



SEDDON STREET PRECINCT

Local Development Plan

City of Subiaco





Document History & Status

Seddon Street Precinct - Local Development Plan
Subiaco, Western Australia

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Contents

1.0 Application 1

1.1 Application of the Local Development Plan	1
1.2 Vision	4
1.4 Specific Objectives	13
1.3 Design Principles	13
1.5 Engagement with the Local Authority	14
1.6 Acceptable Outcomes	14

2.0 Land Use 15

2.1 Land Use	15
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3.0 Primary Controls 17

3.1 Building Heights	17
3.2 Street Setbacks	19
3.3 Side and Rear Setbacks	19
3.4 Plot Ratio	27
3.5 Building Depth	27
3.6 Building Separation	27
3.7 Development Incentives	27
3.7.1 Development Bonuses	28
3.7.2 Design Excellence	30
3.7.3 Community Benefit	30

4.0 Siting the Development 33

4.1 Orientation	33
4.2 Tree Canopy and deep soil areas	33
4.3 Public Domain Interface	33
4.4 Vehicle Access	34
4.5 Car and Bicycle Parking	35

5.0 Designing the Building 37

5.1 Managing the impact of noise	37
5.2 Façade Design	37

6.0 Designing the Movement Network 39

6.1 Designing the Movement Network	39
6.2 Public Access and Ceding of Land for Laneway Widening	41
6.3 Partial demolition of existing heritage buildings	43

7.0 LDP Approval 45

7.1 Subdivision	45
7.2 LDP amendment	46
7.3 Approval	46

8.0 Appendix 47

1.0 Application

1.1 Application of the Local Development Plan

The Seddon Street Precinct is zoned Centre under the City of Subiaco Local Planning Scheme No. 5 (LPS5) with an applicable density code of R-AC0. As set out in Table 2.1 Part 2 of the State Planning Policy 7.3 - Residential Design Codes: Volume 2 - Apartments (SPP7.3), primary controls for development subject to the R-AC0 code are to be detailed in a local planning scheme, LDP and/or precinct controls.

Figure 1 below depicts the Seddon Street Precinct in its entirety. This Local Development Plan (LDP) applies to all proposed development within the Precinct LDP boundary as depicted in Figure 2. The Pavilion Market site (Lot 19 Roberts Road and Lot 22 Rokeby Road, Subiaco) is subject to a separate LDP under Schedule 4 of the City of Subiaco Local Planning Scheme No. 5 (LPS5).

When assessing applications for development approval, the decision-maker is to have due regard to the provisions of this LDP.

The provisions of this LDP are applicable to all types of development, including residential, mixed-use and non-residential development. The relevant SPP 7.3 Residential Design Codes Volume 2 - Apartments provisions also apply to non-residential development, including:

- All provisions of the R-Codes Volume 2 Part 2 - Primary Controls, with the exception of element 2.6 Building Depth
- 3.1 Site analysis and design response
- 3.2 Orientation
- 3.3 Tree canopy and deep soil areas
- 3.6 Public domain interface
- 3.7 Pedestrian access and entries
- 3.8 Vehicle access
- 3.9 Car and bicycle parking
- 4.7 Managing the impact of noise
- 4.10 Façade design
- 4.11 Roof design
- 4.12 Landscape design
- 4.13 Adaptive reuse
- 4.14 Mixed use
- 4.15 Energy efficiency
- 4.16 Water management and conservation
- 4.17 Waste management

The following provisions are to be read in conjunction with the City of Subiaco LPS5, State Planning Policy 7.3 – Residential Design Codes: Volume 2 – Apartments (SPP 7.3), the Subiaco Activity Centre Plan (SACP) and any other applicable Local Planning Policies (LPPs).

Where there is inconsistency between this LDP, SPP 7.3, the SACP or an LPP (with the exception of the Development Guidelines for the Rokeby Road & Hay Street Heritage Area), the LDP prevails to the extent of the inconsistency. Where there is inconsistency between this LDP and LPS5, LPS5 prevails to the extent of the inconsistency.

Development within the Rokeby Road & Hay Street Heritage Area is subject to the relevant Design Guidelines under the City's Local Planning Policy. Any places that are identified as contributing to the cultural heritage significance of the area are to be retained in accordance with the Local Planning Policy. The policy controls for new development within the heritage area continue to apply to properties along the Rokeby Road and Hay Street frontages of the Precinct.

The provisions of this LDP amend or replace the Acceptable Outcomes of SPP 7.3, where applicable.

Figure 1: Seddon Street Precinct



Figure 2: LDP Boundary

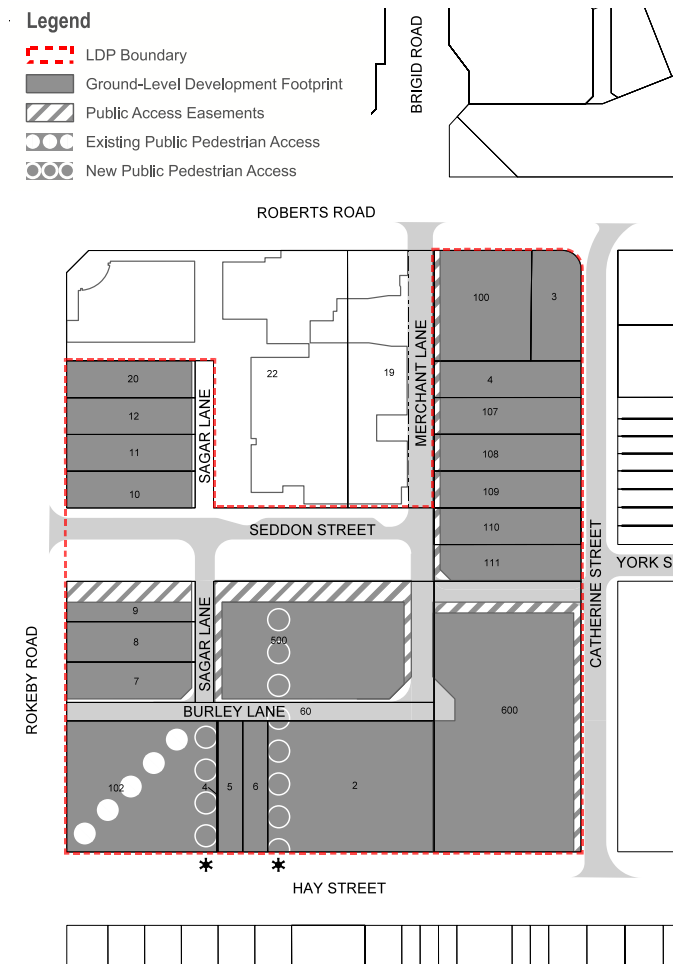
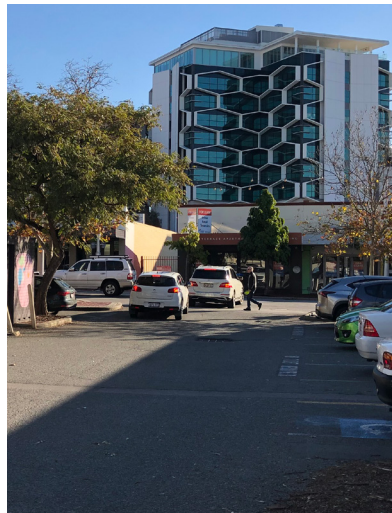


Table 1: Summary of modifications to SPP7.3 Volume 2

SPP 7.3 Volume 2 Design Element	LDP Section	Amended or Replaced Acceptable Outcomes	WAPC approval required
Part 2 - Primary Controls			
2.2 Building height	3.1 Building height	Replaces acceptable outcome A2.2.1	
2.3 Street setbacks	3.2 Street setbacks	Replaces acceptable outcome A2.3.1	
2.4 Side and rear setbacks	3.3 Side and rear setbacks	Replaces acceptable outcome A2.4.1	
2.5 Plot ratio	3.4 Plot ratio	Replaces acceptable outcome A2.5.1	
2.6 Building depth	3.5 Building depth	Amends acceptable outcome A2.6.1	
2.7 Building separation	3.6 Building separation	Amends acceptable outcome A2.7.1	
2.8 Development incentives for community benefit	3.7 Development incentives for community benefit	Inserts acceptable outcome	

SPP 7.3 Volume 2 Design Element	LDP Section	Amended or Replaced Acceptable Outcomes	WAPC approval required
Part 3 - Siting the Development			
3.2 Orientation	4.1 Orientation	Replaces acceptable outcome A3.2.3	✓
3.6 Public domain interface	4.3 Public domain interface	Amends acceptable outcomes A3.6.2 and A3.6.9	
3.8 Vehicle Access	4.4 Vehicle Access	Amends acceptable outcomes A3.8.1 and A3.8.2	
3.9 Car and bicycle parking	4.5 Car and bicycle parking	Amends acceptable outcomes A3.9.5 and A3.9.10	✓
Part 4 - Designing the Building			
4.10 Façade design	5.2 Façade design	Amends acceptable outcome A4.10.1 and replaces acceptable outcome A4.10.5	

Note: all other applicable design elements as per SPP 7.3 Vol 2.



1.2 Vision

The Seddon Street Precinct will foster inclusivity and community spirit. A cool, high quality, landscaped urban oasis, the Precinct is a place to escape to and celebrates the Subiaco character.

A fusion of land uses including retail, food and beverage offerings, bars, businesses, arts and music are incorporated into a high-quality environment, drawing people in from within and far beyond Subiaco.

The highly connected network of laneways and public spaces makes the Precinct well connected and easily accessible by all users, and encourages pedestrians, cyclists and public transport users to the area.

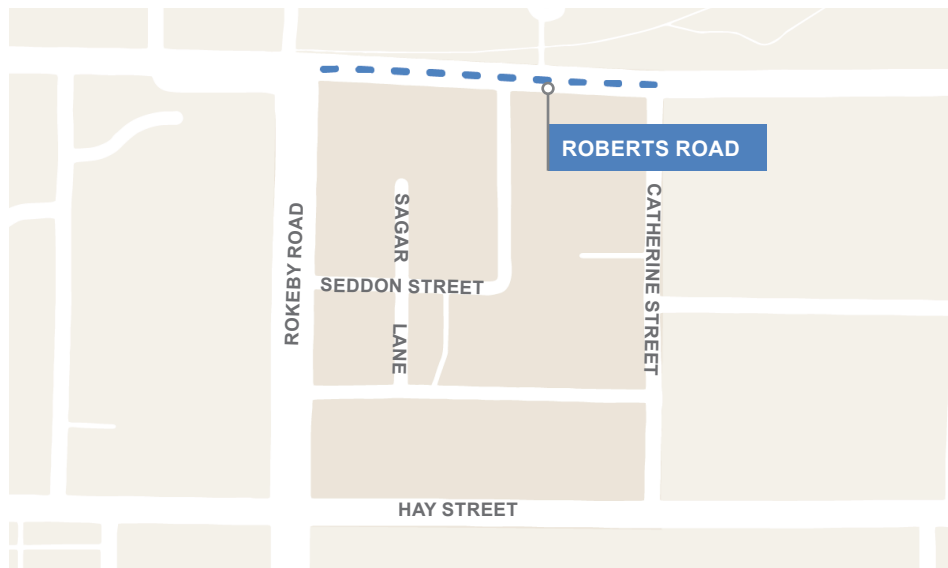
The following place vision highlights the key qualities and experience that underpin the LDP approach and controls.



ROBERTS ROAD (FROM ROKEBY ROAD TO CATHERINE STREET)

Roberts Road is a gateway, transition point and unifier between Rokeby Road's traditional streetscape charm and Subiaco's new urban communities:

- A point of welcome and exchange – prioritising people movement north across Roberts Road to the Train Station and back to the Seddon Street Precinct.
- Flagship corners at Rokeby Road/Roberts Road and Roberts Road/Catherine Street creates a development 'sequence' towards Subi East, bookending the Precinct.
- Roberts Road becomes a new food and beverage destination servicing Precinct residents and visitors from early morning to late night.
- A leafy boulevard feel with wide footpaths and cycle paths prioritises active transport and strengthens east-west movement.



USES AND ACTIVITIES

- Retail, food and beverage spaces at ground floor create continuity from Rokeby Road and strengthen the relationship with Subiaco Square.
- Anchor food and beverage uses to support the Precinct's residential community, transitioning to retail and medical uses to the east.
- People-friendly transition to Subiaco Train Station.
- A gateway experience and 'sense of arrival' to the Precinct, characterised by public art, lighting and narratives that connect it with Subi East.

INTERFACE AND CONNECTIONS

- Subiaco Square, Market Square Park, future Subi East/ Subiaco Oval.
- Transition to small scale Sagar Lane, Merchant Lane and Catherine Street.
- High profile street address to One Subiaco development and associated food and beverage uses.
- Future anchor/catalyst development at corner of Catherine Street/Roberts Road, to 'bookend' One Subiaco development and interface with current residential community to the east.

