

# Minutes

## Planning and Heritage Policy Review and Development Committee

**Tuesday 15 February 2022**

*By signing these minutes I certify that they were confirmed at the Planning and Heritage Policy Review and Development Committee held on 17 May 2022.*

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Cr Catherine Ehrhardt, Deputy Mayor  
CHAIRPERSON

<b>1</b>	<b>ELECTION OF CHAIRPERSON .....</b>	<b>3</b>
<b>2</b>	<b>OFFICIAL OPENING .....</b>	<b>3</b>
<b>3</b>	<b>ACKNOWLEDGEMENT OF COUNTRY .....</b>	<b>3</b>
<b>4</b>	<b>DISCLOSURE OF INTEREST SUMMARY .....</b>	<b>3</b>
<b>5</b>	<b>DELEGATED AUTHORITY BY COUNCIL .....</b>	<b>4</b>
<b>6</b>	<b>ATTENDANCE .....</b>	<b>4</b>
	<b>6.1 Apologies .....</b>	<b>4</b>
	<b>6.2 Approved Leave Of Absence .....</b>	<b>4</b>
<b>7</b>	<b>CONFIRMATION OF MINUTES .....</b>	<b>4</b>
<b>8</b>	<b>TERMS OF REFERENCE .....</b>	<b>4</b>
<b>9</b>	<b>PREVIOUS MATTERS DEALT WITH NOT ON THE AGENDA .....</b>	<b>5</b>
<b>10</b>	<b>REPORTS.....</b>	<b>6</b>
	<b>10.1 Proposed Local Planning Policy - Significant Tree Register And Associated Guidelines For Private Land .....</b>	<b>6</b>
	<b>10.2 Planning Policy Review - Signage Policy .....</b>	<b>26</b>
	<b>10.3 Proposed Sustainability In Design Local Planning Policy .....</b>	<b>75</b>
	<b>10.4 Proposed Planning Policy Review Schedule .....</b>	<b>118</b>
<b>11</b>	<b>NEXT MEETING .....</b>	<b>128</b>
<b>12</b>	<b>CLOSURE .....</b>	<b>128</b>

**Minutes** of the Planning and Heritage Policy Review and Development Committee of the Bayswater City Council which took place in the Committee Room, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on Tuesday 15 February 2022.

## 1 ELECTION OF CHAIRPERSON

In accordance with section 5.12 of the *Local Government Act 1995* the members of the Committee are to elect a chairperson (presiding member) from amongst themselves.

- Des Abel, Director Community and Development, called for nominations for the election of Chairperson.
- Cr Filomena Piffaretti Mayor, nominated Cr Catherine Ehrhardt. Cr Elli Petersen-Pik nominated himself. As two nominations were received, a secret ballot was held and Cr Catherine Ehrhardt was elected Chairperson.

## 2 OFFICIAL OPENING

The Chairperson, Cr Catherine Ehrhardt, Deputy Mayor, declared the meeting open at 5.00pm.

## 3 ACKNOWLEDGEMENT OF COUNTRY

In accordance with the City of Bayswater's Reflect Reconciliation Action Plan November 2019-November 2020, the Presiding Member will deliver the Acknowledgement of Country.

### Noongar Language

*Ngalla City of Bayswater kaatanginy baalapa Noongar Boodja baaranginy, Wadjuk moort Noongar moort, boordiar's koora koora, boordiar's ye yay ba boordiar's boordawyn wah.*

### English Language Interpretation

*We acknowledge the Traditional Custodians of the Land, the Whadjuk people of the Noongar Nation, and pay our respects to Elders past, present and emerging.*

The Chairperson, Cr Catherine Ehrhardt, Deputy Mayor acknowledged the Traditional Custodians of the land, the Whadjuk people of the Noongar nation, and paid respects to Elders past, present and emerging.

## 4 DISCLOSURE OF INTEREST SUMMARY

In accordance with section 5.65 of the *Local Government Act 1995*:

A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

Name	Item No.	Type of Interest	Nature of Interest
Cr Elli Petersen-Pik	Item 10.3	Impartiality	Before being elected as a Councillor Cr Petersen-Pik seconded one of the motions that is referred to in the officer's report, with regards to cooling roofs, which was proposed at the AGM of Electors in December 2016.

## 5 DELEGATED AUTHORITY BY COUNCIL

There are no item appearing in this agenda for which the Planning and Heritage Policy Review and Development Committee has been granted delegated authority by Council in accordance with section 5.23(1)(b) of the *Local Government Act 1995 (WA)*; this meeting is closed to the Public.

## 6 ATTENDANCE

### Members

Cr Filomena Piffaretti	Mayor
Cr Catherine Ehrhardt	Deputy Mayor
Cr Giorgia Johnson	
Cr Assunta Meleca	
Cr Elli Petersen-Pik	
Cr Josh Eveson	

### Non-Voting Members

Mr Andrew Brien	Chief Executive Officer
Mr Des Abel	Director Community and Development
Ms Helen Smith	Manager Development and Place
Ms Alix Bray	Principal Strategic Planning and Place

### Observers

Mr Florent Combes-Peyre	Work Experience Student
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### Leave of Absence

Nil.

### 6.1 Apologies

Nil.

### 6.2 Approved Leave of Absence

Nil.

## 7 CONFIRMATION OF MINUTES

Nil.

## 8 TERMS OF REFERENCE

TERMS OF REFERENCE Planning and Heritage Policy Review and Development Committee		
<b>Purpose:</b>		The purpose of the Committee is to make recommendations directly to Council on strategic and policy matters as they relate to planning, heritage and built character.
<b>Elected membership:</b>	<b>Members</b>	Five Elected Members *. <i>*minimum three required under legislation</i>
<b>External membership:</b>	<b>Member</b>	Nil.

<b>Role of Representatives:</b>	The roles and responsibilities of the City of Bayswater representatives on this Committee are: <ul style="list-style-type: none"><li>• Member in own right; and</li><li>• Spokesperson for City of Bayswater.</li></ul>
<b>Non-Voting Members:</b>	Director Community and Development Manager Development and Place
<b>Delegated Authority:</b>	Nil.
<b>Meetings:</b>	Committee meetings are to be in accordance with the <i>City of Bayswater Standing Orders Local Law 2021</i> .
<b>Meeting occurrence:</b>	Quarterly or as required.
<b>Day of Meeting:</b>	When suitable
<b>Time of Meeting:</b>	When suitable
<b>Location of Meeting:</b>	City of Bayswater, Civic Centre, 61 Broun Ave Morley WA 6062.
<b>Liaison Officer:</b>	Director Community and Development or nominated officer.

The Committee reviewed their terms of reference and considered no changes were necessary.

## 9 PREVIOUS MATTERS DEALT WITH NOT ON THE AGENDA

Nil.

**10 REPORTS****10.1 Proposed Local Planning Policy - Significant Tree Register and Associated Guidelines for Private Land**

<b>Responsible Branch:</b>	Development and Place
<b>Responsible Directorate:</b>	Community and Development
<b>Authority/Discretion:</b>	Legislative
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. Significant Tree Register Policy for Private Land [10.1.1 - 1 page] 2. Significant Tree Register Guidelines [10.1.2 - 7 pages]
<b>Refer:</b>	Item 10.6.1.1: OCM 25.05.2021 Item 10.6.4.1: OCM 27.10.2020 Item 10.4.7: OCM 03.09.2019

**SUMMARY**

Council consideration is sought in relation to adopting for public advertising a proposed Local Planning Policy – Significant Tree Register and associated Significant Tree Register guidelines for Private Land.

The policy and guidelines have been developed to provide protection to trees on private property. The policy has been updated to include incentives for registering a significant tree on private land.

**OFFICER'S RECOMMENDATION**

That Council adopts for public advertising the proposed Significant Tree Register Policy and associated Significant Tree Guidelines as contained in Attachments 1 and 2 to this report.

**MOTION**

That Council adopts for public advertising the proposed Significant Tree Register Policy and associated Significant Tree Register Guidelines as contained in Attachments 1 and 2 to this report, subject to the following modifications being made to the Significant Tree Register Guidelines:

1. The 'Significant Tree Assessment' section be amended as follows:
  - (a) Clause 1 be amended to read as follows-
 

"All Significant Tree assessments undertaken by the City will not commence until the City has obtained consent from the landowner(s), and the affected neighbouring landowner(s) if required, to the tree being assessed for inclusion on the Significant Tree Register."
2. The 'Optional Category 1 Growth/Size Significance' section be amended to delete reference to 'canopy spread'.
3. The 'Tree Nomination Assessment and Decision Making Process Stage 1' section be amended as follows:
  - (a) Clause 1 be amended to read as follows-
 

"The application will be checked to ensure that all the information has been provided including the landowner's consent, and the affected neighbouring landowner's consent as required."
  - (b) Clause 2 be amended to read as follows-

**“The City will undertake a Significant Tree Assessment using a qualified arborist, or the applicant may provide a copy Significant Tree Assessment undertaken by a qualified arborist.”**

4. Clause 3 of the ‘What requires the City’s Written Approval’ section be amended to read as follows:

**“Landowner(s) or neighbouring landowner(s) are advised to discuss with City officers what information is to be submitted with an application for written approval. Applications are to be accompanied by an assessment of the tree undertaken by a qualified arborist, with all associated costs being borne by the landowner(s) or relevant neighbouring landowner(s).”**

5. The ‘What does not require the City’s Written Approval’ section be amended as follows:

(a) The preamble of the section be amended to read as follows-

**“Pruning of a significant tree is permitted to be undertaken by a qualified arborist (with all associated costs being borne by the landowner), without the need for written approval from the City, in the following circumstances:”**

6. The preamble of the ‘Tree Maintenance Grants’ section be amended to read as follows:

**“Landowner(s) and /or affected neighbouring landowner(s) with a tree(s) registered on the significant tree register may be eligible to apply for a tree maintenance grant subject to the following.”**

7. The ‘Implications and Responsibilities for Landowners’ section be amended to include the following:

**“All future landowner(s) will be made aware of any significant tree which impacts their property. The City will advise future landowner(s) of this when issuing a Certificate of Information Relating to Land in response to a land information enquiry.”**

8. The Implications and Responsibilities for Neighbouring Properties section be amended to include the following:

**“All future affected neighbouring landowner(s), which have or are likely to have branches, canopy or roots of a significant tree(s) encroaching into their property, will be made aware of any significant tree which impacts their property. The City will advise future affected neighbouring landowner(s) of this when issuing a Certificate of Information Relating to Land in response to a land information enquiry.”**

9. The ‘Removal from Register’ section be amended as follows:

(a) Clause 4 be amended to read as follows-

**“The tree is causing significant damage to infrastructure and/or the property, and suitable documented evidence is provided by a qualified arborist, at the expense of the applicant.”**

(b) The last paragraph be amended to read as follows-

**“To remove a tree from the Significant Tree Register, landowners are required to provide an assessment from a qualified arborist detailing evidence and reasons why the tree should be removed from the Register. All associated costs are to be borne by the landowner.”**

**CR ELLI PETERSEN-PIK MOVED, CR GIORGIA JOHNSON SECONDED**

### **AMENDMENT**

**That:**

1. The ‘Significant Tree Assessment’ section be amended as follows:

(a) Clause 2 be amended to read as follows-

“The City will engage a suitably qualified arborist to prepare the Significant Tree Assessment. Costs associated with the Significant Tree Assessment are to be borne by the City.

Alternatively the applicant can provide the City a copy of a Significant Tree Assessment undertaken by a suitably qualified arborist and be reimbursed for the cost, up to a maximum of \$1,000.”

2. The ‘What does not require the City’s Written Approval’ section be amended as follows:

(a) Deletion of clause ‘2. The severing of any branches, limbs, stems or roots of a tree that are less than 50mm in diameter’.

(b) Inclusion of the following note-

“It is noted that the severing of any branches, limbs, stems or roots of a tree that are less than 50mm in diameter do not require written approval or for the works to be undertaken by a qualified arborist.”

3. The ‘Emergency Works’ section be amended to delete clause ‘2. These works must be undertaken by a qualified arborist to the satisfaction of the City’.

CR CATHERINE EHRHARDT, DEPUTY MAYOR MOVED, CR ASSUNTA MELECA SECONDED  
CARRIED: 4/2

*For: Cr Filomena Piffaretti, Mayor, Cr Catherine Ehrhardt, Deputy Mayor, Cr Josh Eveson and Cr Assunta Meleca.*

*Against: Cr Giorgia Johnson and Cr Elli Petersen-Pik.*

#### **COMMITTEE RECOMMENDATION TO COUNCIL**

That Council adopts for public advertising the proposed Significant Tree Register Policy and associated Significant Tree Register Guidelines as contained in Attachments 1 and 2 to this report, subject to the following modifications being made to the Significant Tree Register Guidelines:

1. The ‘Significant Tree Assessment’ section be amended as follows:

(a) Clause 1 be amended to read as follows-

“All Significant Tree assessments undertaken by the City will not commence until the City has obtained consent from the landowner(s), and the affected neighbouring landowner(s) if required, to the tree being assessed for inclusion on the Significant Tree Register.”

(b) Clause 2 be amended to read as follows-

“The City will engage a suitably qualified arborist to prepare the Significant Tree Assessment. Costs associated with the Significant Tree Assessment are to be borne by the City.

Alternatively the applicant can provide the City a copy of a Significant Tree Assessment undertaken by a suitably qualified arborist and be reimbursed for the cost, up to a maximum of \$1,000.”

2. The ‘Optional Category 1 Growth/Size Significance’ section be amended to delete reference to ‘canopy spread’.

3. The ‘Tree Nomination Assessment and Decision Making Process Stage 1’ section be amended as follows:

(a) Clause 1 be amended to read as follows-



**“The application will be checked to ensure that all the information has been provided including the landowner’s consent, and the affected neighbouring landowner’s consent as required.”**

**(b) Clause 2 be amended to read as follows-**

**“The City will undertake a Significant Tree Assessment using a qualified arborist, or the applicant may provide a copy Significant Tree Assessment undertaken by a qualified arborist.”**

- 4. Clause 3 of the ‘What requires the City’s Written Approval’ section be amended to read as follows:**

**“Landowner(s) or neighbouring landowner(s) are advised to discuss with City officers what information is to be submitted with an application for written approval. Applications are to be accompanied by an assessment of the tree undertaken by a qualified arborist, with all associated costs being borne by the landowner(s) or relevant neighbouring landowner(s).”**

- 5. The ‘What does not require the City’s Written Approval’ section be amended as follows:**

**(a) The preamble of the section be amended to read as follows-**

**“Pruning of a significant tree is permitted to be undertaken by a qualified arborist (with all associated costs being borne by the landowner), without the need for written approval from the City, in the following circumstances:”**

**(b) Deletion of clause ‘2. The severing of any branches, limbs, stems or roots of a tree that are less than 50mm in diameter’.**

**(c) Inclusion of the following note-**

**“It is noted that the severing of any branches, limbs, stems or roots of a tree that are less than 50mm in diameter do not require written approval or for the works to be undertaken by a qualified arborist.”**

- 6. The ‘Emergency Works’ section be amended to delete clause ‘2. These works must be undertaken by a qualified arborist to the satisfaction of the City’.**

- 7. The preamble of the ‘Tree Maintenance Grants’ section be amended to read as follows:**

**“Landowner(s) and /or affected neighbouring landowner(s) with a tree(s) registered on the significant tree register may be eligible to apply for a tree maintenance grant subject to the following.”**

- 8. The ‘Implications and Responsibilities for Landowners’ section be amended to include the following:**

**“All future landowner(s) will be made aware of any significant tree which impacts their property. The City will advise future landowner(s) of this when issuing a Certificate of Information Relating to Land in response to a land information enquiry.”**

- 9. The Implications and Responsibilities for Neighbouring Properties section be amended to include the following:**

**“All future affected neighbouring landowner(s), which have or are likely to have branches, canopy or roots of a significant tree(s) encroaching into their property, will be made aware of any significant tree which impacts their property. The City will advise future affected neighbouring landowner(s) of this when issuing a Certificate of Information Relating to Land in response to a land information enquiry.”**

- 10. The ‘Removal from Register’ section be amended as follows:**

**(a) Clause 4 be amended to read as follows-**

**“The tree is causing significant damage to infrastructure and/or the property, and suitable documented evidence is provided by a qualified arborist, at the expense of the applicant.”**

**(b) The last paragraph be amended to read as follows-**

**“To remove a tree from the Significant Tree Register, landowners are required to provide an assessment from a qualified arborist detailing evidence and reasons why the tree should be removed from the Register. All associated costs are to be borne by the landowner.”**

**CR ELLI PETERSEN-PIK MOVED, CR GIORGIA JOHNSON SECONDED**

**CARRIED UNANIMOUSLY: 6/0**

### **REASON FOR CHANGE**

***The Committee changed the Officer’s Recommendation as it was of the opinion that modifications to the Significant Tree Register Guidelines were required to clarify that the City is to obtain the landowner and affected neighbouring landowner consent is required as a part of the application, to clarify who is responsible for paying any associated costs, to remove a number of provisions which were considered overly onerous and to ensure that all future landowner and future affected neighbouring landowners are advised of a significant tree at the time of purchase.***

### **BACKGROUND**

Council at its Ordinary Meeting held 25 May 2021 considered adopting for public advertising a proposed Local Planning Policy – Significant Tree Register and associated Significant Tree Register guidelines for Private Land. The officer recommendation included a request to develop a policy to provide incentives for registering significant trees on private land. Council considered the item and resolved:

*That Council requests the Chief Executive Officer:*

1. *To amend the proposed Significant Tree Register Policy for Private Land and associated Significant Tree Register Guidelines for Private Land as contained in Attachments 1 and 2 to this report, so that they apply the following key parameters:*
  - (a) *Consent is required from the property owner, and if necessary, from the adjoining landowners, before registering a tree on their land, similar to the approach proposed in Attachments 1 and 2;*
  - (b) *Anyone can nominate significant trees on private land;*
  - (c) *The property owner nor the nominator are not to bear any cost in regard to the assessment and registration process;*
  - (d) *The Policy and Guidelines provide incentives for registering significant trees on private land, including: grant funding; waiving of fees for written consent and planning advice on trees; arborist reporting and certification; specific incentives for developers including subdivision applications;*
  - (e) *Revise the proposed required optional categories, so that it allows for the ‘height, trunk circumference and canopy spread’ criterion alone to be considered for the purpose of determining a significant tree (and allows specific species to be excluded, if needed);*
  - (f) *Revise the height criterion so that it includes trees over 7m high.*
2. *To present the revised Policy and Guidelines before Council for consideration at the November 2021 Ordinary Council Meeting.*

Prior to this, Council at its Ordinary Meeting held 3 September 2019 considered to initiate Scheme Amendment No. 86 to Town Planning Scheme No. 24 (TPS 24), and resolved:

*“That:*

1. *Council, pursuant to section 75 of the Planning and Development Act 2005, resolves to initiate Amendment No. 86 to the City of Bayswater Town Planning Scheme No. 24 by: Inserting the following new clause 8.3.9.5:  
"8.3.9.5 Development approval is required prior to the removal, destruction and/or interference with any tree included on the City of Bayswater heritage list or significant tree register."*
2. *The Amendment is standard under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reasons:*
  - (a) *The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and*
  - (b) *The amendment is not a complex or basic amendment.*
3. *Upon finalisation of the scheme amendment documentation, the documentation is forwarded to the Department of Water and Environmental Regulation for assessment, and the Department of Planning, Lands and Heritage - Heritage Directorate for referral.*
4. *Upon the Notice of Assessment from the Department of Water and Environmental Regulation being received (and issues raised being complied with), the proposed scheme amendment be advertised for public comment.*
5. *The proposed amendment is referred to Council for further consideration following public advertising."*

The scheme amendment was subsequently advertised for public comment and 28 submissions were received. The submissions primarily related to the need for guidelines to provide further information on the implementation of the scheme amendment. The City subsequently developed a draft Significant Tree policy and associated guidelines to respond to the comments prior to finalising the scheme amendment. The amendment is currently on hold awaiting the outcome of the policy and associated guidelines.

## EXTERNAL CONSULTATION

In the event that the policy and associated guidelines are adopted for advertising, they will be advertised in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), by way of:

- Notification being published in the local newspaper(s);
- Information being placed on the City's engagement website;
- Hard copies being made available for inspection at the City's Civic Centre and libraries; and
- Notification letters forwarded to those who made a submission during the consultation period for the scheme amendment.

## OFFICER'S COMMENTS

### Significant Tree Register

The City's current Significant Tree Register identifies and lists trees within the City in the public realm that have special value and then imposes measures on those trees to ensure their ongoing conservation and protection. The scheme amendment, policy and guidelines will create a new register to include nominated trees on private property.

It is considered that having a tree listed on the City's Significant Tree Register for Private Land may have significant implications for landowners. Accordingly, it is considered important that appropriate policy and guidelines are put in place to ensure that land owners are aware of the impacts of a tree being placed on the register and to ensure that the processing and assessment of significant trees is fair, consistent and accountable.

### Local Planning Policy

The proposed local planning policy is considered simple in composition but necessary to give an appropriate statutory head of power to process and assess applications for significant trees. The proposed policy provides the strategic direction, with the procedural details and more detailed level of information included in the guidelines. Additionally, it is required in order to give an appropriate head of power to the proposed guidelines.

### Guidelines

The proposed Significant Tree Register Guidelines for Private Land provide a more detailed level of information and guidance, specifically in regard to:

- Including or removing a tree from the Significant Tree Register for Private Land.
- The information required to be provided.
- The criteria in which an application will be assessed against.
- The process for assessing an application.
- What will and will not require written approval from the City.
- Implications for landowners and neighbouring properties.
- Incentives for landowners.

The Significant Tree Register Guidelines for Private Land have been prepared to address each of the key concerns raised during the consultation period for Scheme Amendment No. 86, particularly around issues relating to the nomination, assessment and approval process, as well as management, maintenance and the impact of significant trees on development and adjoining properties. The Guidelines clarify that any person can nominate trees on private land however the landowners' consent is required, and when written approval is required from the City of Bayswater in relation to the on-going maintenance of significant trees.

### Modifications to the Guidelines

Council at its Ordinary Meeting held 25 May 2021, requested that the guidelines are updated in accordance with the Council resolution. In light of this, the following updates have been made to the Significant Tree Register Guidelines:

- The 'Applicants' section has been updated to refer to any person being able to nominate a tree and to state that the landowner(s) consent is required.
- The 'Significant Tress Assessment' section has been updated to state that the City will engage an arborist, with there being no cost borne by the applicant or landowner.
- The 'Significant Tree Assessment Criteria' section has been updated to modify optional category 1 to refer to the growth/size of a tree only, the points relating to visual and aesthetic significances have been moved to optional category 2, and the subsequent categories have been renumbered.
- A new 'Incentives' section has been incorporated into the guidelines.
- A new 'Tree Maintenance Grants' section have been incorporated into the guidelines.

- The 'Implications and Responsibilities for Landowners' section has been updated to refer to landowners who nominate or consent to a tree for inclusion on the significant tree register.

#### Incentives for Registering Significant Trees on Private Land

The City's officers have incorporated incentives into the policy in accordance with the Council resolution on 25 May 2021. The draft policy now includes the following:

*"The following incentives are applicable where a significant tree exists on private land:*

1. *Landowner(s) will bear no cost for formal written planning advice and approval which relates to the significant tree(s).*
2. *Landowner(s) will be able to obtain reduced planning fees for development applications.*
3. *Landowner(s) can apply for a variation to the open space provisions applicable to development on the site, as follows:*
  - (a) *Where one significant tree exists on the property a variation of 5% can be considered;*
  - (b) *Where two or more significant tree exists on the property a variation of 10% can be considered.*
4. *Landowner(s) can apply for a variation to the plot ratio provisions applicable to development on the site, as follows:*
  - (a) *Where one significant tree exists on the property a variation of 5% can be considered;*
  - (b) *Where two or more significant tree exists on the property a variation of 10% can be considered.*
5. *Landowner(s) can apply for a variation to building height of up to 3m.*

...

#### Tree Maintenance Grants

*Landowner(s) with a tree(s) registered on the significant tree register may be eligible to apply for a tree maintenance grant subject to the following:*

1. *Funding up to \$2,000 per property but not exceeding 50% of the total cost of the approved maintenance is available from the City, and is exclusive of any applicable GST.*
2. *Each property is entitled to one grant per five year period.*
3. *The application is for one or more of the following works:*
  - *Remedial pruning;*
  - *Crown thinning;*
  - *Pest control or the like;*
  - *To seek the advice of a qualified arborist; or*
  - *For works specified by a qualified arborist.*
4. *Payment will be in the form of reimbursement to the previously agreed amount upon presentation of proof of payment and certification by the arborist of approved works. The City may inspect and photograph trees before and after the approved works."*

#### Free Arborist Reporting and Certification

In accordance with the above, applicants and/or landowners will bear no cost for the nomination and assessment of significant trees on private property. This relates to the waiving of fees relating to arborist reporting and certification. This incentive has the potential to encourage property owners to nominate trees as significant trees, whilst ensuring that they are properly certified by a qualified

arborist and subsequently maintained, to the City's satisfaction. The risks associated with this is that the City would be responsible for financing the reports which cost approximately \$1,000 per tree. The City would need to determine a practice of either outsourcing the work or reimbursing owners for the cost of a report. Additionally, it is noted that there is no budget currently allocated to undertake these works when an application is received. Budget consideration would however be considered following final adoption of the scheme amendment and guidelines and listing of significant trees on any list.

#### Waiving Fees for Written Planning Advice and Approval relating to Trees

Written consent and planning advice would cost approximately \$150 for an applicant to obtain. The ability to waive the fees for written consent and planning advice allows for landowners to maintain a significant tree without the perception of being penalised. This may also encourage landowner(s) to nominate or consent to a tree being registered as a significant tree.

#### Reduced Development Application Fees

A reduction in development application fees may encourage landowners to nominate or consent to a tree being registered as a significant tree, especially if they are considering undertaking new development on the property immediately or in the future.

#### Variations to Development Provisions

Variations to the open space, plot ratio and building height provisions for dwellings encourages trees to be retained on site when a landowner is redeveloping. They also assist with reducing the number of trees to be removed unnecessarily as part of a development or subdivision of a lot. There are risks associated with the potential for a landowner to remove a tree following an approval for variations, however it is considered that this would result in non-compliance with the respective development approval. In the instance this were to occur, there is sufficient capacity for compliance action to be undertaken in accordance with the *Planning and Development Act 2005*. Additionally, it is noted that the variations to the Residential Design Codes (R-Codes) are permitted to occur without the approval of the Western Australian Planning Commission in accordance with provisions of Clause 7.3.1 of the R-Codes.

#### Grant Funding for Tree Maintenance

Grant funding for the ongoing maintenance of significant trees may assist landowners and encourage people to register significant trees. The risks associated with this relate to where the funding would come from, as there is the potential it may reduce funds available for other items. The City's officers would be required to monitor and undertake compliance where funds are not used appropriately. It is estimated that grants would be allocated at a rate of \$2,000 per tree every five years however funds may be increased if significant work is required. It is noted that there is no budget currently allocated to provide the grants when an application is received.

#### Optional Category 1 – Growth/Size Significance

The optional category 1 has been modified to refer to the growth/size of a tree only, the points relating to visual and aesthetic significances have been moved to optional category 2, and the subsequent categories have been renumbered. The height criterion has also been reduced from trees over 10m high to trees over 7m high.

The modified optional category 1 is proposed to state the following:

*"A tree(s) that is outstanding for its height, trunk circumference or canopy spread – 500mm diameter at breast height and over 7m high."*

It is considered that separating the above from the criteria in optional category 2 and reducing the minimum height requirement will allow for more trees to be considered significant, which may result in more trees being nominated.

## LEGISLATIVE COMPLIANCE

Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* sets out the procedure for preparing local planning policies.

## RISK ASSESSMENT

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Officer's Recommendation	That Council adopts for public advertising the proposed Significant Tree Register Policy and associated Significant Tree Guidelines as contained in Attachments 1 and 2 to this report.		
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome	
Strategic Direction	Moderate	Low	
Reputation	Low	Low	
Governance	Low	Low	
Community and Stakeholder	Moderate	Moderate	
Financial Management	Low	Low	
Environmental Responsibility	Low	Low	
Service Delivery	Low	Low	
Organisational Health and Safety	Low	Low	
Conclusion	It is considered that this option has moderate community and stakeholder and risks given the potential impact on neighbouring properties and their future development potential.		

Option 2	That Council adopts for public advertising the proposed Significant Tree Register Policy and associated Significant Tree Guidelines as contained in <u>Attachments 1 and 2</u> to this report, with other modification(s) as determined by Council.		
Risk Category		Adopted Risk Appetite	Risk Assessment Outcome  Dependent on the other modification(s) determined by Council.
Strategic Direction		Moderate	
Reputation		Low	
Governance		Low	
Community and Stakeholder		Moderate	
Financial Management		Low	
Environmental Responsibility		Low	
Service Delivery		Low	
Organisational Health and Safety		Low	
Conclusion	It is considered that the risks of this option are dependent on the other modification(s) proposed by Council.		

Option 3	That Council does not adopt for public advertising the proposed Significant Tree Register Policy and associated Significant Tree Guidelines as contained in <b>Attachments 1 and 2</b> to this report.		
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome	
Strategic Direction	Moderate	Low	
Reputation	Low	Moderate	
Governance	Low	Low	
Community and Stakeholder	Moderate	Moderate	
Financial Management	Low	Low	
Environmental Responsibility	Low	Moderate	
Service Delivery	Low	Low	
Organisational Health and Safety	Low	Low	
Conclusion	It is considered that this option has moderate reputation and community and stakeholder risks, as community members generally expect the City to provide appropriate guidance for the fair, consistent and accountable processing and assessing of significant trees. There is also moderate risk to environmental		

	responsibility as there will be no framework for registering trees on private land, which may be lost as a result of development.
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## FINANCIAL IMPLICATIONS

The following financial implications are applicable:

**Item 1:** Advertising the proposed policy

**Asset Category:** N/A

**Source of Funds:** Municipal

**LTFP Impacts:** Not listed in the LTFP

**Notes:** N/A

**Item 2:** Arborist report to prepare Significant Tree Assessment

**Asset Category:** N/A

**Source of Funds:** Municipal

**LTFP Impacts:** Not listed in the LTFP

**Notes:** The cost for an arborist report is per tree.

**Item 3:** Grant Funding for Tree Maintenance

**Asset Category:** N/A

**Source of Funds:** Municipal

**LTFP Impacts:** Not listed in the LTFP

**Notes:** Grant funding is a maximum of \$2,000 per property, once every five years.

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$) ANNUAL		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	\$600	-	-	-	-	-	\$14,000
2	\$1,000 per tree	-	-	-	-	-	\$0
3	\$2,000 per property	-	-	-	-	-	\$0

## STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Environment and Liveability

Goal E5: Protect and enhance the City's natural environment and biodiversity, and encourage the community to participate in its protection.

