



City of Albany
Policy

Local Planning Policy 4.3 Albany Town Centre

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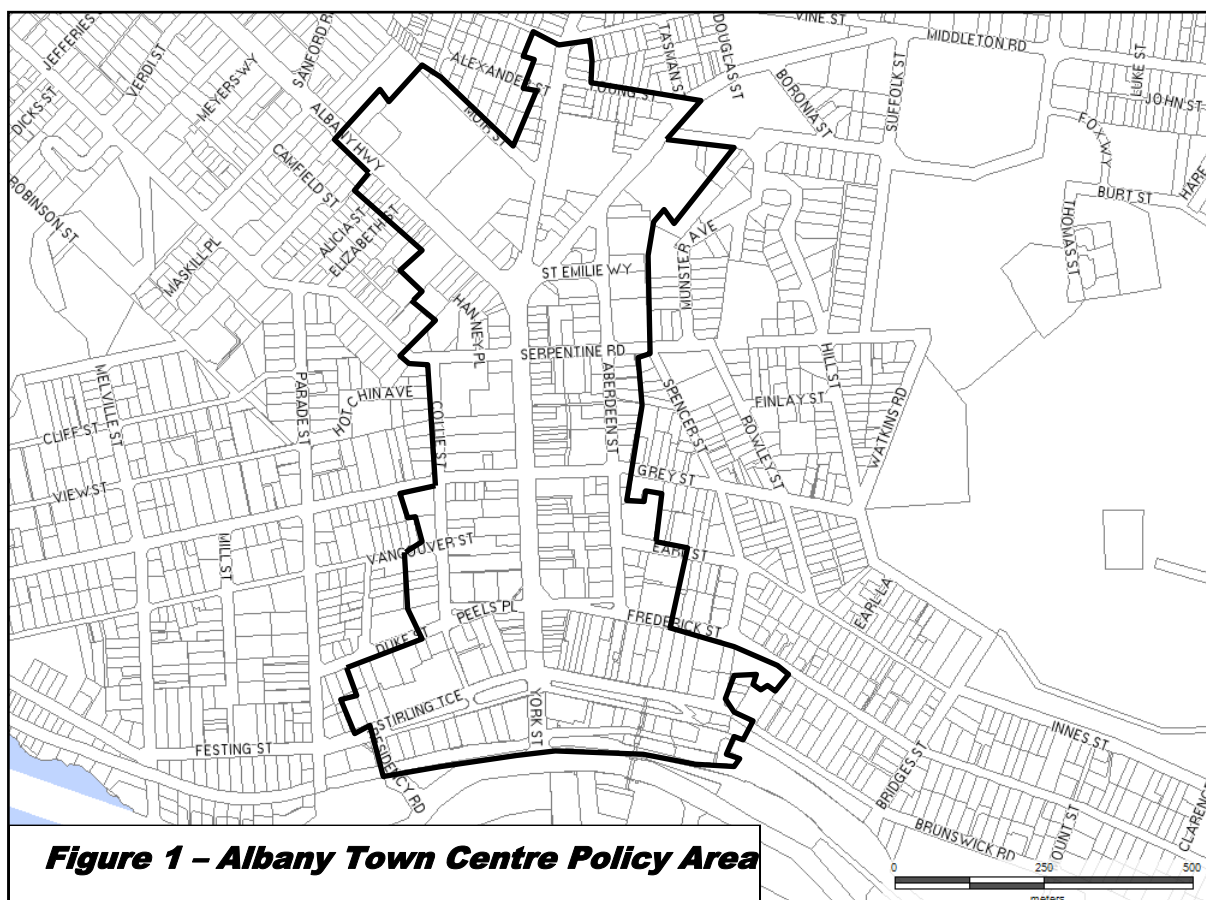
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Objective

1. To ensure that the conservation of heritage buildings and places and compatible development is not prejudiced by onerous or undesirable on-site car parking requirements.
2. Reinforce the existing townscape which is characterised by buildings with similar massing, common building lines and relatively uniform height and scale.
3. Ensure that new development is articulated to respond to the scale of the existing townscape – particularly when seen looking down from the surrounding residential areas.
4. To ensure that the height of new buildings is not out of scale with the existing fabric of the central business district.
5. To establish streets with continuous built edges clearly defining the public domain and, where appropriate, the continuity of cover over footpaths.
6. To facilitate the development of adequate parking facilities within the Albany Central Area.
7. To facilitate appropriate new private development within the Albany Central Area through the implementation of a contemporary, flexible and multi-faceted car parking strategy.
8. To ensure the adequate provision of parking for new non-residential and residential developments, and to efficiently manage parking supply and demand.