PLACE PRINCIPLES

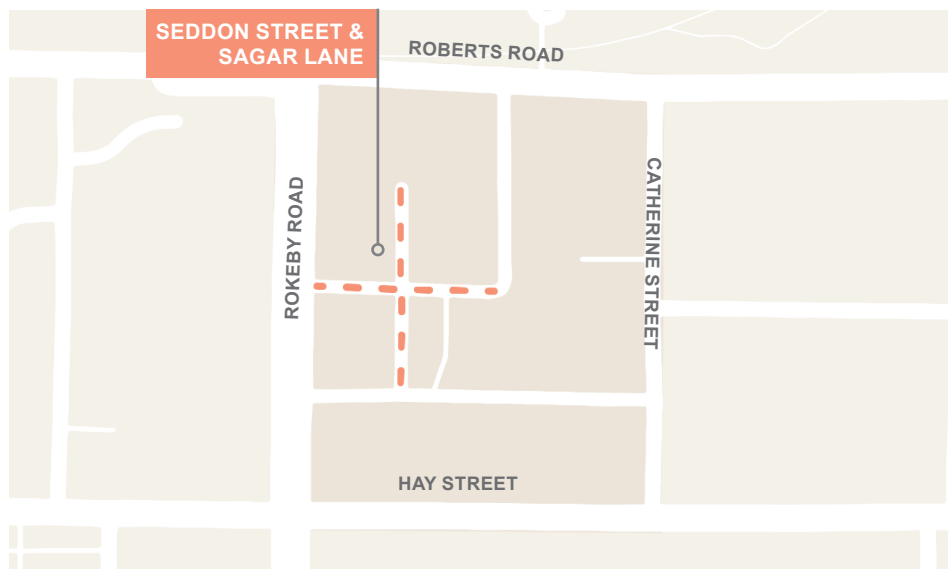
- Prioritise pedestrian and cyclist movement and safety with wide, shaded footpaths and dedicated cycle paths.
- Gateway architectural design response to denote precinct 'bookends' at corner of Rokeby Road/Roberts Road and Catherine Street/Roberts Road.
- Use feature lighting and public art to support/enhance creation of evening destination experience.
- Denote entry to smaller streets/laneways through lighting, in ground treatment and interpretive features, interpretation of local narratives highlighting cultural heritage and former uses (such as markets).



SEDDON STREET AND SAGAR LANE

A place for friendship, entertainment and convenience, a tribute to the Precinct's role as a place of community gathering, exchange and rituals – inspired by Betty Sagar who was a prominent member of the friendship and service club and tree society:

- The Precinct community's primary meeting/gathering place, drawing the energy of Rokeby Road into Seddon Street/Sagar Lane.
- A shaded and cooling oasis with comfortable seating, shelter and places for reflection, feature festoon lighting and public art reflecting former uses. Seddon Street is a shared space that prioritises pedestrians, with vehicles by 'invitation'.
- Permanent infrastructure enables events and programming such as markets, small scale events and incidental entertainment.
- A small scale and fine grained 'people place' with a range of energy spots – the threshold at Rokeby Road, energy and vibrancy of Sagar Lane and quiet reflection towards Catherine Street.



USES AND ACTIVITIES

- Seating, shade, break out spaces and amenities (such as charging stations, WIFI, pet facilities) that foster community, friendship and connection.
- Food and beverage – café pod.
- Pop up events and markets – leveraging permanent infrastructure.
- Flexible, shared space for pedestrians, cyclists and vehicles.
- Characterised by leafy, green streets and landscape treatments.

INTERFACE AND CONNECTIONS

- A point of confluence for the many laneways and arcades that lead into the Precinct's 'village square'.
- Unifying the residential character of Catherine Street with the urban energy of Rokeby Road and future development along Hay Street.
- Primary residential address – One Subiaco; the community's front door.

PLACE PRINCIPLES

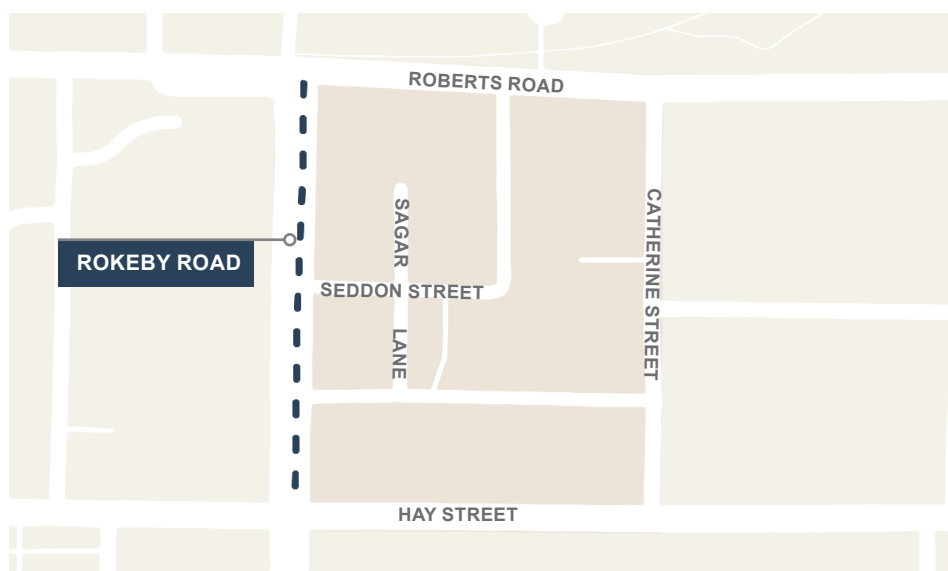
- Character of the street to reflect the unification of charm and tradition (Rokeby Road, former uses including Markets) with the sophistication and urban character of One Subiaco.
- Streetscape treatment – a shared space for pedestrians, vehicles, cars.
- Flexible space – permanent infrastructure that enables the street to be used in multiple ways – e.g. dropdown bollards, built-in loading and servicing for special events.
- Landscape treatment – reflecting the characteristics of friendship, community, connection and wellbeing; tribute to former uses/associations through tree selection, festoon lighting, small lightweight temporary structures and eclectic public art.



ROKEBY ROAD (BETWEEN ROBERTS ROAD AND HAY STREET)

Forming part of Subiaco's Rokeby Road and Hay Street Heritage Area, and uniting Subiaco's classic 'icons', a revitalised Rokeby Road will connect Subiaco's retail heart with the urban energy of Subi Centro and beyond:

- Premium address drawing from Regal Theatre, Subiaco Hotel, Rokeby Road icons including Linneys and Funtastico, and the heritage listed Rogerson Building which frames the entry to the town centre.
- Sensitive building design will respond to the heritage context of the area.
- An enhanced pedestrian experience will include shaded promenade and boutique food and beverage offerings.
- Main street charm will welcome pedestrians through to an enhanced Seddon Street and build on the energy of new offerings at One Subiaco.



USES AND ACTIVITIES

- Food and beverage and boutique retail, mirroring the western side of Rokeby Road.
- Alfresco dining.
- A natural 'pause' point – places to relax, meet family and friends.
- Extension opportunity – Seddon Street and Sagar Lane activation and small-scale events.

INTERFACE AND CONNECTIONS

- Critical connection from Roberts Road to Hay Street – uniting 'old' and 'new' Subiaco through a contemporary main street experience whilst remaining sensitive to the heritage context of the area.
- Anchored by revitalised Seddon Street and new east-west pedestrian connection from Catherine Street.
- Enhanced pedestrian connection through widened footpaths, landscaping and amenity.
- Front door of proposed new Subi markets on Seddon Street.

PLACE PRINCIPLES

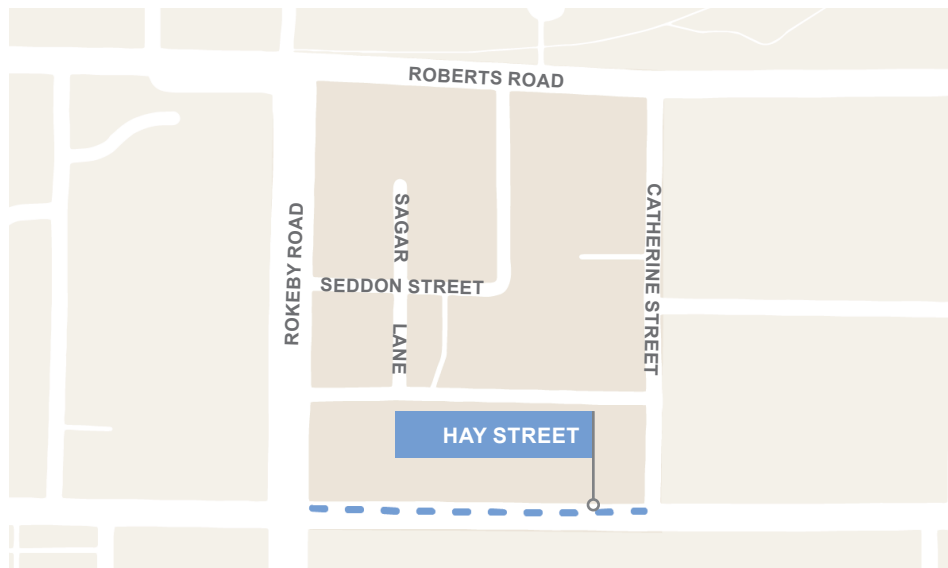
- Unifying streetscape – feature paving, lighting and seating which blends the traditional charm of a classic main street with emerging local business mix.
- Public realm and architecture to reflect Rokeby Road as markets destination and Subiaco heritage.
- Welcome/entry statement and transition point into Seddon Street/Sagar Lane.



HAY STREET

As the commercial ‘front door’ to the Precinct and forming a further part of the Rokeby Road and Hay Street Heritage Area, Hay Street reaches out to bring Subi life into Seddon Street through laneways and arcades synonymous with urban life:

- Sensitive building design will respond to the heritage context of the area, with particular importance given to the retention of contributory buildings on Hay Street.
- Anchored by future premier commercial development – corner of Rokeby Road and Hay Street.
- A catalyst for daytime vibrancy and activity – bringing a micro-economy to the Precinct.
- Laneways and arcades provide an extension of Sagar Lane and Seddon Street’s food and beverage through ‘micro’ food and beverage offerings.



USES AND ACTIVITIES

- Commercial uses.
- Supporting food and beverage, convenience retail.
- Inviting people in to explore ‘behind the façade’ through interesting laneways and arcades, connecting to Seddon Street – where community life unfolds.

INTERFACE AND CONNECTIONS

- The Precinct is ‘unlocked’ through north-south pedestrian connections and arcades uniting Hay Street with Seddon Street and Roberts Road.
- Development sites on the corner of Catherine Street and Rokeby Road will anchor the Precinct and provide a sense of arrival.

PLACE PRINCIPLES

- Large development sites will need to balance people experience through the creation of smaller, more intimate spaces of human scale.
- Exemplar design, with a focus on ground floor amenity will retain the integrity of Hay Street’s commercial and destination qualities.



1.3 Design Principles

The State Planning Policy 7.0 - Design of the Built Environment design principles informed the preparation of the Seddon Street Precinct LDP:



Context and character

Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.



Landscape quality

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.



Built form and scale

Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.



Functionality and build quality

Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.



Sustainability

Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.



Amenity

Good design provides successful places that offer a variety of uses and activities while optimising internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.

1.4 Specific Objectives

In considering an application for development approval within the Seddon Street Precinct, the decision-maker will consider the manner in which the development achieves the objectives of the LDP:

1. Provide a high-quality development outcome with a mix of appropriate land uses to support diversity and vibrancy within the Precinct, whilst respecting the amenity of surrounding residential properties.
2. Ensure an appropriate interface to existing and future development within and surrounding the Precinct.
3. Prioritise active land uses along key street frontages, including Rokeby Road, Seddon Street and Hay Street.
4. Respect the heritage character and heritage buildings within and particularly adjacent to the Precinct.
5. Facilitate an interconnected movement network which is safe, legible and universally accessible.
6. Appropriately locate parking, access and service areas on secondary streets/laneways, minimising any impacts or disturbances to key streets within the Precinct.
7. Optimise access to sunlight in key spaces within the Precinct through appropriate building design and siting.
8. Prioritise public realm interface at the ground level and high-quality landscaping and design features to public spaces.
9. Require environmentally sustainable and innovative design solutions.
10. Require the delivery of community benefits and design excellence in return for development incentives.
11. Ensure design outcomes that incorporate Crime Prevention Through Environmental Design (CPTED) principles.
12. Improve the quality and quantity of soft landscaping in the Precinct.



Legibility

Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.



Safety

Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.



Community

Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.



Aesthetics

Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.

1.5 Engagement with the Local Authority

The City of Subiaco has a focus on creating the best possible development outcomes for its community, part of that is improving the design quality of the built environment.

Research indicates that an investment in good design generates a number of benefits, such as increased levels of amenity, cohesive streetscapes, safer developments that incorporates CPTED principles, housing amenity and resident well-being and business productivity.

The City of Subiaco encourages applicants to engage with the City planners as early in the development process as possible.

The City is available for informal, preliminary discussions about the character of the precinct through to assistance during a formal development application review.

Applicants are encouraged to engage with the City's Design Review Panel (DRP) during early concept design.

