential area of Peel Street, Rosebery Street, Lansdowne Street and Cardigan Terrace. This area includes a small 'Local Centre' on Cardigan Terrace.

Apart from the development along Jersey Street, the Jolimont Precinct reflects the scale and character of its original subdivision period. Some redevelopment of the original housing has occurred and although not sympathetic to the simpler timber dwelling types in all cases, a largely single storey, cottage style urban environment has been retained. Overall, the Precinct features intimate streetscapes with low fences, relatively small front setbacks and minimal side setbacks, with on-site car parking generally accessed via ROW's. Some exceptions to the original development are found overlooking Mabel Talbot Park. These dwellings have been designed to take advantage of views to the Park.

## **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 predominantly 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;
- d) To encourage any new development within sub-precinct two to reflect the existing scale, character, details and materials of the area;
- e) To discourage the access of carparking areas, garages and carports from the primary street where alternative access is available;

- f) To minimise the impact of carparking structures on the existing established character of the surrounding area;
- g) To encourage residential development to be orientated to the street or other public areas (such as Mabel Talbot Park) to increase levels of security and to provide for more street oriented activity;
- h) To facilitate medium density residential development on Jersey Street; and
- i) To consolidate uses within the 'Local Centre' on Cardigan Terrace.

## 2.0 Application of Policy

This planning policy applies to the Jolimont Precinct as identified in the City of Subiaco Town Planning Scheme No. 4 and as shown in figure one.

## 3.0 Interpretation

### Definitions

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

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

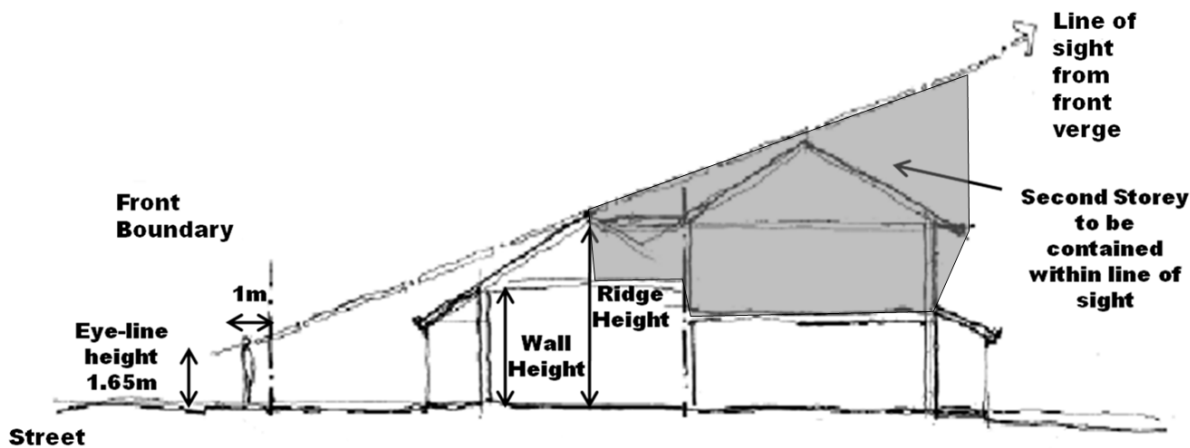
**Established Neighbourhood Character:** Means the dominant visual characteristics of the surrounding area formed by the interrelationship of built form, vegetation and formed topographic characteristics in both the private and public domains within that area. The elements of the built form that contribute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

### Identified Heritage Significance

Means those properties:

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

**Line of Sight:** Line of sight is calculated 1 metre from outside the property boundary with an 'eyeline' 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 incursions such as verandahs, porticos, porches and the like.