Scope

9. The policy applies to the CBD precinct identified below in Figure 1.



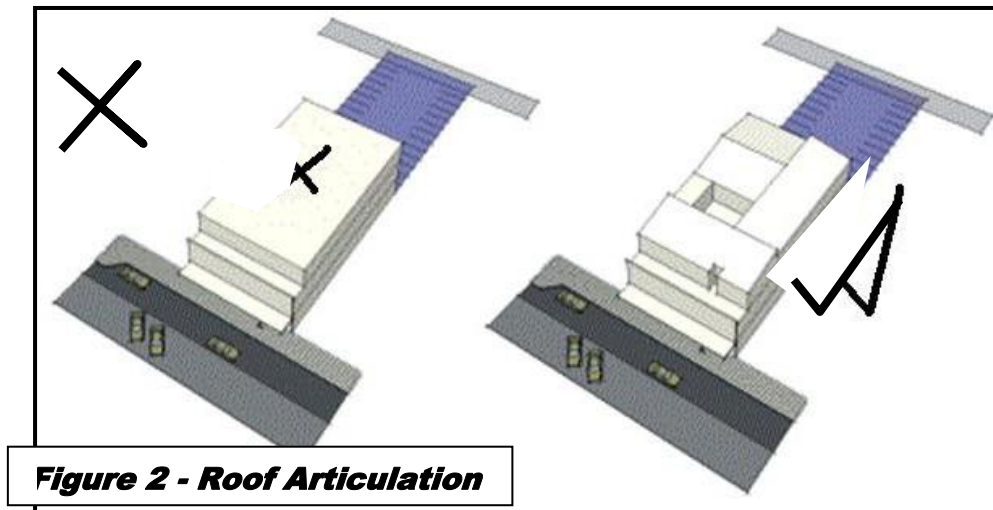
Policy Statement

Urban Setting and Context

10. New development should respond to the scale and mass of surrounding buildings and unsympathetic contrasts of scale should be avoided.

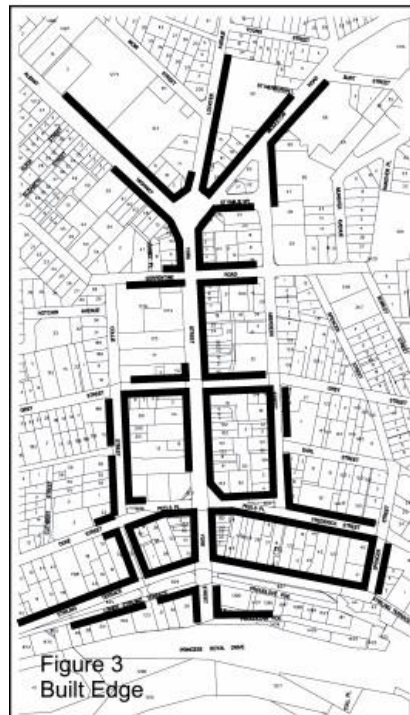
Roof Forms

11. Roof forms in the Central Business District (CBD) will be seen from above and shall be articulated to ensure that the scale of individual roof elements is comparable with the scale and form of existing roofs in the locality.



Built Edges

12. In order to strengthen the streetscapes in the Central Business District buildings shall generally be built up to the street boundary(s) in the areas designated on Figure 3.
13. Limited setbacks may be provided on the ground floor for building entries or where they support active commercial use such as restaurants and are provided within the building envelope.



Attached buildings

14. To ensure continuity of the urban edge buildings shall generally be built boundary to boundary.
15. Where breaks in the continuity of the urban edge are necessary for access they shall generally be limited to less than 3m and preferably be provided within the building envelope.