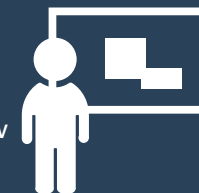
A

Identify
Development
Strategy



C

Present to
Design Review
Panel



B

Meet with
City's Planners



D

Lodge
Application



1.6 Acceptable Outcomes

A number of the State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments (SPP 7.3 - vol 2) acceptable outcome provisions have been amended or replaced. Acceptable Outcomes assist in satisfying the Element Objectives, but are not a comprehensive “deemed to comply” list. In order to achieve the Element Objectives, proposals may require additional and/or alternative design solutions in response to the site conditions, streetscape and design approach.



2.0

Land Use

2.1 Land Use

The Precinct is intended to accommodate a diverse range of land uses, including residential, retail, food and beverage offerings, bars, offices, arts and music. Innovative, unique and creative businesses are encouraged, with a mix of offerings to create an activity-based focus for all generations.

Active land uses are encouraged at the ground level of key street frontages, as depicted in Figure 3, to encourage an interactive and vibrant public realm. All other internal and external frontages to pedestrian or vehicle connections within the Precinct may provide active or non-active land uses at the ground level. Non-active uses are considered appropriate in upper levels.




Rokeby Road is to have primacy in terms of active land uses, maintaining this frontage as the main focus for activity in the Precinct. Active land uses should also be accommodated at the ground level along Roberts Road, Hay Street and portions of Seddon Street.

Elsewhere in the Precinct, including Catherine Street, along internal laneways and lower order streets, non-active land uses may be accommodated at the ground level. Non-active uses are also appropriately located in upper levels of mixed-use buildings.

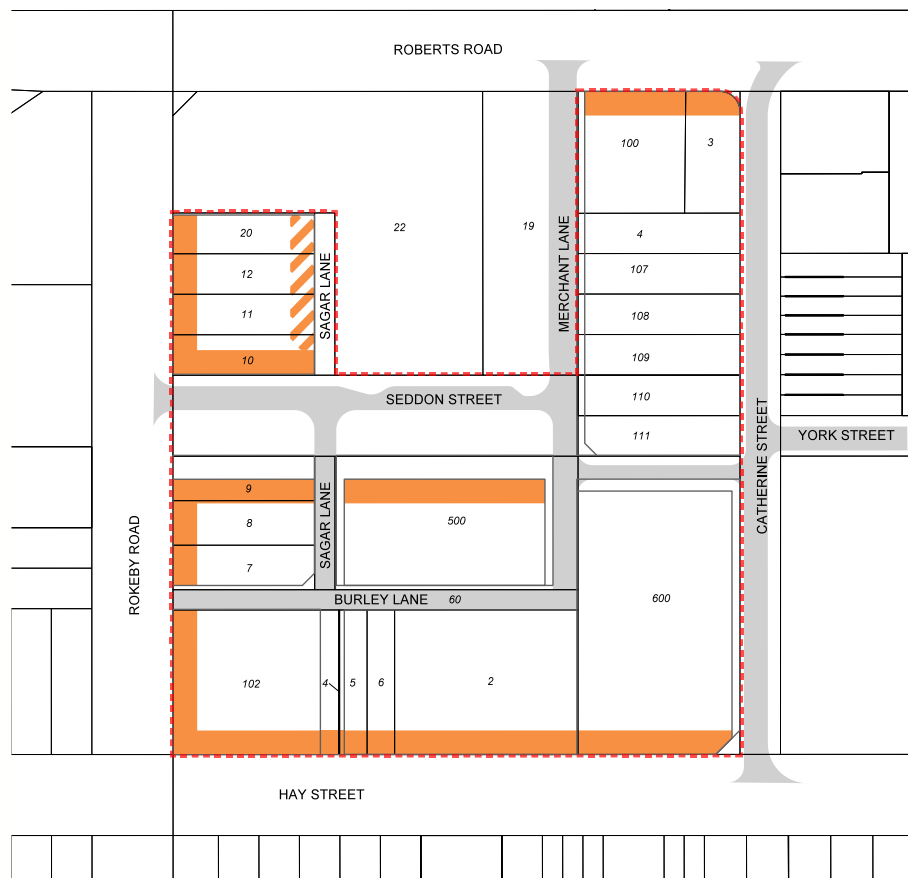
The permissibility of active and non-active land uses within Centre zone under the City of Subiaco Local Planning Scheme No. 5 are listed in Section 8.0 Appendix. The suitability of specific land uses will need to be assessed in accordance with the zoning

Figure 3: Ground Floor Preferred Land Use Plan

Legend

-  LDP Boundary
-  Key Frontage (Active Uses)
-  Key Frontage (if amalgamated)

Note: For a list of active and non-active land uses and the permissibility of uses under LPS5 refer to Section 8.0 Appendix of the LDP.





3.0

Primary Controls

Primary controls relate to building height, street setbacks, side and rear setbacks, plot ratio, building depth, building separation and development incentives for community benefit. Elements which are varied from SPP 7.3 are set out in this section.

3.1 Building Heights

Development complies with the maximum building height limit (storeys) as set out in Figure 4.

Lift-over-runs, rooftop plant and servicing should not extend more than 3.5m above the top of a building and be setback so they are not significantly visible from the public realm and/or integrated into the design of the building to a high-quality standard. Such features are included in the maximum building height limit.

Floor to ceiling heights shall be generally in accordance with the following:

- i. Minimum 4.5m for the ground floor.
- ii. Preferred 4m for non-residential uses above ground floor.
- iii. Preferred 3.2m for residential uses above ground floor.

Any floor to ceiling height of 5m or more will be considered as two storeys.

Note: Additional building height above the maximum height in Figure 4 of the LDP is possible in the form of development incentives in accordance with clause 3.7 of this LDP.

Figure 4: Maximum Building Heights Plan



3.2 Street Setbacks

Development complies with the minimum street setbacks in **Table 2**.

Table 2: Street setbacks

BOUNDARY	REQUIREMENT
Primary and secondary street.	<p>Nil setback for the first 2 storeys.</p> <p>Ground floor access easement requirements apply to various street frontages where development bonuses are sought. Refer plans/cross sections.</p> <p>6m minimum front setback to third storey and above fronting Rokeby Road & Hay Street.</p> <p>Setback above 2 storeys varies. Refer plans/cross sections.</p> <p>15m minimum front setback to third storey and above fronting Catherine Street (north of York Street).</p>

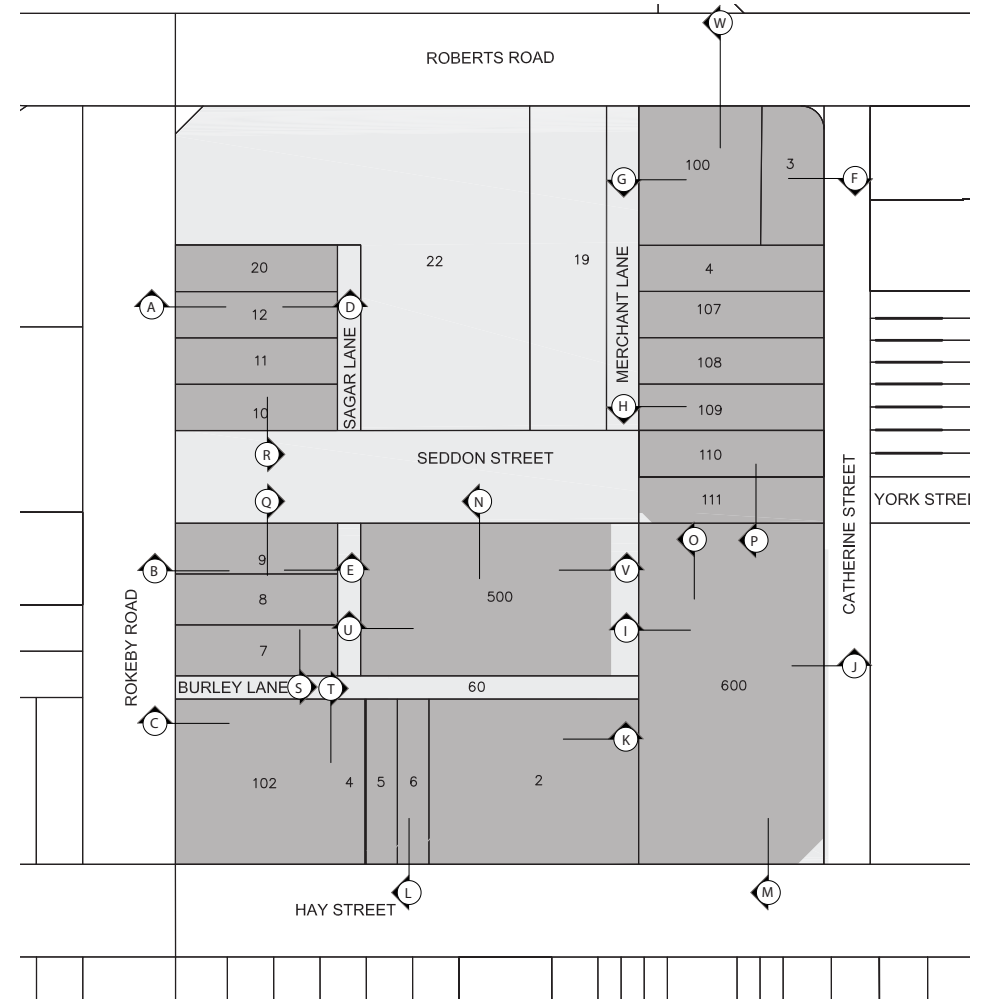
3.3 Side and Rear Setbacks

Development complies with the minimum side and rear setbacks in **Table 3**.

Table 3: Side and rear setbacks

BOUNDARY	REQUIREMENT
Side and rear	<p>Nil side setback for the first 4 storeys unless otherwise varied as part of easement requirements where development bonuses are sought. Refer plans/cross sections.</p> <p>9m side and rear setback above 4 storeys.</p>

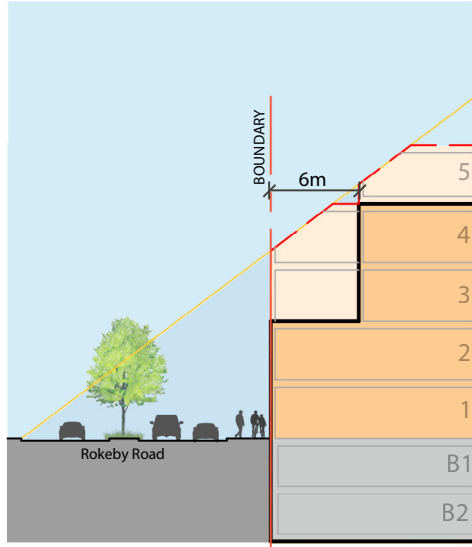
Figure 5: Setback Cross-Section Locations



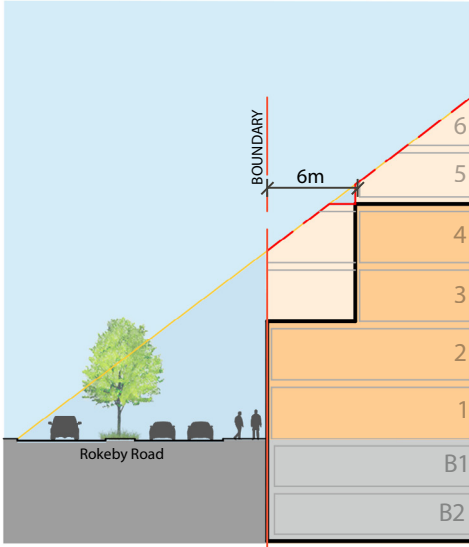
Note: Cross-Section 'S' and Cross-Section 'T' both only relate to the section of Burley Lane between Sagor Lane and Rokeby Road.

The following cross-sections show the maximum building envelopes in Figure 4 and the potential maximum bonus building envelopes in Figure 6.

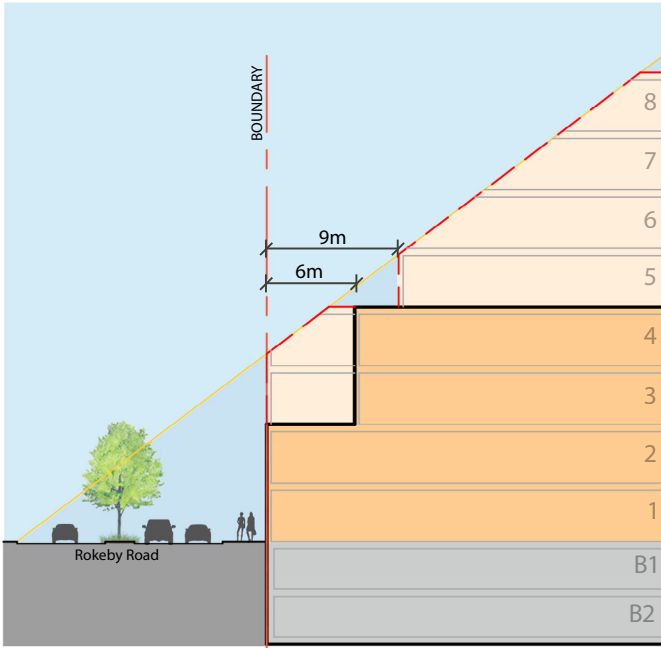
The bonus heights and setbacks are subject to the solar access outcomes identified in Section 4.1 Orientation of this LDP and as shown on each section. The building heights and setbacks are subject to recession planes to achieve the required solar access outcomes.