It is considered that the proposed Policy and Guidelines will assist to protect and conserve significant trees within the City of Bayswater and encourage the community to participate in the process.

## CONCLUSION

In light of the above, it is recommended that Council adopts the proposed policy and associated guidelines for public advertising.



# Significant Tree Register Policy for Private Land



## Purpose

The purpose of this policy is to outline information, requirements and guidance in relation to:

- Including or removing a tree from the City of Bayswater Significant Tree Register on private land; and
- Removing, destructing, interfering and/or maintaining a tree on the City of Bayswater Significant Tree Register for Private Land.

## Objectives

The objectives of this policy are:

1. To identify and recognise the importance of significant trees in the City of Bayswater to ensure an increased level of protection and care.
2. To ensure that the processing and assessment of significant trees is fair, accountable, consistent and comparable.

## Introduction

The City of Bayswater has a number of trees that hold special aesthetic, social and cultural value to the community. Inclusion of these trees on the City of Bayswater Significant Tree Register acknowledges their value and can also provide them with a level of statutory protection to better ensure their ongoing conservation and care.

## Scope

This policy applies to existing or potential trees on private land that could be included on the City of Bayswater Significant Tree Register.

## Requirements

1. Applications to include or remove a tree from the City of Bayswater Significant Tree Register are to be made in accordance with the City's Significant Tree Register Guidelines for Private Land.
2. The proposed removal, destruction, interference and/or maintenance of a Significant Tree is to be undertaken in accordance with the City's Significant Tree Register Guidelines for Private Land.

## Related legislation

This policy is adopted under all Local Planning Schemes in force within the City of Bayswater, in accordance with Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Relevant Delegations	TP-D01
Council Adoption	

# Significant Tree Register Guidelines



## Introduction

These guidelines provide guidance for people wanting to include or remove a tree from the City of Bayswater Significant Tree Register on private land or in the public domain.

In addition, these guidelines provide information about the removal, destruction, interference and/or maintenance of a tree, which is registered on the City of Bayswater Significant Tree Register.

## Applicants

1. The significant tree register application form is required to be filled out and signed.
2. Any person can apply for a Significant Tree(s) on private land for inclusion on the Significant Tree Register, subject to the following:
  - (a) All landowner(s) are required to consent to the application;
  - (b) Any applicable strata body or similar is required to consent to the application; and
  - (c) Any affected neighbouring landowner(s) which have branches, canopy or roots of a significant tree(s) encroaching into their property, are required to provide consent to the application.
3. Any person can apply for a Significant Tree(s) on public land for inclusion on the Significant Tree Register. Landowners are advised to familiarise themselves with the implications of having a tree on their property registered on the Significant Tree Register before applying for or consenting to a tree for inclusion on the register.
4. Any person who nominates a tree and landowner(s) who consent will bear no cost for an application to the City to consider registering the tree.

## Significant Tree Assessment

1. All applications to include a tree on the City's Significant Tree Register are to be accompanied by a Significant Tree Assessment.
2. The City will engage a suitably qualified arborist to prepare the Significant Tree Assessment. Costs associated with the Significant Tree Assessment are to be borne by the City, with no costs to be borne by the applicant or landowner.
3. The Significant Tree Assessment is to provide justification that the tree satisfies the Significant Tree Assessment Criteria.

## Significant Tree Assessment Criteria

To be considered worthy of inclusion on the Significant Tree Register, trees must:

- Satisfy all the requirements and criteria from the General Category, to the satisfaction of the City; and
- Satisfy at least one criterion from at least two different optional categories (Categories 1 to 5), to the satisfaction of the City.

### General Category

The Significant Tree Assessment is to include:

1. Address of the site containing the tree(s).
2. Botanical name of the tree(s).
3. Measurements of the tree(s), including: height, diameter at breast height (1.4m) and width of canopy.
4. A Tree Risk Assessment using either the Quantified Tree Risk Assessment (QTRA) or Tree Risk Assessment Qualification (TRAQ) system, including distance to targets identified in the risk assessment such as buildings, sheds, etc. on both the subject site and neighbouring properties.
5. Age classification of the tree(s).
6. Observations of the tree(s) health and condition.
7. Supporting photographs of the tree(s).
8. An aerial photograph showing the location of the tree(s).

### Optional Category 1 – Growth/Size Significance

1. A tree(s) that is outstanding for its height, trunk circumference or canopy spread - 500mm diameter at breast height and over 7m high.

### Optional Category 2 – Outstanding Visual/Aesthetic Significance

1. A tree(s) that occurs in a prominent location or context;
2. A tree(s) that contributes significantly to the landscape in which it grows in comparison to other trees within a 100m radius - including streetscapes, parks, gardens or natural landscapes;
3. A tree(s) that exhibits an unusual growth form or physical feature; and/or
4. A tree(s) that is of a significant age - 100 years or older.

### Optional Category 3 – Botanic/Scientific Significance

1. A tree(s) that is of an important genetic value that could provide important and valuable propagating stock. This could include specimens that are particularly resistant to disease or climatic extremes or have a particular growth form; and/or
2. A tree(s) that demonstrates a likelihood for producing information that will help the wider understanding of natural or cultural history by virtue of its use as a research site, teaching site, type locality or benchmark site.

#### Optional Category 4 – Significant Ecological Value

1. A priority, rare, threatened or locally uncommon species or ecological community;
2. An indigenous/endemic remnant tree(s) that predates the urban development in its immediate proximity;
3. A tree(s) that makes a significant contribution to the integrity of an ecological community, including its role as a seed source or specialised habitat;
4. A remnant endemic specimen(s) now reduced in range or abundance, which indicates the former extent of the species, particularly range limits;
5. A tree(s) that is part of a significant habitat element for rare, threatened, priority or locally uncommon or common native species; and/or
6. A tree(s) proximity to recognised ecological linkages or biodiversity corridors.

#### Optional Category 5 – Historical, Commemorative, Cultural or Social Significance

1. A tree(s) that is associated with public significance or important historical event for the City; and/or
2. A tree(s) that is highly valued by the community or cultural groups for reasons of strong religious, spiritual, cultural or other social associations, including trees associated with Aboriginal heritage and culture.

### Tree Nomination Assessment and Decision Making Process

#### Stage 1

1. The application will be checked to ensure that all the information has been provided.
2. The nominated tree(s) will be assessed by a panel that includes the City's Coordinator Tree Services, Manager Parks and Gardens and Manager Sustainability and Environment.
3. Further advice may be drawn upon from internal or external personnel as the need arises to ensure a thorough assessment is undertaken.

#### Stage 2

1. The panel will make a determination on a tree's worthiness for inclusion on the Significant Tree Register based on the assessment criteria and qualified arborist assessment provided by the nominee.
2. The nominee, landowner(s) and any affected neighbouring landowner(s) will be informed of the decision in writing.
3. If the nominee is dissatisfied by the decision, they can request for it to be referred to Council to make a decision.

### Stage 3

1. Trees approved will be formally listed on the Significant Tree Register, which will include details about the tree, a photograph and a statement detailing its significance. The location of the other information will be included on the City's Geographic Information System.

## What requires the City's Written Approval

1. Formal written approval from the City of Bayswater is required prior to the removal, destruction and/or interference with any tree included on the City's Significant Tree Register, this includes:
  - (a) The severing of branches, limbs, stems, trunk or roots of a tree that are greater than 50mm in diameter;
  - (b) Any excavation resulting in removal of roots greater than 50mm in diameter within the trees calculated Tree Protection Zone (TPZ);
  - (c) Any excavation within the trees Structural Root Zone (SRZ) that requires the removal of any root;
  - (d) Pruning for aesthetic appearance; and/or
  - (e) Any other act that has the potential to cause damage to a tree, as determined by the City.
2. If a landowner(s) or neighbouring landowner(s) is in any doubt about what requires written approval, they are advised to liaise with the City prior to undertaking any pruning or other works.
3. Landowner(s) or neighbouring landowner(s) are advised to discuss with City officers what information is to be submitted with an application for written approval. Applications are to be accompanied by an assessment of the tree undertaken by a qualified arborist.
4. Approved works must be undertaken by a qualified arborist, to the satisfaction of the City.

## What does not require the City's Written Approval

### Pruning

Pruning of a significant tree is permitted to be undertaken by a qualified arborist without the need for written approval from the City, in the following circumstances:

1. The removal of dead wood or the treatment of disease where it is in the general interests of improving or maintaining the health of the tree;
2. The severing of branches, limbs, stems or roots of a tree that are less than 50mm in diameter;
3. Any excavation resulting in removal of roots less than 50mm in diameter within the trees calculated Tree Protection Zone (TPZ); and/or
4. Works required to maintain the legislated clearance requirements for utility services providers, such as Western Power or the Water Corporation.

## Emergency Works

1. Works urgently necessary for the safety of people and property, public safety, safety or security of plant or equipment, maintenance of essential services, or protection of the environment is exempt from the requirement to obtain written approval from the City.
2. These works must be undertaken by a qualified arborist to the satisfaction of the City.
3. Landowner(s) or neighbouring landowner(s) are required to notify the City in writing within five working days following the emergency work having been undertaken. Notification must include a report by the qualified arborist who carried out the work.

## Incentives

The following incentives are applicable where a significant tree exists on private land:

1. Landowner(s) will bear no cost for formal written planning advice and approval which relates to the significant tree(s).
2. Landowner(s) will be able to obtain reduced development application fees for development on the property.
3. Landowner(s) can apply for a variation to the open space provisions applicable to development on the site, as follows:
  - (a) Where one significant tree exists on the property a variation of 5% can be considered;
  - (b) Where two or more significant tree exists on the property a variation of 10% can be considered.
4. Landowner(s) can apply for a variation to the plot ratio provisions applicable to development on the site, as follows:
  - (a) Where one significant tree exists on the property a variation of 5% can be considered;
  - (b) Where two or more significant tree exists on the property a variation of 10% can be considered.
5. Landowner(s) can apply for a variation to building height of up to 3m.

Landowner(s) will be made aware of the incentives for retaining trees on private land at the subdivision application stage. The City will recommend an advice note be place on the subdivision determination where trees over 7m in height are located on the property.

## Tree Maintenance Grants

Landowner(s) with a tree(s) registered on the significant tree register may be eligible to apply for a tree maintenance grant subject to the following:

1. Funding up to \$2,000 per property but not exceeding 50% of the total cost of the approved maintenance is available from the City, and is exclusive of any applicable GST.
2. Each property is entitled to one grant per five year period.
3. The application is for one or more of the following works:
  - Remedial pruning;
  - Crown thinning;
  - Pest control or the like;
  - To seek the advice of a qualified arborist; or

- For other works specified by a qualified arborist.
4. Payment will be in the form of reimbursement to the previously agreed amount upon presentation of proof of payment and certification by the arborist of approved works. The City may inspect and photograph trees before and after the approved works.

## Implications and Responsibilities

### Implications and Responsibilities for Landowners

Landowners are advised to think carefully before deciding to nominate or consent to a tree for inclusion on the Significant Tree Register. A significant tree has the following implications for landowners:

1. Landowners are responsible for the ongoing health and maintenance of a significant tree within their property boundary. All associated costs are to be borne by the landowner.
2. All maintenance and other works are required to be undertaken by a qualified arborist. All associated costs are to be borne by the landowner.
3. Landowners who have significant trees on their property are required to arrange for a qualified arborist to inspect the tree once a year. Landowners are required to pay for any remedial maintenance as advised by the arborist.
4. While some works can be undertaken to a significant tree without written approval, landowners will need to apply for and obtain written approval to undertake certain works associated with a significant tree. All associated costs are to be borne by the landowner.
5. A significant tree has the potential to constrain the future development potential of the property.
6. A significant tree may only be removed from the Significant Tree Register under certain circumstances.
7. A significant tree will remain on the Significant Tree Register if/when land ownership changes.
8. A significant tree may impact insurance policies. Landowners are advised to check with their insurance provider in this regard.

### Implications and Responsibilities for Neighbouring Properties

The inclusion of a tree on the Significant Tree Register may have the following implications for neighbouring properties:

1. Neighbouring landowners are responsible for the ongoing health and maintenance of any part of a significant tree that overhangs their property up to the boundary line. All associated costs are to be borne by the impacted landowner.
2. Where part of a significant tree overhangs a neighbouring property, all maintenance and other works up to the property boundary is required to be undertaken by a qualified arborist. All associated costs are to be borne by the impacted landowner.
3. While some pruning and other works can be undertaken to a significant tree without written approval, neighbouring landowners will need to apply for and obtain written approval to undertake certain works associated with any part of a significant tree that overhangs their property up to the boundary line. All associated costs are to be borne by the impacted landowner.
4. Where part of a significant tree overhangs a neighbouring property, it may constrain the development potential of the property.
5. A significant tree may impact insurance policies. Neighbouring landowners are advised to check with their insurance provider in this regard.

## Removal from Register

Subject to obtaining written approval from the City, a tree may be removed from the Significant Tree Register if:

1. The tree is dead;
2. The tree poses an unacceptable level of risk within its structure and remedial techniques cannot rectify it;
3. The tree is suffering from a disease where remedial techniques will not prevent further spread of the disease, and the removal will be of benefit to other trees around it; and/or
4. The tree is causing significant damage to infrastructure and suitable documented evidence is provided by a qualified arborist, at the expense of the applicant.

The following reasons will not be considered sufficient for removal:

1. Withdrawal of the support from the landowner (or new landowner).
2. To facilitate the placement of a permanent vehicle access crossing; unless it is to facilitate the placement of a permanent vehicle access crossing as a last resort, where there is no other viable option.

To remove a tree from the Significant Tree Register, landowners are required to provide an assessment from a qualified arborist detailing evidence and reasons why the tree should be removed from the Register.

## Definitions

1. **Tree Protection Zone (TPZ)** – A protection zone that protects all parts of a tree from accidental or wilful damage, as calculated by a qualified arborist based on the appropriate Australian Standards.
2. **Structural Root Zone (SRZ)** – A protection zone that protects tree roots from accidental or wilful damage, as calculated by a qualified arborist based on the appropriate Australian Standards.
3. **Suitably Qualified Arborist** – An arborist that has a current and valid minimum qualification of an Australian Qualification Framework - Level 5 (Diploma) in Arboriculture.



**10.2 Planning Policy Review - Signage Policy**

<b>Responsible Branch:</b>	Development and Place
<b>Responsible Directorate:</b>	Community and Development
<b>Authority/Discretion:</b>	Legislative
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>Existing Signage Policy [10.2.1 - 15 pages]</li> <li>Proposed Signage Policy [10.2.2 - 9 pages]</li> <li>Track Changes for Signage Policy [10.2.3 - 20 pages]</li> </ol>
<b>Refer:</b>	Nil

**SUMMARY**

Council consideration is sought in relation to the proposed modifications to the City's existing local planning policy relating to signage.

The existing policy provides guidance on signs which are proposed to be erected within the City. The purpose of the policy is to ensure that signs are designed to be sympathetic and harmonious with the surrounding environment, while ensuring structural and public safety.

It has been determined that the policy is still necessary, due to the need to provide guidance on the types of signage permitted within the City. The policy also aids in reducing red tape, as signage which complies with the policy would be exempt from requiring a development approval in accordance with the *Planning and Development (Local Planning Schemes) Regulations*.

The proposed modified policy will bring it in line with the current City policy format, improve readability and futureproof it insofar as possible.

**COMMITTEE RECOMMENDATION TO COUNCIL**  
**(OFFICER'S RECOMMENDATION)**

**That Council adopts for public advertising the proposed modified Signage Policy as contained in Attachment 2 to this report.**

**CR CATHERINE EHRHARDT, DEPUTY MAYOR MOVED, CR JOSH EVESON SECONDED**  
**CARRIED UNANIMOUSLY: 6/0**

**BACKGROUND**

The City has a large number of local planning policies, to guide better development within the City. City officers are undertaking an ongoing review of the existing local planning policies, in order to improve the City's policy framework and reduce the red tape associated with development applications.

The need to provide guidance on the types of signage permitted within the City remains current. However, it requires some changes to reflect the types of signage that the City will exempt from obtaining development approval.

The Signage Policy was previously modified on 1 March 2016, however this only related to updating the format and branding of the document. Prior to this, the last detailed review of the Signage Policy occurred in 2004, and the updated policy was adopted on 25 January 2005.

**EXTERNAL CONSULTATION**

In the event that Council adopts the proposed modified Signage policy for the purpose of advertising for public comment, the policy will be advertised in accordance with the requirements of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for at least 21 days by way of:

- Notification being published in the local newspaper(s);
- Information being placed on the City's engagement website; and
- Hard copies of the draft modified policy being made available for inspection at the City of Bayswater Civic Centre and the City's libraries.

## OFFICER'S COMMENTS

The City's current Signage Policy identifies and lists types of signage which can be considered within the City and their relevant provisions. It is considered that the proposed modified Signage Policy will provide greater clarity on what the City will consider through the amended provisions. The purpose of the policy has been updated to stipulate that it is in place to ensure that any signage relates to the services and products on the site, whilst maintaining the local amenity and public safety.

The proposed modified Signage policy, as contained in **Attachment 2** to this report, updates the existing policy in accordance with the current City of Bayswater policy format. The policy has also been updated to include objectives, an introduction, a policy scope, new definitions and updates to the general and specific provisions. The modified purpose and requirements are aligned with the intent of the existing policy, with adjustments to the wording to improve readability, update the document and futureproof it insofar as possible. A summary of the key changes made to each section of the policy are summarised below.

### Objectives

A new series of seven objectives have been added to the draft modified policy. The objectives of the draft modified policy are derived from the purpose, identified in the existing policy. They reinforce that the policy aims to ensure the display of signs is consistent with the development whilst maintaining the existing character and amenity of areas. The objectives also encourage the consideration of signage on a site at the planning and design stage of a development.

### Introduction

The draft modified policy has been updated to include an introduction, in accordance with the City's current policy format. The introduction acknowledges the need for signage within the business community. However, it considers that signage is to be erected in a manner which maintains the local amenity and prevents streetscapes from becoming cluttered.

### Scope

The existing policy includes a 'Policy Statement' section, in accordance with the City's current policy format this has been updated to 'Scope' in the draft modified policy. The scope clarifies that the policy applies to all proposed signage on zoned or reserved land within the City. Additionally, it outlines how the policy is implemented under the *Planning and Development (Local Planning Schemes) Regulations* and Town Planning Scheme No. 24 (TPS24).

### Definitions

The definitions in the draft modified policy have been expanded to provide clarity on the types of signage that the City is assessing through the introduction of first, second and third party signage. Additional definitions, such as sign, proliferation and corporate branding, have been clearly included to assist with the assessment of determining whether or not proposed signage is appropriate.

### Third Party Advertising

Clause 7 of the existing Signage Policy relates to hoarding signs (billboards) which states that they are permitted to display information that may not necessarily relate to the land on which it is located. However, there have been a number of State Administrative Tribunal (SAT) appeals against the

City's decisions to refuse signage for third party advertising on a hoarding sign. The City has been successful in a number of SAT appeal processes, whereby the City's decision has been upheld and third party signage was not supported. In light of this and to align with these SAT decisions, the policy has clarified that third-party signage is not permitted on any advertising signs, unless otherwise approved by the City.

### General Provisions and Specific Requirements

The general provisions are applicable to all proposed signs and provides guidance on the design and location of signs. The specific requirements then provide greater details on specific types of signage. The signs which have specific requirements applicable to them are to comply with the policy in order for the signage to be exempt from requiring a development approval.

The requirements for A-frame signs, bunting, hoarding signs and projection signs have been removed and these signs will now be assessed on their merits through the development application process. The semaphore sign provisions have been updated and re-named to projecting signs, and the flags and inflatable signs have been merged into tethered signs, to make the document more user friendly. The types of signs which have specific requirements has increased to include promotional community and local government event signs, reserve signs, and window signs/corporate branding. This covers the types of signage which were not included in the existing version of the policy and automatically resulted in development applications being required for them to be considered.

The 'Signs not Considered Suitable' section provides clear details on the types of signage which the City is unlikely to support, unless a development application and suitable justification is provided, or it is included under an acceptable sign strategy.

The 'Sign Strategies' section provides clear details of when a sign strategy is required for a development to ensure it is considered and assessed in a holistic manner. A sign strategy is required in a range of circumstances relating to the lot size, number of tenancies, lot frontage or if the significant redevelopment of a site is undertaken. This will ensure that the signage for medium to large developments is looked at early on and the impact is assessed together rather than in an ad hoc approach.

## **LEGISLATIVE COMPLIANCE**

Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* sets out the procedure for amending a local planning policy, including the requirement to give local public notice of a decision to amend a local planning policy, unless, in the opinion of the local government, the amendment is a minor amendment.

## **RISK ASSESSMENT**

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

<b>Officer's Recommendation</b>	<b>That Council adopts for public advertising the proposed modified Signage Policy as contained in Attachment 2 to this report.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low

<b>Conclusion</b>	It is considered that this option has a low risk as it is consistent with the existing policy and the development applications which have been determined by the City. The draft modified policy also aids in reducing red tape, as signage which complies with the policy would be exempt from requiring a development approval.
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Option 2	That Council adopts for public advertising the proposed modified Signage Policy as contained in <u>Attachment 2</u> to this report, with other modification(s) as determined by Council.		
Risk Category		Adopted Risk Appetite	Risk Assessment Outcome  Dependent on the other modification(s) determined by Council.
Strategic Direction		Moderate	
Reputation		Low	
Governance		Low	
Community and Stakeholder		Moderate	
Financial Management		Low	
Environmental Responsibility		Low	
Service Delivery		Low	
Organisational Health and Safety		Low	
Conclusion	It is considered that the risks of this option are dependent on the other modification(s) proposed by Council.		

<b>Option 3</b>	<b>That Council does not adopt for public advertising the proposed modified Signage Policy as contained in Attachment 2 to this report.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Moderate
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Moderate
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	It is considered that this option has a moderate risk to the City's strategic direction as the policy requires updating to be in line with the City's current policy template and to ensure that the appropriate type of signage can be considered within the City. There is a moderate service delivery risk as the policy does not include a number of sign types, resulting in development applications being required for a range of signs and consequently increasing red tape for signage applications. It is also considered that there is moderate community and stakeholder risk due to there being uncertainties in relation to the type of signage that the City would be supportive of.	

## FINANCIAL IMPLICATIONS

The following financial implications are applicable:

**Item 1:** Advertise the proposed modified draft policy

**Asset Category:** N/A

**Source of Funds:** Municipal

**LTFP Impacts:** Not itemised in the LTFP

**Notes:** Nil

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$)		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	\$600	-	-	-	-	-	\$14,000

## STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Environment and Liveability

Goal E1: Maintain the identity and heritage of our neighbourhoods while supporting an increase in high quality density around transport nodes.

It is considered that the proposed draft modified Signage policy will ensure that signs do not detract from the local character and/or amenity of the area, whilst communicating the provisions in a clear and simple manner.

## **CONCLUSION**

The proposed draft modified policy is considered to be consistent with the City's updated policy format, incorporates various improvements and clarifies provisions to enhance its ease of use and effectiveness. In light of this, it is recommended that the proposed modified Signage local planning policy is adopted by the Council for public advertising.

## SIGNAGE POLICY

Responsible Division	Planning and Development Services
Responsible Business Unit/s	Planning Services
Responsible Officer	Planning Manager
Affected Business Unit/s	Planning Services



### PURPOSE:

To ensure that signs within the City of Bayswater are designed to be sympathetic and harmonious with the surrounding environment, while ensuring structural and public safety. This policy relates specifically to signs on public or private land and does not refer to signs in roadways or other public thoroughfares.

### POLICY STATEMENT:

This policy is made pursuant to Section 5.2 of Town Planning Scheme No 24 and Clause 4.10 of Town Planning Scheme No 23, which deals with the control of advertisements. This policy gives more detailed provisions on the City's general requirements on signage and more specific aspects on the size and nature of signage permitted within the City.

This policy relates to signage on property and does not refer to signage within thoroughfares (roads, footpaths etc). Signage in thoroughfares is addressed within the Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law.

A person shall not erect or attach signage within the City, unless the necessary approval has been obtained under the provisions of the relevant Town Planning Scheme and in accordance with the requirements of this policy.

1. All signage within the City of Bayswater must consider the following general requirements:

#### *Design and Amenity*

- a. A sign shall be designed and located such that it is sympathetic and harmonious with the character of the surrounding environment and with the building or structure to which it is attached;
- b. The design, number or variety of signs within an area shall not be injurious to the amenity or natural beauty of the locality;
- c. All signs shall compliment the character of any designated heritage buildings or precincts;
- d. All signs shall be simple and provide for instant recognition;
- e. A sign shall not contain any discriminatory or offensive material;
- f. All signs shall have sign writing, design work, lettering and colouring carried out in a professional and competent manner;
- g. Materials of construction and placement should bear consideration of long term maintenance and repairs;

#### *Safety*

- h. The sign must be securely fixed to the structure by which it is supported, without affecting the stability of the building or structure to which it is affixed. Alternatively, a sign must be designed such that it maintains structural integrity in its own right;

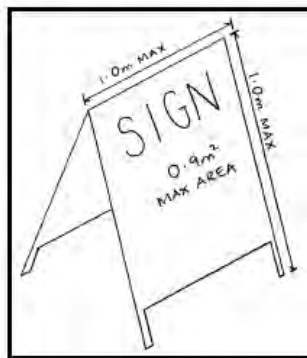
- i. A sign shall not be erected or maintained in any position which obstructs vehicle sight lines or is detrimental to traffic safety;
- j. A sign shall not be located such that it obscures or is likely to be confused with traffic signals or signs;
- k. A sign shall not be located in any position which obstructs pedestrian movement flows or is detrimental to pedestrian safety;
- l. A sign shall not obstruct access to or from any door, fire escape or window;
- m. Any sign which is illuminated shall be constructed entirely of non-flammable material, maintained in accordance with the requirements of the appropriate electricity supply authority and shall not cause annoyance to the public or interfere with traffic signals;

#### **Siting**

- n. Unless expressly permitted within this policy, signs shall not be supported on private land that is not associated with the goods and services advertised on the sign;
  - o. Unless expressly permitted within this policy, signs shall not be located on land that is zoned or used for residential purposes;
  - p. Temporary signs or advertising devices, which are not permanently affixed, shall not be displayed or exhibited on a parked vehicle; and
  - q. A person shall not attach posters or banners to buildings, structures, fences or trees (fly posting) at any place or location within the City.
2. An application for a sign must include, in addition to the requirements of the Scheme (MRS Form 1 and Additional Information Sheet contained in Appendix 4), the following information:
- a. Plans, drawn to a scale of not less than 1:50, showing the size, position, design and inscriptions to appear thereon, including the method of fixing the sign to a building or structure;
  - b. Provide information as to whether the sign is to be illuminated, flashes or pulsates and has any other moving features;
  - c. Details on the structural integrity of the sign; and
  - d. Written information regarding any further particulars for the sign, as may be required by Council.

#### **SPECIFIC SIGNAGE REQUIREMENTS**

##### **3. A-Frame Signs**



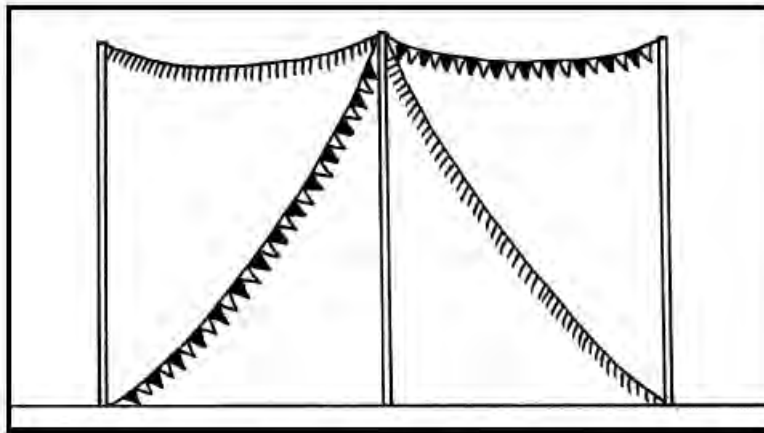
*Illustration – A-Frame Signs*

- a. "A-Frame sign" means a portable free standing direction or advertising sign.
- b. An A-Frame sign shall:
  - i. Not exceed any dimension by 1.0m;
  - ii. Not exceed an area of 0.9m<sup>2</sup> on any side;
  - iii. To be erected wholly within the lot boundaries on the property to which the sign relates;
  - iv. Be removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading;
  - v. Not be rotational or have any moving portions;
  - vi. Be secured in position in accordance with any requirements of the Council; and
  - vii. Be placed so as not to obstruct or impede the reasonable use of a thoroughfare or access to a place by any person.
- c. No more than one A-Frame sign shall be erected in relation to an individual business.

#### 4. Bill Posting

- a. "Bill posting" means the sticking, painting or stencilling of any bill, poster or placard on any building, fence, wall, hoarding, signpost, pole, awning or any other structure so as to be visible to any person in a street, reserve, public place or other land.
- b. A person shall not post any bill within the City, except on a hoarding approved for this purpose.