Covered Footpaths

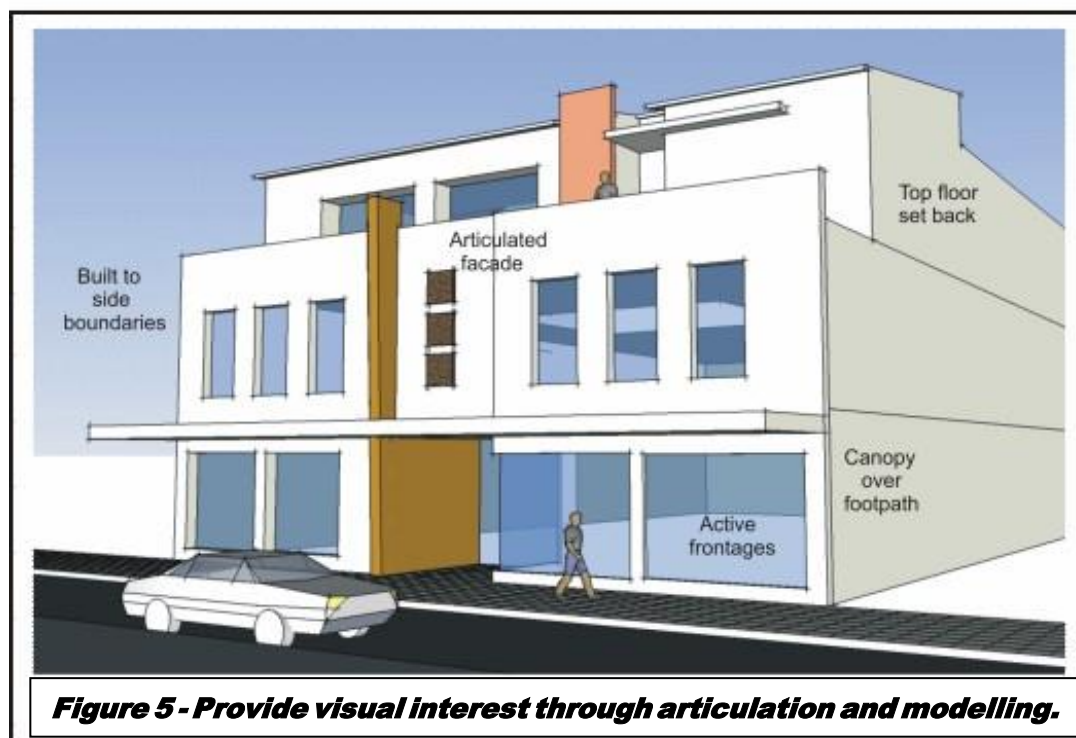
16. Developments with frontages to streets indicated on Figure 6 shall provide pedestrian shelter a minimum of 2.5 metres wide over the pavement in the form of awnings, canopies, balconies or verandahs. Such structures shall comply with the Local Government (Miscellaneous Provisions) Act 1960.

Relationship to Street

17. Buildings to address the street, with facades generally parallel to the street, windows facing the street, with clearly defined entry points visible and accessed from the street.
18. Buildings should establish an interesting and attractive edge to the public domain with ground floor uses which promote activity and informal surveillance of the street. While the demarcation between public space and private space is to be clearly established blank walls, heavy planting, screen walls, or opaque roller shutters are to be avoided.
19. Where existing streetscapes have strong patterns of either vertical or horizontal emphasis new buildings should to respond to this character.

Articulation and Modelling

20. A variety of architectural expression to be encouraged with strong emphasis on promoting high quality design. Development should however establish sets of design elements, and materials which break down the bulk of developments, and provide visual interest through the articulation of their built form (refer Figure 5).



Floor Level at Ground Floor

21. Ground floor levels should generally match the level of the abutting footpath in order to maintain an interactive relationship with the street and promote disabled access into buildings. The ground floor level(s) shall generally not be more than 0.5 metres above or below the abutting pavement level.

Entrances to Street

22. Tenancies abutting the street shall provide primary entrances off the footpath.

Windows at Ground Floor

23. In order to maximise interaction with the public domain on the ground floor of buildings facing a street a minimum of 60% of the building façade to comprise windows or glazed doors, and such windows shall not be permanently obscured. Closed-off doors will not be permitted.

Windows on the First or Second Floors

24. Windows on the upper floors shall provide interest and facilitate natural surveillance of the public domain.

Awnings

25. Where buildings provide awnings or verandahs over the footpath they shall not extend beyond the point where the fascia is 600mm behind the kerb on the street below, shall provide a minimum clearance of 2.75m to the footpath and have a maximum fascia depth of 600mm.

Balconies and Terraces

26. In order to assist in the articulation of facades and provide increased surveillance of streets balconies and terraces will be encouraged.

Roofs

27. Roof level service structures shall be integrated into the building design and any air conditioners shall be screened from the public domain.

Materials

28. New buildings do not have to imitate the materials, colours or finishes of the existing buildings in the locality. The emphasis is on the blending of new buildings with the best elements of the existing streetscape. A variety of materials is encouraged although large expanses of reflective glass are discouraged.

Lighting

29. The lighting of retail frontages of buildings on York Street and Stirling Terrace will be encouraged.

Landscaping and Open Space

30. In commercial developments and residential/commercial developments in ground planting generally to be provided along the side and rear boundaries of the site to screen new development from surrounding buildings, with trees to be planted in, or adjacent to, open car parking areas at a rate of 1 tree per 4 bays.