SECTION A



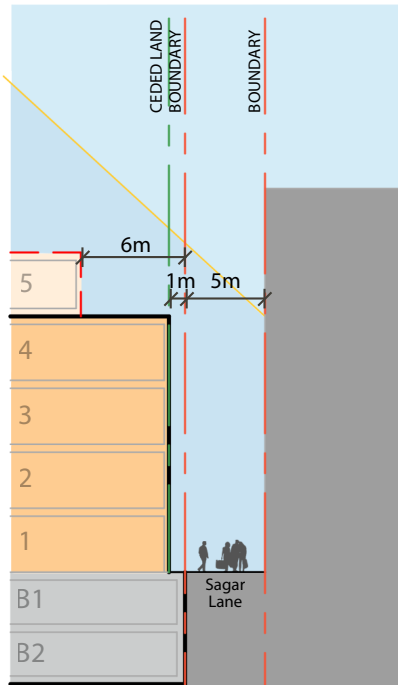
SECTION B



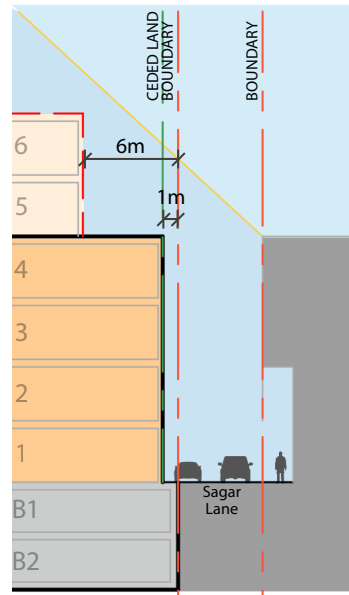
SECTION C

Legend

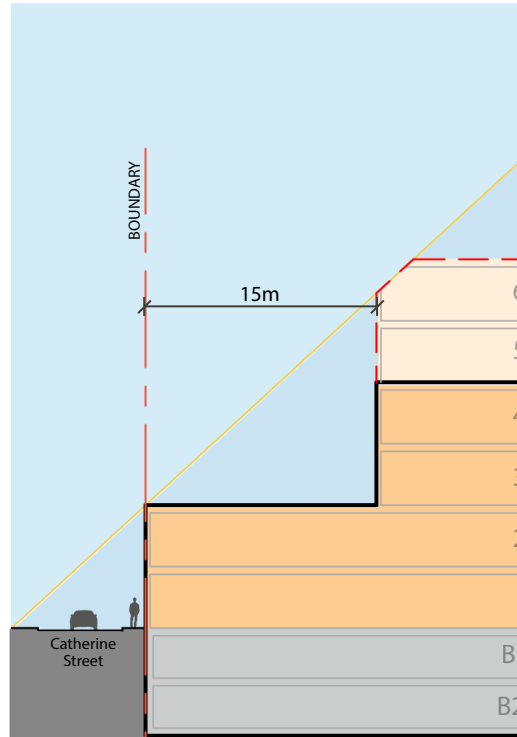
- Building envelope in accordance with Figure 4
- Maximum potential building envelope in accordance with Figure 6
- Solar access requirement
- Articulation zone – refer to Figure 6 (where appropriate)



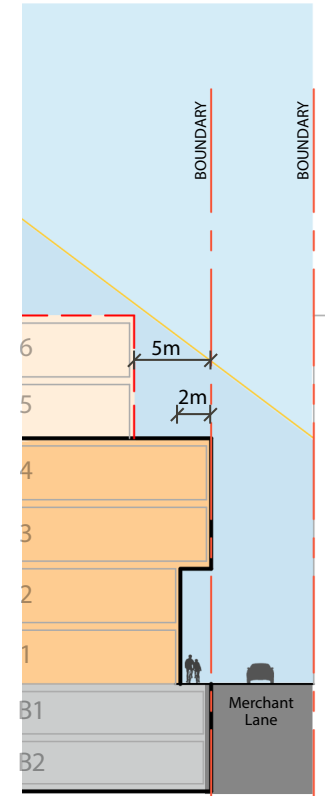
SECTION D



SECTION E



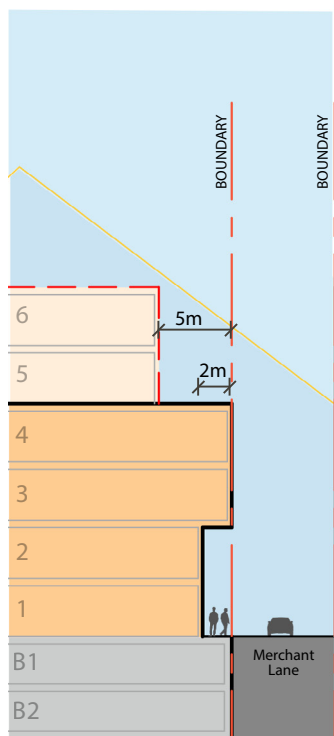
SECTION F



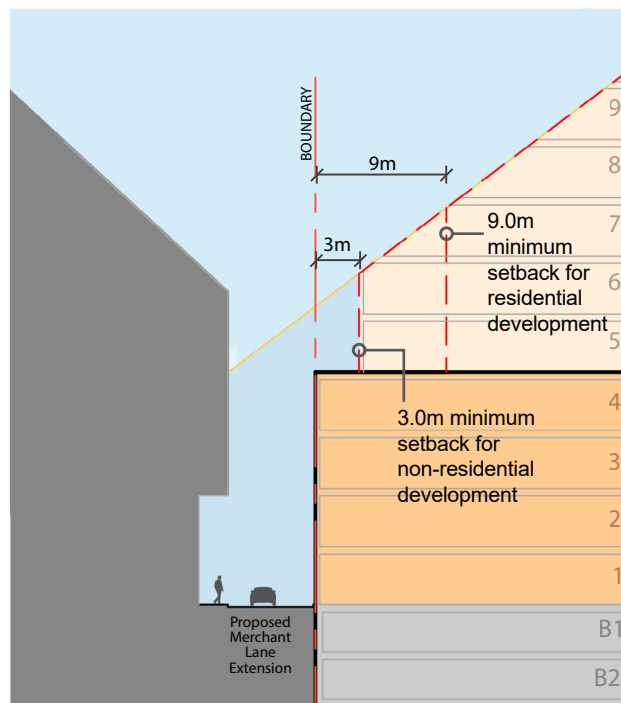
SECTION G

Legend

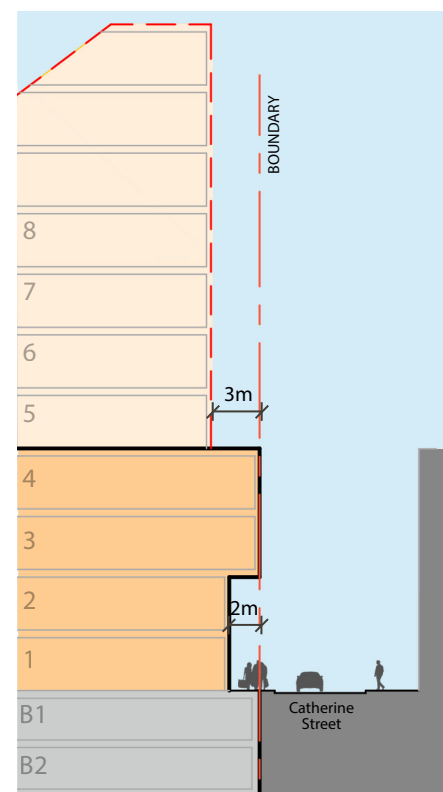
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|---|---|
|  Building envelope in accordance with Figure 4 |  Solar access requirement |
|  Maximum potential building envelope in accordance with Figure 6 |  Articulation zone – refer to Figure 6 (where appropriate) |



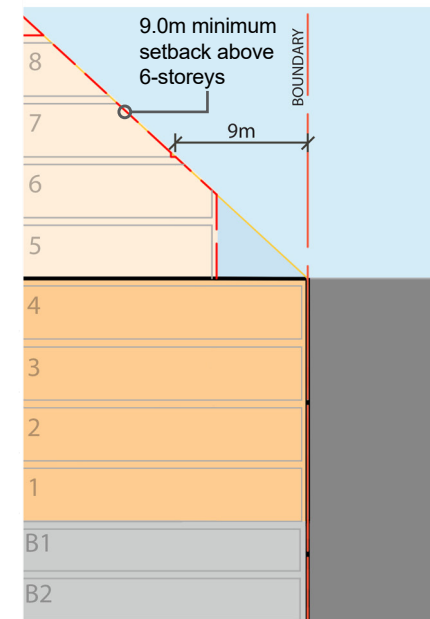
SECTION H



SECTION I






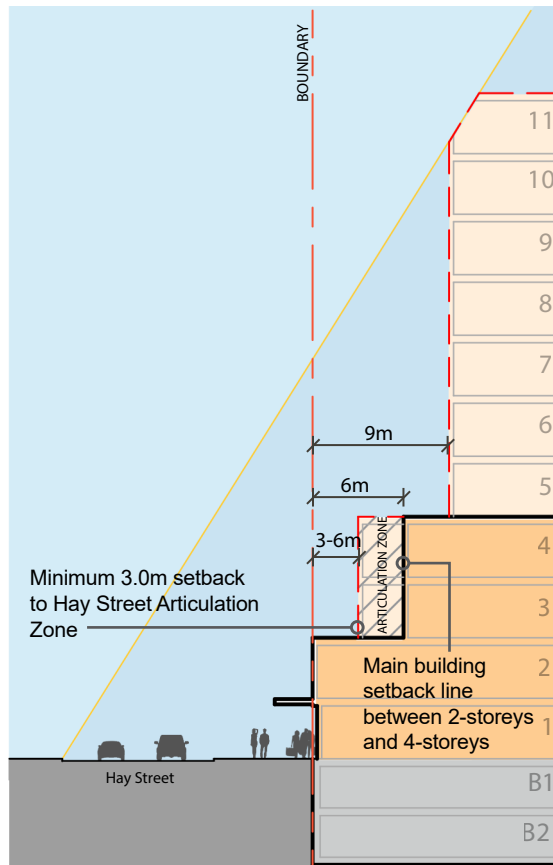
SECTION J



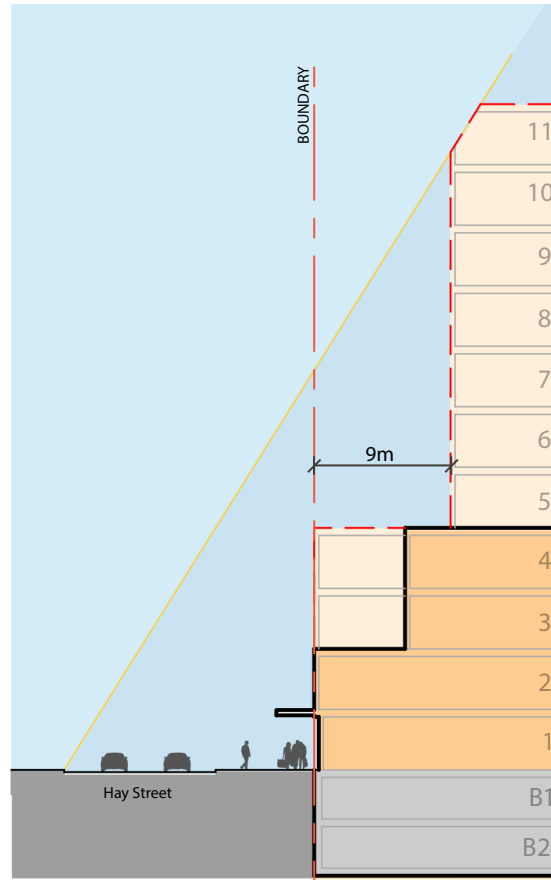
SECTION K

Legend

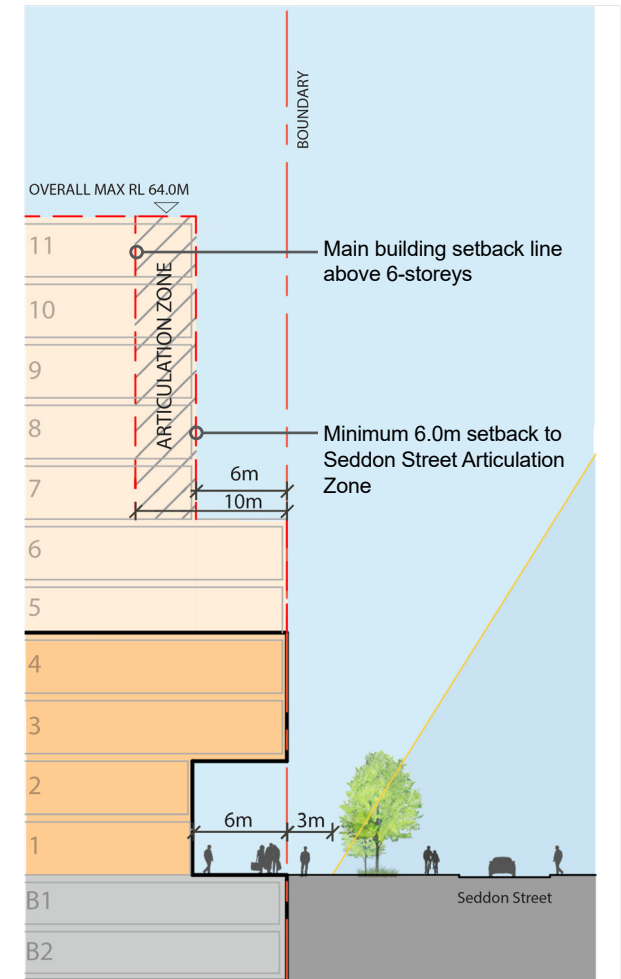
- | | | | |
|---|---|---|---|
|  | Building envelope in accordance with Figure 4 |  | Solar access requirement |
|  | Maximum potential building envelope in accordance with Figure 6 |  | Articulation zone – refer to Figure 6 (where appropriate) |