#### 5. Bunting



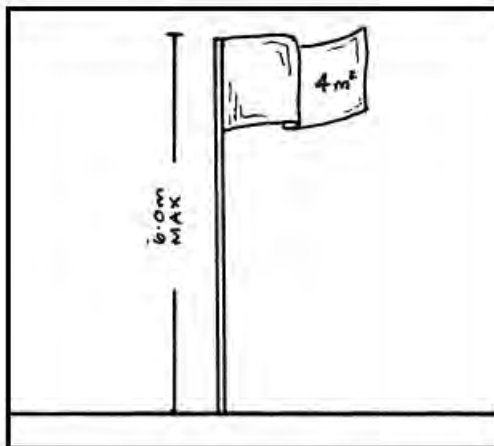
*Illustration - Bunting*

- a. "Bunting" means thin strips of material used for decorative purposes or to highlight a location.
- b. Bunting shall not be permitted within the City of Bayswater, except for car yards or where approved by Council.





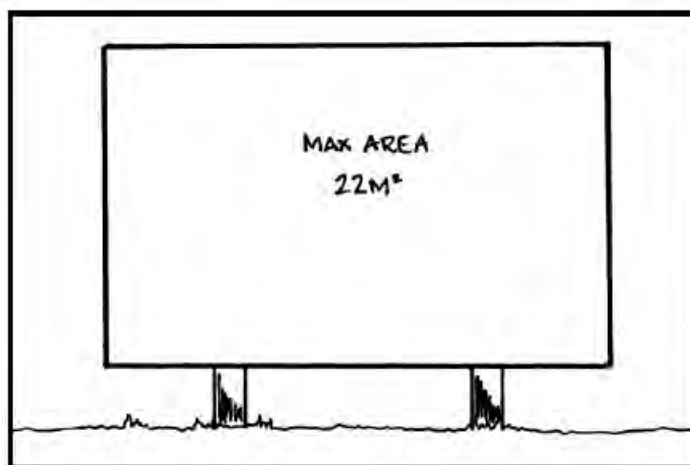
## 6. Flags



*Illustration – Flag Sign*

- a. "Flag sign" means a sign or banner that is made from a piece of material, usually oblong or square, which is attached to a pole so as to be visible to any person in a street, reserve, public place or other land.
- b. A maximum of two flag poles shall be permitted on a lot, or on each lot frontage in the case of corner lots;
- c. The maximum height of the flag pole shall not exceed 6 metres, except in the Morley City Centre, where a maximum height of 10 metres may be permitted;
- d. Each flag shall not exceed 4m<sup>2</sup>, or 6m<sup>2</sup> in the Morley City Centre, and shall be securely affixed to a pole of sufficient size and strength to support the flag under all conditions.

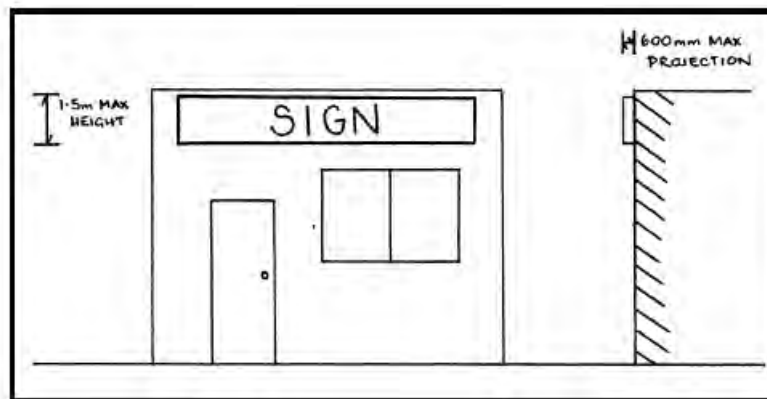
## 7. Hoardings



*Illustration - Hoarding*

- a. "Hoarding" means a structure other than a pylon sign that is erected for the sole purpose of displaying a general advertising sign or signs, and shall include a poster panel, a wall panel or an illuminated panel.
- b. A hoarding shall:
  - i. not be erected in a residential area;
  - ii. not be of greater area than 22m<sup>2</sup>;
  - iii. not be erected within 15 metres of any street or public place and in any case, not closer than its own height to a street and public place;
  - iv. Be permitted to display information that may not necessarily relate to the land on which it is located; and
  - v. Any application that involves more than one hoarding adjoining each other will be considered on its merits, having regard to the impact on the amenity of surrounding areas.

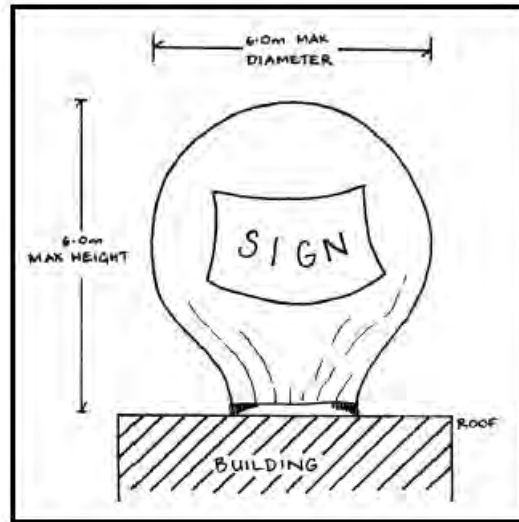
#### 8. Horizontal Signs



*Illustration - Horizontal Sign*

- a. "Horizontal sign" means a sign painted or affixed parallel to a wall of a building or structure, with its largest dimension being horizontal.
- b. A horizontal sign shall:
  - i. be affixed parallel to the wall of the building or structure to which it is attached;
  - ii. not project more than 600mm from the wall to which it is affixed; and
  - iii. have a maximum height of 1.5 metres, providing the whole of the sign is within the fascia limits.
- c. Where more than one horizontal sign is affixed to the same storey or level of a building and those signs face the same street or public place, the signs shall be affixed to the building in one line and shall be of uniform height.

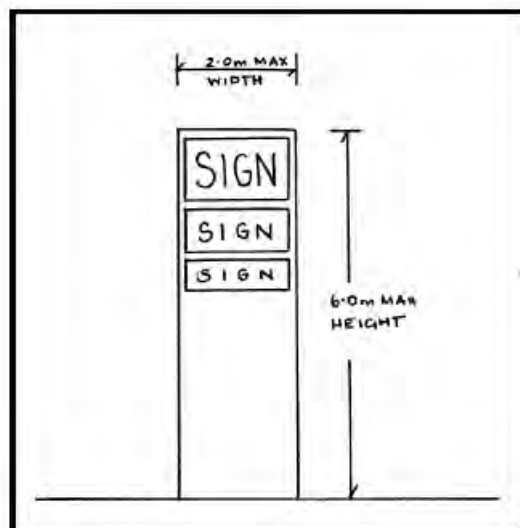
## 9. Inflatable Signs



*Illustration – Inflatable Sign*

- a. "Inflatable sign" means a sign that is painted, stencilled or attached to an inflated device, such as a balloon or blimp.
- b. Inflatable signs will not be permitted in the following circumstances:
  - i. In areas zoned or used for residential purposes;
  - ii. On buildings that exceed two storeys in height;
  - iii. In locations where the sign may distract the attention of motorists from traffic signs or traffic control signals; and
  - iv. Shall not be illuminated.
- c. The maximum dimensions of a roof top balloon or other type of inflatable sign shall be a height of 6 metres and a width or diameter of 6 metres.
- d. No more than one balloon or blimp shall be approved within any one street block and erected at the same time.
- e. All inflatable signs are to be adequately secured to the building on which they are to be erected.
- f. An inflatable sign shall only be erected for a maximum period of 21 days at no less than 3 monthly intervals. A new application to erect an inflatable sign must be submitted for each approval period.
- g. Each inflatable sign shall be covered by public liability insurance to the value of 10 million dollars.
- h. The approval of Main Roads WA may be required where the proposed sign location is near traffic signals or controlled intersections.

## 10. Monolith Signs



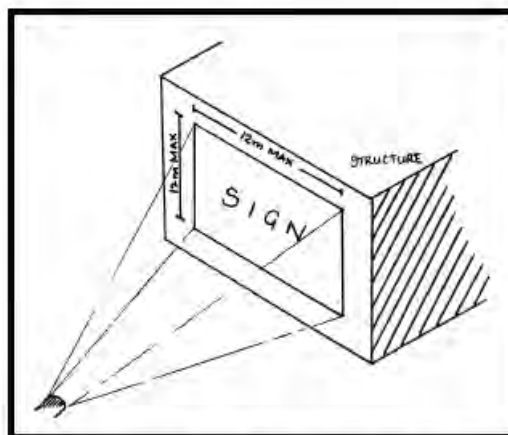
*Illustration – Monolith Signs*

- a. "Monolith sign" means a sign that is not attached to a building or any other structure and with its largest dimension being vertical. Such a sign may consist of a number of modules and is generally uniform in shape from ground level to the top of the sign.
- b. A monolith sign shall not exceed 6 metres in height or 2 metres in width;
- c. A person shall not erect more than one monolith sign in relation to a business, shop or premises unless it is a corner lot where one sign per lot frontage may be permitted.
- d. Notwithstanding part (b), in the Morley City Centre, approval may be given to monolith signs subject to compliance with the following:

Lot Size		Sign Size	
Area	Frontage	Height	Width
<2,000m <sup>2</sup>	<40m	6.0m	2.0m
2,000m <sup>2</sup> – 5,000m <sup>2</sup>	40m-70m	7.5m	2.5m
5001m <sup>2</sup> – 10,000m <sup>2</sup>	71m – 100m	9.0m	3.0m
10,0001m <sup>2</sup> – 30,000m <sup>2</sup>	101m – 150m	10.5m	3.5m

- e. A monolith sign shall not be located within 1 metre of the boundaries of the lot on which it is erected.
- f. No other freestanding signs will be permitted on the site.

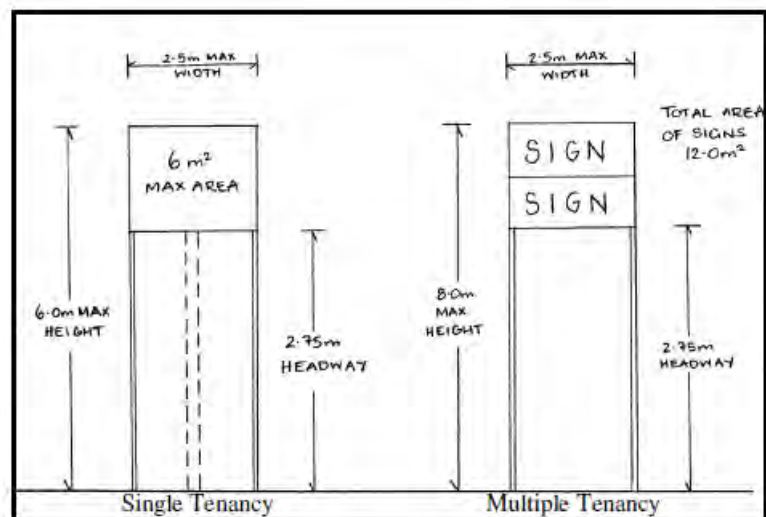
## 11. Projection Signs



*Illustration – Projection Signs*

- "Projection sign" means a sign that is made by the projection of light on a screen, wall or similar structure.
- Projection signs are not permitted within the City, unless otherwise approved by Council.
- A projection sign shall not exceed 12 metres in height or 12 metres in width.
- Projection signs shall not be located where they may cause a distraction to passing traffic or interfere with traffic control signals.
- A project sign may display multiple images or moveable content within the specified approval area.

## 12. Pylon Signs



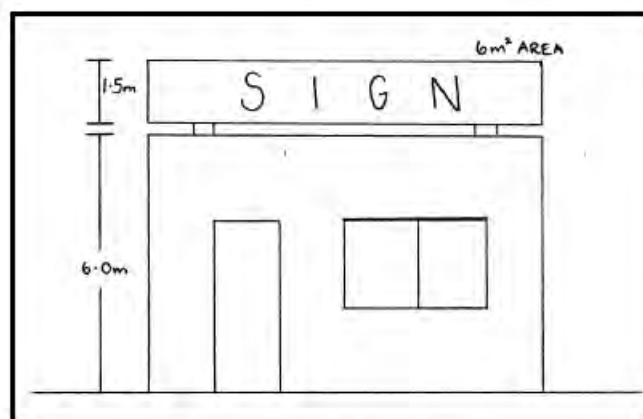
*Illustration – Pylon Signs*

- a. "Pylon sign" means a sign supported on one or more piers, not attached to a building or other structure, and includes a detached sign framework supported on one or more piers to which sign infill may be added.
- b. A pylon sign shall:
  - i. have a minimum headway of 2.75 metres and a maximum height of 6 metres;
  - ii. not project more than 1 metre over any footpath or road reserve;
  - iii. not be within 1 metre of the side boundaries of the lot on which it is erected;
  - iv. be affixed to one or more columns or piers of sufficient strength to support the sign under all conditions; and
  - v. not exceed 2.5 metres measured horizontally across the face of the sign or have a greater area than 6m<sup>2</sup> where there is one business per lot.
- c. A person shall not erect more than one pylon sign in relation to a business, shop or premises unless it is a corner lot where one sign per lot frontage may be permitted. No other freestanding signs will be permitted on the site.
- d. Where pylon signs are proposed to be erected on a lot where there are multiple tenancies, all pylon signs are to be incorporated into one sign complying with the following:
  - i. all sign infill are to be of equal size and space is to be provided for one infill for each unit on the lot;
  - ii. the total area of the infill signs may be increased to 12m<sup>2</sup>;
  - iii. the maximum height of the sign may be increased to 8 metres.
- e. Notwithstanding part (b) above, in the Morley City Centre, approval may be given to pylon signs subject to compliance with the following:

<b><i>Pylon Signs – Single Tenancy</i></b>			
<b>Lot Size</b>		<b>Sign Size</b>	
<b>Area</b>	<b>Frontage</b>	<b>Height</b>	<b>Width</b>
<2,000m <sup>2</sup>	<40m	6.0m	6.0m
2,000m <sup>2</sup> – 5,000m <sup>2</sup>	40m-70m	7.5m	7.5m
5001m <sup>2</sup> – 10,000m <sup>2</sup>	71m – 100m	9.0m	9.0m
10,0001m <sup>2</sup> – 30,000m <sup>2</sup>	101m – 150m	10.5m	10.5m
>30,000m <sup>2</sup>	>150m	12.0m	12.0m

<i>Pylon Signs – Multiple Tenancy</i>			
Lot Size		Sign Size	
Area	Frontage	Height	Width
<2,000m <sup>2</sup>	<40m	8.0m	12.0m
2,000m <sup>2</sup> – 5,000m <sup>2</sup>	40m-70m	10.0m	15.0m
5001m <sup>2</sup> – 10,000m <sup>2</sup>	71m – 100m	12.0m	18.0m
10,001m <sup>2</sup> – 30,000m <sup>2</sup>	101m – 150m	14.0m	21.0m
>30,000m <sup>2</sup>	>150m	14.0m	21.0m

### 13. Roof Signs

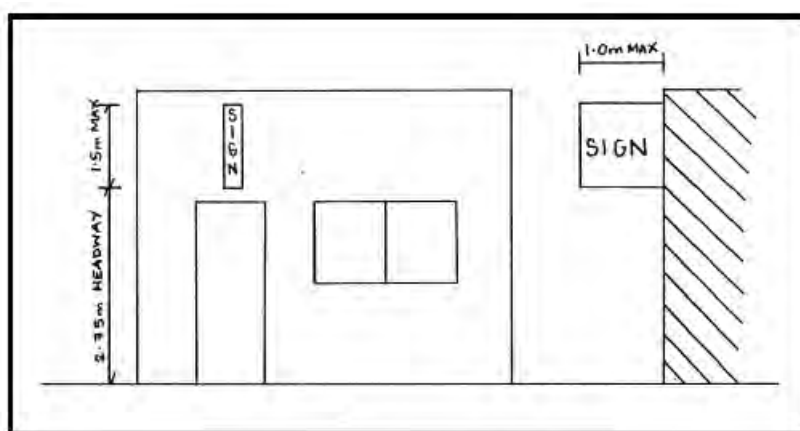


*Illustration – Roof Signs*

- a. "Roof sign" means a sign erected or painted directly on the roof of a building or attached to the top of a parapet wall of a building.
- b. Roof signs located within the City shall generally be discouraged, however where their location is considered appropriate, the following standards shall be met:
  - i. A roof sign shall not extend beyond the external walls of the building;
  - ii. A roof sign shall comply with the dimensions contained within the following table:

Height of Roof	Maximum Sign Area	Maximum Sign Height
Less than 6 metres	6m <sup>2</sup>	1.5m
6 metres to under 10 metres	10m <sup>2</sup>	7.5m
Over 10 metres	15m <sup>2</sup>	9.0m

#### 14. Semaphore Signs

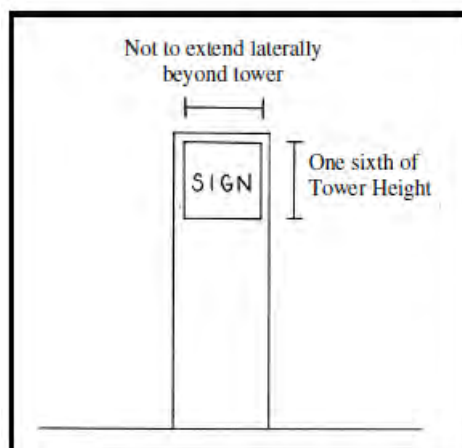


*Illustration – Semaphore Signs*

- a. "Semaphore sign" means a sign affixed to a structure or building which is attached or supported at, or by, one of its ends only.
- b. A semaphore sign shall:
  - i. Have a minimum headway of 2.75 metres; and
  - ii. Have a maximum height of 1.5 metres and shall not project more than 1 metre from the wall to which it is attached.
- c. A person shall not erect more than one semaphore sign in relation to a business, shop or premises unless it is a corner building where one sign per building frontage may be permitted.



## 15. Tower Signs

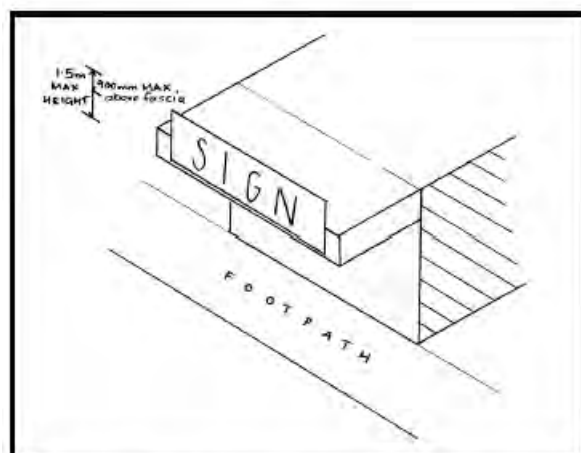


*Illustration – Tower Signs*

- a. "Tower sign" means a sign affixed to or placed on a tower, chimneystack or open structural mast.
- b. A tower sign shall not:
  - i. indicate or display any matter other than the name of the business or the name of the owner or occupier of the land or premises on which the tower is erected;
  - ii. exceed one-sixth of the height of the tower to which it is attached; and
  - iii. extend laterally beyond any point of the tower to which it is attached.

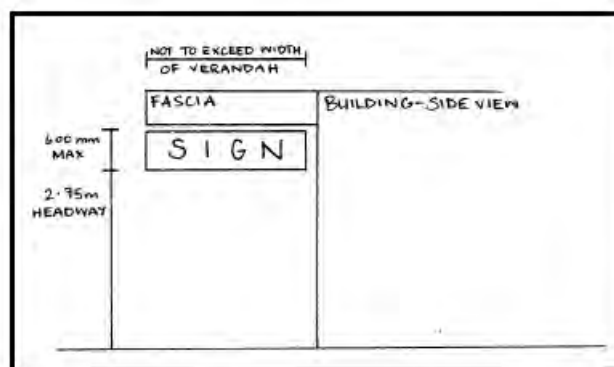
## 16. Veranda Signs

- a. "Veranda sign" means a sign affixed on or under a veranda and includes signs affixed to cantilever awnings and balconies.
- b. A sign fixed to the return fascia of a veranda shall meet the following requirements:
  - i. The sign may extend 900mm above the fascia, to a maximum sign height of 1.5 metres;
  - ii. A veranda sign may not exceed or extend beyond the width of the fascia; and
  - iii. A veranda sign may not be lower than the bottom edge of a fascia.



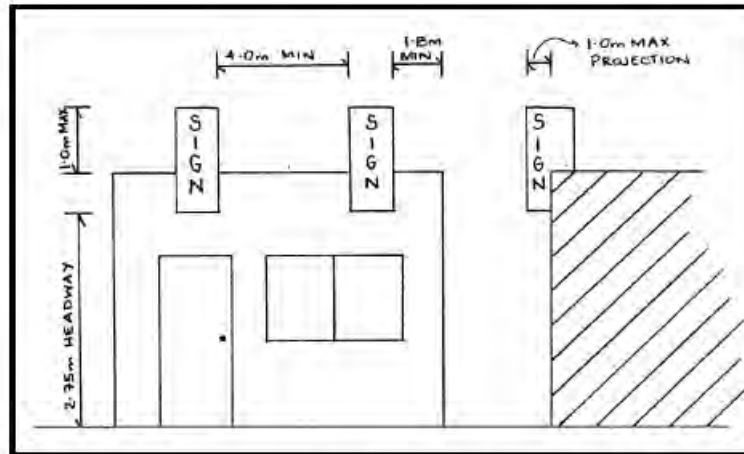
*Illustration - Verandah Signs  
(Fixed to Fascia)*

- c. Signs situated under a veranda must meet the following requirements:
- A minimum headway of 2.75 metres must be provided;
  - The sign must not project beyond the outer frame of the veranda or exceed 600mm in depth;
  - The sign must be fixed at right angles to the front wall of a building, except on the corner of a building where it may be angled to be visible from both streets;
  - Where a sign exceeds 300mm in height, it must not be within 2.75 metres of another sign under that veranda or where it does not exceed 300mm in height, a distance of 1.75 metres between signs may be permitted;
  - The sign may be not closer than 900mm to the nearest side wall; and
  - The sign must be constructed of shatter-proof material.



*Illustration - Verandah Signs  
(Under Verandah)*

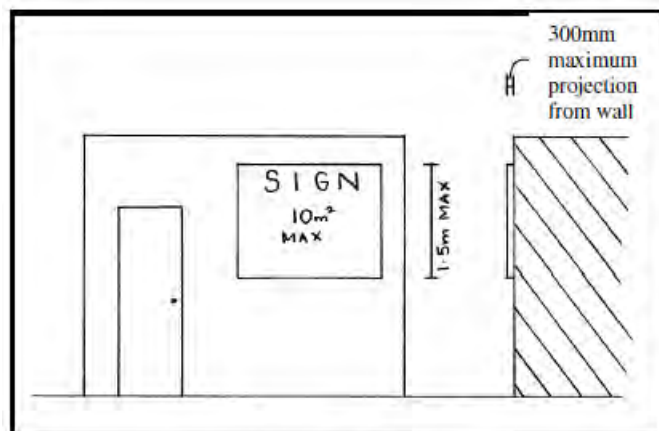
## 17. Vertical Signs



*Illustration – Vertical Signs*

- a. "Vertical sign" means a sign affixed to a wall of a building or structure in which the vertical dimensions exceed the horizontal dimensions, exclusive of the back projection.
- b. A vertical sign shall:
  - i. Have a minimum headway of 2.75 metres;
  - ii. Not project more than 1 metre from the wall to which it is affixed;
  - iii. Not be within 1.8 metres of either end of the wall to which it is affixed;
  - iv. Not project more than 1 metre above the top of the wall to which it is affixed or project behind the face of the wall;
  - v. Be affixed either at right angles or parallel to the wall to which it is attached; and
  - vi. Not be within 4 metres of another vertical sign on the same building.
- c. A person shall not erect more than one vertical sign in relation to a business, shop or premises, unless it is a corner building where one sign per building frontage may be permitted.

## 18. Wall Signs



*Illustration – Wall Signs*

- a. "Wall sign" means a signboard or panel which is affixed to the wall of a business premises for the purpose of advertising the business, shop or premise to which it is attached.
- b. A wall sign shall:
  - i. Be affixed parallel to a wall of a building;
  - ii. Not project more than 300mm from the face of the wall;
  - iii. Have a minimum headway of 2.75 metres;
  - iv. Not extend laterally beyond either end of the wall; and
  - v. Not exceed an area of 10.0sqm or a height of 1.5 metres.

**DEFINITIONS:**

*Nil*

**RELATED LEGISLATION:**

Clause 2.6 of Town Planning Scheme No 24

Clause 3.1 of Town Planning Scheme No 23

**RELATED DOCUMENTATION:**

*Nil*

Relevant Delegations		
Risk Evaluation		
Council Adoption	Date	23 April 1996
Reviewed / Modified	Date	23 July 2003
Reviewed / Modified	Date	25 January 2005
Reviewed / Modified	Date	1 March 2016





# Signage Policy

Responsible Division	Community and Development
Responsible Business Unit/s	Development and Place
Responsible Officer	Manager Development and Place
Affected Business Unit/s	Development and Place

## Purpose

The purpose of this policy is to provide guidance on the display and erection of signs, to ensure that any signage relates to the uses, services and products on the site whilst maintaining the local amenity and public safety.

## Objectives

The objectives of this policy are to:

1. Ensure that the display and erection of signs is consistent with the development, and will not detract from the local character and/or amenity of the area.
2. Avoid a proliferation of signs to prevent streetscapes from becoming cluttered and to protect the amenity of the City of Bayswater.
3. Improve streetscapes along major roads and within town centres.
4. Encourage the consideration of signage requirements in the planning and design of commercial, industrial and mixed use developments.
5. Ensure that signs do not cause obstruction or hinder access for pedestrians, cyclists and/or motor vehicles.
6. Ensure that signs are not objectionable, discriminatory and/or offensive, in the opinion of the City of Bayswater.
7. Ensure that signs only relate to businesses, products and/or services located on, or available from the lot on which they are located.

## Scope

1. This policy applies to the display and/or erection of signs on all land zoned or reserved under Local Planning Scheme No. 24 (Scheme).
2. This policy does not extend to road reserves (roads, verges, footpaths, etc.), which are subject to the City of Bayswater *Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law*.
3. Where there is any inconsistency between this policy and the City of Bayswater's Town Planning Scheme then the provisions within the Town Planning Scheme shall prevail.
4. In accordance with Clause 61(1)(a) and (b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), development approval is not required for signs that:

- (a) are temporary election signs, subject to the conditions outlined within the Regulations;
  - (b) relate to changes to an existing sign that has been erected or installed on a site, subject to the conditions outlined within the Regulations;
  - (c) relate to the replacement of a sign where the sign was subject to a development approval or exempt from the requirement for development approval;
  - (d) are identified as exempted signs under Appendix 8 of the Scheme; or
  - (e) comply with the General Provisions and Specific Requirements of this policy.
5. Where a sign does not require development approval under this policy, it should be noted that it does not exempt applicants from the requirement to obtain any other necessary approvals, including a building permit.
  6. Where a sign that is not prescribed in the policy and not exempt from requiring development approval is proposed, it will be considered on its merits.
  7. Development approval is required for the display and erection of a sign where:
    - (a) The development site is:
      - (i) Entered on the register of Heritage Places under the *Heritage of Western Australia Act 1990*;
      - (ii) The subject of an order under the *Heritage of Western Australia Act 1990 Part 6*;
      - (iii) Included on a heritage list prepared in accordance with the City of Bayswater town planning scheme(s);
      - (iv) Within an areas designated under the town planning scheme(s) as a heritage area; and/or
      - (v) The subject of a heritage agreement entered into under *Heritage of Western Australia Act 1990 section 29*.
    - (b) The sign is a permanent sponsorship sign, including an electronic scoreboard or dedicated electronic display, which are subject to the City of Bayswater *Sponsorship Signage on Reserves Policy*.
    - (c) The sign is inconsistent with the general provisions of this policy and/or the specific requirements pertaining to the sign types detailed below.
  8. Signs will not be supported if they are to be displayed or erected within 1.5m of any part of a crossover or street truncation.

## Definitions

**Bulk** is the accumulative effect of the arrangement, volume, size and shape of a sign and/or structure to a building or group of buildings.

**Character** is the combination of the particular characteristics or qualities of a place. These include the rhythm, scale and visual amenity of buildings which contribute to the existing streetscapes.

**Context** is the specific character, quality, and physical characteristics of a building's setting.

**Corporate Branding** is a company's logo, slogan, or symbol(s) that represent their products or services.

**First Party Advertising** is advertising relating to the occupant(s) of the site on which the advertising is located.

**Proliferation** is an increase in the number or amount of signs on a site resulting in clutter and having an undue impact on the amenity of the area.

**Scale** is the size of a sign or addition to a building and its proportional relationship with its surrounding buildings in the locality.

**Second Party Advertising** is advertising relating to the goods or services offered on the site on which the advertising is located.

**Sign** is a display and/or a structure erected to display a business/occupant of a site and the nature of the business undertaken or its goods and services offered.

**Third Party Advertising** is advertising not relating to the goods or services offered on the site on which the advertising is located.

**Visual Amenity** is all the visual factors which assist in forming the character of an area and contributing to its current and likely future amenity.

Unless otherwise defined above, words and expressions in this policy are as defined in Appendix 1 of the City of Bayswater Local Planning Scheme No. 24 (the Scheme), the *Planning and Development Act 2005*, *Planning and Development (Local Planning Schemes) Regulations 2015* or the *State Planning Policy 7.3 – Residential Design Codes of WA (R-Codes)*. All definitions for each of the sign types are included under the Specific Requirements of the policy.