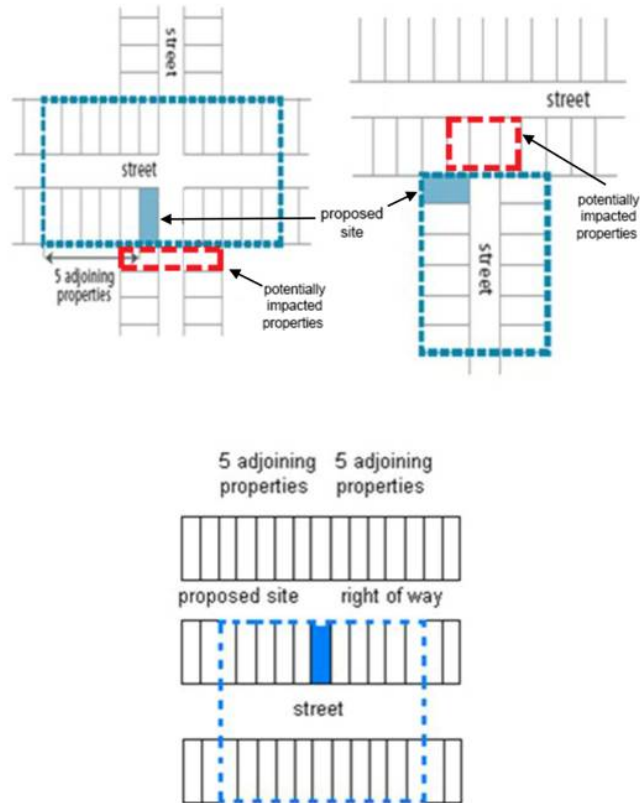
**Scale:**

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

**Surrounding Area:**

Means the five properties on either side of the proposed development on both sides of the street (excluding laneways/right of ways) that the dwelling is orientated towards (refer to illustrations below).

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.

### 3.2 Architectural Styles

This policy refers to the following architectural dwelling styles:

- Federation Bungalow; and
- Federation Timber Bungalow.

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

### 4.0 Structure of Provisions

There are two clearly identifiable sub-precincts within the Jolimont Precinct which specifically relate to the local character of each area. Specific development requirements apply to each sub-precinct to guide development in each area.

Part 5 of this policy provides specific design requirements relating to streetscape for sub-precinct one. Part 6 of this policy provides specific design requirements relating to context, streetscape and site planning and design for development in residential zoned land within sub-precinct two. Each part provides:

- (1) matters which council will take in to consideration in determining whether the relevant design principles of the Codes are satisfied; and

- (2) replacement of and/or additional deemed-to-comply requirements of certain design elements of the Codes.

## **5.0 Sub-precinct One**

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

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

This section provides requirements specifically relating to the streetscape element of street walls and fences. Development approval will be required for fences in the primary street setback area that are not consistent with the following principles and requirements.

#### **5.1.1 Matters for Consideration in Applying Design Principles**

With respect of the application of P4 of Element 5.2.4 of the Codes, in considering the impact that street walls and fences have on the desired streetscape, council shall have regard to the volume of traffic on Jersey Street and the possible noise attenuation benefits of fencing.

#### **5.1.2 Deemed-to-Comply Requirements**

The deemed-to-comply requirements in design element 5.2.4C4 are replaced with the following deemed-to-comply requirements:

- C4.1 A maximum height of 1.8 metres above natural ground level, measured from the primary street side of the front fence; and
- C4.2 Front fences to Jersey Street are required to be visually permeable above 1.2 metres in height above natural ground level for at least 50% of any fencing forward of the building line but may be solid below 1.2 metres in height; and
- C4.3 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 Gatehouses and porticos included in the design of a front fence are to be as follows:
  - 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.

## **6.0 Sub-precinct Two**

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

Development in the land zoned 'Local Centre' in sub-precinct two is to be in accordance with the provisions of the Scheme and Codes.

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

#### **6.1.1 Matters for Consideration in Applying Design Principles**

With respect of the application of P2.1 of Element 5.1.2 of the Codes, in considering the contribution that building setbacks from street boundaries of a proposed new development have on the desired streetscape, council shall 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 Element 5.1.2 of the Codes, in considering the contribution of building mass and form on the existing streetscape, council shall have regard to the following matters:

##### Upper Level of a Building

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

##### Roof Form and Pitch

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

##### Design of Carports and Garages

- h) any identified heritage significance of the existing dwelling;
- i) the predominant architectural style within the surrounding area; and
- j) the impact of the proposed carport or garage on the dwelling as viewed from the street, particularly with respect to its visual dominance.



## Materials

- k) the extent to which materials and finishes harmonise with the established neighbourhood character, particularly the Precinct's stock of Federation Timber Bungalows. Traditional materials include weatherboard and iron. 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. For example, Colorbond roofing is an acceptable, non-reflective roofing material.

### **6.1.2 Deemed-to-Comply Requirements**

The deemed-to-comply requirements in design element 5.1.2C2.1 to C2.2 of the Codes are replaced with the following deemed-to-comply requirements:

- C2.1 The ground floor of buildings setback 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 setback from the secondary street in accordance with Table 1 of the Codes.