SECTION L



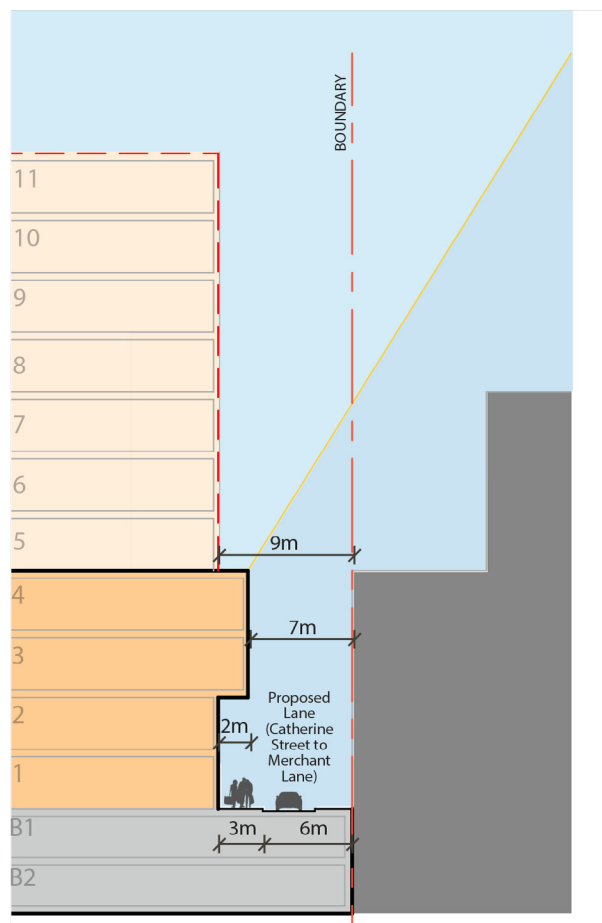
SECTION M



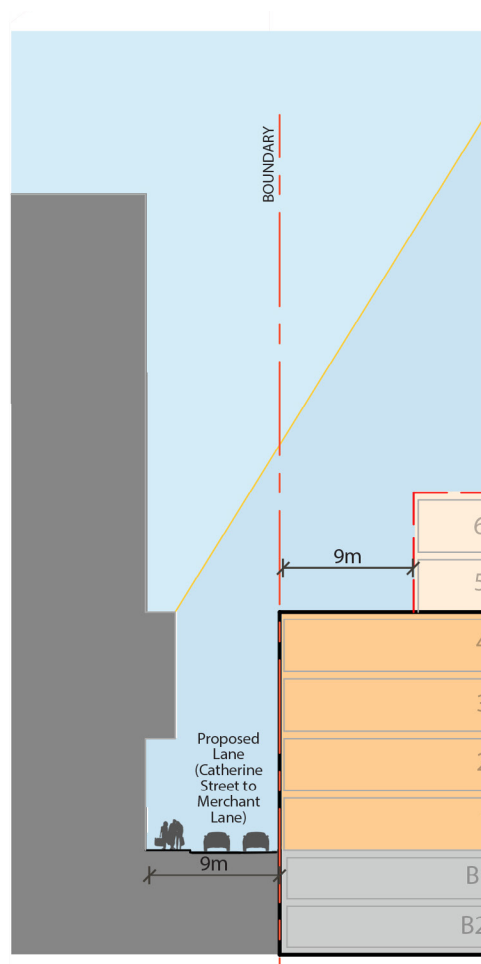
SECTION N

Legend

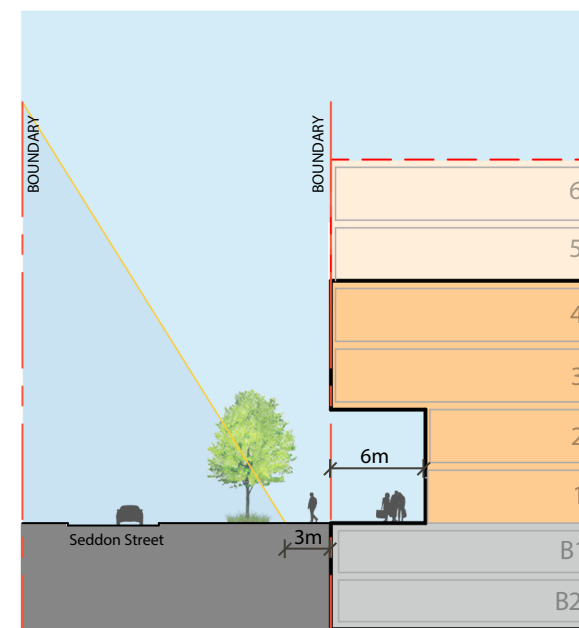
- Building envelope in accordance with Figure 4
- Maximum potential building envelope in accordance with Figure 6
- Articulation zone – refer to Figure 6 (where appropriate)
- Solar access requirement



SECTION O



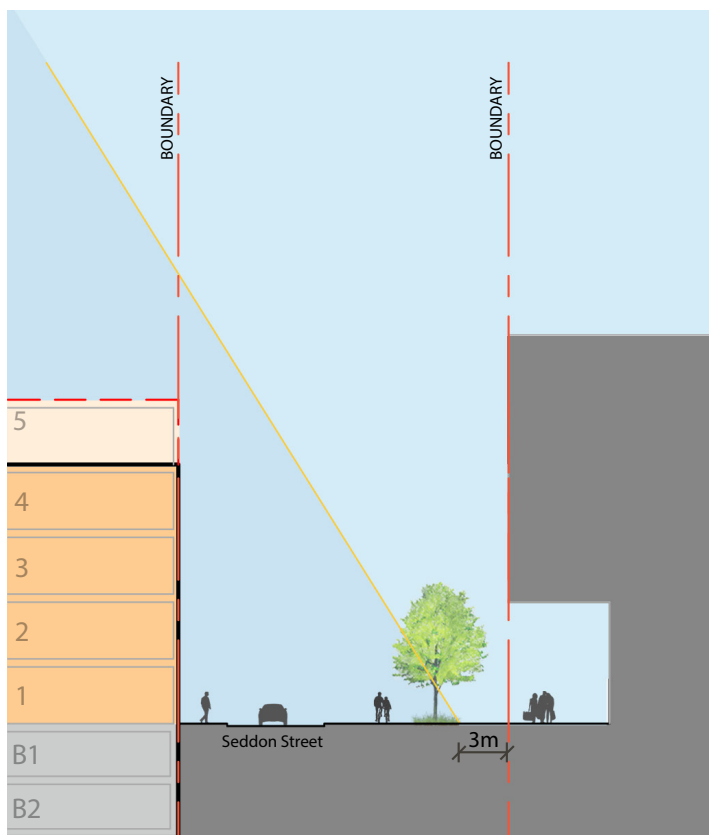
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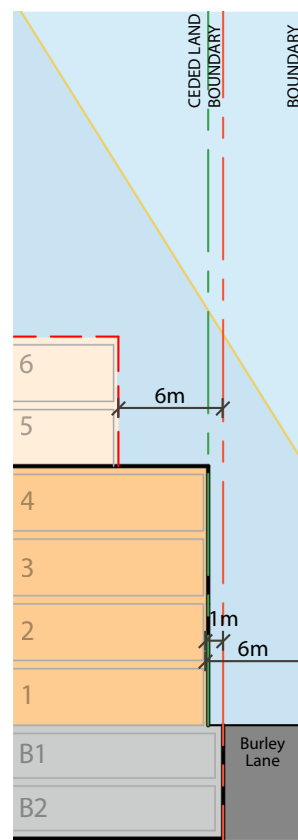
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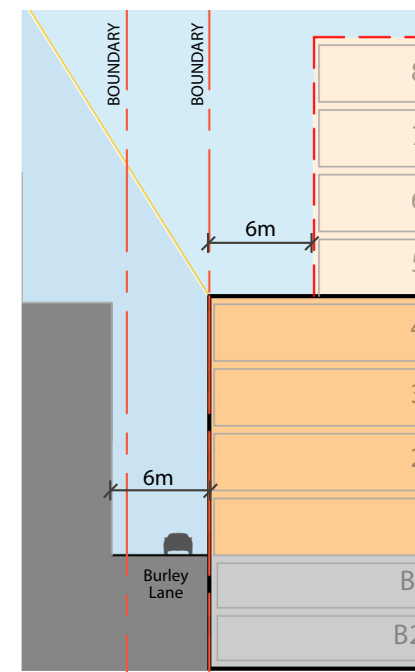
- Building envelope in accordance with Figure 4
- Maximum potential building envelope in accordance with Figure 6
- Solar access requirement
- Articulation zone – refer to Figure 6 (where appropriate)



SECTION R







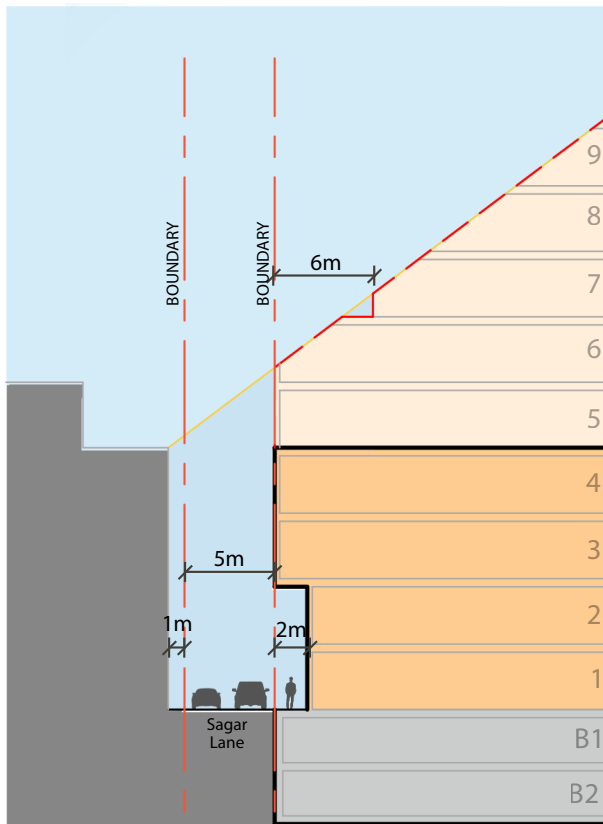
SECTION S



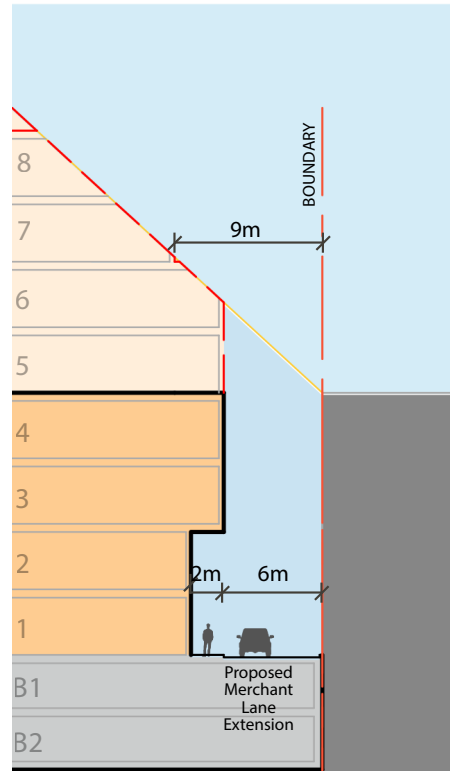
SECTION T

Legend

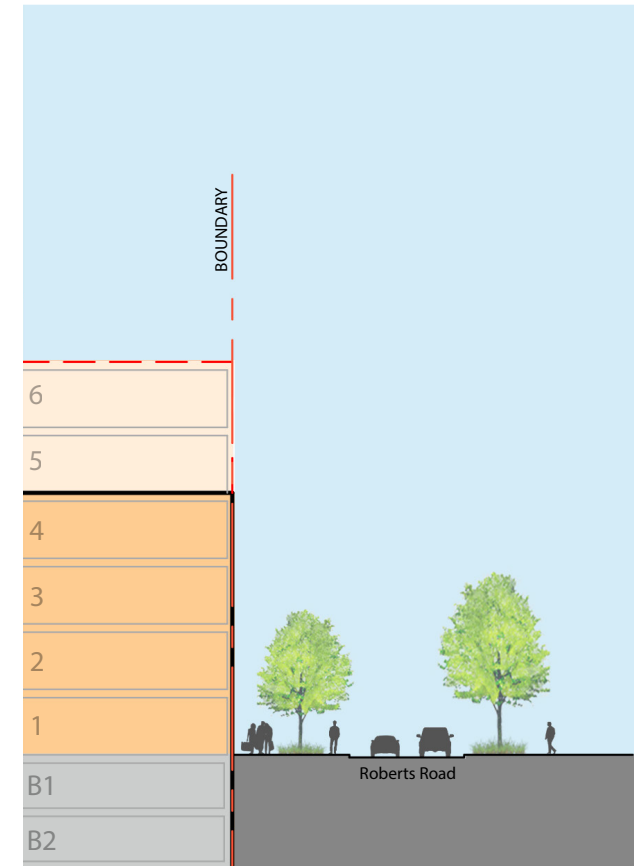
	Building envelope in accordance with Figure 4		Solar access requirement
	Maximum potential building envelope in accordance with Figure 6		Articulation zone – refer to Figure 6 (where appropriate)



SECTION U







SECTION V



SECTION W

Legend

- | | |
|---|---|
|  Building envelope in accordance with Figure 4 |  Solar access requirement |
|  Maximum potential building envelope in accordance with Figure 6 |  Articulation zone – refer to Figure 6 (where appropriate) |

3.4 Plot Ratio

Development sites within the Seddon Street Precinct LDP are subject to building height limits and minimum setback requirements that define the maximum building envelope. There are various development controls that impact the bulk and scale of development. For the purposes of this LDP, plot ratio caps will not apply given other development controls (including building height, street and boundary setbacks, building separation requirements, privacy provisions, overshadowing provisions, parking limitations, etc.) will control the size and shape of developments to achieve an appropriate built form outcome.