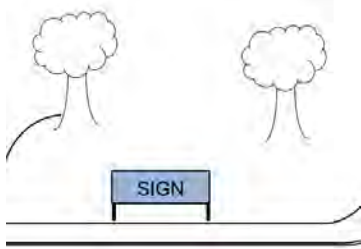
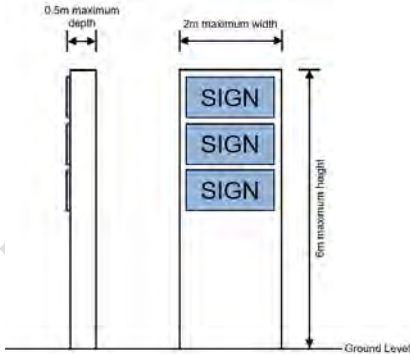
## General Requirements


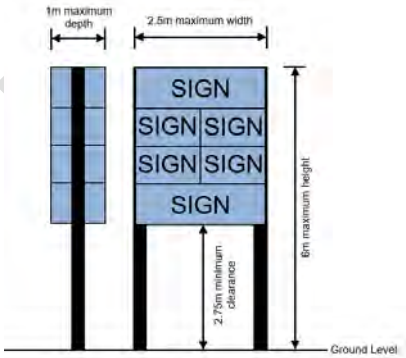
1. Signs will not be approved on residential properties where it does not relate to a relevant home based business unless otherwise provided for in this policy or the Scheme.
2. Where a non-residential land use has been approved on land zoned Residential under the Scheme, signage proposals will be assessed against the criteria under the Specific Requirements of the policy.
3. Signs on an individual lot shall generally be limited to those affixed to buildings and a single freestanding sign. Additional freestanding signs may be considered where they are necessary for wayfinding/directional purposes.
4. All signs shall be designed and located in a manner that:
  - (a) Does not detract from, or compromise the character and/or form of any building, including but not limited to its architectural features, detailing and openings.
  - (b) Does not detract from, or compromise the character of an established streetscape.
  - (c) Does not detract from, or compromise the character of any heritage place or precinct.
  - (d) Does not detract from the aesthetics of a park or other land used by the public for recreation.
  - (e) Does not obstruct lines of sight required for the safety of pedestrians, cyclists and/or motor vehicles.
  - (f) Does not obscure, or create the possibility of it being confused with traffic signs or signals.
  - (g) Does not obstruct pedestrian movement or compromise pedestrian safety.
  - (h) Does not obstruct vehicle movement or compromise traffic safety.
  - (i) Does not obstruct access to or from any door, fire escape or window.


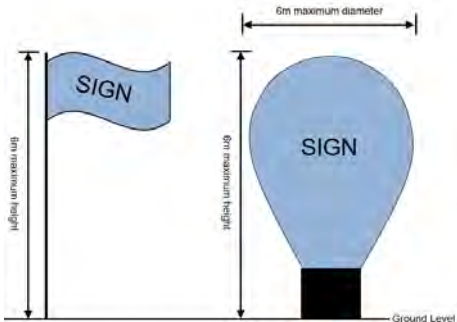

- (j) Does not obstruct views of a river, lake, or other feature of natural beauty from outside the building or lot.
  - (k) Does not impact an existing tree, including a street tree.
  - (l) Does not obstruct visual truncations by being located within 1.5m of any part of a crossover or street truncation.
5. Digital, animated and illuminated signs shall not:
    - (a) Incorporate lighting that exceeds a maximum luminance of:
      - (i) 6000 cd/m<sup>2</sup> during hours of full daylight;
      - (ii) 600 cd/m<sup>2</sup> at dawn and dusk; and
      - (iii) 300 cd/m<sup>2</sup> during hours of darkness.
    - (b) Incorporate flashing, intermittent or running lights.
  6. All signs that project from a building or are freestanding shall have a minimum clearance of 2.75m above ground level. A lesser clearance may be permitted where a sign is contained wholly within a landscaped area and it will not compromise lines of sight required for the safety of pedestrians, cyclists and/or motor vehicles.
  7. All signs shall be designed and written in a competent, professional manner.
  8. Signs shall not contain any material that is objectionable, discriminatory and/or offensive, in the opinion of the City of Bayswater.
  9. Signs associated with new commercial, industrial or mixed use developments with multiple tenancies are to be guided by a wider signage strategy for the site.
  10. Signs which contain any of the following third party advertising components will not be approved on private land, unless otherwise approved by the City of Bayswater under a signage strategy:
    - (a) The name, logo, or symbol of a company or other organisation that does not substantially occupy the site or development on which the sign is proposed to be located; or
    - (b) A product or service not provided on the site on which the sign is proposed to be located; or
    - (c) Signs for an activity or event not occurring on the site on which the advertisement is located.

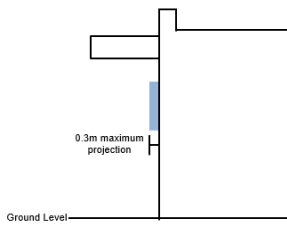



## Specific Requirements

Sign Type, Definition and Example	Specific Requirements
<p><b>Community and Local Government Event Sign</b></p> <p>A sign which is a temporary non-illuminated sign that advertises non-profit, short-term events such as a fete, fair, or festival occurring for a community organisation or the local government.</p> 	<p>A promotional community and local government event sign is to be:</p> <ul style="list-style-type: none"> <li>(a) Located on the site of the event or at the property of the community organisation or local government holding the event.</li> <li>(b) Limited to a maximum of 1 sign per frontage on a lot.</li> <li>(c) A maximum of 10m<sup>2</sup> in area.</li> <li>(d) Exhibited for no more than 30 days prior to the event occurring and is to be removed within 7 days of the event.</li> </ul>
<p><b>Monolith Sign</b></p> <p>A sign that is not attached to a building or any other structure and with its largest dimension being vertical. Such a sign may consist of a number of modules and is generally uniform in shape from ground level to the top of the sign.</p> 	<p>A monolith sign is to be:</p> <ul style="list-style-type: none"> <li>(a) Located on a site with a site area less than 2,000m<sup>2</sup> and a lot frontage greater than 40m.</li> <li>(b) Limited to one sign per lot frontage.</li> <li>(c) A maximum of 6m above ground level.</li> <li>(d) A maximum of 2m in width.</li> <li>(e) A maximum of 0.5m in depth.</li> <li>(f) Setback a minimum of 1m from the side and rear lot boundaries.</li> <li>(g) A maximum of 5m<sup>2</sup> in area per sign for each tenancy on the lot.</li> <li>(h) Prohibited within the Residential zone.</li> <li>(i) First party advertising.</li> <li>(j) Prohibited where there is an existing hoarding sign or pylon sign on the same lot.</li> </ul>
<p><b>Projecting Sign</b></p> <p>A sign:</p> <ul style="list-style-type: none"> <li>(a) attached to a projection (such as a veranda) or projects more than 300mm from a wall of the building below the eaves or ceiling height; and/or</li> <li>(b) painted or fixed to the face or return fascia of an awning and includes signs attached to the underside of an awning or verandah (other than fascia or return end), as well as</li> </ul>	<p>A projecting sign is to be:</p> <ul style="list-style-type: none"> <li>(a) Limited to one sign per tenancy.</li> <li>(b) Provided with a minimum clearance of 2.75m from the ground level where it is attached to the underside of an awning/verandah or project out from a wall.</li> <li>(c) Contained within the dimensions of the awning/verandah where it is attached to the fascia of the awning/verandah.</li> </ul>

Sign Type, Definition and Example	Specific Requirements
<p>signs attached above or projecting from a verandah.</p> 	<ul style="list-style-type: none"> <li>(d) A maximum projection of 1m from the wall.</li> <li>(e) A maximum of 2m<sup>2</sup> in area.</li> <li>(f) No higher than the top of the wall.</li> <li>(g) First or second party advertising.</li> <li>(h) Be constructed of shatter proof glass where it attached to the underside of an awning/verandah or project out from a wall.</li> </ul>
<p><b>Pylon Sign</b></p> <p>A sign supported on one or more piers, not attached to a building or other structure.</p> 	<p>A pylon sign is to be:</p> <ul style="list-style-type: none"> <li>(a) Located on a site with a site area less than 2,000m<sup>2</sup> and a lot frontage greater than 40m.</li> <li>(b) Limited to one sign per lot frontage.</li> <li>(c) Provided with a minimum clearance of 2.75m and a maximum clearance of 6m from the ground level.</li> <li>(d) A maximum of 6m above ground level.</li> <li>(e) A maximum of 2.5m in width.</li> <li>(f) A maximum of 1m in depth.</li> <li>(g) A maximum of 5m<sup>2</sup> in area per sign for each tenancy on the lot.</li> <li>(h) Setback a minimum of 1m from the side and rear lot boundaries.</li> <li>(i) Prohibited within the Residential zone.</li> <li>(j) First party advertising.</li> </ul>

Sign Type, Definition and Example	Specific Requirements
	(k) Prohibited where there is an existing hoarding sign or monolith sign on the same lot.
<p><b>Reserve Sign</b></p> <p>A sign erected on land reserved under the Scheme.</p> 	<p>A reserve sign is to be:</p> <p>(a) For the purpose of identifying the site.</p>
<p><b>Tethered Sign</b></p> <p>A sign that is suspended from or tethered to any structure, pole or tree (with or without supporting framework) and made of paper, fabric, plastic or similar materials. The term includes inflatables, banners, flags or the like.</p> 	<p>A tethered sign is to be:</p> <p>(a) Limited to one sign per lot.</p> <p>(b) Prohibited within the Residential zone.</p> <p>(c) A maximum of 6m above ground level.</p> <p>(d) A maximum of 6m in diameter.</p> <p>(e) Located within the lot boundaries of the property to which the sign relates.</p> <p>(f) First or second party advertising.</p> <p>(g) Secured in position in accordance with any requirements of the City of Bayswater.</p> <p>(h) Located so as not to obstruct or impede the reasonable use of a thoroughfare or access to a place by any person.</p> <p>(i) Erected for a maximum period of 21 days at no less than 3 monthly intervals, unless otherwise approved by the City.</p>
<p><b>Wall Sign</b></p> <p>A signboard or panel which is affixed to or adjoining the wall of a business premises, which does not exceed the lowest point of the eaves or ceiling of the building.</p> 	<p>A wall sign is to be:</p> <p>(a) A maximum of 25% of the wall or 10m<sup>2</sup> in area, whichever is the lesser.</p> <p>(b) Limited to one sign per tenancy on a lot.</p> <p>(c) Projecting a maximum of 0.3m from the face of the wall.</p> <p>(d) No higher than the top of the wall.</p> <p>(e) First or second party advertising.</p>

Sign Type, Definition and Example	Specific Requirements
 <p>0.3m maximum projection</p> <p>Ground Level</p>	
<p><b>Window Sign/Corporate Branding</b></p> <p>A sign or corporate branding affixed to either the interior or exterior of the glazed area of a window.</p> 	<p>A window sign is to be:</p> <ul style="list-style-type: none"> <li>(a) A maximum of 25% of the total area of all windows facing a street.</li> <li>(b) Designed in a manner that allows interaction and casual surveillance between the interior functions of the building and the street.</li> <li>(c) First party advertising.</li> </ul>

## Signs Not Considered Suitable

The following signs are not considered suitable within the City of Bayswater:

- Bill posting, other than on designated community noticeboards or in the form of event posters displayed in the windows of hotels, shops, restaurants, small bars or the like.  
Bill posting is the sticking, painting or stencilling of any bill, poster or placard on any building, fence, wall, hoarding, signpost, pole, awning or any other structure so as to be visible to any person in a street, reserve, public place or other land.
- Bunting, other than on a temporary basis for an approved event.  
Bunting is thin strips of material used for decorative purposes or to highlight a location.
- Third-party advertising signs.
- Hoarding (Billboard) Signs.  
Hoarding (billboard) signs are a detached structure other than a monolith or pylon sign, with its largest dimension being horizontal. The sign is erected for the sole purpose of displaying a sign or signs, and shall include a poster panel, a wall panel or an illuminated panel.
- Trailer-mounted variable messaging signs, other than on a temporary basis for an approved event.  
Trailer-mounted variable messaging is signs utilising electronic displays that can be programmed to display a number of varying messages and mounted on trailers that are capable of being towed by a motor vehicle.
- Motor vehicles carrying temporary or fixed signs or advertising material and parked in a location to serve primarily as a sign.

7. Signs in excess of 0.2m<sup>2</sup> in residential zones, unless otherwise approved by the City of Bayswater.

## Sign Strategies

The applicant is to submit a sign strategy for proposed sign(s) in the following situations:

1. The lot has a site area greater than 4,000m<sup>2</sup>.
2. There is three or more tenancies on the site.
3. Significant redevelopment of the site is proposed.
4. The lot comprises more than one lot frontage to a street, reserve or the like.

## Related Legislation

This policy is adopted under all Local Planning Schemes in force within the City of Bayswater, in accordance with Schedule 2, Part 2, of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Relevant Delegations	TP-D01
Council Adoption	

## SIGNAGE POLICY

Responsible Division	Planning <del>Community</del> and Development Services
Responsible Business Unit/s	Planning Services <del>Development and Place</del>
Responsible Officer	Planning Manager <del>Development and Place</del>
Affected Business Unit/s	Planning Services <del>Development and Place</del>

### PURPOSE:

To ensure that signs within the City of Bayswater are designed to be sympathetic and harmonious with the surrounding environment, while ensuring structural and public safety. This policy relates specifically to signs on public or private land and does not refer to signs in roadways or other public thoroughfares. **The purpose of this policy is to provide guidance on the display and erection of signs, to ensure that any signage relates to the uses, services and products on the site whilst maintaining the local amenity and public safety.**

### OBJECTIVES: (NEW SECTION)

The objectives of this policy are to:

1. Ensure that the display and erection of signs is consistent with the development, and will not detract from the local character and/or amenity of the area.
2. Avoid a proliferation of signs to prevent streetscapes from becoming cluttered and to protect the amenity of the City of Bayswater.
3. Improve streetscapes along major roads and within town centres.
4. Encourage the consideration of signage requirements in the planning and design of commercial, industrial and mixed use developments.
5. Ensure that signs do not cause obstruction or hinder access for pedestrians, cyclists and/or motor vehicles.
6. Ensure that signs are not objectionable, discriminatory and/or offensive, in the opinion of the City of Bayswater.
7. Ensure that signs only relate to businesses, products and/or services located on, or available from the lot on which they are located.

### POLICY STATEMENT SCOPE:

1. This policy is made pursuant to Section 5.2 of ~~applies to the display and/or erection of signs on all land zoned or reserved under Town Local Planning Scheme No 24 (Scheme) and Clause 4.10 of Town Planning Scheme No 23, which deals with the control of advertisements. This policy gives more detailed provisions on the City's general requirements on signage and more specific aspects on the size and nature of signage permitted within the City.~~ **applies to the display and/or erection of signs on all land zoned or reserved under Town Local Planning Scheme No 24 (Scheme) and Clause 4.10 of Town Planning Scheme No 23, which deals with the control of advertisements. This policy gives more detailed provisions on the City's general requirements on signage and more specific aspects on the size and nature of signage permitted within the City.**
2. This policy relates to signage on property and does not refer to signage within thoroughfares ~~extend to road reserves (roads, verges, footpaths, etc.), which are subject to the City of Bayswater. Signage in thoroughfares is addressed within the Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law.~~ **extend to road reserves (roads, verges, footpaths, etc.), which are subject to the City of Bayswater. Signage in thoroughfares is addressed within the Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law.**



~~A person shall not erect or attach signage within the City, unless the necessary approval has been obtained under the provisions of the relevant Town Planning Scheme and in accordance with the requirements of this policy.~~



3. Where there is any inconsistency between this policy and the City of Bayswater's Town Planning Scheme then the provisions within the Town Planning Scheme shall prevail.
4. In accordance with Clause 61(1)(a) and (b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), development approval is not required for signs that:
  - (a) are temporary election signs, subject to the conditions outlined within the Regulations;
  - (b) relate to changes to an existing sign that has been erected or installed on a site, subject to the conditions outlined within the Regulations;
  - (c) relate to the replacement of a sign where the sign was subject to a development approval or exempt from the requirement for development approval;
  - (d) are identified as exempted signs under Appendix 8 of the Scheme; or
  - (e) comply with the General Provisions and Specific Requirements of this policy.
5. Where a sign does not require development approval under this policy, it should be noted that it does not exempt applicants from the requirement to obtain any other necessary approvals, including a building permit.
6. Where a sign that is not prescribed in the policy and not exempt from requiring development approval is proposed, it will be considered on its merits.
7. Development approval is required for the display and erection of a sign where:
  - (a) The development site is:
    - (i) Entered on the register of Heritage Places under the *Heritage of Western Australia Act 1990*;
    - (ii) The subject of an order under the *Heritage of Western Australia Act 1990 Part 6*;
    - (iii) Included on a heritage list prepared in accordance with the City of Bayswater town planning scheme(s);
    - (iv) Within an areas designated under the town planning scheme(s) as a heritage area; and/or
    - (v) The subject of a heritage agreement entered into under *Heritage of Western Australia Act 1990 section 29*.
  - (b) The sign is a permanent sponsorship sign, including an electronic scoreboard or dedicated electronic display, which are subject to the City of Bayswater *Sponsorship Signage on Reserves Policy*.
  - (c) The sign is inconsistent with the general provisions of this policy and/or the specific requirements pertaining to the sign types detailed below.
8. Signs will not be supported if they are to be displayed or erected within 1.5 metres of any part of a crossover or street truncation.

#### GENERAL REQUIREMENTS:

1. Signs will not be approved on residential properties where it does not relate to a relevant home based business unless otherwise provided for in this policy or the Scheme.
2. Where a non-residential land use has been approved on land zoned Residential under the Scheme, signage proposals will be assessed against the criteria under the Specific Requirements of the policy.
3. Signs on an individual lot shall generally be limited to those affixed to buildings and a single freestanding sign. Additional freestanding signs may be considered where they are necessary for wayfinding/directional purposes.



4. All signs shall be designed and located in a manner that:
  - (a) Does not detract from, or compromise the character and/or form of any building, including but not limited to its architectural features, detailing and openings.
  - (b) Does not detract from, or compromise the character of an established streetscape.
  - (c) Does not detract from, or compromise the character of any heritage place or precinct.
  - (d) Does not detract from the aesthetics of a park or other land used by the public for recreation.
  - (e) Does not obstruct lines of sight required for the safety of pedestrians, cyclists and/or motor vehicles.
  - (f) Does not obscure, or create the possibility of it being confused with traffic signs or signals.
  - (g) Does not obstruct pedestrian movement or compromise pedestrian safety.
  - (h) Does not obstruct vehicle movement or compromise traffic safety.
  - (i) Does not obstruct access to or from any door, fire escape or window.
  - (j) Does not obstruct views of a river, lake, or other feature of natural beauty from outside the building or lot.
  - (k) Does not impact an existing tree, including a street tree.
  - (l) Does not obstruct visual truncations by being located within 1.5m of any part of a crossover or street truncation.
5. Digital, animated and illuminated signs shall not:
  - (a) Incorporate lighting that exceeds a maximum luminance of:
    - (i) 6000 cd/m<sup>2</sup> during hours of full daylight;
    - (ii) 600 cd/m<sup>2</sup> at dawn and dusk; and
    - (iii) 300 cd/m<sup>2</sup> during hours of darkness.
  - (b) Incorporate flashing, intermittent or running lights.
6. All signs that project from a building or are freestanding shall have a minimum clearance of 2.75m above ground level. A lesser clearance may be permitted where a sign is contained wholly within a landscaped area and it will not compromise lines of sight required for the safety of pedestrians, cyclists and/or motor vehicles.
7. All signs shall be designed and written in a competent, professional manner.
8. Signs shall not contain any material that is objectionable, discriminatory and/or offensive, in the opinion of the City of Bayswater.
9. Signs associated with new commercial, industrial or mixed use developments with multiple tenancies are to be guided by a wider signage strategy for the site.
10. Signs which contain any of the following third party advertising components will not be approved on private land, unless otherwise approved by the City of Bayswater under a signage strategy:
  - (a) The name, logo, or symbol of a company or other organisation that does not substantially occupy the site or development on which the sign is proposed to be located; or
  - (b) A product or service not provided on the site on which the sign is proposed to be located; or
  - (c) Signs for an activity or event not occurring on the site on which the advertisement is located.
1. All signage within the City of Bayswater must consider the following general requirements:

***Design and Amenit***

- a. A sign shall be designed and located such that it is sympathetic and harmonious with the character of the surrounding environment and with the building or structure to which it is attached;





- b. The design, number or variety of signs within an area shall not be injurious to the amenity or natural beauty of the locality;
- c. All signs shall compliment the character of any designated heritage buildings or precincts;
- d. All signs shall be simple and provide for instant recognition;
- e. A sign shall not contain any discriminatory or offensive material;
- f. All signs shall have sign writing, design work, lettering and colouring carried out in a professional and competent manner;
- g. Materials of construction and placement should bear consideration of long term maintenance and repairs;

#### **Safety**

- h. The sign must be securely fixed to the structure by which it is supported, without affecting the stability of the building or structure to which it is affixed. Alternatively, a sign must be designed such that it maintains structural integrity in its own right;
- i. A sign shall not be erected or maintained in any position which obstructs vehicle sight lines or is detrimental to traffic safety;
- j. A sign shall not be located such that it obscures or is likely to be confused with traffic signals or signs;
- k. A sign shall not be located in any position which obstructs pedestrian movement flows or is detrimental to pedestrian safety;
- l. A sign shall not obstruct access to or from any door, fire escape or window;
- m. Any sign which is illuminated shall be constructed entirely of non-flammable material, maintained in accordance with the requirements of the appropriate electricity supply authority and shall not cause annoyance to the public or interfere with traffic signals;

#### **Siting**

- n. Unless expressly permitted within this policy, signs shall not be supported on private land that is not associated with the goods and services advertised on the sign;
- o. Unless expressly permitted within this policy, signs shall not be located on land that is zoned or used for residential purposes;
- p. Temporary signs or advertising devices, which are not permanently affixed, shall not be displayed or exhibited on a parked vehicle; and
- q. A person shall not attach posters or banners to buildings, structures, fences or trees (fly posting) at any place or location within the City.

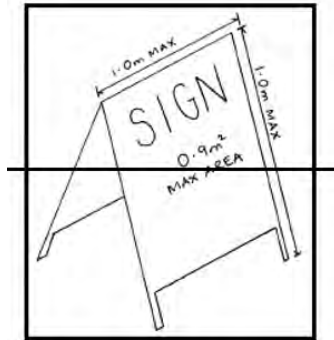
2. An application for a sign must include, in addition to the requirements of the Scheme (MRS Form 1 and Additional Information Sheet contained in Appendix 4), the following information:

- a. Plans, drawn to a scale of not less than 1:50, showing the size, position, design and inscriptions to appear thereon, including the method of fixing the sign to a building or structure;
- b. Provide information as to whether the sign is to be illuminated, flashes or pulsates and has any other moving features;
- c. Details on the structural integrity of the sign; and
- d. Written information regarding any further particulars for the sign, as may be required by Council.

#### **SPECIFIC SIGNAGE REQUIREMENTS**



### 3. A-Frame Signs



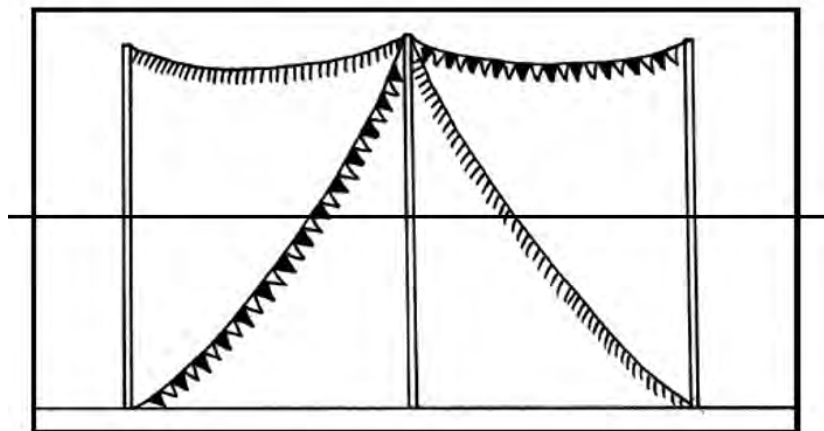
*Illustration – A-Frame Signs*

- a. "A-Frame sign" means a portable free standing direction or advertising sign.
- b. An A-Frame sign shall:
  - i. Not exceed any dimension by 1.0m;
  - ii. Not exceed an area of 0.9m<sup>2</sup> on any side;
  - iii. To be erected wholly within the lot boundaries on the property to which the sign relates;
  - iv. Be removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading;
  - v. Not be rotational or have any moving portions;
  - vi. Be secured in position in accordance with any requirements of the Council; and vii. Be placed so as not to obstruct or impede the reasonable use of a thoroughfare or access to a place by any person.
- c. No more than one A-Frame sign shall be erected in relation to an individual business.

### 4. Bill Posting

- a. "Bill posting" means the sticking, painting or stencilling of any bill, poster or placard on any building, fence, wall, hoarding, signpost, pole, awning or any other structure so as to be visible to any person in a street, reserve, public place or other land.
- b. A person shall not post any bill within the City, except on a hoarding approved for this purpose.

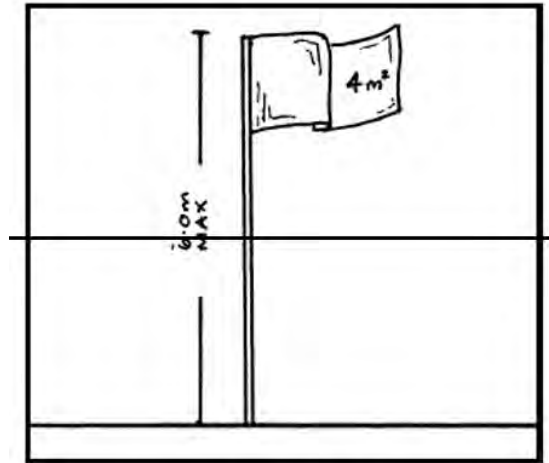
### 5. Bunting



*Illustration - Bunting*

- a. "Bunting" means thin strips of material used for decorative purposes or to highlight a location.
- b. Bunting shall not be permitted within the City of Bayswater, except for car yards or where approved by Council.

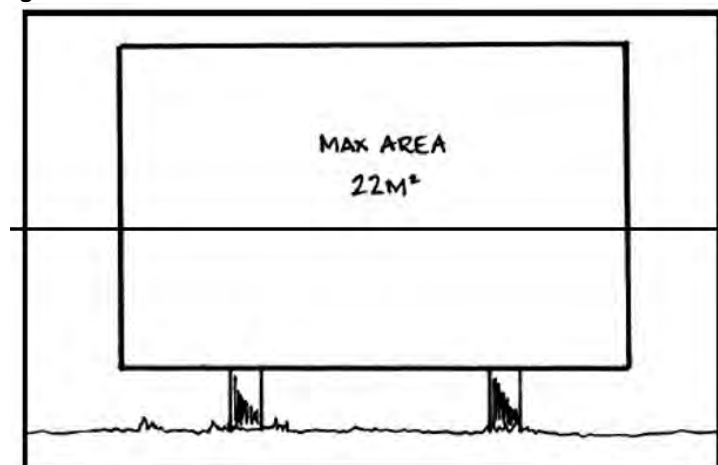
#### 6. Flags



*Illustration – Flag Sign*

- a. "Flag sign" means a sign or banner that is made from a piece of material, usually oblong or square, which is attached to a pole so as to be visible to any person in a street, reserve, public place or other land.
- b. A maximum of two flag poles shall be permitted on a lot, or on each lot frontage in the case of corner lots;
- c. The maximum height of the flag pole shall not exceed 6 metres, except in the Morley City Centre, where a maximum height of 10 metres may be permitted;
- d. Each flag shall not exceed 4m<sup>2</sup>, or 6m<sup>2</sup> in the Morley City Centre, and shall be securely affixed to a pole of sufficient size and strength to support the flag under all conditions.

#### 7. Hoardings

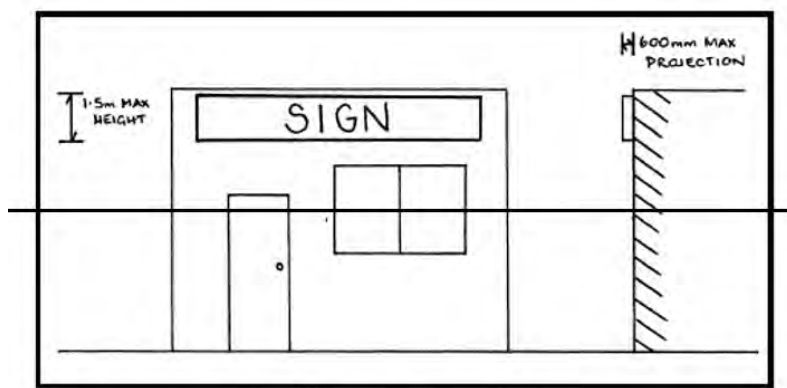


*Illustration - Hoarding*



- a. "Hoarding" means a structure other than a pylon sign that is erected for the sole purpose of displaying a general advertising sign or signs, and shall include a poster panel, a wall panel or an illuminated panel.
- b. A hoarding shall:
  - i. not be erected in a residential area;
  - ii. not be of greater area than 22m<sup>2</sup>;
  - iii. not be erected within 15 metres of any street or public place and in any case, not closer than its own height to a street and public place;
  - iv. Be permitted to display information that may not necessarily relate to the land on which it is located; and
  - v. Any application that involves more than one hoarding adjoining each other will be considered on its merits, having regard to the impact on the amenity of surrounding areas.

#### 8. Horizontal Signs



*Illustration - Horizontal Sign*

- a. "Horizontal sign" means a sign painted or affixed parallel to a wall of a building or structure, with its largest dimension being horizontal.
- b. A horizontal sign shall:
  - i. be affixed parallel to the wall of the building or structure to which it is attached;
  - ii. not project more than 600mm from the wall to which it is affixed; and
  - iii. have a maximum height of 1.5 metres, providing the whole of the sign is within the fascia limits.
- c. Where more than one horizontal sign is affixed to the same storey or level of a building and those signs face the same street or public place, the signs shall be affixed to the building in one line and shall be of uniform height.