31. Where residential/commercial developments are not built to the front boundary the front setback area shall be landscaped with in ground planting, although such planting should not screen the view of the building from the street but may provide small trees and for shade and amenity.

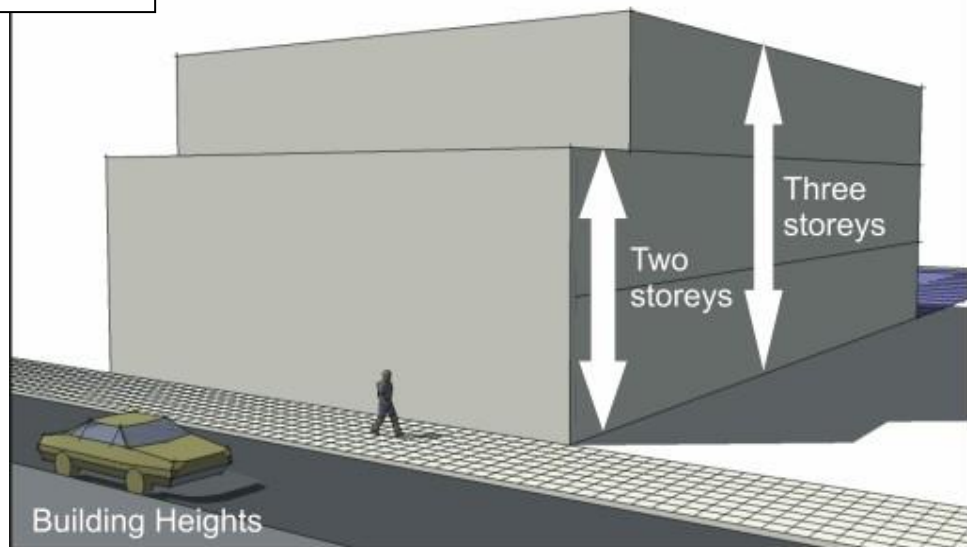
32. In residential/commercial or residential developments the open space requirements of the Residential Planning Codes may be relaxed subject to the provision of external private open space to each residential unit (this may be in the form of balconies or terraces), and an area of mature trees to provide landscaped relief within the built environment.

Building Height - Number of Storeys

33. A maximum height of three storeys subject to the parameters set out below (refer

Stirling Terrace Conservation Guidelines for vertical building envelopes within Stirling Terrace).

Figure 6



Height of Storeys

34. The maximum floor to floor heights shall be:

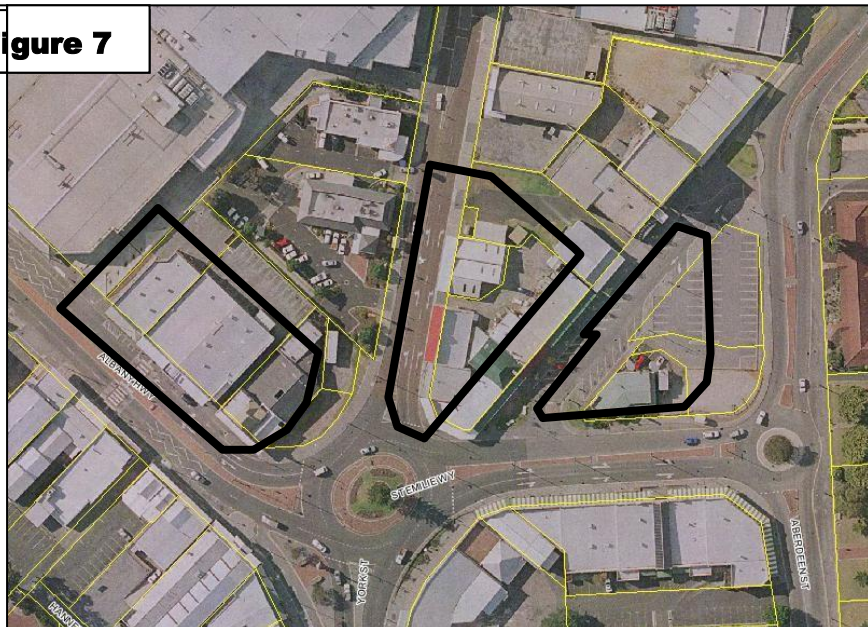
- Ground floor shall be 4.5 metres
- First Floor shall be 3.5 metres
- Second Floor shall be 3.0 metres

35. These standards may be varied where their application would prevent single level floor plates for retail/commercial uses on sloping sites.