In addition, the following deemed-to-comply requirements shall apply:

- C2.5 The upper floors of buildings are to be setback from the primary street ground floor facade as follows:
- i. So as to be located within the middle third of the lot; or
  - ii. So as to be contained within the line of sight. (Refer to section 3.1 of this policy for line of sight definition and illustration); or
  - iii. 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 where the wall height is proposed to be increased.
- C2.7 Where applicable, the upper floor of all development is to be setback from the secondary street facade a minimum of 1.5 metres from the ground floor secondary street facade.
- C2.8 Where pitched roofs are the predominant roof form within the surrounding area, the roof pitch of new development as viewed from the street is to be pitched between 30 to 32 degrees.

C2.9 Where pitched roofs are not the predominant roof form within the surrounding area alternative roof forms (skillion, flat, curved) are permitted.

C2.10 Garages located adjacent to or within 1 metre of the main building line and carports within the front setback area which are:

- i. Designed in a minimal fashion to the minimum dimensions and standards of AS2890.1; 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.*

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

### **6.2.1 Matters for Consideration in applying Design Principles**

With respect of the application of P1 of Element 5.2.1 of the Codes, in considering the contribution that garages and carports have on the desired streetscape, council shall 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 character.

### **6.2.2 Deemed-to-Comply Requirements**

The deemed-to-comply requirements in design elements 5.2.1C1.1, 1.2, 1.4 and 1.5 are replaced with the following deemed-to-comply requirements:

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 located 0.5m behind the main building line adjacent to the primary or secondary street; and
- ii. Carports located within the primary or secondary street setback area, provided that the width of the carport does not exceed 50% of the frontage of the building line and the construction allows an unobstructed view between the dwelling and the street, right of way or equivalent.

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

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

#### **6.3.1 Deemed-to-Comply Requirements**

The deemed-to-comply requirements relating to garage doors are made in addition to design element 5.2.2C2 of the Codes:

C3 Garages located to the side of a dwelling within 1 metre of the main building line are fitted with visually permeable doors.

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

#### **6.4.1 Matters for Consideration in applying Design Principles**

With respect of the application of P3 of Element 5.2.3 of the Codes, in considering how buildings are designed to promote surveillance between individual dwellings and the street, council shall also have regard to the safety and amenity benefits of residential development overlooking parks and public spaces, including Mabel Talbot Park.

#### **6.4.2 Deemed-to-Comply Requirements**

The deemed-to-comply requirements in design elements 5.2.3C3.1 and 5.2.3C3.2 are replaced with the following deemed-to-comply requirements:

C3.1 The primary street facade of any new development or redevelopment of an existing dwelling is to be orientated towards the primary street ensuring that:

- i. the entrance to a development is clearly visible and accessible from the primary street; and
- ii. at least one habitable room window of the dwelling has a clear view of the street.

C3.2 In the case of corner lots, the secondary street facade is to be orientated towards the secondary street ensuring that:

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

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

Development approval will be required for fences in the primary street setback area that are not consistent with the following principles and requirements.

### **6.5.1 Matters for Consideration in applying Design Principles**

With respect to the application of P4 of Element 5.2.4 of the Codes, in considering the contribution that street walls and fences have on the desired streetscape, council shall have regard to the following matters:

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

### **6.5.2 Deemed-to-Comply Requirements**

The deemed-to-comply requirement in design element 5.2.4C4 is replaced with the following deemed-to-comply requirements:

C4.1 Street walls and fences within the primary street setback area are to be as follows:

- i. A maximum height of 0.9 metres above natural round level, measured from the primary street side of the front fence; and
- ii. Posts and piers are to have a maximum width of 355 millimetres and a maximum diameter of 500 millimetres; and
- iii. The distance between piers should not be less than the height of the piers except where pedestrian gates are proposed.

C4.2 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 solid portion 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.

C4.3 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 C4.1.

C4.4 Gatehouses and porticos are not permitted within the primary street setback area.

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

### **6.6.1 Matters for Consideration in applying Design Principles**

With respect of the application of P3.1 to 3.3 of Element 5.3.3 of the Codes, in determining whether adequate car parking is provided on-site, council shall 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.

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

### **6.7.1 Matters for Consideration in applying Design Principles**

With respect of the application of P5 of Element 5.3.5 of the Codes, in determining vehicular access, council shall 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;
  - 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.