## 9. Inflatable Tethered Signs

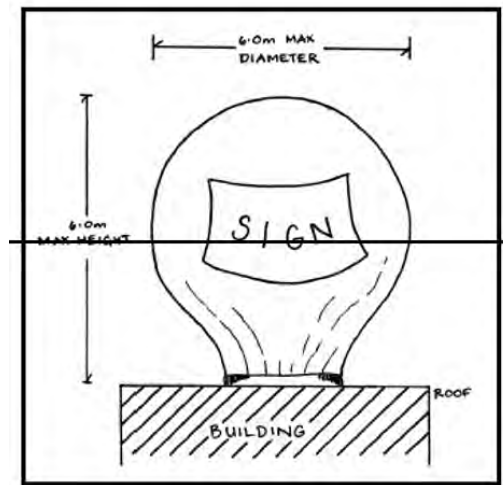
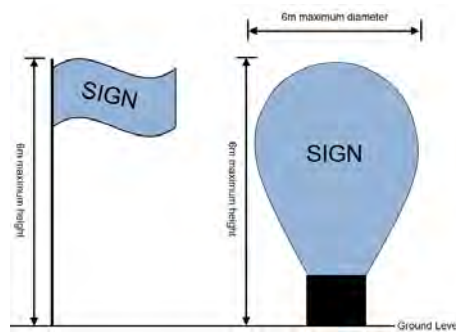


Illustration – Inflatable Sign



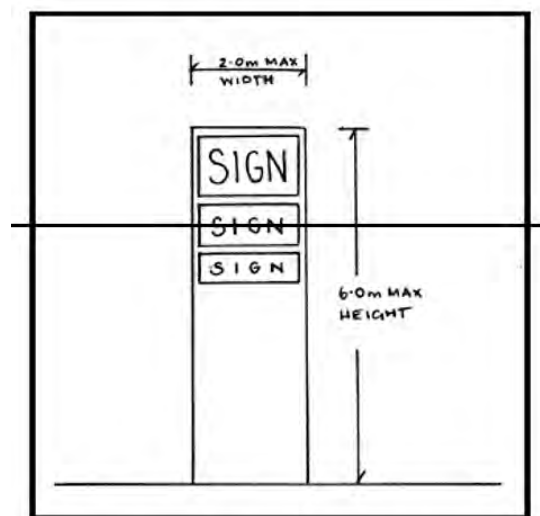
"Inflatable sign" means A sign that is suspended from or tethered to any structure, pole or tree (with or without supporting framework) and made of paper, fabric, plastic or similar materials. The term includes inflatables, banners, flags or the like painted, stencilled or attached to an inflated device, such as a balloon or blimp.

A tethered sign is to be:

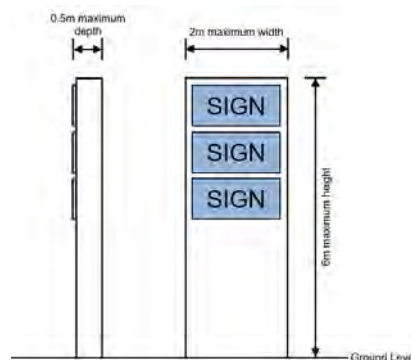
- a. Inflatable signs will not be permitted in the following circumstances: Limited to one sign per lot
- b. In areas zoned or used for Prohibited within the residential purposes; zone
  - i. On buildings that exceed two storeys in height;
  - ii. In locations where the sign may distract the attention of motorists from traffic signs or traffic control signals; and
  - iii. Shall not be illuminated.
- c. The A maximum dimensions of a roof top balloon or other type of inflatable sign shall be a height of 6 metres above ground level
- d. A maximum and a width or diameter of 6 metres in diameter.
- e. No more than one balloon or blimp shall be approved within any one street block and erected at the same time.
- f. All inflatable signs are to be adequately Secured in position in accordance with any requirements of the City of Bayswater to the building on which they are to be erected.
- g. An inflatable sign shall only be Erected for a maximum period of 21 days at no less than 3 monthly intervals, unless otherwise approved by the City. A new application to erect an inflatable sign must be submitted for each approval period.

- h. Each inflatable sign shall be covered by public liability insurance to the value of 10 million dollars.
- i. The approval of Main Roads WA may be required where the proposed sign location is near traffic signals or controlled intersections.
- j. Located within the lot boundaries of the property to which the sign relates.
- k. First or second party advertising.
- l. Located so as not to obstruct or impede the reasonable use of a thoroughfare or access to a place by any person.

#### 10. Monolith Signs



*Illustration – Monolith Signs*



"Monolith sign" means A sign that is not attached to a building or any other structure and with its largest dimension being vertical. Such a sign may consist of a number of modules and is generally uniform in shape from ground level to the top of the sign.

A monolith sign is to be:

- a. Located on a site with a site area less than 2,000m<sup>2</sup> and a lot frontage greater than 40m.
- b. A monolith sign shall not exceed maximum of 6 metres above ground level in height or
- c. A maximum of 2 metres in width.
- d. A maximum of 0.5m in depth

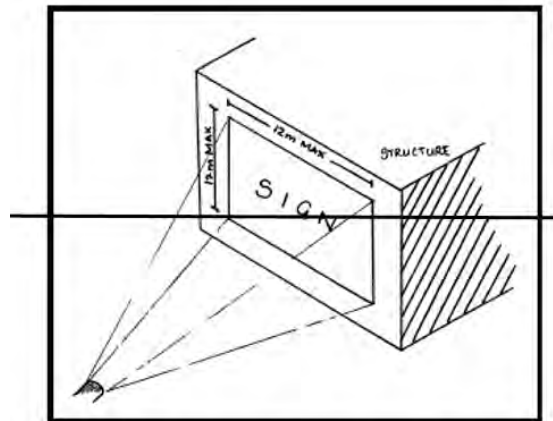


- e. A person shall not erect more than ~~Limited to~~ one monolith sign in relation to a business, shop or premises unless it is a corner lot where one sign per lot frontage may be permitted.
- f. Notwithstanding part (b), in the Morley City Centre, approval may be given to monolith signs subject to compliance with the following:

Lot Size		Sign Size	
Area	Frontage	Height	Width
<2,000m <sup>2</sup>	<40m	6.0m	2.0m
2,000m <sup>2</sup> – 5,000m <sup>2</sup>	40m-70m	7.5m	2.5m
5001m <sup>2</sup> – 10,000m <sup>2</sup>	71m – 100m	9.0m	3.0m
10,0001m <sup>2</sup> – 30,000m <sup>2</sup>	101m – 150m	10.5m	3.5m

- g. A monolith sign shall not be located within ~~Setback a minimum of~~ 1 metre of ~~from the side and rear lot~~ boundaries of the lot on which it is erected.
- h. ~~No other freestanding signs will be permitted on the site.~~
- i. ~~A maximum of 5m<sup>2</sup> in area per sign for each tenancy on the lot.~~
- j. ~~Prohibited within the Residential zone.~~
- k. ~~First party advertising.~~
- l. ~~Prohibited where there is an existing hoarding sign or pylon sign on the same lot.~~

#### 11. ~~Projection Signs~~



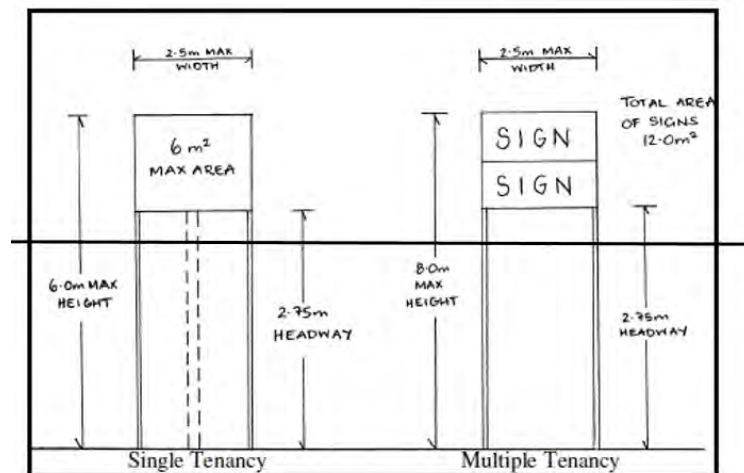
*Illustration – Projection Signs*

- a. "Projection sign" means a sign that is made by the projection of light on a screen, wall or similar structure.
- b. Projection signs are not permitted within the City, unless otherwise approved by Council.
- c. A projection sign shall not exceed 12 metres in height or 12 metres in width.
- d. Projection signs shall not be located where they may cause a distraction to passing traffic or interfere with traffic control signals.
- e. A project sign may display multiple images or moveable content within the specified approval area.

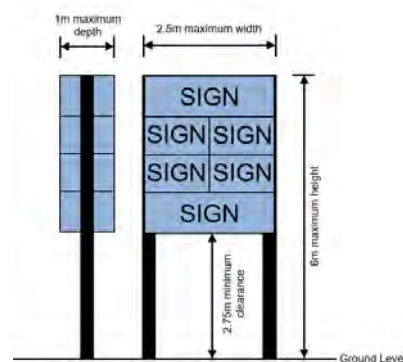




## 12. Pylon Signs



*Illustration – Pylon Signs*



"Pylon sign" means A sign supported on one or more piers, not attached to a building or other structure, and includes a detached sign framework supported on one or more piers to which sign infill may be added.

A pylon sign shall **is to be**:

- i. Have **Provided with** a minimum headway clearance of 2.75 metres and a maximum clearance of 6 metres from the ground level;
  - ii. height **A maximum** of 6 metres above ground level;
  - iii. not project more than 1 metre over any footpath or road reserve;
  - iv. not be within **Setback a minimum of** 1 metre of **from** the side and rear lot boundaries of the lot on which it is erected;
  - v. be affixed to one or more columns or piers of sufficient strength to support the sign under all conditions; and
  - vi. not exceed 2.5 metres measured horizontally across the face of the sign or have a greater area than 6m<sup>2</sup> where there is one business per lot.
- b. A person shall not erect more than one pylon sign in relation to a business, shop or premises unless it is a corner lot where **Limited to** one sign per lot frontage may be permitted. No other freestanding signs will be permitted on the site.
  - c. Where pylon signs are proposed to be erected on a lot where there are multiple tenancies, all pylon signs are to be incorporated into one sign complying with the following:
    - i. all sign infill are to be of equal size and space is to be provided for one infill for each unit on the lot;

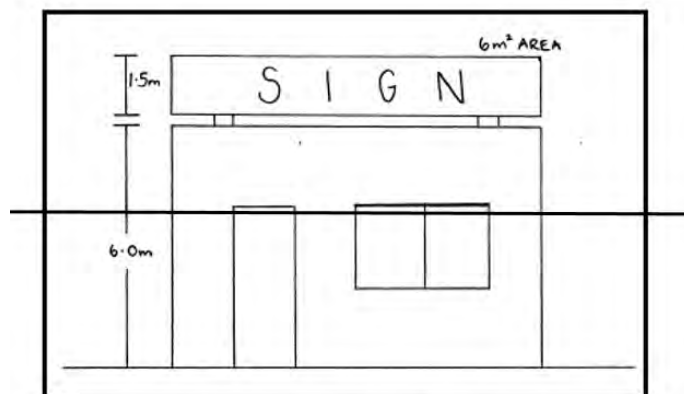


- ii. the total area of the infill signs may be increased to 12m<sup>2</sup>;
- iii. the maximum height of the sign may be increased to 8 metres.
- d. Notwithstanding part (b) above, in the Morley City Centre, approval may be given to pylon signs subject to compliance with the following:
- e. Located on a site with a site area less than 2,000m<sup>2</sup> and a lot frontage greater than 40m.
- f. A maximum of 2.5 metres in width.
- g. A maximum of 1 metre in depth.
- h. A maximum of 5m<sup>2</sup> in area per sign for each tenancy on the lot.
- i. Prohibited within the Residential zone.
- j. First party advertising.
- k. Prohibited where there is an existing hoarding sign or monolith sign on the same lot.

<i>Pylon Signs – Single Tenancy</i>			
Lot Size		Sign Size	
Area	Frontage	Height	Width
<2,000m <sup>2</sup>	<40m	6.0m	6.0m
2,000m <sup>2</sup> – 5,000m <sup>2</sup>	40m – 70m	7.5m	7.5m
5001m <sup>2</sup> – 10,000m <sup>2</sup>	71m – 100m	9.0m	9.0m
10,001m <sup>2</sup> – 30,000m <sup>2</sup>	101m – 150m	10.5m	10.5m
>30,000m <sup>2</sup>	>150m	12.0m	12.0m

<i>Pylon Signs – Multiple Tenancy</i>			
Lot Size		Sign Size	
Area	Frontage	Height	Width
<2,000m <sup>2</sup>	<40m	8.0m	12.0m
2,000m <sup>2</sup> – 5,000m <sup>2</sup>	40m – 70m	10.0m	15.0m
5001m <sup>2</sup> – 10,000m <sup>2</sup>	71m – 100m	12.0m	18.0m
10,001m <sup>2</sup> – 30,000m <sup>2</sup>	101m – 150m	14.0m	21.0m
>30,000m <sup>2</sup>	>150m	14.0m	21.0m

### 13. ~~Roof Signs~~

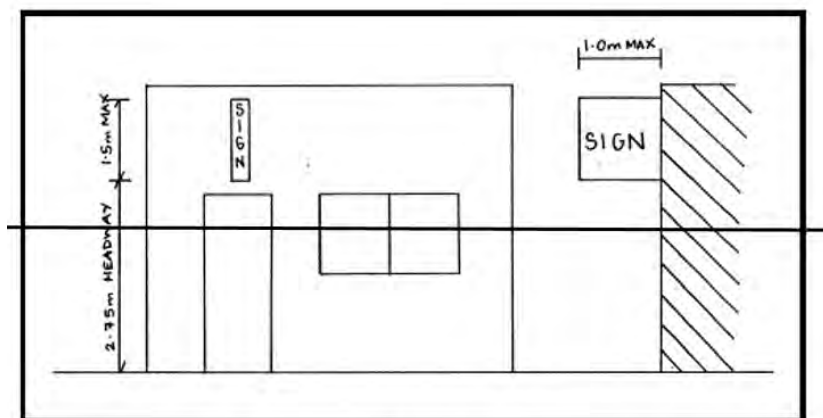


*Illustration – Roof Signs*

- a. "Roof sign" means a sign erected or painted directly on the roof of a building or attached to the top of a parapet wall of a building.
- b. Roof signs located within the City shall generally be discouraged, however where their location is considered appropriate, the following standards shall be met:
  - i. A roof sign shall not extend beyond the external walls of the building;
  - ii. A roof sign shall comply with the dimensions contained within the following table:

Height of Roof	Maximum Sign Area	Maximum Sign Height
Less than 6 metres	6m <sup>2</sup>	1.5m
<del>6 metres to under 10 metres</del>	<del>10m<sup>2</sup></del>	<del>7.5m</del>
Over 10 metres	15m <sup>2</sup>	9.0m

### 14. Semaphore **Projecting** Signs



*Illustration – Semaphore Signs*



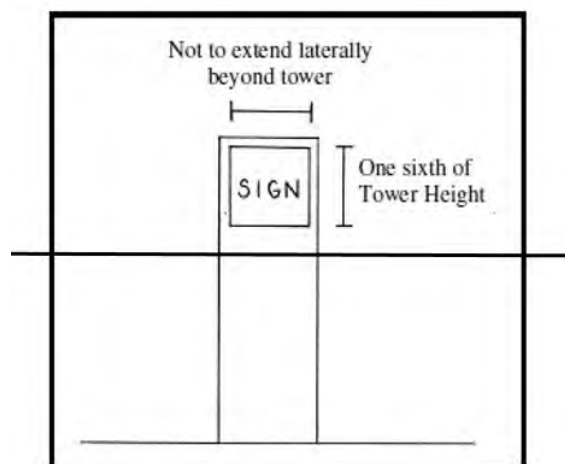
"Semaphore sign" means A sign: affixed to a structure or building which is attached or supported at, or by, one of its ends only.

- attached to a projection (such as a veranda) or projects more than 300mm from a wall of the building below the eaves or ceiling height; and/or
- painted or fixed to the face or return fascia of an awning and includes signs attached to the underside of an awning or verandah (other than fascia or return end), as well as signs attached above or projecting from a verandah.

A semaphore projecting sign shall is to be:

- Have ~~Provided with~~ a minimum headway clearance of 2.75 metres from the ground level where it is attached to the underside of an awning/verandah or project out from a wall; and
  - Have ~~A~~ maximum height of 1.5 metres and shall not project more than ~~projection of~~ 1 metre from the wall to which it is attached.
- A person shall not erect more than ~~Limited to~~ one semaphore sign in relation to a business, shop or premises unless it is a corner building where one sign per ~~tenancy~~ building frontage may be permitted.
  - Contained within the dimensions of the awning/verandah where it is attached to the fascia of the awning/verandah.
  - A maximum of 2m<sup>2</sup> in area.
  - No higher than the top of the wall.
  - First or second party advertising.
  - Be constructed of shatter proof glass where it attached to the underside of an awning/verandah or project out from a wall.

#### 15. Tower Signs



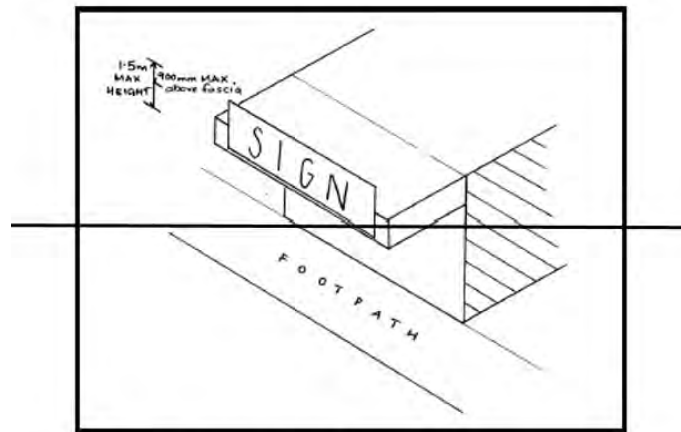
*Illustration – Tower Signs*

- "Tower sign" means a sign affixed to or placed on a tower, chimneystack or open structural mast.
- A tower sign shall not:

- i. indicate or display any matter other than the name of the business or the name of the owner or occupier of the land or premises on which the tower is erected;
- ii. exceed one-sixth of the height of the tower to which it is attached; and
- iii. extend laterally beyond any point of the tower to which it is attached.

#### 16. Veranda Signs

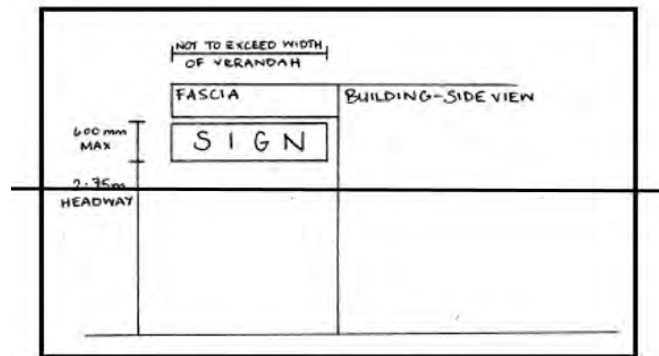
- a. "Veranda sign" means a sign affixed on or under a veranda and includes signs affixed to cantilever awnings and balconies.
- b. A sign fixed to the return fascia of a veranda shall meet the following requirements:
  - i. The sign may extend 900mm above the fascia, to a maximum sign height of 1.5 metres;
  - ii. A veranda sign may not exceed or extend beyond the width of the fascia; and
  - iii. A veranda sign may not be lower than the bottom edge of a fascia.



*Illustration - Verandah Signs  
(Fixed to Fascia)*

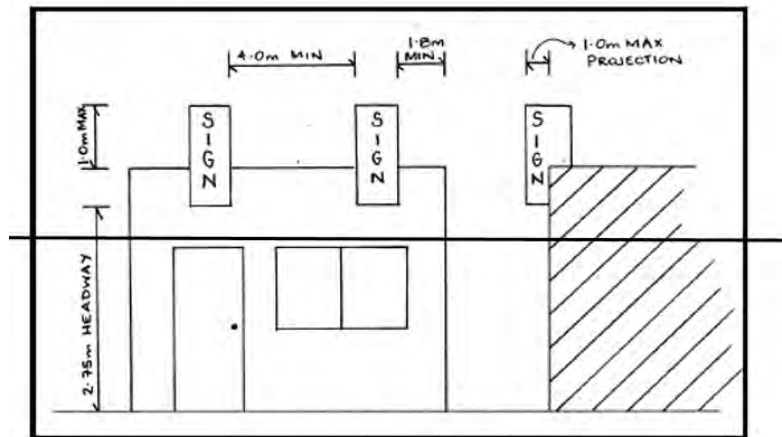
- c. Signs situated under a veranda must meet the following requirements:
  - i. A minimum headway of 2.75 metres must be provided;
  - ii. The sign must not project beyond the outer frame of the veranda or exceed 600mm in depth;
  - iii. The sign must be fixed at right angles to the front wall of a building, except on the corner of a building where it may be angled to be visible from both streets;
  - iv. Where a sign exceeds 300mm in height, it must not be within 2.75 metres of another sign under that veranda or where it does not exceed 300mm in height, a distance of 1.75 metres between signs may be permitted;
  - v. The sign may be not closer than 900mm to the nearest side wall; and
  - vi. The sign must be constructed of shatter-proof material.





*Illustration - Verandah Signs  
(Under Verandah)*

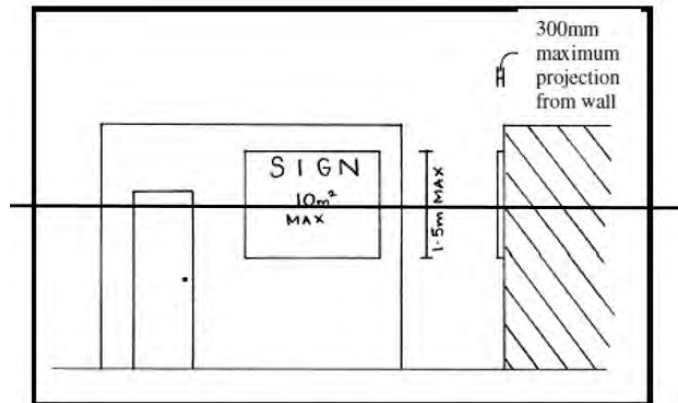
#### 17. Vertical Signs



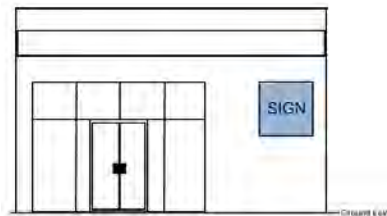
*Illustration - Vertical Signs*

- a. "Vertical sign" means a sign affixed to a wall of a building or structure in which the vertical dimensions exceed the horizontal dimensions, exclusive of the back projection.
- b. A vertical sign shall:
  - i. Have a minimum headway of 2.75 metres;
  - ii. Not project more than 1 metre from the wall to which it is affixed;
  - iii. Not be within 1.8 metres of either end of the wall to which it is affixed;
  - iv. Not project more than 1 metre above the top of the wall to which it is affixed or project behind the face of the wall;
  - v. Be affixed either at right angles or parallel to the wall to which it is attached; and
  - vi. Not be within 4 metres of another vertical sign on the same building.
- c. A person shall not erect more than one vertical sign in relation to a business, shop or premises, unless it is a corner building where one sign per building frontage may be permitted.

## 18. Wall Signs



*Illustration – Wall Signs*



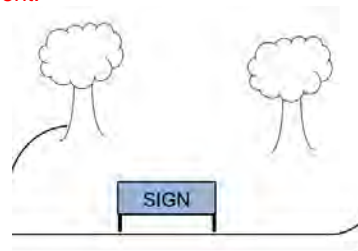
"Wall sign" means A signboard or panel which is affixed or adjoining to the wall of a business premises, which does not exceed the lowest point of the eaves or ceiling of the building for the purpose of advertising the business, shop or premise to which it is attached.

A wall sign shall be:

- i. Be affixed parallel to a wall of a building;
- ii. Not project more than Projecting a maximum of 300mm from the face of the wall;
- iii. Have a minimum headway of 2.75 metres;
- iv. Not extend laterally beyond either end of the wall; and
- v. Not exceed an area of 10.0sqm or a height of 1.5 metres.
- vi. A maximum of 25% of the wall or 10m<sup>2</sup> in area, whichever is the lesser.
- vii. Limited to one sign per tenancy on a lot.
- viii. No higher than the top of the wall.
- ix. First or second party advertising.

### Community and Local Government Event Sign (NEW SECTION)

A sign which is a temporary non-illuminated sign that advertises non-profit, short-term events such as a fete, fair, or festival occurring for a community organisation or the local government.



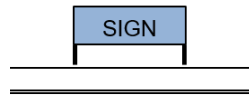
A promotional community and local government event sign is to be:

- a. Located on the site of the event or at the property of the community organisation or local government holding the event.

- b. Limited to a maximum of 1 sign per frontage on a lot.
- c. A maximum of 10m<sup>2</sup> in area.
- d. Exhibited for no more than 30 days prior to the event occurring and is to be removed within 7 days of the event.

#### **Reserve Sign (NEW SECTION)**

A sign erected on land reserved under the Scheme.



A reserve sign is to be:

- a. For the purpose of identifying the site.

#### **Window Sign/Corporate Branding (NEW SECTION)**

A sign or corporate branding affixed to either the interior or exterior of the glazed area of a window.



A window sign is to be:

- a. A maximum of 25% of the total area of all windows facing a street.
- b. Designed in a manner that allows interaction and casual surveillance between the interior functions of the building and the street.
- c. First party advertising.

#### **SIGNS NOT CONSIDERED SUITABLE: (NEW SECTION)**

The following signs are not considered suitable within the City of Bayswater:

1. Bill posting, other than on designated community noticeboards or in the form of event posters displayed in the windows of hotels, shops, restaurants, small bars or the like.

Bill posting is the sticking, painting or stencilling of any bill, poster or placard on any building, fence, wall, hoarding, signpost, pole, awning or any other structure so as to be visible to any person in a street, reserve, public place or other land.

2. Bunting, other than on a temporary basis for an approved event.

Bunting is thin strips of material used for decorative purposes or to highlight a location.

3. Third-party advertising signs.

4. Hoarding (Billboard) Signs.

Hoarding (billboard) signs are a detached structure other than a monolith or pylon sign, with its largest dimension being horizontal. The sign is erected for the sole purpose of displaying a sign or signs, and shall include a poster panel, a wall panel or an illuminated panel.

5. Trailer-mounted variable messaging signs, other than on a temporary basis for an approved event.





Trailer-mounted variable messaging is signs utilising electronic displays that can be programmed to display a number of varying messages and mounted on trailers that are capable of being towed by a motor vehicle.

6. Motor vehicles carrying temporary or fixed signs or advertising material and parked in a location to serve primarily as a sign.
7. Signs in excess of 0.2m<sup>2</sup> in residential zones, unless otherwise approved by the City of Bayswater.

#### **SIGN STRATEGIES: (NEW SECTION)**

The applicant is to submit a sign strategy for proposed sign(s) in the following situations:

1. The lot has a site area greater than 4,000m<sup>2</sup>.
2. There is three or more tenancies on the site.
3. Significant redevelopment of the site is proposed.
4. The lot comprises more than one lot frontage to a street, reserve or the like.

#### **DEFINITIONS:**

*Nil*

**Bulk** is the accumulative effect of the arrangement, volume, size and shape of a sign and/or structure to a building or group of buildings.

**Character** is the combination of the particular characteristics or qualities of a place. These include the rhythm, scale and visual amenity of buildings which contribute to the existing streetscapes.

**Context** is the specific character, quality, and physical characteristics of a building's setting.

**Corporate Branding** is a company's logo, slogan, or symbol(s) that represent their products or services.

**First Party Advertising** is advertising relating to the occupant(s) of the site on which the advertising is located.

**Proliferation** is an increase in the number or amount of signs on a site resulting in clutter and having an undue impact on the amenity of the area.

**Scale** is the size of a sign or addition to a building and its proportional relationship with its surrounding buildings in the locality.

**Second Party Advertising** is advertising relating to the goods or services offered on the site on which the advertising is located.

**Sign** is a display and/or a structure erected to display a business/occupant of a site and the nature of the business undertaken or its goods and services offered.

**Third Party Advertising** is advertising not relating to the goods or services offered on the site on which the advertising is located.

**Visual Amenity** is all the visual factors which assist in forming the character of an area and contributing to its current and likely future amenity.

Unless otherwise defined above, words and expressions in this policy are as defined in Appendix 1 of the City of Bayswater Local Planning Scheme No. 24 (the Scheme), the *Planning and Development Act 2005, Planning and Development (Local Planning Schemes)*





*Regulations 2015 or the State Planning Policy 7.3 – Residential Design Codes of WA (R-Codes). All definitions for each of the sign types are included under the Specific Requirements of the policy.*

**RELATED LEGISLATION:**

~~Clause 2.6 of Town Planning Scheme No 24~~

~~Clause 3.1 of Town Planning Scheme No 23~~

*This policy is adopted under all Local Planning Schemes in force within the City of Bayswater, in accordance with Schedule 2, Part 2, of the *Planning and Development (Local Planning Schemes) Regulations 2015*.*

**RELATED DOCUMENTATION:**

*Nil*

Relevant Delegations		
Risk Evaluation		
Council Adoption	Date	23 April 1996
Reviewed / Modified	Date	23 July 2003
Reviewed / Modified	Date	25 January 2005
Reviewed / Modified	Date	1 March 2016



**10.3 Proposed Sustainability in Design Local Planning Policy**

<b>Responsible Branch:</b>	Development and Place
<b>Responsible Directorate:</b>	Community and Development
<b>Authority/Discretion:</b>	Legislative
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Proposed Sustainability in Design Policy [10.3.1 - 7 pages]</li> <li>2. Cool Roofs Supporting Documentation [10.3.2 - 16 pages]</li> <li>3. Green walls and Roofs Supporting Documentation [10.3.3 - 12 pages]</li> </ol>
<b>Refer:</b>	Item 10.4.10: OCM 3.09.2019 Item 14.3: OCM 14.11.2017 Item 10.1: OCM 31.01.2017

**CR ELLI PETERSEN-PIK DECLARED AN IMPARTIAL INTEREST**

*In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Elli Petersen-Pik declared an impartial interest in this item because before being elected as a Councillor he seconded one of the motions that is referred to in the officer's report, with regards to cooling roofs, which was proposed at the AGM of Electors in December 2016.*

**SUMMARY**

Council consideration is sought in relation to the proposed sustainability in design local planning policy relating to cool roofs and biophilic design.