Areas identified for additional height

36. Notwithstanding the general height criteria above development up to 5 storeys is permitted within the areas outlined in Figure 7 below, where the ground floor is activated with a commercial (preferably retail use). The same floor to floor heights shall apply as above for the first three floors, with the third and fourth floor having a maximum floor to floor height of 3.0 metres.

Figure 7



Setback of Top Floor

37. The third storey (or in the case of that land identified within Figure 7, the fifth storey) shall be set back a minimum of 3 metres from any street frontage.

Roof

38. The roof shall be less than 3.0 metres above the ceiling level of the third storey (or in the case of that land identified within Figure 7, the fifth storey).

Lift Overruns

39. Any lift overruns shall be less than 3.0 metres above the ceiling level of the third storey (or in the case of that land identified within Figure 7, the fifth storey).

Height Datum

40. Building height shall be measured from the existing pavement (or ground) level at the centre of street boundary (or boundaries) of the site.
41. On larger sloping sites the front boundary shall be divided into sections of a maximum width of 15m and the heights measured from the centre of each section.

Access and Car Parking – Bay Requirements

42. The number of car parking bays provided as part of any new development shall comply with the following:

TABLE 1 – PARKING GENERAL

USE	MINIMUM CAR PARKING SPACES
Supermarkets	1 per 16.7 sqm gross floor area
Other Retail	1 per 35 sqm gross floor area
Offices	1 per 30 sqm gross floor area
Public Uses	1 per 50 sqm gross floor area
Hotels/Motels (excluding bedrooms), Restaurants etc.	1 per 35 sqm gross floor area
Hotel/Motel Bedrooms	1 per bedroom
Other Residential	as per “R” Codes
Other Commercial	1 per 100 sqm gross floor area

TABLE 2 – SPECIAL SITES

USE	MINIMUM CAR PARKING SPACES
Professional Office	3 bays per professional for the first 2 professionals and 1 bay per 20 sqm NLA thereafter
Medical Clinic	6 bays per consultant for the first 2 consultants plus 2 bays for each additional consultant
Massage Clinics	3 car bays for one practitioner and 2 car bays for each additional practitioner

43. Where the parking requirement identified in the above tables is less than that specified in the City of Albany Local Planning Scheme No.2, and a proposal meets the refined policy standard, Council will pay due regard to the policy position in determining whether the relaxation should be granted.
44. If, at the discretion of the assessing officer, a proposed use does not match a use stipulated in the Central Area Parking Requirement Table, the parking requirements of the City of Albany Local Planning Scheme No.2 shall prevail.

Relaxation of Parking Requirements

45. the shortfall in required parking bays is not substantial (5 or less); or

46. there are on-street parking bays available in close proximity to the subject site which are suitable in terms of any time limits applicable to those bays for use by the intended workers, visitors or customers of the proposed development, or sufficient parking bays are available on nearby private land and permission has been given for the applicant to use or share those bays (see the “Joint Use of Parking” Clause below); and
47. there will be minimal disruption to the amenity of the area for residents or businesses by permitting the shortfall in on-site car parking to occur.

As an example, Council will look favourably upon proposals to convert vacated commercial buildings to residential use, provided the conditions listed above can generally be met.

Joint Use of Parking

48. Parking bays may be provided jointly by two or more owners or users of land, or by one owner or user in respect of separate buildings or uses, subject to the following:
- a) if there is a shortfall between the number of parking bays required under Table 1 or Table 2 and the number of bays to be provided by the applicant for development approval, and the application contains a proposal for the shortfall to be provided on other land which is not the subject of the proposed development, and the Council is satisfied as to the matters set out in the following paragraph, then the Council may grant development approval notwithstanding the shortfall, but subject to an agreement being entered into between the City and the applicant and the owner of the other land. The agreement shall be prepared by the City’s solicitors at the expense of the applicant, and shall be in the form of a restrictive covenant, easement or other legal instrument satisfactory to the City against that other land, in respect of the provision of the shortfall or parking bays and any reciprocal access or circulation arrangements.
 - b) The Council shall not grant development approval unless it is satisfied that:
 - i) the applicant has provided evidence to the satisfaction of the Council that the peak hours of operation of the buildings or uses on the land the subject of the application and the land on which the shortfall of parking bays is to be provided are different and do not substantially overlap; and
 - ii) the number of parking bays to be provided on the land which is not the subject of the application, is sufficient to meet the shortfall in parking in respect of the development the subject of the application; and
 - iii) joint use of the parking facilities on the land which is not the subject of the application will not result in any deficiency in parking for that site.