3.5 Building Depth

Acceptable Outcome A 2.6.1 of SPP 7.3 is amended to read as follows:

Development that comprises single aspect apartments on each side of a central circulation corridor shall have a maximum building depth of 20m.

Where the floor to floor heights of the residential component of a building are not less than 3.3m and the frontage of the lot is not more than 15m, the maximum building depth may be increased to 25m.

All other proposals will be assessed on their merits with particular consideration to 4.1 Solar and daylight access and 4.2 Natural ventilation.

3.6 Building Separation

Acceptable outcome A2.7.1 of SPP7.3 is amended to read as follows:

Development complies with the separation requirements set out in table 2.7. When measuring building separation between commercial and residential uses, consider office windows and balconies as habitable space and service and plant areas as non-habitable.

3.7 Development Incentives

Development incentives are a method through which additional development potential or flexibility is offered in exchange for tangible community benefit. The application for development incentives are also intrinsically linked to design excellence as established through design review.

3.7.1 Development Bonuses

The Local Government may approve development with additional building height above the maximum prescribed by the SACP (excluding identified bonuses in the SACP), as outlined in section 3.2 of this LDP, in the form of a development bonus.

The development bonus must not exceed the additional building height as set out in Figure 6 and may be subject to recessions planes to achieve the solar access outcomes stipulated in Section 4.1 Orientation.

A development bonus can only be granted where a development satisfies the following criteria:

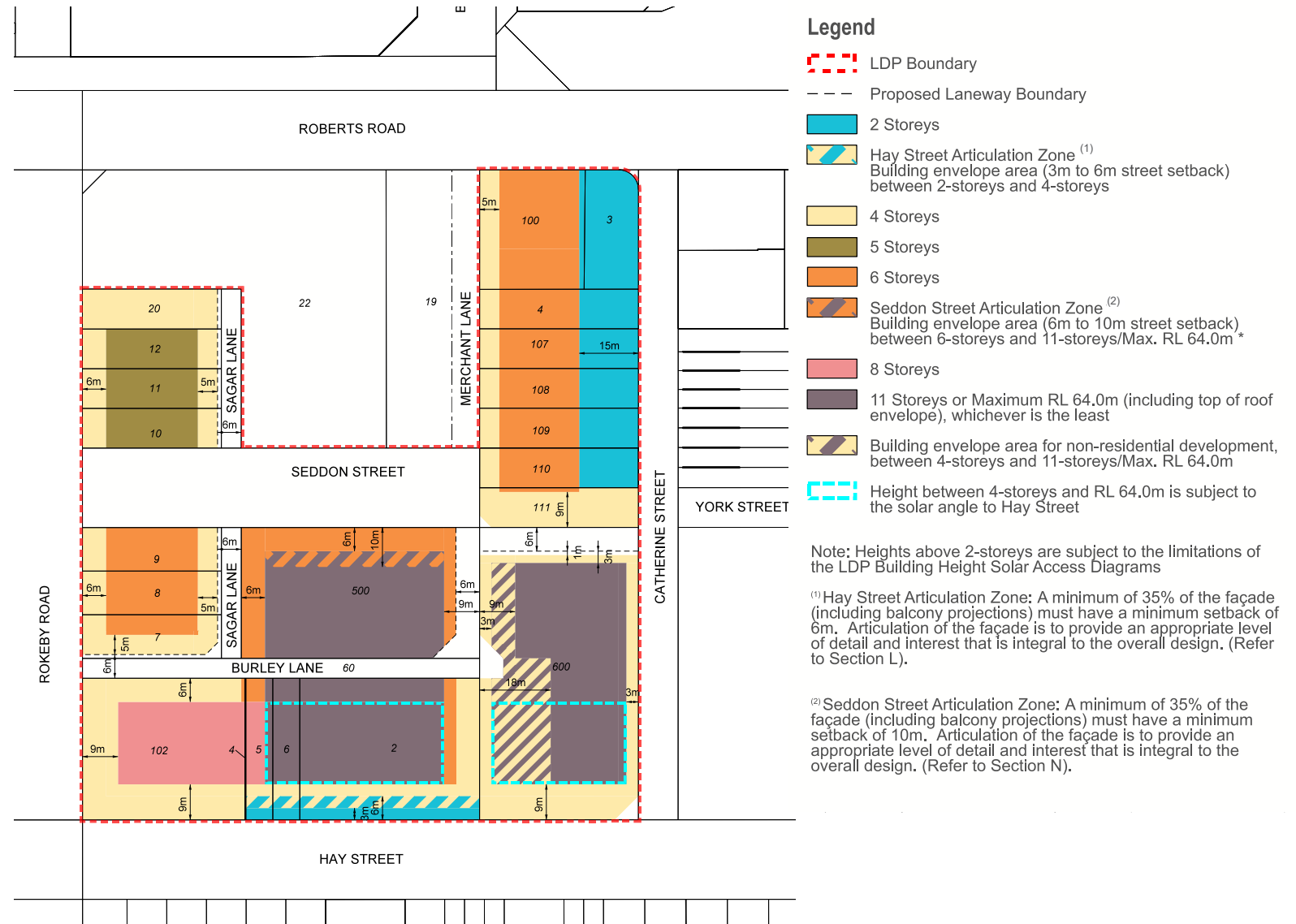
- i. Approval of the proposed development would be appropriate, having due regard to –
 - a. The relevant matters in clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015) Deemed Provisions; and
 - b. The objectives and vision of this LDP; and
 - c. The relevant development controls of this LDP and SPP 7.3; and
 - d. The additional height will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality; and
- ii. Where it is determined that the development demonstrates design excellence as determined by the Design Review Panel; and
- iii. Four or more of the community benefits outlined under section 3.7.3 are delivered.

The practical achievement (due to the limitations of setback controls) of bonus building heights for the following properties is only possible through land amalgamation:

- i. Lots 10, 11, 12 & 20 Rokeby Road
- ii. Lots 7, 8 & 9 Rokeby Road
- iii. Lots 108-111 Catherine Street
- iv. Lots 3 & 100 Roberts Road and Lots 4 & 107 Catherine Street



Figure 6: Maximum Bonus Building Heights Plan



3.7.2 Design Excellence

Design excellence will be determined by the Local Government on advice from the City of Subiaco Design Review Panel in accordance with the City's applicable Local Planning Policy.

For a proposal to achieve design excellence, the Design Review Panel must support each of the ten principles and advise that the design is of significantly high quality to achieve design excellence for each principle.

The City of Subiaco Design Review Panel provides advice in accordance with the Design Quality Evaluation template within the WAPC's Design Review Guide.

Principle 1. Context and character	Principle 8. Safety
Principle 2. Landscape quality	Principle 9. Community
Principle 3. Built form and scale	Principle 10. Aesthetics
Principle 4. Functionality and build quality	Principle 11. Strengths of the proposal
Principle 5. Sustainability	Principle 12. Suggested amendments/improvements
Principle 6. Amenity	Principle 13. Recommendation
Principle 7. Legibility	

3.7.3 Community Benefit

Community benefits are a contribution/provision towards community infrastructure as part of a negotiated outcome, and must achieve the following principles:

- Meet the social, cultural, heritage, recreation or environmental needs of the community;
- Be of real value and provide a meaningful benefit to the community;
- Deliver a genuine and lasting benefit to the community;
- Be substantive in nature with a material cost to implement;

- Be accessible to the community and not just particular residents of a development;
- Be something that would otherwise not be required or provided by a development; and
- Be equitable and proportionally relevant to the scale of the development.

It must be demonstrated that the community benefits delivered achieve the principles outlined above.

Table 4 below outlines the potential community benefits which may be delivered in return for a development bonus in the form of additional building height. Where indicated as mandatory, the particular community benefit must be delivered for a site to be considered as eligible for a development bonus.

A development bonus will only be granted where a minimum of four community benefits are delivered to an acceptable standard, as determined by the Local Government. Early engagement with the Local Government (prior to engagement with the Design Review Panel) is recommended to understand the demand for particular community benefits within the Precinct. Where applicable, community benefits shall form an integral part of the overall design of a development and be integrated early in the design process.

The community benefits listed in Table 4 are not exhaustive, and an applicant may propose to deliver a community benefit not on the list, subject to demonstrating the proposal achieves the identified public benefit principles, there is demonstrated demand for the benefit or it is identified in the City's Social Infrastructure Plan, and is agreed in consultation with the Local Government.

Through consultation with the Local Government, once the community benefit is determined as being appropriate, the height bonus generated by the type of community benefit should be quantified and documented as part of the Development Application.

Table 4: Community benefits for development bonuses

COMMUNITY BENEFITS	CRITERIA	APPLICABLE SITE
Seddon Street upgrades	50% contribution to full hard and/or soft landscaping of Seddon Street as it adjoins the land subject of the application.	Mandatory for: <ul style="list-style-type: none"> Lot 500 Seddon Street Lot 9 Rokeby Road
Provision of laneways	Provision of land for vehicular laneways/pedestrian connections in the locations generally depicted in Figure 8. Land for laneway widening is to be ceded. Land for pedestrian access shall provide unrestricted public access at all hours (or as otherwise agreed by the Local Government) and protected by way of a public access easement or other legal instrument.	Mandatory for: <ul style="list-style-type: none"> Lots 2, 4, 5, 102 & 600 Hay Street Lot 500 Seddon Street Lots 2, 4, 107, 108, 10 & 111 Catherine Street Lot 100 Roberts Road
Laneway widening	Refer section 6.2 of this LDP.	Mandatory for Lots 7-12 & 20 Rokeby Road abutting Sagar and Burley Lanes
Seddon Street to Catherine Street Connection	Provide an additional public connection between Seddon Street and Catherine Street as a mandatory requirement in exchange for additional building height above 8 storeys to 11 storeys/ RL 64m	Optional for: <ul style="list-style-type: none"> Lot 600

COMMUNITY BENEFITS	CRITERIA	APPLICABLE SITE
Sustainability outcomes	Development meets or exceeds a 5 Star Green Star design rating under the Green Building Council of Australia, or an equivalent rating system as agreed by the Local Government and/or a 7 star NATHERS rating for residential development.	Optional for all sites
Residential uses	The additional height/storeys are used for residential purposes where the building is otherwise an entirely commercial development.	Optional for all sites
Public bicycle parking and end of trip facilities	Provision of bicycle parking and end of trip facilities which exceed the requirements of Local Planning Policy 5.2 and are accessible to members of the public who are not tenants or users of the building.	Optional for all sites
Public car parking	Public use of all non-residential parking.	Optional for all sites

COMMUNITY BENEFITS	CRITERIA	APPLICABLE SITE
Affordable housing	Provision of affordable dwellings (minimum 10% of total number of dwellings) in partnership with an approved housing provider or not-for-profit organisation recognised by the Housing Authority.	Optional for all sites
D w e l l i n g diversity	Development includes the provision of a dwelling type (minimum 20% of the total number of dwellings) identified as a priority by the Local Government, such as aged and dependent dwellings, universal access dwellings, one-bedroom apartments, key-worker dwellings, silver or gold standard Liveable Housing Australia design or other innovative housing models to meet local demand.	Optional for all sites

COMMUNITY BENEFITS	CRITERIA	APPLICABLE SITE
Public art	Provision of public art (minimum 1% of the cost of development, capped at \$500,000), provided in accordance with the City of Subiaco Public Art Policy and Guidelines and/or as a result of discussions with the Design Review Panel. Public art shall perform a function within the public realm and not just a part of the building architecture, building signage, building lighting or building branding.	Optional for all sites
Public facilities	Provision of public facilities (cultural, public toilets, change rooms, meeting places, public plaza) guided by demonstrated demand for such facilities, or provided in accordance with the City's Social Infrastructure Plan to the satisfaction of the Local Government.	Optional for all sites



4.0

Siting the Development

4.1 Orientation

Acceptable Outcomes A 3.2.3 of SPP 7.3 is replaced as follows:

Overshadowing Plan – In order to ascertain overshadowing implications of proposed developments which may impact on the availability of sunlight onto adjoining properties or public spaces, a shadow cast diagram will be required indicating the shadow cast by the development at 9am, 12 noon and 3pm on 23 March and 23 September, being the autumn and spring equinox. The shadows cast by any adjacent buildings are to be identified separately and the cadastral boundaries, streets and the outline of the surrounding buildings are required to be included in the diagram, and should demonstrate:

- i. No overshadowing of the footpath on the south side of Hay Street and Seddon Street at midday.
- ii. No overshadowing of the footpath on the west side of Rokeby Road (at 9am).
- iii. No overshadowing of adjacent sites above Level 4 of potential future development (based on shadow diagrams at 9am/midday/3pm).