It is considered that a policy is necessary to provide guidance on sustainable design for new development to make the City of Bayswater a more climate change resilient and liveable City. The policy aims to provide guidance to developers on how to address sustainability as part of the planning and development process within the City, whilst responding to the changing needs of the community, environment and the economy in an efficient, functional and attractive manner.

**COMMITTEE RECOMMENDATION TO COUNCIL**  
**(OFFICER'S RECOMMENDATION)**

That Council adopts for public advertising the proposed Sustainability in Design Policy as contained in Attachment 1 to this report.

**CR CATHERINE EHRHARDT MOVED, CR GIORGIA JOHNSON SECONDED**

**CARRIED UNANIMOUSLY: 6/0**

**BACKGROUND****Urban Heat and Cool Roofs**

Council at its Ordinary Meeting held 31 January 2017, considered the resolutions from the Annual General Meeting of Electors held on 15 December 2016, and resolved in part as follows:

“...

- (8) *Requires the City to investigate the preparation of an adaption plan to reduce the Urban Heat Island Effect and build resilience to heat in the City of Bayswater, and present a paper relating to this matter to a Councillor workshop by mid-2017. (Motion 8).*
- (9) *Requires the City to consider the banning of black/dark coloured roofs as a part of the wider investigation into the preparation of an adaption plan to reduce the urban heat island effect and build resilience to heat in the City of Bayswater. (Motion 9).*

..."

The City has been working to reduce the impacts of Urban Heat Island Effect (UHIE), primarily by increasing its urban tree canopy and improving existing green spaces. Nonetheless it is considered that an adaptation plan could potentially identify and outline opportunities for City wide action to 'cool' the City and build resilience against the most extreme impacts of UHIE. Additionally, research indicates that it is unnecessary to ban dark roofs, as there are other methods which can be implemented to increase their reflectivity and reduce UHIE. In accordance with the above, the need to provide guidance on cool roofs within the City remains relevant.

Additionally, the City of Bayswater Corporate Business Plan 2019-2023 (CBP) includes an action in relation to climate change. Action N1.1.1 of the CBP is to develop and implement a City of Bayswater environmental liveability framework including biodiversity, climate change, and urban forest.

#### Biophilic Design and Green Walls and Roofs

At the Ordinary Council Meeting held 14 November 2017 Council considered a Notice of Motion in relation to biophilic urban design, and resolved as follows:

*"That Council requests the City to prepare a report on biophilic urban design, including green/solar roofs and walls, and how the City can develop a policy to create better understanding and use of biophilic urban design throughout the City of Bayswater. The report is to be presented to a future Planning and Development Services Committee meeting."*

Council at its Ordinary Meeting held 3 September 2019, considered an approach to encourage biophilic design at a local level (individual buildings), and resolved as follows:

*"That Council requests the Chief Executive Officer to prepare and refer to Council for consideration:*

- 1. A Green Walls and Roofs Position and Action Statement to detail the City's position on green walls and roofs, sets any targets for development of green roofs and walls on City facilities, and how the City would achieve those targets.*
- 2. A local planning policy on green walls and roofs to encourage the inclusion green roofs and walls on private developments and any associated incentives."*

In accordance with the above, the need to provide guidance on biophilic design within the City remains relevant.

#### **EXTERNAL CONSULTATION**

In the event that Council adopts the proposed Sustainability Policy for the purpose of advertising for public comment, the policy will be advertised in accordance with the requirements of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for at least 21 days by way of:

- Notification being published in the local newspaper(s);
- Information being placed on the City's engagement website; and
- Hard copies of the draft policy being made available for inspection at the City of Bayswater Civic Centre and the City's libraries.

#### **OFFICER'S COMMENTS**

##### Building Code of Australia

The Building Code of Australia (BCA) already requires there to be minimum energy efficiency requirements. When obtaining a building permit from the City, all new homes and some renovations, alterations and additions must comply with the energy efficiency requirements of the BCA Volume Two. These requirements aim to reduce the environmental impacts of energy

consumption and water usage. They include a wide range of factors, such as insulation, external glazing, sealing, services and ventilation. Under the Nationwide House Energy Rating Scheme (NatHERS), houses are given a star rating from 0 to 10 based on the energy efficiency of their design. The rating considers many factors, including the building envelope (the roof, walls, floor and windows), the orientation and type of glazing. New residential development must achieve at least a 6-star NatHERS rating under the BCA.

### Policy Approach

Sustainability issues are becoming more prevalent and topical in the City and it is considered that there is a need for a suitable planning instrument to respond to these issues.

A local planning policy that can be incrementally modified and added to in order to respond to issues as they arise is recommended as it will assist the City to ensure that the local planning framework reflects the particular values and needs of the local community as they evolve overtime. As detailed in the background section of this report, two topical sustainability related issues at present are:

- The need to mitigate urban heat; and
- The need for more biophilic design consideration within the City.

Information sheets will be developed following the implementation of the policy, to assist with the implementation of the policy.

### Urban Heat and Cool Roofs

The key impacts of urban heat include:

- Heat related death and stress.
- Decrease in productivity of workforces.
- Decline in water quality and disruption to ecosystems.
- Increase in water use and energy consumption.
- Impact to walkability, liveability and recreational pursuits.

There are multiple ways to mitigate urban heat in the City, including:

- Shade Trees – Shade trees reduces the amount of the sun's heat energy that can heat buildings and hard surfaces.
- Vegetation - Vegetation cools the air through a process called evapotranspiration, and by absorbing air pollutants that traps heat.
- Reflective Materials and Surfaces - More reflective materials and surfaces reflect more of the sun's heat energy.

The City is implementing a number of strategies to increase trees and vegetation throughout the City, which will reduce the impact of urban heat. However, maximising reflective surfaces is not an approach the City is currently implementing.

It is considered that the introduction of highly reflective roof provisions (commonly known as cool roof provisions) is a simple yet effective method for mitigating the impact of urban heat. **Attachment 2** provides more information about cool roofs.

The definition of a cool roof is a roof that has a maximum Solar Absorbance (SA) rating of 0.45. This aligns approximately with the Building Codes of Australia (BCA) and the Building Sustainability Index (BASIX) classifications for a light and some medium roofs. It is considered that this measure should be used as the basis for a key policy provision.

Apart from reducing urban heat, cool roofs have other key benefits, as follows:

- Reduces the internal temperatures, providing a high level of thermal comfort without the need for and cost of mechanical cooling.
- Reduces or eliminates the need for insulation at the initial stage of development.
- Increases the service life of the roof as they stay cooler as they are subject to less expansion and contraction.
- Increases the solar panel efficiency as solar panels operate more efficiently at lower temperatures.

The following considerations need to be given in relation to cool roofs:

- Cool roofs are generally lighter in colour, which can be limiting to aesthetic choice. However roofs can be treated with reflective coatings so that they function as cool roofs. Therefore the application of roof coatings can broaden the choice of roof colour and material choice.
- Roof material and colour may impact the heritage value of a property listed on the City's Heritage Survey and/or Heritage List. In these circumstances, it may be appropriate for the application of roofs that align to the heritage value of a property.
- Although cool roofs reflect more heat than other roofs, they do not necessarily produce more glare. There is a difference between heat reflectivity and light reflectivity.
- Although not highly reflective, green roofs and solar panels are considered to be environmentally sustainable and can complement the use of cool roofs.

Different factors can influence the level of SA a roof has, including material, colour and any applied roof coatings. BASIX classifies the level of SA into three levels based on colour as per the below table:

Colour	SA
Light	Less than 0.475
Medium	0.475 to 0.7
Dark	More than 0.7

This classification, together with the BCA's own classification, has been widely adopted by manufacturers.

Cool roofs generally equate to lighter coloured roofs and certain materials are generally cooler than others. While this can be seen to limit the range of roof choice available, there are solutions. Many roof materials in any colour can be treated with a reflective coating, giving them a lower solar absorbance rating than the standard version of that material. This means that if a preference for a certain colour roof and/or a certain material is not considered a cool roof, in a lot of circumstances it can be treated to become a cool roof.

In most cases, the cost of a cool roof will be no higher than the cost of other roofs, as roofing materials generally come in a range of colours and the lighter coloured roofs will generally meet the reflective requirements of a cool roof.

Cool roofs will only cost more than standard roofs if a developer has an aesthetic preference for a darker coloured roof, which will require a reflective coating to meet the reflective requirements of a cool roof. It is considered that any additional costs for cool roofs will be off-set by reduced living and maintenance costs, as follows:

- Cool roofs reduce the need for air-conditioning in summer months, especially in peak demand times, when energy costs can be higher.

- Cool roofs can reduce or remove the need for insulation at the initial stage of development and the ongoing costs of maintenance and replacement.
- Cool roofs are not subjected to the extreme temperature changes throughout the day as darker roofs, and will therefore likely have a longer service life.
- Cool roofs improve solar panel efficiency as they operate more efficiently at lower temperatures.
- Cool roofs improve the efficiency of ducted air-conditioning by reducing the temperature of the roof cavity and heat transfer to air ducts and distribution systems, which lowers their overall energy use.

Due to the above, it is considered appropriate to prepare policy provisions that require the provision of cool roofs where a development application proposes three or more dwellings.

During the preparation of the policy, the City considered whether it was appropriate to provide the applicant the ability to incorporate cool roofs as a development incentive. Development incentives typically relate to building height, open space and plot ratio. As there is not greater cost to achieve the cool roof provisions it did not seem appropriate for it to be an incentive that would have a permanent impact on the built form outcome.

#### Biophilic Design and Green Walls and Roofs

Biophilic design aims to bring nature into urban areas. The City is implementing a number of strategies at a citywide scale, which assist in accommodating more flora and fauna into urban areas.

A major threat to biophilic design in the City is urban infill development, which often results in significantly less landscaping and trees. At an individual development scale, the following policies include measures to curb the loss and increase greenery in the City:

- The Residential Design Codes (R-Codes) require minimum percentages of landscaping, trees and deep soil zones in certain circumstances.
- The City's Town Planning Scheme No. 24 requires landscaping for non-residential developments in certain circumstances.
- The City's Trees on Private Land and Street Verges Policy requires trees to be on private land and the adjacent street verge in certain circumstances.

Despite the above, other forms of allowing for biophilic design in urban areas should be encouraged. It is considered that introducing green wall, green roof and green driveway provisions will increase the benefits of biophilic design in the City. **Attachment 3** provides more information about green walls and roofs.

Green walls (also known as plant walls, living walls or vertical gardens) are vertical structures that have different types of plants or other greenery attached to them. A green roof or living roof is a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. A green driveway is a driveway to a building that is partially or completely covered with vegetation, with a stabilising base beneath.

Like other forms of landscaping in urban areas, green walls, green roofs and green driveways have many environmental benefits. The key benefits of green walls and roofs include:

- Improving air quality through removing pollutants from the air.
- Reducing urban heat through evapotranspiration.
- Creating and preserving habitat for fauna and biodiversity.
- Reducing the visual impact of buildings on the surrounding area.

The following considerations need to be given in relation to green walls and roofs:

- Perth's dry hot climate presents challenges to the success of green walls and roofs. Careful consideration needs to be given to the initial design of green walls and roofs to make them work, preferably by an experience expert.
- Ongoing maintenance also needs to be well considered to ensure ongoing success, which will likely have to be undertaken regularly and may require experienced expertise.
- The costs of implementing green walls and roofs can be high. Not only due to the expertise required at the initial design stage, but also the ongoing maintenance to ensure ongoing success. In addition, special wall structures and supports, waterproofing and additional engineering can increase overall construction costs considerably.

The need for the expert design and construction of such things as built-in irrigation, special wall structures and supports, waterproofing and additional engineering, make green walls and roofs expensive, relative to standard developments. Additionally ongoing maintenance costs for green walls and roofs will likely be significantly more expensive than more traditional forms of in-ground landscaping

Due to the above, it is considered appropriate to prepare policy provisions that require the provision of biophilic design (soft landscaping) being incorporated into developments where a development application proposes three or more dwellings. A summary of the key provision is provided below:

- Developments are to be oriented towards areas of natural vegetation, including the river, parks and reserves.
- A minimum of 10% of a lot shall be provided as soft landscaping, where 10% cannot be achieved then the City can consider green, roofs, green walls or green driveways to achieve the requirement.
- The landscaped area is to comprise a minimum soil depth of 300mm, excluding removable planter boxes/pots, artificial turf, green walls and porous paving areas.
- Landscaped areas are to comprise local native and drought resistant species to reduce reliance on water and fertilisers.

During the preparation of the policy, the City considered whether it was appropriate to provide the applicant the ability to incorporate green roofs, green walls and green driveways as development incentives. Development incentives typically relate to building height, open space and plot ratio. As there is insufficient information available to determine whether these elements will survive in the Perth climate and will achieve the desired sustainability outcomes, for incentives that would have a permanent impact on the built form outcome, it was considered that it is not appropriate for them to be incentives.

As outlined in the policy review schedule report, this policy is intended to comprise different chapters to further improve and promote sustainable development within the City. These chapters will relate to performance targets for energy, water and material consumption, and will be developed over the coming 12 months.

## **LEGISLATIVE COMPLIANCE**

Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* sets out the procedure for creating a local planning policy, including the requirement to give local public notice of a decision to create a local planning policy.

## RISK ASSESSMENT

In accordance with the City's Risk Management Framework, the officer's recommendation/following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Officer's Recommendation	That Council adopts for public advertising the proposed Sustainability in Design Policy as contained in Attachment 1 to this report.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	It is considered that this option has moderate community and stakeholder risk, as the mandatory cool roof provisions may reduce colour and material roof choice for some community members and stakeholders, additionally, the mandatory soft landscaping provisions may not suit the needs of some residents and/or developers.	

Option 2	That Council adopts for public advertising the proposed Sustainability in Design Policy as contained in <u>Attachment 1</u> to this report, with modification(s) as determined by Council.		
Risk Category		Adopted Risk Appetite	Risk Assessment Outcome Dependent on the modification(s) determined by Council.
Strategic Direction		Moderate	
Reputation		Low	
Governance		Low	
Community and Stakeholder		Moderate	
Financial Management		Low	
Environmental Responsibility		Low	
Service Delivery		Low	
Organisational Health and Safety		Low	
Conclusion	It is considered that the risks of this option are dependent on the modification(s) proposed by Council.		

Option 3	That Council does not adopt for public advertising the proposed Sustainability in Design Policy as contained in Attachment 1 to this report.	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Moderate
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	It is considered that this option has a moderate risk to the City's strategic direction as the policy is in keeping with the strategic position outlined by Council at previous Council meetings and under the strategic community plan. It is also considered that there is moderate community and stakeholder risk as there is a community expectation that the City increases sustainable design.	

## FINANCIAL IMPLICATIONS

The following financial implications are applicable:

**Item 1:** Advertise the proposed policy



Asset Category: N/A

Source of Funds: Municipal

LTFP Impacts: Not itemised in the LTFP

Notes: Nil

ITEM NO.	CAPITAL / UPFRONT COSTS (\$)	ONGOING COSTS (\$)		INCOME (\$)	ASSET LIFE (YEARS)	WHOLE OF LIFE COSTS (\$)	CURRENT BUDGET (\$)
		MATERIALS & CONTRACT	STAFFING				
1	\$600	-	-	-	-	-	\$14,000

## STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Environment and Liveability

Goal E4: Lessen the City's Impact on the environment through its buildings, infrastructure, services and targets, such as zero emissions by 2040, and empower the community to live sustainably

Goal E5: Protect and enhance the City's natural environment and biodiversity, and encourage the community to participate in its protection.

It is considered that the proposed Sustainability in Design Policy will assist in making the City of Bayswater a more climate change resilient and liveable City, whilst communicating the provisions in a clear and simple manner.

## CONCLUSION

It is recommended that the proposed Sustainability in Design Policy is adopted by the Council for public advertising.

# Sustainability in Design Policy



Responsible Division	Community and Development
Responsible Business Unit/s	Development and Place
Responsible Officer	Manager Development and Place
Affected Business Unit/s	Development and Place

## Purpose

The purpose of this policy is to provide guidance on sustainable design for new development to make the City of Bayswater a more climate change resilient and liveable City.

## Objectives

The objectives of this policy are to:

1. Provide guidance to developers on how to address sustainability as part of planning and development within the City of Bayswater.
2. Support an increase in sustainable design within the City of Bayswater.
3. Make the City of Bayswater a more climate change resilient and liveable City.
4. Respond to the changing needs of the community, environment and the economy over time in an efficient, functional and attractive manner.
5. Incorporate sustainable building designs that befit the local climate and provide comfortable living conditions while reducing greenhouse gas emissions.

## Background

The City of Bayswater is committed to making the City a more sustainable place to live, work and play. This policy provides a framework for early consideration of environmental sustainability at the building design stage in order to achieve the following efficiencies and benefits:

- Easier compliance with building requirements through passive design;
- Reduction of costs over the life of the building;
- Improved affordability over the longer term through reduced running costs;
- Improved amenity and liveability;
- More environmentally sustainable urban form; and
- Integrated water management.

If environmentally sustainable design is not considered early in the design process at the time of planning approval, the ability to achieve environmentally sustainable development may be compromised by the time these matters are considered as part of a building approval. In addition, there may be difficulties or extra costs associated with retro-fitting the development to implement environmentally sustainable design principles.

## Chapters

- 1.0 Cool Roofs
- 2.0 Biophilic Design

## Related Legislation

This policy is adopted under all Local Planning Schemes in force within the City of Bayswater, in accordance with Schedule 2, Part 2, of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Relevant Delegations	TP-D01
Council Adoption	

## 1.0 COOL ROOFS

### Purpose

To outline the objectives and requirements for cool roofs in the City of Bayswater.

### Objectives

The objectives of this policy are to:

1. To reduce the impact of urban heat.
2. To reduce the severity of urban heat and its associated impacts, including:
  - (a) Expected heat related death increases.
  - (b) Heat stress - leading to illness or mortality for humans and animals.
  - (c) Decreased productivity of workforces.
  - (d) Increased water use from air conditioning and irrigation.
  - (e) Declined water quality such as algal blooms.
  - (f) Disruption to ecosystems as they are pushed over their tipping points.
  - (g) Increased energy consumption from air conditioning and use of motor vehicles.
  - (h) Infrastructure failure.
  - (i) Increased pollution levels.
  - (j) Walkability and liveability decline.
  - (k) Effect of hot weather on recreational pursuits such as weekend sports.
3. To promote and foster a better understanding and use of cool roofs across residential and commercial developments within the City of Bayswater.

### Introduction

Projected heat related deaths in Perth are expected to increase from 294 in 2014 to 673 in 2020 and 1,419 in 2050 (Cool Communities: Urban Trees, Climate and Health, Curtin University).

The Victorian Centre for Climate Change Adaptation suggests that dealing with heat stress in Australian cities is of increasing concern. Heat is already an issue affecting people, buildings and infrastructure all evidenced as being vulnerable to episodes of extreme heat. It is likely that urban heat will be further amplified by increasing urbanisation and increasing temperatures associated with global climate change.

Over the last 60 years the urban form of the City of Bayswater has changed from a landscape covered with natural surfaces such as large properties, farms and natural areas; to a suburban form dominated with hard surfaces such as roads, housing and carparks. In this process of urbanisation cooling ecosystem services in the landscape, such as shade from trees and evaporation from wetlands, have been removed and replaced with man-made surfaces which act as urban heaters. There are a number of potential impacts associated with urban heat as referenced in the objectives section of this policy.

Alongside other policy provisions, cool roofs help to mitigate the impact of urban heat. Essentially a cool roof is a roof that has a high level of solar reflectance, meaning that it better reflects the sun's heat, relative to other roofs. As cool roofs reflect the majority of heat back into the atmosphere, they are considerably cooler than other roofs and significantly effective in reducing the impact of urban heat.

For the purposes of this policy, cool roofs are measured in relation to solar absorbance, which is the opposite of solar reflectance. Solar absorbance is measured in a range between 0 and 1 and typically ranges from about 0.1 for fresh snow (which has a low level of solar absorbance) to 0.96 for charcoal (which has a high level of solar absorbance).

It is considered that requiring a maximum solar absorbance rating of 0.45 is appropriate as it aligns approximately with the Building Codes of Australia and the Building Sustainability Index classifications for light and some medium roofs and provides an appropriate balance between allowing for choice in roof colour and material and ensuring roofs provide a reasonable level of solar reflectance to minimise urban heat impact.

Cool roofs generally equate to lighter coloured roofs and certain materials are generally cooler than others. While this can be seen to limit the range of roof choice available, there are solutions. Many roof materials in any colour can be treated with a reflective coating, giving them a lower solar absorbance rating than the standard version of that material.

## Scope

1. The requirements in this policy apply to development applications for the following proposed development:
  - (a) Three or more dwellings.
  - (b) Non-residential or mixed use development, excluding those involving only a change of use or internal works.
2. Any development that does not meet the thresholds specified in Clause 1 is to have consideration of the objectives and provisions contained in this policy, at the discretion of the City of Bayswater.

## Definitions

**Cool roof** is a roof or roof coating with a maximum solar absorbance rating of 0.45.

## Requirements

1. The external surfaces of all roofs detailed by the scope of this policy are to be cool roofs.
2. A property listed on the City of Bayswater Heritage Survey or Heritage List or within a Character Protection Area may not need to adhere to the requirements of Clause 1, where it can be demonstrated that the provision of a cool roof will have a detrimental impact to the property's heritage fabric and value.
3. Green roofs, solar panels and the like are exempt from the requirements of Clause 1.

## 2.0 BIOPHILIC DESIGN

### Purpose

To outline the objectives and requirements for biophilic design in the City of Bayswater.

### Objectives

The objectives of this policy are to:

1. Provide guidance to developers on how to address biophilic design as part of planning and development within the City of Bayswater.
2. Incorporate sustainable design that befits the local climate and provides comfortable living conditions while reducing greenhouse gas emissions.
3. Increase landscaping as a fundamental element of design, to:
  - (a) Occur in a meaningful and functional manner.
  - (b) Increase biodiversity within the City of Bayswater.
  - (c) Reduce the severity of urban heat.
  - (d) Encourage a stronger connection with nature.
  - (e) Reduce energy consumption from air conditioning.
  - (f) Complement and soften the built environment and reduce hard surfaces.
4. To promote the benefits of biophilic design, which include:
  - (a) Assist in making an area more resilient to any environmental stressor it may face.
  - (b) Improved air quality, through removing pollutants from the air.
  - (c) Reduced urban heat island effect by introducing vegetation onto roofs and walls to assist in the reduction of temperatures.
  - (d) Improved stormwater management as the vegetated areas can absorb and retain water.
  - (e) Increased amenity of an area through reducing the visual impact of buildings on the surrounding area.
  - (f) Increased amenity through orienting development toward nature within a development as well as maintaining views of nature in the surrounding area.
  - (g) A greater return on investment, as research indicates that properties which are more aesthetically desirable and environmentally friendly, have increased property values.
5. To promote and foster a better understanding and use of biophilic design across residential and commercial developments within the City of Bayswater.

### Introduction

Biophilic design aims to bring nature into urban areas. It includes green corridors, green spaces and green building elements. It aims to put nature at the core of design and planning, not as an afterthought. Biophilic design methods are considered to have an individual development or building scale, neighbourhood scale or citywide scale.

A major threat to biophilic design in the City of Bayswater is urban infill development however it also presents major opportunities to improve the amenity of new development. An example of the type of urban infill development that occurs in the City of Bayswater and the changes to the amount of greenery is demonstrated below. The completed development highlights the limited opportunities for replacing greenery that was removed during pre-construction land clearance. The lack of shade and vegetation, and the increase in hard surfaces are likely to result in a significantly hotter microclimate for these dwellings and other environmental issues.



## Scope

1. This policy shall be read in conjunction with the City's Landscaping Policy and Landscaping Guidelines.
2. The requirements in this policy apply to development applications for the following proposed development:
  - (a) Three or more single houses.
  - (b) Three or more grouped dwellings.
  - (c) Non-residential or mixed use development, excluding those involving only a change of use or internal works.
3. Any development that does not meet the thresholds specified in Clause 2 shall have consideration of the objectives and provisions contained in this policy.
4. This policy does not apply to multiple dwelling developments which are assessed under State Planning Policy 7.3 – Residential Design Codes Volume 2 Apartments.

## Definitions

**Green driveway** is a driveway to a building that is partially or completely covered with vegetation, with a stabilising base beneath.

**Green roof** is a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root

barrier and drainage and irrigation systems. Container gardens on roofs, where plants are maintained in pots, are not considered to be green roofs.

**Green wall** is a vertical structure that has different types of plants or other greenery attached to it, which may be free-standing or part of a building that is partially or completely covered with vegetation. The greenery is often planted in a growth medium on the surface or structure of the wall, consisting of soil, stone, or water. As the walls have living plants in them, they contain built-in irrigation systems.

**Environmental Stressors** are things or events in our surroundings that cause stress, such as destructive weather events, noise, and air quality.

## Orientation Requirements

1. Single Houses and Grouped Dwellings are to be oriented towards areas of natural vegetation, including the river, parks and reserves.
2. Where public open space is provided as part of the redevelopment of a lot, the proposed lots are to comprise a dwelling(s) with a major opening which is oriented towards the public open space.
3. Where a lot adjoins public open space any proposed development or redevelopment of the lot is to comprise a dwelling(s) with a major opening which is oriented towards the public open space.

## Landscaping Requirements

1. The landscaped area is to comprise a minimum soil depth of 300mm, excluding removable planter boxes/pots, artificial turf, green walls and porous paving areas.
2. A minimum of 10% of the lot shall be provided as soft landscaping.
3. Where a variation is proposed to Clause 1 to 2 above, the City will consider the following alternative designs outcomes:
  - (a) A green roof with similar dimensions to the required area of landscaping, subject to the vegetation covering a minimum of 30% of the available rooftop space.
  - (b) A green wall with similar dimensions to the required area of landscaping, subject to the vegetation covering a minimum of 25% of the available wall space.
  - (c) A green driveway with similar dimensions to the required area of landscaping, subject to the vegetation covering a minimum of 50% of the available driveway space.
  - (d) Green roofs or walls are required to be designed by a suitably qualified practising landscape architect.
4. The required landscaping is to comprise local native and drought resistant species to reduce reliance on water and fertilisers.
5. Landscaped areas are to be reticulated and maintained to the satisfaction of the City of Bayswater.





City of  
**Bayswater**

# Cool Roofs Research Paper

February 2022

City of Bayswater - Cool Roofs Research Paper

## Table of Contents

1	Introduction.....	4
2	Background .....	4
2.1	Urban Heat .....	4
2.2	City of Bayswater's Climate.....	4
2.3	Reducing Urban Heat .....	5
2.4	Scale .....	5
3	Cool Roofs.....	6
3.1	Defining Cool Roofs.....	6
3.2	Urban Heat and Cool Roofs.....	8
3.3	Other Benefits of Cool Roofs.....	9
4	Policy Trends.....	9
4.1	International Trends.....	9
	The United States of America .....	9
	European Countries.....	10
	Japan .....	10
4.2	National Trends .....	10
	Building Code of Australia (BCA) .....	10
	Australian Standards .....	11
4.3	State Trends .....	11
	New South Wales .....	11
	South Australia.....	11
	Western Australia.....	11
	Victoria .....	12
	Queensland .....	12
4.4	Perth Metropolitan Local Governments .....	12
	City of Vincent .....	12
	Town of Victoria Park .....	12
	City of Subiaco.....	12
	City of Joondalup.....	12
	City of Fremantle.....	13
	City of Melville.....	13
4.5	Other Australian Local Governments.....	13
	City of Melbourne .....	13
	City of Townsville .....	14

City of Bayswater - Cool Roofs Research Paper

5	Considerations .....	14
5.1	Visual Aesthetics and Product Development .....	14
5.2	Heritage Buildings .....	14
5.3	Glare .....	14
5.4	Maintenance .....	15
5.5	Green Roofs and Solar Panels .....	15
5.6	Costs .....	15
6.	Conclusion.....	16

City of Bayswater - Cool Roofs Research Paper

## 1 Introduction

The purpose of this paper is to help inform the potential development of policy provisions in relation to cool roofs.

## 2 Background

### 2.1 Urban Heat

Projected heat related deaths in Perth are expected to increase from 294 in 2014 to 673 in 2020 and 1,419 in 2050 (Cool Communities: Urban Trees, Climate and Health, Curtin University).

The Victorian Centre for Climate Change Adaptation suggests that dealing with heat stress in Australian cities is of increasing concern. Heat is already an issue affecting people, buildings and infrastructure all evidenced as being vulnerable to episodes of extreme heat. It is likely that urban heat will be further amplified by increasing urbanisation and increasing temperatures associated with global climate change.

Over the last 60 years the urban form of the City of Bayswater has changed from a landscape covered with natural surfaces such as large blocks, farms and natural areas; to a suburban form dominated with hard surfaces such as roads, housing and carparks.

In this process of urbanisation cooling ecosystem services in the landscape, such as shade from trees and evaporation from wetlands, have been removed and replaced with man-made surfaces which act as urban heaters.