Variations to Scheme Provisions for a Heritage Place or Heritage Area

49. Where desirable to:
- a) facilitate the conservation of a heritage place entered in the Register of Places under the Heritage of Western Australia Act 1990 or listed in the Heritage List of the Scheme; or
 - b) enhance or preserve heritage values in a heritage area designated within the Scheme, the City may vary any site or development requirements, including car parking provisions, specified in the Scheme, this policy or the Residential Design Codes.

Proposals that comply with Albany Central Area Masterplan Objectives

50. The ACA Masterplan proposes a wide range of initiatives aimed at, among other things:
- a) improving the legibility and efficiency of accessways and parking areas on private land; and
 - b) creating a pedestrian-friendly environment throughout the Albany Central Area.

Note: Within central Albany there are a number of parking areas and vacant lands at the rear of buildings where surfaces are unpaved or in poor condition, where car bays are not marked out, reciprocal access over adjoining lots is denied due to legal issues and/or ground level

51. differences, and the appearance, safety and security of the areas in general are below desirable standards.
52. Figures 'A', 'B', 'C' and 'D' at the rear of this policy illustrates the desired improvements to these areas.
53. Within these street blocks, and where a development proposal on private land is laid out and designed in such a manner that it achieves, to the satisfaction of Council:
 - a) practical physical improvements consistent with the indicative parking and access improvement plan shown at Figures 'A' through to 'D', which may include one or more of the following:
 - i) permitting and facilitating public access across the subject site to adjoining parking areas and to other access/egress points;
 - ii) paving and draining of the car park and marking out of car bays;
 - iii) providing car park lighting;
 - iv) the inclusion of approved shade trees within the parking area on the subject land at the rate of one tree per six bays;
54. These measures to be accompanied, where required, by legally-binding agreements, and/or ceding of land to the City of Albany to ensure the proposed improvements to parking and/or access and/or circulation will be achieved, the Council may, at its discretion, reduce the requirement for on-site parking for the proposed development by up to 40%.
55. The City may erect information signage at car park entries using the international blue & white "P" symbol and indicating the number of car bays available within the car park(s), and any applicable time limits.
56. The City may, by negotiation, require some car bays within a private development to be marked for the exclusive use of customers, staff and/or service vehicles, in whatever ratio it thinks fit, depending upon the approved uses for the development.

Cash-in-lieu of Parking

57. Cash-in-lieu of parking is to be considered where non-residential developments have a shortfall of parking according to the requirements of Table 1 or 2 above. The City may accept money for this shortfall in order to provide and/or upgrade parking bays in a nearby existing or proposed public parking facility, including on-street parking where possible and appropriate. This provision of the Parking Policy should not be seen to be replacing the developer's responsibility to provide on-site parking, but rather as a mechanism to enable otherwise desirable developments, for which the full amount of parking cannot be provided on-site, to proceed.
58. Where a portion of the car parking requirement for a new development within the Central Area zone as specified in Table 1 or 2 above:
 - a) is not proposed to be provided on the site of the proposed development, or
 - b) cannot be provided on site for reasons of insufficient land area available, or
 - c) cannot be provided on nearby land under a joint use arrangement; or
 - d) is deemed by Council to be inappropriate for reasons of heritage or streetscape character conservation,the developer shall be required to provide cash-in-lieu of car parking for the number of parking bays not provided on the development site. The provision of an adequate supply of parking for the Albany Central Area is the intent of this provision and, as such, the following matters apply:
 - a) cash-in-lieu provisions are only to be permitted in localities where the City already provides public car parking which has spare capacity, or the City is proposing to provide or is able to provide a public car park (including enhanced or additional on-street car parking where possible and appropriate) in the near future, within 400 metres of the subject development;
 - b) cash-in-lieu contributions may comprise all or part of the shortfall in on-site parking proposed for a development;

- c) Council may accept a cash payment in-lieu of providing car parking on the subject site, provided:
 - i) the cash-in-lieu rate is calculated on the basis of 26 sq.m per parking bay and includes 25% of the estimated cost of the land, plus the equivalent total cost of asphalt paving on a suitable base course, drainage, line marking, landscaping, and, where applicable, lighting; and
 - ii) the additional site coverage by buildings will not preclude the integration of access and car parking across lot boundaries.

Note: the cost of the land element has been significantly reduced from the 100% previously used in the calculations applied to cash-in-lieu of parking, as it is anticipated that the bulk of the monies collected will go towards increasing on- street parking (i.e., where land does not have to be acquired by the Council), and towards providing public transport.