In addition, where an application includes variations to the height and setback requirements, the overshadowing diagrams shall include relevant shadow casts of both a fully compliant development and the proposed development.

4.2 Tree Canopy and deep soil areas

Where the deep soil areas required by the R-Codes Volume 2 cannot be provided due to site restrictions, planting on structure:

- for non-residential development, an area equivalent to 1.5 times the shortfall in deep soil area provision, is required
- for residential and mixed use development, an area equivalent to 2 times the shortfall in deep soil area provision, is required.

4.3 Public Domain Interface

The proposed access arrangements for the overall LDP is shown in Figure 7. The primary principle of the interface with the public domain is to provide greater pedestrian connectivity and amenity through the Precinct, and vehicle through-movements are to be discouraged.

Acceptable Outcome A 3.6.2 of SPP 7.3 is amended to read as follows:

Car parking that is not visible from the primary street and is designed to integrate with the building. Car parking is to be sleeved with active uses to conceal car parking from the primary street and key frontages as defined in Figure 3 of this LDP.

Acceptable Outcome A 3.6.9 of SPP 7.3 is amended to read as follows:

Services and utilities are to be located at the rear of properties abutting a vehicle accessible laneway, integrated into the design of the development and where possible not visible from a key frontage as defined in Figure 3 of this LDP.

4.4 Vehicle Access

Acceptable Outcome A 3.8.1 of SPP 7.3 is replaced with the following:

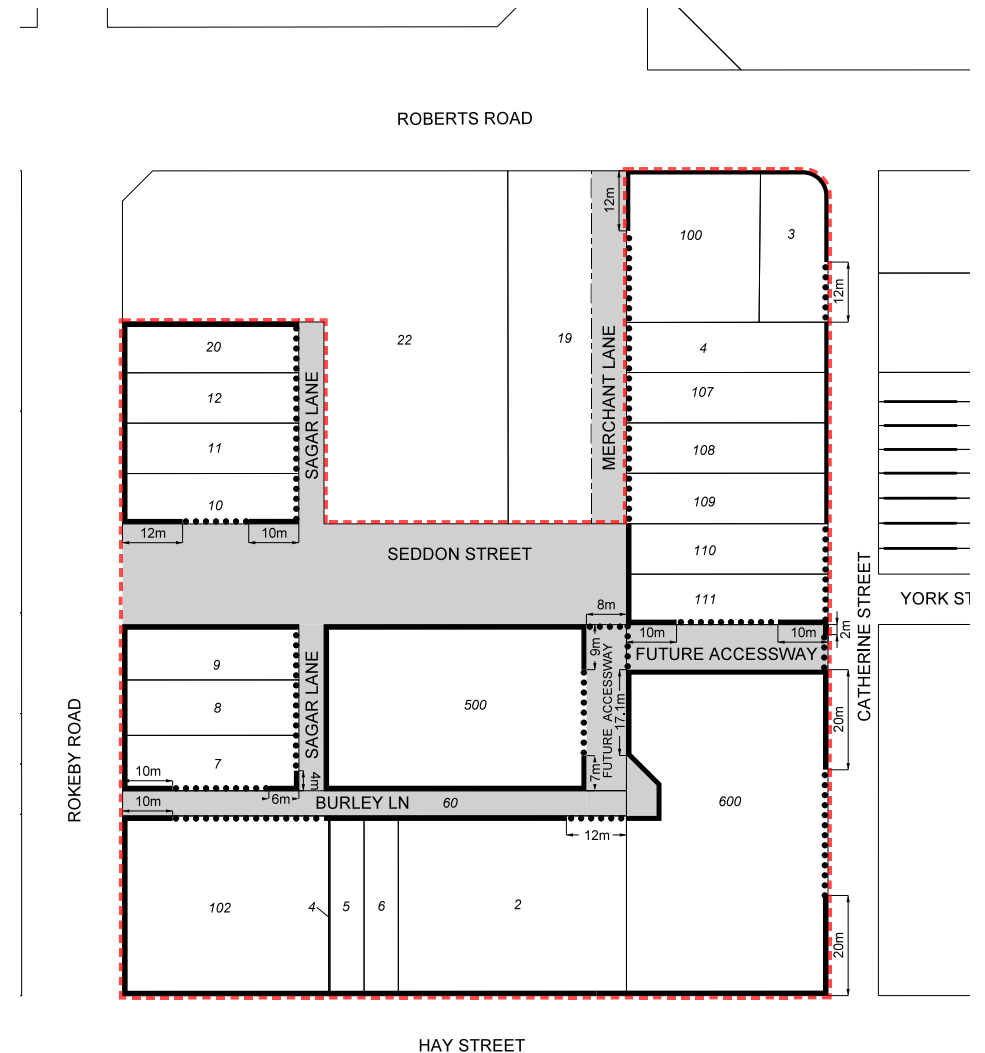
Vehicle access is not permitted directly from Rokeby Road, and vehicle access is limited to properties as per Figure 7. Crossovers in locations subject to City of Subiaco approval shall:

- Be at least 0.5m from the side boundary;
- Be aligned at right angles to the street;
- Be adequately paved and drained;
- Demonstrate appropriate sight distance to ensure vehicles leaving the crossover have adequate visibility of pedestrians, cyclists and vehicles along the frontage street; and
- Demonstrate how vehicular and pedestrian access and egress will be managed on adjoining sites to ensure that access is not restricted to any site.

Figure 7: Vehicle Access Locations Plan

Legend

- LDP Boundary
- Vehicle access is not permitted
- ... Vehicle access may be permitted, subject to City of Subiaco approval



Acceptable Outcome A 3.8.2 of SPP 7.3 is replaced with the following:

Vehicle access points are to be designed and located to ensure that vehicle entry is identifiable from the laneways identified in Figure 7.

4.5 Car and Bicycle Parking

Acceptable Outcome A 3.9.5 of SPP 7.3 is amended to read as follows:

Car parking areas are not visible from the public realm.

Acceptable Outcome A 3.9.10 of SPP 7.3 is amended to read as follows:

Basement parking does not protrude more than 1m above ground. Parking that protrudes above ground is setback away from the primary street so as to ensure street level (at-grade) pedestrian access points to the development. Car parking is to be sleeved with active uses along the primary frontages to Rokeby Road, Roberts Road, Hay Street, Seddon Street and Catherine Street frontage to conceal car parking bays from the public domain.





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5.1 Managing the impact of noise

Where in the opinion of the Local Government there is the potential impact of noise and vibration associated with the development, it may require the preparation of an acoustic report. The report should detail the appropriate noise mitigation measures that are implemented as the development proceeds, including prior to the submission of the Building Permit application.

The Local Government may require an Acoustic Report to accompany a Development Application where:

- i. The proposed development is deemed likely to contribute to, or be exposed to, heightened ambient noise, at the discretion of the Local Government; or
- ii. The proposed development includes non-residential development inclusive of plant and equipment that is likely to be a source of noise (such as air conditioning systems, compressors, public address systems, amplified music, musical instruments); or
- iii. A change of use is proposed that may involve noise emitting activity such as entertainment or amplified music; or
- iv. Land uses that may cause large numbers of people to congregate (such as hotels, taverns and other licensed/non-licensed premises) are proposed, including accommodation premises (such as lodging houses and backpacker establishments).

5.2 Façade Design

The design of a building should ensure a high-quality appearance that allows for flexibility, individuality, creativity and artistic expression that responds to the local and future character of the place.

The façades of buildings are to emphasise the vertical elements that enclose the public realm. High-quality façades with high levels of articulation that consider functionality, environmental sustainability, proportion, transparency, the interplay of light and

shade, materiality and colour and relate well to the public realm and surrounding neighbourhood are encouraged.

Acceptable Outcome A 4.10.1 of SPP 7.3 is replaced with the following:

Façade design shall support the Precinct vision and ensure all building elements contribute to the Precinct as a whole, through the following design features:

- i. Facade Materials – Integrate high-quality, durable and diverse materials and finishes into the façade, avoid highly reflective finishes that have poor glare outcomes.
- ii. Composition – Compose appropriately scaled buildings considering rhythm and proportion, which respond to the building’s use, height and different street frontage conditions, while avoiding an unconsidered repetition of elements. Compose buildings four storeys and above to have three distinct sections; a visual base, middle and top. The base is to be of human scale and relates to pedestrians and the public realm, supporting active uses. The middle is to provide visual interest and helps define the street edge. The top section finishes off the building, but not to be a dominant element in the design.
- iii. Scale – Support a human-scale and pedestrian-oriented environment. Design a building that has carefully considered the overall scale, perception and legibility of the building through bulk and roofline treatment. However, the design emphasis is to be placed on creating a high-quality human scale building that considers the legibility of the ground floor design when viewed in close proximity from the public realm.
- iv. Proportion – Design a building that is vertically proportioned in height, form and architectural articulation.
- v. Rhythm – Provide frequent entrances, fine grain development and active façades reducing the proportion of inactive frontages, particularly at the ground floor.
- vi. Transparency – Openings create one of the strongest visual impacts on the street. Buildings to have large areas of transparency at the ground floor with a minimum of 80% of surface area to be glazing/openings.

- vii. Articulation – Design building façades to be a contrast between solid elements (e.g. walls) and voids (e.g. windows, doors, balcony openings etc), generally with a higher void to solid ratio, particularly on the ground floor.
- viii. Expression – Provide a richness of detail and architectural interest, especially overlooking the public realm and visually prominent locations, such as a long key frontages as defined in Figure 3 of this LDP. Encourage the inclusion of integrated public art into the building fabric and spaces.
- ix. Colour – Develop a cohesive materials palette as an integral part of the building design that reflects the character of the Precinct.
- x. Diversity – Create a range of façade treatments and building character that is fine grain and reflects the character of the locality and region.
- xi. Openings – Provide for windows and doors that have a vertical proportion.
- xii. Sustainable – Consider good passive solar design principles that reduce the reliance on mechanical systems for heating and cooling when designing the building facade.
- xiii. Corner locations – The design, activation and materials of a building should be articulated and expressed volumetrically, addressing both primary and secondary streets. In particular, the quality of the primary and secondary façade of the ground floor should be of similar quality.
- xiv. Non-active ground floor façades shall be broken up with colour, texture or screened with landscaping.

Note: Design Review Panel feedback must be sought to assist on the assessment of the above matters.

Acceptable Outcome A 4.10.5 of SPP 7.3 is replaced with the following:

Awnings are to be provided along street frontages for weather protection and to enhance the heritage character of the Rokeby Road and Hay Street streetscapes.