There are a number of potential impacts associated with urban heat, these include:

- Expected heat related death increases.
- Heat stress - leading to illness or mortality for humans and animals.
- Decreased productivity of workforces.
- Increases in water use from air conditioning and irrigation.
- Declining water quality such as algal blooms.
- Disruption to ecosystems as they are pushed over their tipping points.
- Increases in energy consumption from air conditioning and use of motor vehicles.
- Infrastructure failure.
- Increased pollution levels.
- Walkability and liveability decline.
- Effect of hot weather on recreational pursuits such as weekend sports.

### 2.2 City of Bayswater's Climate

A report published by Curtin University titled Cool Communities: Urban Trees, Climate and Health explains that Perth experiences a Mediterranean climate; with hot, dry summers and mild winters, and its climate is considered one of the City's greatest benefits. However, projected increases in temperature and heat waves present a threat to Perth's liveability and public health. Further temperature increases from the urban heat island effect as a result of rising densities and urban development, presents a greater risk.

Page | 4

## City of Bayswater - Cool Roofs Research Paper

On a recent trip to Perth, Dr Reardon, principal author of the 'Your Home' guide, suggested that the 'Fremantle Doctor', a cooling afternoon sea breeze, got 1°C hotter every kilometre it travelled inland thanks to the urban heat island effect. Dr Reardon said that during his trip, there was speculation that during heatwaves the figure was more like 1.5°C, meaning that, in the context of hotter summers and a greater frequency of heatwaves, houses that were maintaining their thermal comfort now, might soon not have that luxury in the future.

The City of Bayswater, being inland, does not benefit from being close to the coast and the cooling effect of sea breezes. Therefore, mitigating the impacts of urban heat in the City of Bayswater is crucial.

Due to the above, it is considered important to not only consider ways to reduce urban heat for today's weather, but to also consider adaptation in the likely scenario urban heat intensifies in the future.

### 2.3 Reducing Urban Heat

The Australian Cooperative Research Centre (CRC) for Low Carbon Living suggests that there are multiple ways to reduce the impact of urban heat, including:

- **Shade Trees** - Maintaining and increasing tree canopy cover has a substantial impact on urban heat. Trees are generally the main source of shade in urban areas. A lack of trees and therefore shade increases the amount of the sun's heat energy that can heat buildings and hard surfaces, such as roads.
- **Vegetation** - Vegetation cools the air through a process called evapotranspiration, which is the process by which water is transferred from the land to the atmosphere by evaporation from the soil and other surfaces and by transpiration from plants. Vegetation also absorbs air pollutants that can create a local greenhouse effect by trapping heat within a local environment.
- **Materials and Surfaces** - Different materials and surfaces have different properties and reflect and store the sun's heat energy in different ways, which can greatly influence urban heat. The use of materials that have a low thermal mass will absorb and re-radiate less heat and the use of more reflective materials for roofs, roads, and other surfaces will reflect more of the sun's heat energy.
- **Impermeable and Fast Draining Surfaces** - The use of impermeable and fast draining surfaces in urban areas increases urban heat by reducing the amount of surface water in an urban environment. Surface water cools the air through evaporative cooling, which is the evaporation of a liquid that removes latent heat from the surface.
- **Human Activities** - Heat produced from human activities comes from a variety of sources including, energy used for heating and cooling, running appliances, industrial processes and transportation.

### 2.4 Scale

While there are multiple ways of reducing the impact of urban heat, there are key measures that will best serve to reduce urban heat and are practical for the City to implement, including maximising the amount of shade trees and vegetation in urban areas, and maximising the use of cool surfaces in urban areas.

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Measures to reduce urban heat can be addressed at an individual development, neighbourhood or citywide scale. The City is implementing a number of strategies to increase trees and vegetation throughout the City, which will reduce the impact of urban heat. However, maximising cool surfaces throughout the City is not an approach the City is currently implementing at any scale.

At a neighbourhood and citywide scale, the City is monitoring trials being undertaken by a South Australian Council for a heat reducing road surface product, which could potentially be adopted for the City.

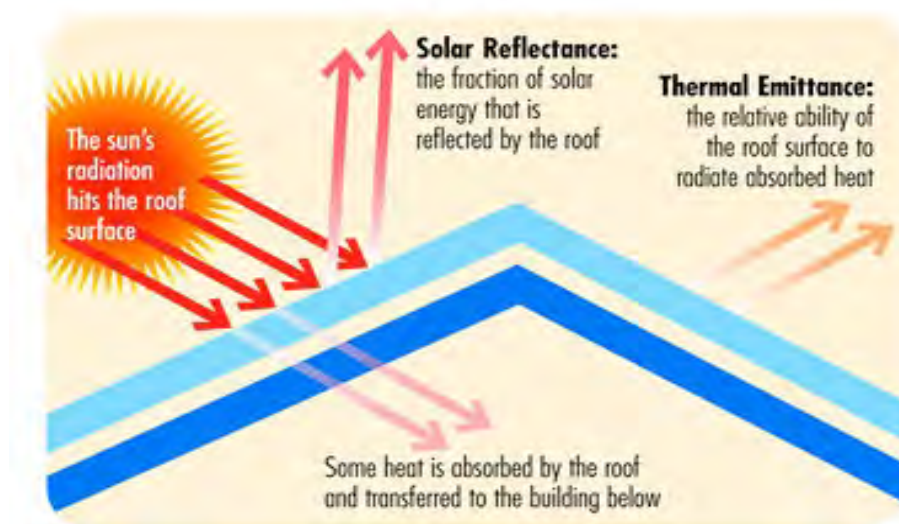
At an individual development scale, it is considered that the introduction of cool roof provisions is a simple yet highly effective method for mitigating the impact of urban heat, particularly given that a significant percentage of urban areas are covered by roofs. In some Australian urban areas roofs can cover as much as 20 to 25% of urban areas.

### 3 Cool Roofs

#### 3.1 Defining Cool Roofs

Essentially a cool roof is a roof that reflects the sun's heat and emits absorbed radiation back into the atmosphere at a higher rate than a standard roof, as shown in Figure 2.

Figure 2 - Reflecting and Emitting the Sun's Heat



Cool roofs are commonly measured in Australia by how much light they absorb (Solar Absorbance SA, which is the opposite of solar reflectance) and how efficiently they radiate heat away (thermal emittance or TE). A cool roof surface is one that has a low level of absorbance and a high level of emittance, to minimise the amount of light absorbed and converted into heat and to maximise the amount of heat that is radiated away.

SA is the most important factor in determining whether a surface is cool and is commonly used in the development industry, including the Building Codes of Australia (BCA) and the Building Sustainability Index (BASIX), and by manufacturers as an appropriate measure, such as COLORBOND. SA is

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measured in a range between 0 and 1 and typically ranges from about 0.1 for fresh snow to 0.96 for charcoal.

Different factors can influence the level of SA a roof has, including material, colour and any applied roof coatings. BASIX classifies the level of SA into three levels based on colour as per the below table:

Colour	SA
Light	Less than 0.475
Medium	0.475 to 0.7
Dark	More than 0.7

This classification, together with the BCA's own classification, has been widely adopted by manufactures, such as COLORBOND, as shown in Figure 3.

Figure 3 - COLORBOND Colour Chart

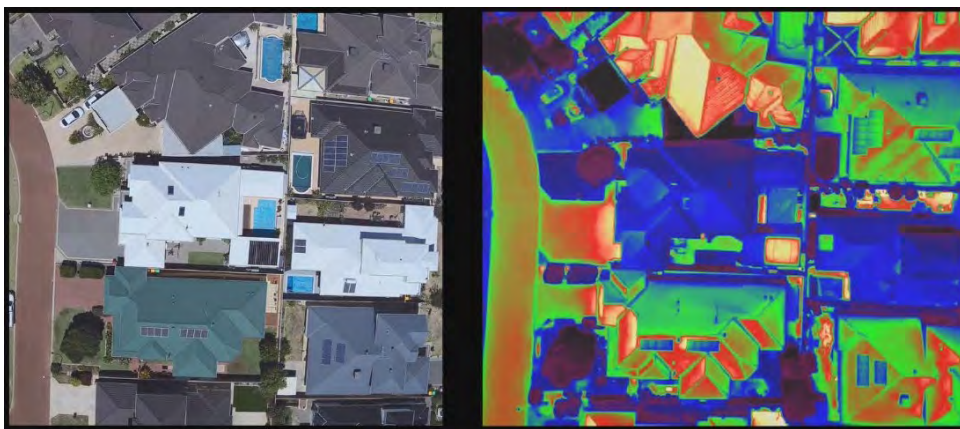
Colour	Solar Absorptance	BCA Classification	BASIX Classification
Classic Cream™	0.32	L	L
Surfmist®	0.32	L	L
Paperbark®	0.42	M	L
Evening Haze®	0.43	M	L
Shale Grey™	0.43	M	L
Sandbank®	0.46	M	L
Dune®	0.47	M	L
Windspray®	0.58	M	M
Pale Eucalypt®	0.60	M	M
Bushland®	0.62	D	M
Headland®	0.63	D	M
Wilderness®	0.65	D	M
Jasper®	0.68	D	M
Manor Red®	0.69	D	M
Woodland Grey®	0.71	D	D
Loft®	0.71	D	D
Monument®	0.73	D	D
Ironstone®	0.74	D	D
Cottage Green®	0.75	D	D
Deep Ocean®	0.75	D	D

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### 3.2 Urban Heat and Cool Roofs

A Perth local government green living initiative called 'Switch Your Thinking', undertook a study into the thermal performance of roof colour. They concluded that lighter coloured roofs were much cooler than darker coloured roofs and reduced internal and external air temperatures significantly. As part of the study they gathered thermal imagery from a drone over a typical housing estate in Perth, as shown in Figure 1. The footage shows the temperature difference of a range of roof colours and ground surfaces. The red and green colours in the thermal imagery shows the hottest areas, compared to the blue and black colours. The imagery clearly shows that light coloured roofing and ground surfaces and vegetated areas were considerably cooler than dark roofs, bitumen and pavement.

Figure 1 - Thermal Imagery of a typical Perth Housing Estate



Cool roofs reflect the majority of heat back into the atmosphere, making them considerably cooler than standard roofs and significantly effective in reducing the impact of urban heat. National and international research reinforces the benefits of cool roofs in mitigating urban heat, as detailed below:

- The City of Melbourne undertook research into cool roof coatings, including extensive field tests and detailed computer modelling. They found cool roof coatings are highly effective at reflecting solar radiation and lowering roof surface temperature, compared to standard roofs.
- The City of Melbourne also reference research undertaken in Texas, which found an average roof surface temperature decrease of 24°C when black roof surfaces were replaced by white reflective surfaces.
- The Australian 'Your Home' sustainability guide state that light coloured roofs reflect up to 70% of summer heat gain, approximately 50% more than a dark roof.
- The Government of South Australia reference research undertaken by the United States Department of Energy, which found that roof surfaces coated with low solar absorbance materials or simply lighter colour paints reduced temperatures by up to 28°C, compared to surfaces coated with darker paints.
- The United States Environmental Protection Agency suggests that the surface temperature of a cool roof can be up to 39°C less than a traditional dark coloured roof.
- The Global Cool Cities Alliance suggest that new white roofs reflect about 70 to 80% of sunlight, compared no more than 20% for dark roofs. New white roofs are typically 28°C to 36°C cooler than dark coloured roofs and aged white roofs are typically 20°C to 28°C cooler.

Page | 8



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- An article in the Environment International Journal suggests that cool roofs can reduce average urban heat island intensity by about 23%.

### 3.3 Other Benefits of Cool Roofs

Apart from reducing urban heat, cool roofs have other benefits including:

- Sustainability and Passive Design – Cool roofs help to reduce internal temperatures, providing a high level of thermal comfort without the need for mechanical cooling.
- Energy Costs – Energy costs are increasing and air conditioning is responsible for a large portion of energy demand. Cool roofs can reduce the need for mechanical cooling, especially in peak demand times, when energy costs can be higher.
- Insulation Costs - Cool roofs can reduce or eliminate the need for insulation at the initial stage of development. In addition, insulation, like any other material can become less effective over time, meaning it needs to be maintained or replaced, which can be costly.
- Short Payback Period - Cool roofs are typically low cost investments. If the roof needs to be replaced anyway, a cool roof often costs the same as a standard roof. It is also likely that the savings in energy costs will soon compensate for the cost of a cool roof.
- Roof Longevity – Roofs are subjected to extreme temperature changes throughout the day, putting roof materials under stress. Because cool roofs stay cooler, they are subject to less diurnal thermal expansion and contraction and may consequently have a longer service life.
- Thermal Comfort - A cool roof can reduce internal temperatures enough to make living spaces noticeably more comfortable and even save lives in extreme heat waves.
- Solar Panels – Solar panels operate more efficiently at lower temperatures. Panels mounted on a hot roof will become considerably hotter than those mounted on a cool roof, decreasing their efficiency.
- Efficiency of Ducted Air-conditioning - A hot roof will cause the roof cavity to heat up, the equivalent of running ducts through an oven. Cool roofs reduce heat in the roof space, thereby reducing heat transfer to air ducts and distribution systems and lowering their overall energy use.
- Climate Change and Greenhouse Gas Emissions - The interest in cool roofs has gained prominence as one of the measures that could be relatively easily delivered to address some of the drivers of climate change along with other greenhouse gas emission mitigation measures. The United States Secretary for Energy, Nobel Laureate Professor Stephen Chu stated that *“cool roofs are one of the quickest and lowest cost ways we can reduce our global carbon emissions and begin the hard work of slowing climate change.”*

## 4 Policy Trends

### 4.1 International Trends

#### The United States of America

The United States of America (USA) is one of the leading countries actioning cool roof change. Many states and local municipalities throughout the USA have introduced cool roof standards, building codes, and rating and accreditation systems.

In the USA cool roofs have been strongly promoted by the White Roofs Alliance, a non-for profit organisation developed by a consortium of scientists and environmental leaders. The White Roof

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Alliance aims to partner with the top 100 largest cities under a '100 Cool Cities' initiative to implement its cool roof program across the world.

New York City (NYC) has implemented a NYC Cool Roofs program with a goal of one million square feet of cool roofs applied to existing flat roofs. The program has a strong component of volunteer engagement including NYC Civic Corps and NYC Service.

In July 2010, the US. Department of Energy (DOE) announced a series of initiatives to implement cool roofs across the DOE and US. Federal Government facilities. As part of this announcement, the Secretary of Energy, Steven Chu, directed that cool roofs be installed whenever cost effective over the lifetime of the roof, when constructing or replacing old roofs. The DOE also provides cool roofs related resources to the public such as on-line calculators to assess the benefits of cool roofs and guidelines for cool roofs installation

#### European Countries

Germany - The 'Sustainable Building Certificate' in Germany includes cool materials in its rating system as a heat island mitigation strategy.

United Kingdom - The Building Research Establishment Environmental Assessment Method (BREEAM) is a voluntary environmental assessment method and rating system for buildings. In the United Kingdom, cool materials are included in the BREEAM rating system as ways to mitigate the heat island effect.

Italy - Italy has introduced directives promoting the use of cool materials as an energy efficiency measure.

Greece - The Greek Ministry of Environment, Energy and Climate Change announced The 'Building the Future' program in 2010 to provide over three million energy efficiency interventions in buildings throughout Greece. This includes incentives for the application of 20,000 cool roofs on residential buildings and issued directives promoting the use of cool materials as and energy efficiency measure.

#### Japan

Japan offers credits for cool materials for all roofs and for counter measures against light pollution (illumination and glare) on buildings. In Tokyo the minimum solar reflectance of cool roofs is 50 percent and particularly targets materials that are effective long wave length reflectors.

## 4.2 National Trends

#### Building Code of Australia (BCA)

The BCA recognises the heat reduction benefits of low solar absorbance (high reflectivity) coatings. The BCA requires the combined thermal performance of a roof and ceiling to meet energy efficiency thresholds. A roof with a low level of solar absorbance requires less insulation under the BCA.

For residential buildings however, solar absorbance thresholds for roofs can be overcome by installing roof insulation. While roof insulation will help to moderate the internal temperature of the building, it will not help to reduce the heating of the outside air, which contributes to increasing urban heat.

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Furthermore the BCA provisions only apply to residential buildings and not commercial or institutional buildings. Consequently there is little incentive for the use of cool roofs for these buildings.

BlueScope Steel made a submission to the Productivity Commission's inquiry into barriers to effective climate change adaptation. The submission explained that the foundation of the BCA is drawn from over 100 years of historic climate experience and data and it tends to look back to the past to tell us how to build for the future. This is a barrier to effective adaptation as the climate of the future will be different to that of the past with changes in weather (rain, hail, temperature, wind) and the risk of more frequent, volatile and intense weather events. The current BCA will not prepare the built environment for these changes.

While the BCA needs to continue to draw from Australia's climate history, it also needs to be forward looking, risk focussed, performance based and responsive to change as new information and circumstances develop. It also needs to recognise that adaptation is a local issue with local consequences.

However it is not just the BCA that does not sufficiently deal with adaptation. Many thermal rating tools, such as the Nationwide House Energy Rating Scheme (NatHERS), work off historical climate data, meaning that houses built now might not be prepared for the climate change affected temperatures of the future. Dr Chris Reardon suggests that the house rating systems do not penalise roof colour as much as they should and that more should be done to account for adaption.

#### Australian Standards

The Australian/New Zealand standard on thermal insulation AS 4859.1:2002 (Appendix G) notes that external sunlit surfaces with low solar absorbance (high reflectance) stay cooler and help to reduce heat flow, however there no additional Australian Standards that apply specifically to cool roofs.

### 4.3 State Trends

#### New South Wales

The Building Sustainability Index (BASIX) is a credit based sustainability system developed by the New South Wales Government. New developments are required to provide certification demonstrating that their proposals meet a minimum sustainability threshold. Roof colour is an element in the BASIX system that relates to energy efficiency.

#### South Australia

The South Australian Government implemented the addition of cool roof requirements for commercial buildings in the State's Development Regulations to respond to the inadequacy of the BCA in responding to the benefits of cool roofs. The addition requires a maximum solar absorbance rating of 0.4.

#### Western Australia

The Residential Design Codes warn of the potential for glare and discomfort to neighbours from the use of highly reflective roofs. They suggest that, in some situations, designers should use light, less-reflective roofing materials or finish. Conversely, they also state that dark roofs increase solar absorption of heat and should be avoided.

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### Victoria

The Victorian Department of Environment, Land, Water and Planning are currently preparing guidelines designed to assist developers with implementing responses to urban heat, including cool roofs, on residential, commercial and industrial sites. The guidelines are being developed with the CRC for Low Carbon Living at the University of New South Wales, drawing on their 'Guide to Urban Cooling Strategies'.

### Queensland

The Queensland Government's *Building Act 1975* identifies the need for highly reflective roofs as an energy efficient design measure.

## 4.4 Perth Metropolitan Local Governments

### City of Vincent

The City of Vincent is currently in the process of amending their Built Form policy to introduce provisions relating to the solar absorbance rating of roof structures.

The policy introduces requirements for flat roof structures that are not visible from the street or adjacent properties to have a maximum solar absorbance rating of 0.4 and pitched roof structures or roof structures that are visible from the street or adjacent properties to have a maximum solar absorbance rating of 0.5.

### Town of Victoria Park

The Town of Victoria Park does not have a local planning policy on roofing colours to reduce urban heat, however it does have a local planning policy limiting roof colours for streetscape character purposes.

### City of Subiaco

The City of Subiaco does not currently have any strategic view or policy with respect to encouraging cool or white roofs.

The City previously had a policy to manage reflective roofing, which strictly controlled the use of Zinalume and other reflective roof materials. However, it was rescinded due to its poor performance, difficulty to implement and enforce, and its apparent conflict with sustainable building principles, both in terms of energy efficiency and the urban heat island effect.

An Officer at the City suggested that the policy tended to draw community attention to an issue that was mostly a matter of perceived risk in relation glare, rather than genuine amenity impact post construction.

### City of Joondalup

The City of Joondalup does not have any specific policy or development provisions, which deals with cool or white roofs.

An Officer from the City stated that, although the City generally agrees with the principle of lighter roof colours to minimise urban heat, they also manage issues in relation to the impact of glare on surrounding residents by including a standard advice note on planning approvals for residential

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development, encouraging the use of materials and colours that have low reflective characteristics to minimise potential glare.

#### City of Fremantle

An Officer from the City suggested that while the City does not have any policy specifically on roof colour, it might be something Council would like to explore in the future. They do have sustainability requirements in some of their policies, however they do not specify any requirements in relation to roofs.

They are also involved in the 'Switch Your Thinking' initiative, which advocates for cool roofs and sustainable home building.

#### City of Melville

The City of Melville has an Energy Efficiency in Building Design policy, which states:

*"Light roof colours reflect heat, preventing surfaces from becoming excessively hot whilst dark roof colours absorb heat which is then transferred to the home. Accordingly, light roof colours such as light greys, cream and light beige are encouraged from an energy efficiency viewpoint. Very light coloured roofing materials such as Colourbond profiled sheeting in white or Surfmist, and zinc coated products such as Zinalume, do however, have the potential to adversely impact on occupiers of adjacent properties by virtue of the glare and reflectivity associated with them."*

The City used to have a policy prohibiting the use of 'reflective' roofs, such as Zinalume and Colorbond Surfmist, however it was rescinded for the following reasons:

- Conflict with sustainability initiatives to limit the absorption of heat into buildings, in the interests of energy efficiency and building sustainability.
- The requirements were difficult to assess as there are no accurate and practical ways to assess glare impacts. There are a number of factors that needed to be considered, such as orientation and pitch of the roof, the topography of the land, distance to adjoining properties, screening such as existing or proposed vegetation or other structures, the time of year, the time of the day, the location of adjoining properties outdoor living areas or major openings.
- The actual impact of glare is subjective, what is considered to be an impact to one person, may not be to another.
- Glare can be created from other surfaces not just roofs. All materials reflect sunlight and produce glare to some degree, so the fact that only roofing was considered to be an issue is nonsensical. External wall surfaces, windows, solar panels and swimming pools all create glare, but were not considered to be an issue.
- Any glare issues created are usually temporary as roofing generally weathers and dulls quickly, which reduces glare.

## 4.5 Other Australian Local Governments

#### City of Melbourne

The City of Melbourne is in the process of developing cool roof requirements in their Town Planning Scheme as part of a larger sustainability framework.

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## City of Townsville

The City of Townsville was included in the Australian Government's Solar Cities program, which provided a testing ground for energy efficiency measures, the use of solar power and community education. Residents of solar cities were able to take advantage of financial incentives and support, funded by the Federal Government.

As part of the Solar Cities program, the City of Townsville embarked on a cool roofs initiative that involved:

- Replacing the roofs of public buildings with cool roofs or applying cool roof coatings;
- Providing financial incentives for the community to provide cool roofs; and
- Educating the community about the financial, comfort and sustainability benefits of cool roofs.

## 5 Considerations

### 5.1 Visual Aesthetics and Product Development

Cool roofs generally equate to lighter coloured roofs and certain materials are generally cooler than others. While this can be seen to limit the range of roof choice available, there are solutions. Many roof materials in any colour can be treated with a reflective coating, giving them a lower solar absorbance rating than the standard version of that material.

This means that if a preference for a certain colour roof and/or a certain material is not considered a cool roof, in a lot of circumstances it can be treated to become a cool roof.

Although treating a darker coloured roof, for example, with a reflective coating will cost more initially, due to the cost of the roof and coating, the energy cost savings will help to off-set this cost.

Research and development continues to advance the availability and options of cool roofs. Researchers are discovering and developing pigments and compounds that produce colours that appear identical to standard colours but are more reflective and cooler. It is likely that in the near future these developments will be applied to more roofing products to increase the range and reduce the cost of cool roofs that are publically available.

Due to the above, it is considered that the ongoing development of new cool roofing products will enable a greater variety of choice in the future.

### 5.2 Heritage Buildings

There may be instances where the provision of a cool roof will have an impact on the heritage value of a property listed on the City's Heritage Survey and/or Heritage List.

In this circumstance, it is considered that the onus should be on the applicant to demonstrate that the provision of a cool roof will have a detrimental impact to the property's heritage value.

### 5.3 Glare

Cool roofs by their nature reflect more heat than other roofs. However, there is a difference between heat reflectivity and light reflectivity. Just because they reflect more heat, it does not necessarily mean they produce more glare. BASIX suggests that it is possible to get a roof with low solar absorbance and low light reflection, for example, pale coloured roofs with a matt finish. Advances in

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roof surface development will mean that in the future more of these products will be available to consumers.

As discussed previously issues associated with glare are subjective and as roofing generally weathers and dulls quickly, any valid glare issues are generally temporary.

Whether actual glare issues may arise or not from introducing cool roof provision, it is not considered appropriate to include provisions to reduce the impacts of glare, due to the experiences of other Local Governments in Perth, including:

- Difficulty in assessing glare, due to the number of factors that need to be considered that can influence glare.
- The subjective nature of glare - what is considered to be an impact to one person, may not be to another.
- Glare impacts can be created from other surfaces not just roofs, therefore do other surfaces need to also be considered.
- Glare issues are usually temporary as roofing generally weathers and dulls quickly.

Due to the above, it is considered that policy measures requiring cool roofs should not be jeopardised by potential glare issues. Furthermore it is considered that the urban heat reducing benefits of cool roofs should override glare issues.

## 5.4 Maintenance

Over time all roofs get dirty, they collect soot, dust, salt, and in some climates, biological growth. As a consequence, their reflectance decreases. However, replacing a darker roof with an aged cool roof will still reduce the amount of sunlight absorbed by around 40 to 50 percent.

## 5.5 Green Roofs and Solar Panels

Although green roofs do not enhance roof reflectance like cool roofs, they can help to reduce urban heat by cooling the air around them through evapotranspiration and also have other environmental benefits.

Solar panels generally have low solar reflectivity and get hot. However solar panels shade the underlying roof, helping to keep the roof surface cool. In addition, they produce clean energy, which is an important benefit in our global effort to transition to a low-carbon economy.

Most solar panel installations do not cover the entire roof surface, so the remaining uncovered sections can be cool. Solar Panels and cool roofs can complement each other, when installed together. Solar Panels operate more efficiently when cooled by the wind which has just blown over the cool roof. Reduced thermal expansion and cooler wires and inverters also help make solar panels more efficient.

Due to the above, it is considered that cool roofs can complement the provision of green roofs and solar panels.

## 5.6 Costs

In most cases, the cost of a cool roof will be no higher than the cost of other roofs, as roofing materials generally come in a range of colours and the lighter coloured roofs will generally meet the reflective requirements of a cool roof.

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Cool roofs will only cost more than standard roofs if a developer has an aesthetic preference for a darker coloured roof, which will require a reflective coating to meet the reflective requirements of a cool roof. However as discussed previously, ongoing research and development is advancing the range of cool roof options in relation to roofing colours and materials, which will likely continue to reduce costs.

In addition to the above, it is considered that any additional costs for cool roofs will be off-set by reduced living and maintenance costs, as follows:

- Cool roofs reduce the need for air-conditioning in summer months, especially in peak demand times, when energy costs can be higher.
- Cool roofs can reduce or remove the need for insulation at the initial stage of development and the ongoing costs of maintenance and replacement.
- Cool roofs are not subjected to the extreme temperature changes throughout the day as darker roofs, and will therefore likely have a longer service life.
- Cool roofs improve solar panel efficiency as they operate more efficiently at lower temperatures.
- Cool roofs improve the efficiency of ducted air-conditioning by reducing the temperature of the roof cavity and heat transfer to air ducts and distribution systems, which lowers their overall energy use.

## 6. Conclusion

The paper will help inform the potential development of policy provisions in relation to cool roofs.





City of  
**Bayswater**

# **Green Walls and Roofs Research Paper**

February 2022

City of Bayswater - Green Walls and Roofs Research Paper

## Table of Contents

1	Introduction.....	3
2	Background .....	3
2.1	Citywide Biophilic Design Related Strategies.....	3
	Environment and Liveability Strategy .....	3
	Urban Forest Strategy .....	3
	Bayswater Brook Catchment.....	3
	Collective Biodiversity Strategy.....	4
	Morley Activity Centre Plan and Scheme Amendment.....	4
	Meltham Station Precinct Structure Plan.....	5
	Natural Area Management Plans and Biodiversity Strategy.....	5
2.2	Scale .....	5
2.3	Individual Development Scale.....	6
3	Green Walls and Roofs .....	7
3.1	Defining Green Walls and Roofs.....	7
3.4	Benefits of Green Roofs and Walls.....	8
4	Policy Trends.....	9
4.1	International Trends.....	9
	Canada.....	9
	Other Places .....	10
4.2	State Trends .....	10
	Sydney .....	10
	Melbourne.....	11
4.3	Perth Metropolitan Local Governments .....	11
5.	Considerations .....	12
5.1	Design Challenges.....	12
5.2	Ongoing Maintenance.....	12
5.3	Costs.....	12
6.	Conclusion.....	12

City of Bayswater - Green Walls and Roofs Research Paper

## 1 Introduction

The purpose of this paper is to help inform the potential development of policy provisions in relation to green walls and roofs.

## 2 Background

### 2.1 Citywide Biophilic Design Related Strategies

#### Environment and Liveability Strategy

The City is currently developing an Environment and Liveability Strategy to organise and structure the City's strategies for the natural and built environment into one framework. The City currently has a number of environmental and planning strategies and policies under development and review, which underlines the need for the development of such a holistic framework. The framework will help to integrate current and planned work at the strategic level, identify policy positions, identify gaps in strategies and identify strategic projects and actions.

The preliminary work on the Environment and Liveability Strategy identified a number of projects which the City is currently working on in the biophilic urban design area, however it was noted that there is no current policy which applies to the whole City addressing biophilic design at the local (building) level.

#### Urban Forest Strategy

The City's Urban Forest Strategy puts forward objectives, actions and principles to guide the planning, advancement and management of the City's Urban Forest. The Strategy aims to do this through:

- Protecting and retaining existing trees to help reduce the unnecessary removal of established and often remnant tree species, whilst aiming to halt any further reduction of canopy in the City;
- Increasing tree canopy coverage from 13.2% to an aspirational target of 20% by the year 2025 through street, parks and natural area plantings;
- Increasing tree species diversity to build a more resilient urban forest;
- Achieving age diversity of our urban forest will reduce the likelihood of significant tree canopy loss at the localised level; and
- Informing and consulting with the community.