- 59. Notwithstanding the above, when redevelopment of an existing building or a change of use is proposed and a cash-in-lieu of car parking requirement for an additional 5 or less parking bays is identified, Council may, at its discretion, waive the requirement for provision of cash-in-lieu of car parking.

Parking Associated with New Alfresco Dining Developments

- 60. There is no requirement for additional car parking to be provided as part of an Alfresco Dining Permit (refer to Council's Alfresco Dining Policy).



FIGURE A



FIGURE B



FIGURE C



FIGURE D

Landscaping

61. The landscaping requirements set out in Appendix III and IV of Town Planning Scheme No. 1A may be reduced by up to 50% of the area required where a developer can demonstrate that he/she is incorporating building features that contribute to the overall well being of the Central Area Zone (e.g. high quality pedestrian access) and the vegetation is provided in a single mass adjacent to pedestrian traffic areas. Landscaping may be provided in the form of courtyards, plazas or landscaped areas.

Single Bedroom Dwellings - Floor Area

62. Clause 4.1.3 of the Residential Design Codes specifies that a single bedroom dwelling with a maximum plot ratio floor area of 60 sq.m meets the acceptable development criteria. A performance-based approach can be pursued if the dwelling provides limited accommodation suitable for one or two persons.

63. Where it can be demonstrated that a high quality design outcome can be achieved, the City may consider a density bonus for single bedroom dwellings with a maximum plot ratio floor area of up to 70 sq.m as meeting the acceptable development criteria of the Residential Design Codes.

64. The City of Albany will consider the above variation to the Residential Design Codes floor area limitation where the following criteria are met, to the satisfaction of the City of Albany:
- a) there is no provision for a second bedroom, or second kitchen, or second bathroom/ensuite or second laundry. It is important to ensure that a single bedroom dwelling cannot be divided so that it becomes a two or more bedroom dwelling. Therefore, a detailed floor plan layout of the proposed development must be submitted to the City of Albany for consideration and approval, to ensure the design is such that it is not physically feasible to divide the space to provide more than one bedroom. This principle must be demonstrated to the satisfaction of the City, and will be a condition of any planning approval forthcoming from the City;
 - b) development is compliant with the open space requirements of the Residential Design Codes; and
 - c) the bulk and scale of the proposed development generally complies with the provisions of the "Albany Historic Town Design Policy", and will not, in the opinion of the City of Albany, unduly impact on the streetscape or amenity of the locality.

Single Bedroom Dwellings - Car Parking

65. Single bedroom dwellings with a maximum plot ratio floor area of 60 sq.m require one car parking bay per dwelling, as stated in Clause 3.5.1 of the Residential Design Codes.
66. Where the City of Albany considers a greater floor area to a maximum of 70 sq.m, the car parking requirement is still one car parking bay per dwelling.
67. Car parking standards for single bedroom dwellings are to comply with the requirements of the City of Albany.
68. Where a single bedroom dwelling forms part of a grouped or multiple dwelling development, visitors' car parking spaces are to be provided in accordance with the Residential Design Codes.

Store Rooms

69. Where a single bedroom dwelling forms part of a grouped housing or multiple dwelling development, an enclosed, lockable storage area constructed of a design and in materials matching the dwelling accessible from outside the dwelling, with a minimum dimension of 1 metre and an internal area of at least 2.5m² is required for each single bedroom dwelling.

Balcony

70. Where a single bedroom dwelling forms part of a multiple dwelling development, a balcony with a minimum dimension of 1.5m and an internal area of at least 6.5 sq.m is required. Where a single bedroom dwelling forms part of a mixed use development, a balcony with a minimum dimension of 1.5m and an internal area of at least 4 sq.m is required.

Legislative and Strategic Context

71. The policy operates within the following framework of legislation.

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *City of Albany Local Planning Scheme No.2.*

Review

72. This policy should be reviewed every two years, or earlier if required.

Definitions

Acoustic privacy the seclusion of residential units from the impacts of intrusive externally generated noise.

Active frontages buildings which in areas abutting the street contain uses which provide surveillance of, and bring interest and activity to, the street.

Adaptation (Adaptive Reuse) modifying a place to suit proposed compatible uses.

Amenity A comfortable and pleasant immediate environment located within agreeable surroundings.

Articulation the division or dis-aggregation of a building into distinct segments or parts with a clear delineation of the joints between the constituent parts.

Building Envelope the total three dimension volume which encompasses all the elements of a building.