6.0

Designing the Movement Network

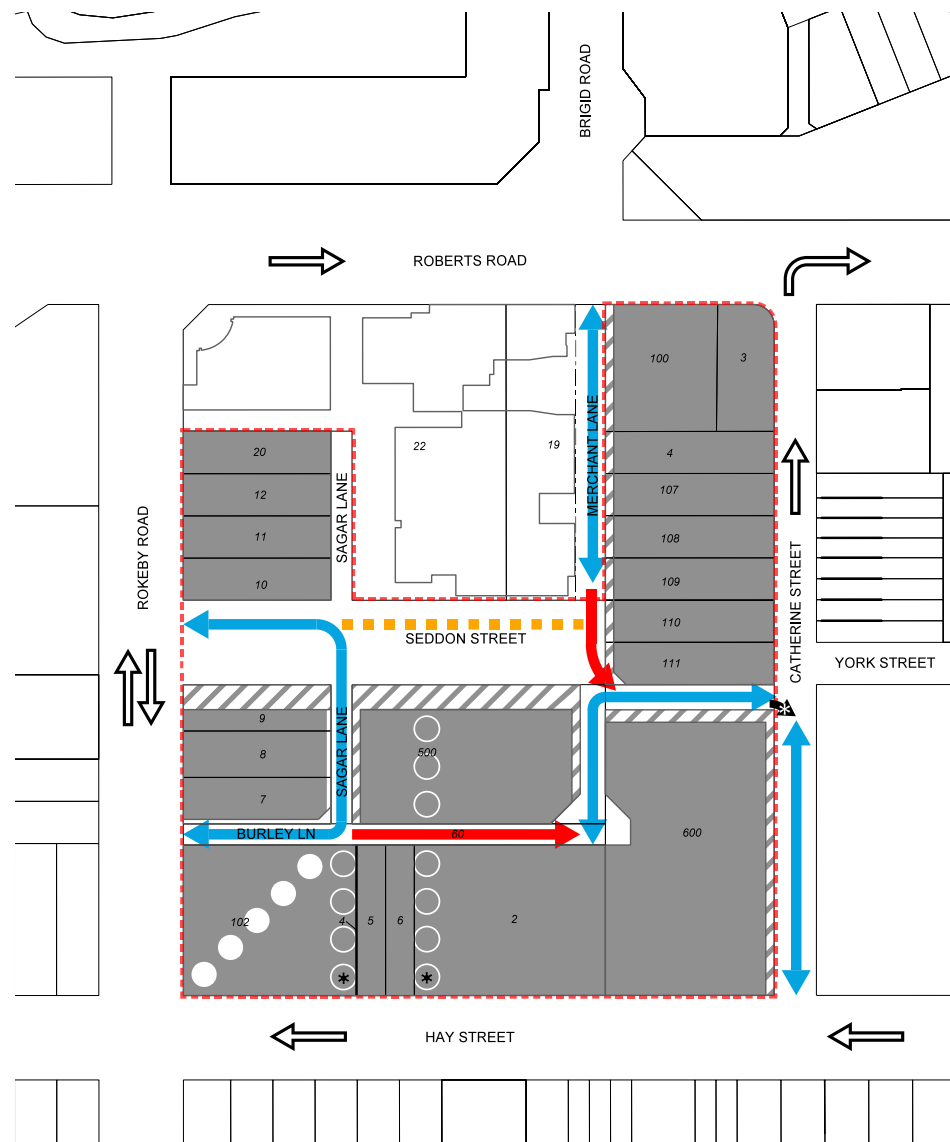
6.1 Designing the Movement Network

Figure 8 identifies the future movement network for the Precinct. It represents a considered approach to movement throughout the Precinct by pedestrians, cyclists and vehicles, with the following key features:

- i. Retain two-way access from Rokeby Road along Burley Lane, Sagar Lane and the western portion of Seddon Street.
- ii. Restrict access on Seddon Street east of Sagar Lane to service and emergency vehicles only.
- iii. Retain the eastern portion of Burley Lane for one-way east-bound access
- iv. Create a new two-way connection between Catherine Street and Burley Lane
- v. Convert Catherine Street to two-way south of York Street
- vi. Modify Catherine Street to enable no left turn from the new laneway into Catherine Street



Figure 8: Movement Network Plan



Legend

- LDP Boundary
- Existing Public Pedestrian Access
- New Public Pedestrian Access
- Land for future Public Pedestrian Access
- Land to be ceded for Laneway and Laneway widening
- * One Pedestrian access only. Location to be determined as part of development application
- */ No left turn into Catherine Street

Proposed traffic movement direction

- ↔ Two-way access
- One-way access
- Access restricted to service and emergency vehicles only

Existing traffic movement direction





6.2 Public Access and Ceding of Land for Laneway Widening

Table 5 of the City of Subiaco LPS 5 sets out additional requirements that apply to land in the Scheme area. Relevant to all zones is the following requirement:

- (4) Where development is proposed adjacent to a right of way that is less than 6m in width, the Local Government may require as a condition of development approval, up to 3m of land to be ceded to the crown free of cost for the purpose of widening the right-of-way to 6m.

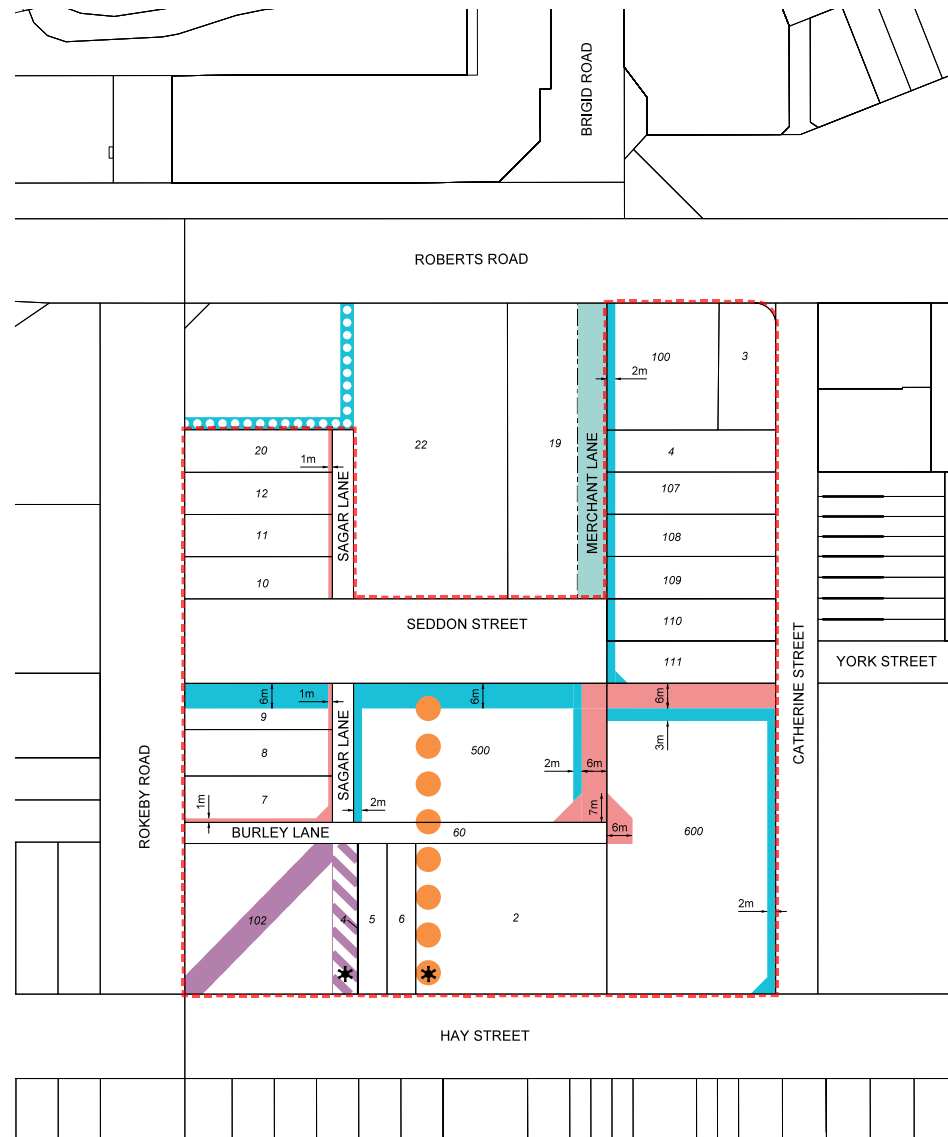
Figure 9 identifies the ground level access requirements plan for the Precinct, including laneways that are required to be created or widened upon the future development of the adjacent land.

Where Figure 9 requires laneway widening, the Local Government will require, by way of condition of development approval, the land to be ceded to the crown free of cost to widen the laneway to 6m. Subject to appropriate design, the City will consider opportunities for private subterranean development beneath the land ceded for laneways.

Where this results in land being ceded to the crown for road widening, it will be counted as one of the minimum four community benefits required under section 3.7.3 of the LDP to be considered for a potential development bonus.

Public access easements are also required along certain connections to enhance pedestrian connectivity throughout the Precinct, as depicted in Figure 9. The Local Government will require, by way of a condition of development approval, a public access easement (or other appropriate legal instrument, as agreed with the Local Government) to provide unrestricted public access at all hours (or as otherwise agreed by the Local Government).

Figure 9: Ground Level Access Requirements Plan



Legend

- LDP Boundary
- Public Pedestrian Access Easement
- Public Pedestrian Access Easement (min. 6m wide) (location subject to agreement with City of Subiaco)
- Land to be ceded for Laneway and Laneway widening
- One Pedestrian access only. Location to be determined as part of development application
- Preferred Public Pedestrian Access Easement (min. 6m wide). Subject to future redevelopment, including opportunity to remove existing Lot 102 Public Pedestrian Accessway.
- Existing Public Pedestrian Access (relocation preferred through future redevelopment)
- Approved Public Pedestrian Access Easement
- Approved Right of Way

6.3 Partial demolition of existing heritage buildings

Partial demolition of any part of any building identified as a contributory building within the Rokeby Road and Hay Street Heritage Area will only be considered under the following circumstances:

- i. Partial demolition may be supported in respect of a portion of building which has limited or no cultural heritage significance and does not make a significant contribution to the broader cultural heritage significance and character of the locality in which it is located (eg. where a rear portion is not original fabric); and
- ii. The proposed demolition is applied for within the same development application as, and as an inseparable part of, a holistic redevelopment of the site which retains the portion of the buildings facing Hay Street.

The following conditions may be applied to an approval for development involving demolition of any portion of a heritage-protected place:

- a. This development approval is for partial development of a building, and redevelopment of the site, as a single, integrated and inseparable development. As such:
 - i. In the event that this development approval is acted upon by the carrying out or commencement of any demolition works, then the owner(s) of the land from time to time is/are to ensure that the redevelopment works approved by this development approval are completed by no later than 2 years from the time when demolition commenced;
 - ii. It shall be a breach of the requirements of condition number [insert condition number requiring that development only be undertaken in accordance with approved plans] if demolition is undertaken or commenced but redevelopment works in accordance with the approved plans is not completed in the time referred to in (i); and

- iii. The owner(s) of the land from time to time is/are responsible to ensure that if the redevelopment works are not substantially commenced and actively progressed within 6 months of the commencement of demolition, then, the vacant portion(s) of the site are to be landscaped or another treatment of the site is to be undertaken, in accordance with a landscaping or other treatment plan lodged in a timely manner in advance with the City of Subiaco and approved by the City. The landscaping plan is to be prepared in accordance with [insert City of Subiaco guidelines re landscaping plans]. The owner(s) from time to time is/are responsible to ensure that the landscaping or other approved treatment is installed and maintained in accordance with the approved plan until the replacement development is commenced and bona fide progressed. For avoidance of doubt, nothing in this subparagraph (iii) is to be read as an extension of the time required for compliance with the requirements of subparagraphs (i) and (ii).





7.0

LDP Approval

7.1 Subdivision

When considering an application for subdivision (or amalgamation) within the Seddon Street Precinct, due regard shall be given to:

1. The vision, objectives and provisions of this LDP.
2. The intended function of the land and the activities carried out on it.
3. The intended character of the area.
4. The intended amenity of the area.
5. The built form implications of subdivision.
6. The established scale and grain of development.
7. Consistency with the established lot patterns of the street.
8. Implications on vehicle access and servicing.
9. Whether the amalgamation of lots provides for a more considered development approach.

7.2 LDP amendment

Amendments to the Local Development Plan.

Amendment Number	Summary of Amendment	Date of endorsed by Local Government

7.3 Approval

This LDP has been approved by the City of Subiaco under clause 52 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Signature

24/3/2022

Date

8.0

Appendix

Land Use	Active or Non-active Use	Use permissibility within LPS5 zone
Residential		
Aged or dependent persons dwelling	Non-active	D
Ancillary Dwelling	Non-active	D
Grouped Dwelling	Non-active	D
Home Business	Non-active	P
Home Occupation	Non-active	P
Home Office	Non-active	P
Multiple Dwelling	Non-active	D
Single House	Non-active	D
Residential Building	Non-active	A
Short Stay Dwelling	Non-active	P
Entertainment		
Amusement Parlour	Non-active	A
Betting Agency	Active	P
Brewery	Non-active	A
Cinema/Theatre	Non-active	D
Club Premises	Non-active	A
Nightclub	Non-active	A
Restaurant/cafe	Non-active	D
Small Bar	Active	P
Tavern	Active	D

Land Use	Active or Non-active Use	Use permissibility within LPS5 zone
Medical/Consulting		
Consulting Rooms	Non-active	D
Funeral Parlour	Non-active	D
Medical Centre	Non-active	D
Veterinary Centre	Non-active	D
Retail (and Recreation)		
Convenience Store	Active	D
Garden Centre	Active	D
Home Store	Non-active	D
Liquor Store – Large	Active	A
Liquor Store – Small	Active	D
Local Shop	Active	P
Recreation – Private	Active	D
Shop	Active	P
Office and Other Commercial		
Car Park	Non-active	D
Commercial Vehicle Parking	Non-active	D
Office	Non-active	D
Service Station	Non-active	A
Industry: Light	Non-active	A
Industry: Service	Non-active	D

Land Use	Active or Non-active Use	Use permissibility within LPS5 zone
Telecommunications Infrastructure	Non-active	D
Bulky Goods Showroom	Non-active	D
Fast Food / Lunch Bar		
Fast Food Outlet / Lunch Bar	Active	D
Accommodation		
Aged Care Facility	Non-active	D
Bed and Breakfast	Non-active	P
Civic and Cultural		
Art Gallery	Active	P
Civic Use	Non-active	P
Community Purpose	Active	P
Educational Establishment	Non-active	D
Exhibition Centre	Active	P
Place of Worship	Non-active	A
Reception Centre	Non-active	D
Child/Day Care		
Child Care Premises	Non-active	D
Family Day Care	Non-active	D