Building mass the magnitude or overall volume of a building.

Built form the configuration of the aggregate of all buildings, structures, etc which make up the physical environment of the locality.

Built Edges a condition where buildings are constructed up to the street boundary effectively enclosing the public domain.

Bulk the size or mass of a building; generally referring to structures which in their context appear relatively large.

Cohesive harmonious grouping of complementary elements. A cohesive townscape contains objects and architectural elements which have a consistent or complimentary overall effect.

Context the environment within which a building is located. The context is relevant in that much of the building's significance or impact is derived from its relationship with, or its effect on its environs.

Conservation all the processes of looking after a place so as to retain its cultural significance. It includes maintenance and may according to circumstances include preservation, restoration, and adaptation and will be commonly a combination of more than one of these.

Contrasts of scale substantial differences between the relative size of buildings or structures. Generally refers to buildings which are large or overbearing in comparison with their context or what is generally accepted.

Cultural significance aesthetic, historic, scientific or social value for past, present or future generations.

Decorative features distinctive detailing, variations in finishes, texture or colours or other elements such as mouldings, plinths etc which add interest to the exterior of a building.

Façade the wall of a building usually referring to the front wall(s) seen from the street(s).

Grain texture of a surface, building, or section of built fabric generated by the arrangement and size of their constituent parts.

Heritage buildings, structures or places having aesthetic, historic, scientific or social value for past, present or future generations.

Heritage Listed Building buildings that are listed within Council's Municipal Heritage Inventory, within Local Planning Scheme 1 or on the State Heritage Inventory.

Highly reflective roofing material any metal roofing material that has a solar reflectance value greater than 50%.

Historic themes the historical content of the place, with particular reference to the ways in which its fabric has been influenced by historical forces in the course of its development.

Human scale buildings of a size or comprising a range of architectural elements which are of a magnitude and proportion related to our bodily dimensions.

Informal surveillance the casual periodic observation of the public domain from buildings abutting it.

Interpret design which critically draws on, adapts, or makes reference to existing architectural features present in the locality.

Legibility urban fabric which, through the clarity of its organization and its wealth of distinguishing features, may be easily read and comprehended.

Low reflective roofing material any metal roofing material that has a solar reflectance value of 50% or less.

Maintenance the continuous protective care of the fabric, contents and setting of a place.

Mass the overall size or bulk of a building.

Microclimate the effects of local patterns of wind, solar access, overshadowing, precipitation etc on a locality.

NGL natural ground level.

Non-habitable rooms a room such as a bathroom, laundry, toilet and other spaces of a specialized nature occupied neither frequently nor for extended periods.

Overshadowing structures or buildings which block the access of direct sunlight to habitable areas of surrounding buildings or public and private open space.

Preservation maintaining the fabric of a building and/or place in its existing state and retarding deterioration.

Public Domain areas of the city which belong to the community as a whole; generally refers to streets, squares parks etc.

Reconstruction returning a place as nearly as possible to a known earlier state and is distinguished by the introductions of materials (new or old) into the fabric.

Residential Planning Codes State Planning Policy 7.3 – Residential Design Codes.

Restoration returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.

Scale relative size. A large scale building is big in comparison with its context or what is generally accepted. A human scale building has a size or many architectural elements which we can identify with i.e. their size and proportion are related to our bodily dimensions.

Screen to conceal or obscure from view.

Solar access areas penetrated by sunlight over extended periods of time during both summer and winter.

Solar reflectance value represents the percentage of the total solar radiative energy falling onto a surface that is re- radiated. For the purpose of this policy the values are those provided by BHP Steel Ltd.

Streetscape the perceptive quality of a street established by the buildings which line it, and the additional elements which are contained within the spatial frame formed by those buildings.

Subdivision pattern the configuration of the original cadastral layout and the influence this layout had on the subsequent development of built form within the locality.

Topography *natural or altered ground form.*

Townscape (character) the relative distribution of the landscape, buildings and other structures which together constitute the collective form of the town.

Undercroft an area located below the ground floor level of a building and used for parking, storage and other such service uses (non-habitable).

Urban richness built fabric characterized by a variety of environmental conditions, diverse uses, and a wide choice of sensory experiences.

View a broad or expansive as seen from a particular place.

Vista a particular view usually contained by either natural features or built form (as in an axial view).

Visual integrity urban fabric characterized by complementary elements within an environment ordered by consistent and perceptible principles.

Visual privacy the isolation of residential units and external private open space from the intrusive overlooking of residents of neighbouring properties.

Visual richness an urban environment characterized by perceptual complexity and interest.