It is considered that the Urban Forest Strategy is implementing biophilic design methods at a neighbourhood and City level as the strategy aims to increase tree canopy and to create green corridors across the City.

#### Bayswater Brook Catchment

The Bayswater Brook Catchment is one of the largest urban catchments in the Perth Metropolitan area. To help manage it the Bayswater Brook Working Group has been created. The working group is made up of representatives from the City, Swan River Trust, Perth Region Natural Resource

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Management, Water Corporation, Department of Water, and CSIRO who are working together to reduce the amount of nutrients entering the Swan River by implementing a Local Water Quality Improvement Plan for the Bayswater Brook.

Additionally, the City is improving drainage within the Morley Activity Centre which has been identified as a priority catchment for water quality improvement. The City is working to implement living streams and improving urban water design to positively impact water quality, increase biodiversity, and provide much needed blue-green space for the community. The City has recently completed living streams at Jakobsons Way and Russell Street Park and is currently working on one at Peters Place Reserve.

It is considered that the Bayswater Brook Catchment work implements biophilic design methods at a neighbourhood and City level as the work is helping to improve the health of the City's waterway and wetlands. Further the living stream projects are opening up new areas of green space, providing residents with greater opportunities to interact with nature.

#### Collective Biodiversity Strategy

The Collective Biodiversity Strategy is a strategic commitment to the protection and enhancement of a network of local natural areas. The focus of the strategy is the protection and effective management of natural areas within the Town of Bassendean, City of Bayswater and City of Belmont. Some of the key elements of the Strategy are:

- Identification of the extent of the biodiversity resources within the combined local government areas;
- Identification of ecological linkages across the combined local government area; and
- Identification of broad management options for local natural areas and ecological linkages within the Swan River precinct.

It is considered that the Collective Biodiversity Strategy is already implanting biophilic design methods as it identifies a series of biodiversity corridors which link the City with surrounding local governments. Further it identifies methods to enhance and protect the biodiversity corridors and other natural areas to ensure that biodiversity is protected and they remain available for future generations to enjoy.

#### Morley Activity Centre Plan and Scheme Amendment

The Morley Activity Centre Plan (MACP) was approved by the Western Australian Planning Commission (WAPC) on 31 July 2018. The MACP establishes a vision for 2031 by setting out the spatial plan and strategy to achieve a true metropolitan centre that is compact, pedestrian friendly, with a mix of land uses and a range of lifestyle choices, while reducing car dependency and limiting environmental impact. The structure plan included a number of recommendations to support the development of an environmentally sustainable and energy efficient environment and to improve water resource conservation and water quality management outcomes. Since the MACP was adopted the City's Town Planning Scheme No. 24 (TPS 24) has been modified to include the recommended built form provisions. The TPS 24 provisions permit properties with a dual density coding (R40/60 or R60/100) to build in accordance with the higher density requirements if they meet a number of criteria. One of the criteria is "*the provision of a vegetation wall or communal rooftop garden to the satisfaction of the local government.*"

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It is considered that the MACP and associated scheme amendment is implementing biophilic design methods at a neighbourhood and building level as it includes a number of built form provisions and incentives to encourage sustainable building design and recommendations to improve water conservation and water quality management within the activity centre.

### Meltham Station Precinct Structure Plan

The Meltham Station Precinct Structure Plan (MSPSP) identified that there was limited biodiversity and vegetation within the structure plan area, other than what was in private backyards. To encourage biophilic design at a neighbourhood level the structure plan recommended larger rear setbacks in the Frame precinct to encourage deep soil zones and biodiversity corridors. This recommendation has since been included in the TPS 24.

It is considered that the MSPSP and associated scheme amendment is implementing biophilic design methods at a neighbourhood level as promotes biophilic corridors and deep soil zones.

### Natural Area Management Plans and Biodiversity Strategy

The City is currently developing Natural Area Management Plans to ensure that the areas of remanent vegetation within the City are protected and enhanced. These plans will help to increase biodiversity within the City and enhance biodiversity corridors and pockets throughout the City in accordance with the principles of biophilic design.

In light of the above, it is considered that biophilic design methods have already been incorporated at a neighbourhood and city wide level in existing strategies and policies. However the City does not currently have a policy which is specifically aimed at encouraging biophilic design at a local level. To ensure that biophilic design is considered at a local level it is recommended that a new policy on biophilic design be developed which focuses on built form and particularly green walls and roofs.

## 2.2 Scale

Biophilic design aims to bring nature into urban areas. It includes green corridors, green spaces and green building elements. It aims to put nature at the core of design and planning, not as an afterthought. Biophilic design methods are considered to have an individual development or building scale, neighbourhood scale or citywide scale.

The table below indicates some of the key biophilic design methods used at different scales. It is noted that not all elements are applicable to all areas but one or more can be used in different circumstances to enhance the benefits of biophilic design.

City of Bayswater - Green Walls and Roofs Research Paper

	Element	Forms	Specific Benefits	Common Benefits
Building	Indoor Plants	<ul style="list-style-type: none"> <li>Pot plants, on desks, around office, or in banks of pots</li> <li>Indoor living walls, including pots within a mess frame (also see Green Walls)</li> <li>Indoor planted vegetation, such as atriums and large planted installations</li> </ul>	<ul style="list-style-type: none"> <li>Reduces illness</li> <li>Increases productivity</li> <li>Improves air quality</li> </ul>	<ul style="list-style-type: none"> <li>Responds effectively to growing need for densification of cities</li> </ul>
	Green Roofs	<ul style="list-style-type: none"> <li>'Intensive': Soil deeper than 200mm and vegetation up to the size of trees</li> <li>'Extensive': Soil up to 200mm with ground cover vegetation</li> </ul>	<ul style="list-style-type: none"> <li>Improves building energy efficiency</li> </ul>	<ul style="list-style-type: none"> <li>Revitalises urban environments</li> </ul>
	Green Walls	<ul style="list-style-type: none"> <li><b>Panel System:</b> Pre-planted structural panels that are secured to wall and have an in-built watering system</li> <li><b>Felt System:</b> Pre-fabricated structural panel with felt planting pockets that is planted onsite and kept moist</li> <li><b>Container/Trellis System:</b> Pre-fabricated structural panel with planting pots and drip irrigation system for the pots</li> </ul>	<ul style="list-style-type: none"> <li>Water management</li> <li>Space efficiency</li> <li>Food production</li> <li>Sound insulation</li> <li>Increases roof/wall lifespan</li> <li>Vertical urban farming</li> </ul>	<ul style="list-style-type: none"> <li>Alleviates urban heat island effect</li> <li>Improves air quality</li> <li>Improves microclimate</li> </ul>
Neighbourhood	Green Verges	<ul style="list-style-type: none"> <li>Street trees and canopies chosen depending on physical properties</li> <li>Shade planting for buildings placed to remove heat load</li> <li>Green streets and alleys that create cool pervious greenways</li> <li>Rain gardens and bio-swaes integrated into stormwater management plan and consisting of pervious channels</li> <li>Green permeable sidewalks</li> </ul>	<ul style="list-style-type: none"> <li>Reduces traffic / encourages walking, and cycling</li> <li>Reduces building cooling/heating energy use</li> <li>Windbreak</li> <li>Water management</li> <li>Food production</li> </ul>	<ul style="list-style-type: none"> <li>Sequesters carbon/ reduce greenhouse gas emissions</li> <li>Increases biodiversity</li> </ul>
	Green Islands	<ul style="list-style-type: none"> <li>Urban parks and gardens placed close to transportation routes</li> <li>Community farms close to homes</li> <li>Residential backyards with space for food production</li> <li>Lawns and gardens reducing UHI effects</li> <li>Waterways and streams uncovered and rehabilitated</li> </ul>	<ul style="list-style-type: none"> <li>Reduces traffic / encourages walking and cycling</li> <li>Food production</li> <li>Reduces reflection</li> <li>Community sense</li> <li>Education</li> </ul>	<ul style="list-style-type: none"> <li>Improves water cycle management</li> <li>Provides amenity</li> </ul>
City	Green Corridors	<ul style="list-style-type: none"> <li>Green corridors (biodiversity corridors) reaching outside the urban area</li> <li>Highway crossings and migratory routes</li> <li>Backyard commons that can be part of the green corridor</li> <li>Buffer protection from storms surges along coastal areas</li> </ul>	<ul style="list-style-type: none"> <li>Links biophilic elements</li> <li>Reduces traffic / encourages walking and cycling</li> <li>Connectivity</li> <li>Increases tourism</li> <li>Cognitive way finding</li> </ul>	<ul style="list-style-type: none"> <li>Enhances well-being/ reduces stress</li> <li>Recreation</li> </ul>
	Urban Farming	<ul style="list-style-type: none"> <li>Community gardens</li> <li>City farms</li> <li>Urban and peri-urban agriculture</li> </ul>	<ul style="list-style-type: none"> <li>Food production</li> <li>Creates employment</li> <li>Education</li> </ul>	<ul style="list-style-type: none"> <li>Reconnects with nature</li> </ul>
	Water Ways	<ul style="list-style-type: none"> <li>Wetlands</li> <li>Constructed wetlands</li> <li>Ponds and lakes</li> <li>Day-lighted streams</li> <li>Vegetated swales and drainage corridors</li> <li>Infiltration basins</li> <li>Mangroves</li> </ul>	<ul style="list-style-type: none"> <li>Water management</li> <li>Water treatment</li> <li>Water storage</li> <li>Filtration / enhance water quality</li> <li>Protects downstream water bodies</li> </ul>	<ul style="list-style-type: none"> <li>Revitalises cities</li> <li>Increases property value</li> <li>Enhances tourism</li> </ul>

Source - "Can Biophilic Urbanism Deliver Strong Economic and Social Benefits in Cities?" - Sustainable Built Environment National Research Centre

## 2.3 Individual Development Scale

A major threat to biophilic design in the City is urban infill development. An example of the type of urban infill development that occurs in the City and the changes to the amount of greenery is demonstrated below. The completed development highlights the limited opportunities for replacing



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greenery that was removed during pre-construction land clearance. The lack of shade and vegetation, and the increase in hard surfaces are likely to result in a significantly hotter microclimate for these dwellings and other environmental issues.



At an individual development scale, the following policies include measures to curb the loss and increase greenery in the City:

- Where communal open space and common property is proposed, the Residential Design Codes (R-Codes) require a minimum of 50% of the street setback area to be landscaped for grouped and multiple dwellings in areas with a density code of less than R40.
- Volume Two (Apartments) of the R-Codes requires trees and deep soil zones to be provided on private land as part of new development for multiple dwellings.
- The City's Town Planning Scheme No. 24 provisions, which requires landscaping to be provided as part of new non-residential development.
- The City's Trees on Private Land and Street Verges policy requires trees to be provided on private land and the adjacent street verge as part of new development for single and grouped dwellings.

Despite the above, other forms of allowing for biophilic design in urban areas should be encouraged. It is considered that introducing policy in relation to green walls and roofs could increase the benefits of biophilic design at an individual development scale.

### 3 Green Walls and Roofs

#### 3.1 Defining Green Walls and Roofs

Green walls (also known as plant walls, living walls or vertical gardens) have become a rising new trend in recent years. They are vertical structures that have different types of plants or other

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greenery attached to them. The greenery is often planted in a growth medium consisting of soil, stone, or water. Because the walls have living plants in them, they usually feature built-in irrigation systems.

Technically green walls differ from green facades, which are often seen climbing up the outside walls of buildings, using them as structural support. For green walls, the growth medium is on the surface or structure of the wall, whereas facades are rooted in the ground. Despite the technical differences, green walls or facades have similar benefits.

A green roof or living roof is a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems. Container gardens on roofs, where plants are maintained in pots, are not generally considered to be true green roofs, although they have similar benefits.

### 3.4 Benefits of Green Roofs and Walls

Green walls and roofs provide a range of benefits including:

- Assist making an area more resilient to any environmental stressor it may face.
- Improve air quality - through removing pollutants from the air.
- Reduce urban heat island effect - introducing vegetation onto roofs and walls can reduce temperatures by means of evapotranspiration (evaporation of water from the soil and plants, and plants transpiring by taking water in through roots and releasing it through leaves) and simply through converting the roof into a less absorbing surface.
- Create and preserve the habitat and biodiversity - green roofs can provide connectivity between larger patches of vegetation, giving local species access to a greater amount of habitat.
- Storm water management - green roofs absorb and retain water and can help control stormwater runoff in urban environments and can also filter particulates and pollutants before they reach the river system.
- Increase amenity - green walls and roofs can help reduce the visual impact of buildings on the surrounding area.
- Increase the areas of greenspace - green roofs can help increase the amount of greenspace (and if open to the public, public open space) within an urban area, particularly where there is limited opportunity to create more public open space.
- Use for urban agriculture - green roofs can be used as food producing gardens to provide a food source for local residents.
- Greater return on investment - research indicates that properties which are more aesthetically desirable and environmental have increase property values.
- Possible increase of building life - provides additional roof protection by covering it in a waterproof membrane with a layer of organic and inorganic insulation.
- Cooling of individual buildings - green walls and roofs can act as a layer of insulation reducing the amount of heat transferred from the external walls and roof to the building below in summer and reduce the amount of heat lost during winter, which can reduce energy costs for the building.



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- Noise reduction - green walls and roofs can act as a layer of insulation which can reduce the noise level within a building.
- Provision of green space for occupants.

## 4 Policy Trends

### 4.1 International Trends

#### Canada

In 2009 the City of Toronto adopted the Green Roof By-Laws to set out a graduated green roof requirement. In accordance with the by-law any new development or addition that is greater than 2,000m<sup>2</sup> in gross floor area is required to have a portion of the roof as a green roof. The amount of roof space requirement to be a green roof ranges from 20-60% of the available roof space of a building depending on the gross floor area of the building.

Gross Floor Area * (Size of Building)	Coverage of Available Roof Space (Size of Green Roof)
2,000-4,999m <sup>2</sup>	20%
5,000-9,999m <sup>2</sup>	30%
10,000-14,999m <sup>2</sup>	40%
15,000-19,999m <sup>2</sup>	50%
20,000 m <sup>2</sup> or greater	60%

\*Note: Residential buildings less than six storeys or 20m in height are exempt from the requirement to have a green roof.

To encourage green roofs on buildings smaller than 2,000m<sup>2</sup> and on residential buildings less than six storeys or 20m in height (where they are not mandated) the City of Toronto provides financial incentives through the Eco-Roof Incentive program. Under the program existing residential, industrial, commercial and institutional buildings and new buildings with a gross floor area of less than 2,000m<sup>2</sup> can apply for a grant of;

- Up to \$100 (CAD) / square metre installed; or
- Up to \$1,000 (CAD) for a structural assessment.

The grant applications must be approved prior to any work commencing.

Additionally the City of Toronto has committed to provide green roofs covering at least 50% of the available roof space on all new City developments.

To raised awareness of green roofs the City of Toronto identified a number of strategies including creating a green roof web page, technical workshops and staff training. The City undertook an awareness campaign which included establishing a website and holding two in-depth 'Green Roof 101' training sessions for a cross section of city staff. The training session provided information on green roof benefits and their design and construction.

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## United States of America

To encourage eco-roofs the City of Portland introduced a range of incentives. An eco-roof is defined as a rooftop stormwater facility that has been certified by the City's Bureau of Environmental Services and they are being encouraged to help expand the City of Portland's stormwater management infrastructure.

New developments can apply for the "Eco-roof Floor Area Ratio Bonus Option". Under the bonus option green roofs are incentivised as a developer can build an extra 3m<sup>2</sup> of floorspace per 1m<sup>2</sup> of eco-roof coverage provided. Additionally, roof top gardens, which are not considered eco-roofs, are permitted a bonus of an extra 1m<sup>2</sup> of floorspace per 1m<sup>2</sup> of green roof provided.

Previously the City of Portland also provided direct financial incentive to property owners and developers to encourage eco-roofs. The incentive program offered up to \$50 (CAD) per square metre of installed eco-roof. This program was discontinued in 2014.

The City of Portland also has a requirement that all City owned buildings are to have 70% green roof coverage, this includes any new buildings and retrofitting existing buildings.

Further, the City of Portland supports the incentives by providing education for the local community through information on events, guides and resources, a list of recommended professionals (from structural engineers to architects) and monitoring the number and impact of eco-roofs.

## Other Places

Other incentives that have been used around the world include:

- Mandatory requirements for new build and redevelopment - this can be where planning requirements are modified to require green roofs and walls are included as a part of development. This method is being used globally in the USA, Austria, Denmark, Germany, Switzerland, Canada and Japan.
- Reduction in fees - this can be for planning, building or other fees required by the City. Places such as Munich, Cologne and Munster in Germany have their stormwater fees reduced where a green roof has been installed.
- Fast tracked approvals - this can be of planning, building or other approvals required. This has been implemented in Chicago, USA where planning permits are fast tracked.

## 4.2 State Trends

### Sydney

In April 2014 the City of Sydney adopted the 'Green Roofs and Walls' policy which was the first of its kind in Australia. The objective of the policy is to support an increase in the installation of green roofs and walls within the City. The policy identifies nine actions that the City will undertake to support the increase in green roofs and walls, including:

- *"Play an active leadership role to raise awareness of the many benefits of green roofs and walls in the City of Sydney and nationally;*
- *Address key barriers to the uptake of green roofs and walls, including developing resources that will fill gaps in technical and general information;*

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- *Support sustainably designed green roofs and walls through research, education and the development of guidelines and standards; and*
- *Promote the benefits of green roofs and walls through the provision of training, community and business presentations and educational opportunities."*

To support the policy the City of Sydney also developed the "Green Roofs and Walls Policy Implementation Plan". The implementation plan provides further details on the benefits of green roofs and walls, international experiences and identifies key actions that the City will undertake for each of the nine actions identified. The actions include:

- Develop planning controls to support the establishment of green roofs and walls on new developments.
- Develop and publish a design guide series that provides information on different design specifications for green roofs and walls.
- Publish planting guidelines for different building environments and for different environmental outcomes.

The City of Sydney's policy does not provide any requirements or incentives for the inclusion of a green roof or wall in a development. It focuses on community and stakeholder education and improving the City's regulations to encourage green roofs and walls.

The City of Sydney has also used their own buildings to demonstrate how green roofs and walls can be managed in the local environment. The City has seven green roofs and five green walls that are owned by or under the care and control of the City.

#### Melbourne

The City of Melbourne developed a Valuing Green Guide based on the work of Victoria University, and the University of Melbourne, to explore and summarise essential research into the value of green roofs, walls and facades in Melbourne. The research found that investment in green infrastructure can provide sensible and long term solutions, assisting with flood mitigation, improving air quality, and increasing biodiversity. Additionally, the research found that there is an economic benefit to green infrastructure as green spaces have lower energy costs, and lead to higher demand for real estate.

The guide has been developed by the City of Melbourne to demonstrate to land owners and property developers the benefits of green infrastructure and to encourage them to incorporate them into new building design.

### 4.3 Perth Metropolitan Local Governments

There are no current examples of green wall and/or roof policies within Perth Metropolitan Local Governments.

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## **5. Considerations**

### **5.1 Design Challenges**

Perth has a dry hot climate, which is not overly conducive to the success of green walls and roofs, compared to other climates, such as tropical areas. Despite this they can be successful. Due to the difficulty and high chance of failure of green walls and roofs in Perth, their initial design needs to be well considered - preferably by an experienced expert. Key design factors that need to be considered are plant species, orientation, roof and wall access, building design and engineering.

### **5.2 Ongoing Maintenance**

Similar to the initial design of green walls and roofs, ongoing maintenance needs to be well considered to ensure ongoing success. Maintenance will likely have to be undertaken regularly and may require experienced expertise.

Access to green walls and roofs to undertake maintenance also needs to be considered. By their nature, they can be difficult to access and specialist people and equipment maybe required to access areas where green walls and roofs are located.

### **5.3 Costs**

The need for the expert design and construction of such things as built-in irrigation, special wall structures and supports, waterproofing and additional engineering, make green walls and roofs expensive, relative to standard developments.

Additionally ongoing maintenance costs for green walls and roofs will likely be significantly more expensive than more traditional forms of in-ground landscaping.

## **6. Conclusion**

The paper will help inform the potential development of policy provisions in relation to green walls and roofs.

## 10.4 Proposed Planning Policy Review Schedule

<b>Responsible Branch:</b>	Development and Place
<b>Responsible Directorate:</b>	Community and Development
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. Policy Review Schedule [10.4.1 - 3 pages]
<b>Refer:</b>	Nil

### SUMMARY

Council consideration is sought in relation to the proposed policy review schedule, which outlines the review timeframe for the City's existing local planning policies and outlines the intended timeframes for any new local planning policies. The policy review will bring the policies in line with the current City policy format and aid in reducing red tape, improving readability, and futureproofing the policies insofar as possible.

### OFFICER'S RECOMMENDATION

That Council endorses the proposed planning policy review schedule as contained in Attachment 1 to this report.

### COMMITTEE RECOMMENDATION TO COUNCIL

That Council endorses the proposed planning policy review schedule as contained in Attachment 1 to this report, subject to the following modification being made to the schedule:

1. The 'Naming of Parks, Reserves, Streets and Infrastructure' policy be a 'Moderate PRIORITY' IN LIEU OF 'LOW PRIORITY'.

**CR ELLI PETERSEN-PIK MOVED, CR FILOMENA PIFFARETTI, MAYOR SECONDED  
CARRIED UNANIMOUSLY: 6/0**

### REASON FOR CHANGE

*The Committee changed the Officer's Recommendation as the 'Naming of Parks, Reserves, Streets and Infrastructure' has previously been raised as having issues and therefore should be a higher priority.*

### BACKGROUND

The City has a large number of local planning policies, to guide better development within the City. City officers are undertaking an ongoing review of the existing local planning policies, in order to improve the City's policy framework and reduce the red tape associated with development applications. A review schedule has been prepared and is included in Attachment 1 which outlines the priorities associated with the policy review.

### EXTERNAL CONSULTATION

In the event that Council endorses the policy review schedule, each policy will be advertised as required through the review process. Each of the policies will be advertised in accordance with the requirements of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

### OFFICER'S COMMENTS

The City currently has 26 local planning policies, which are used to guide development within the City. City officers have prepared a review schedule of the existing local planning policies, in order to prioritise when each policy is due to be reviewed. Additionally, the review table incorporates the

addition of two local planning policies which are proposed to be developed to aid in improving the City's policy framework.

The policies have been categorised into the following categories:

- Do not require review.  
This is due to the policy having been reviewed in past three years and there is no identified need/concern for a further review at this stage.
- Low priority.  
This is due to there being no significant issues which have been raised in relation to the policy. These policies have also been reviewed in past five years.
- Moderate priority.  
This is due to there being no issues raised in relation to these policies however they have not been reviewed in over five years.
- High priority.  
This is due to there being issues raised in relation to these policies and they have not been reviewed in over five years.
- New policies.  
These are policies which have not yet been produced but would facilitate Council's policy position on planning matters which encourage and facilitate good development to occur within the City.

The below details the City's local planning policies under their respective categories. All existing policies are available on the City's website on the [Policies and Legislation](#) page.

#### Do Not Require Review

There are 12 local planning policies which are considered to not require review at this time, as they have been reviewed within the last three years, there are no concerns identified with the policies and they align with the City's current format. These local planning policies are as follows:

- Construction Materials Policy;
- Corner Kirkham Hill Terrace and East Street Policy;
- Height Restriction - Neville Street Bayswater;
- Heritage Places and Associated Guidelines;
- Home Based Business Licensing Policy;
- Landscaping Policy;
- Landscaping Guidelines;
- Maylands Residential Estates Design Policy;
- Non-Residential Uses in Residential Zones;
- Retaining Walls Policy;
- Telecommunications Infrastructure Policy; and
- Temporary Uses and Minor Works Policy.

### Low Priority

There are three local planning policies which have not had any significant issues raised in relation to their implementations and these policies have been reviewed in the past five years. These local planning policies and their reason for review is as follows:

- *Character Protection Areas Policy*

It is considered that there have been no significant issues raised with the policy however the policy is to be updated to align with current formatting of the City's local planning policies. It is considered beneficial to review the content of the policy at this time to ensure it contains relevant provisions to achieve the purpose of the policy.

- *Naming of Parks, Reserves, Streets and Infrastructure Policy*

It is considered that there have been no significant issues raised with the policy however the City is investigating whether this policy can be rescinded and used as an internal practice. It is considered that this process is guided by a State Government policy as well.

- *Percent for Public Art Policy*

It is considered that there have been no significant issues raised with the policy however the policy is awaiting the development of a Public Art Strategy, which is currently being developed in-house. Once the Public Art Strategy has been developed and endorsed by Council, work will commence on updating the policy in accordance with the recommendations of the Strategy.

### Moderate Priority

There is one local planning policy which is considered a moderate priority due to it not being reviewed in over five years. This local planning policy and its reason for review is as follows:

- *Heritage Policies*

The heritage policy combines three policies in one as follows:

- *Refunding of Planning and Building Fees Policy; and*
- *Flexible Application of Statutory Requirements for Buildings Contained Within the City's Heritage List Policy*

The overall policy has not been reviewed in a significant amount of time. It is considered that there have been no significant issues raised with the policies however there is the potential to combine with the above heritage places policy. This would result in there being one policy which contains all the relevant heritage policies, which assist in making the document more user friendly.

### High priority

There are four local planning policies which are considered a high priority due to them not being reviewed in over five years and issues have arisen and/or changes have occurred to the State planning framework which impact the implementation of these policies. These local planning policies and their reason for review are as follows:

- *Short Term Accommodation Policy*

It is considered that there have been no significant issues raised with the policy however the City is investigating whether this policy is required to be updated in light of the recent draft *Planning for Tourism Position Statement* and draft Guidelines released by the Department of Planning, Lands and Heritage.

- *Mobile Food Vehicles Policy*

It is considered that there have been no significant issues raised with the policy however a Notice of Motion adopted by Council at its Ordinary Meeting held 25 January 2022 seeks to comprehensively review the policy.

- *Carparking in the Town Planning Scheme No.24 Area Policy and Cash in Lieu of Carparking Policy*

The City is currently undertaking a holistic review of car parking requirements as a part of the Local Planning Scheme review and in light of the recently released Position Statement on Cash-in-lieu by the Department of Planning, Lands and Heritage. The City's policies are required to align with the State Government guide by mid-2023.

- *Major Town Centre Events Policy*

It is considered that this policy is required to be reviewed to align with the community grants review, it is not strictly speaking a local planning policy and is to be rescinded accordingly. The new community grants program is intended to be effective from mid-2022 and it would be appropriate for the new community grants policy to align with this timeframe.

- *Sponsorship Signage on Reserves Policy*

It is considered that there have been no significant issues raised with the policy however the City is investigating whether this policy can be rescinded, once the modified signage policy is adopted as provisions have been incorporated into the draft signage policy which is being considered at the February 2022 committee meeting.

#### New policies

There are two new local planning policies which are proposed to be developed. These local planning policies and their reason for their creation are as follows:

- *Sustainability Policy*

This policy is intended to comprise different chapters and it is currently considered to be a high priority. A draft policy comprising chapters on cool roofs and biophilic design is included in a separate report. The policy is then proposed to develop additional chapters to further improve and promote sustainable development within the City. These chapters will relate to performance targets for energy, water and material consumption, and will be developed over the coming 12 months and are outlined below:

- Water Sensitive Urban Design considerations:  
Projects which will have many benefits including:
  - Reducing the quantity of stormwater runoff.
  - Improving the quality of stormwater runoff.
  - Protecting and restoring creeks and rivers
  - Improving wildlife habitat.
  - Improving the appearance of streets and parks.
  - Cooling our local environment by retaining water.
- Energy Production design considerations:
  - Integrate solar panels for water heating and photovoltaic electricity technological systems.
  - Incorporate energy recovery and storage such as tri- or co-generation and centralised cooling, heating and power.
  - Energy management systems that enable load sharing between different uses and/or groups of buildings.



- Masonry adjustments through reverse brick veneer.
- Use of waste material cement-substitutes.
- Use alternative low energy finishes.
- Recycle and re-use of demolition and construction materials.
- Energy Control design considerations are encouraged:
  - Integrated building automation systems with IT infrastructure, such as: sensors, controls and Smart Controls to control loads based on occupancy, schedule and/or the availability of natural resources such as daylighting and natural ventilation.
  - Include electrical vehicle charging points.
  - Incorporate highest possible rating fixtures to reduce electricity consumption.
- Thermal Comfort design considerations are encouraged:
  - Natural Light: The building plan is to optimise solar access to work, study, common and habitable spaces, by maximising indoor and outdoor areas that have a northerly orientation and minimise uncontrolled summer sun.
  - Natural Ventilation: To lessen energy consumption, design is to use natural ventilation to reduce the need for air conditioning. This can be done by including operable windows or hybrid air conditioning systems.
- The following is encouraged for water appliances and fixtures:
  - Low energy and water rating appliances such as refrigerators, dishwashers, air conditioning etc. are desirable.
- *Diversity in Housing Types Policy*

It is considered that this policy is low priority as there is no external demand for these housing types currently. This policy would be created to provide guidance and provisions for different housing types, including but not limited to:

  - Intergenerational housing;
  - Tiny houses; and
  - Affordable housing.

## LEGISLATIVE COMPLIANCE

In the event that the policy review schedule is endorsed by Council it will guide the future order in which the City reviews and amends the existing policies, along with setting out the timeframe for creating new policies.

Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* sets out the procedure for amending a local planning policy, including the requirement to give local public notice of a decision to amend a local planning policy, unless, in the opinion of the local government, the amendment is a minor amendment.

## RISK ASSESSMENT

In accordance with the City's Risk Management Framework, the officer's recommendation/ following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

<b>Officer's Recommendation</b>	<b>That Council endorses the proposed planning policy review schedule as contained in <u>Attachment 1</u> to this report.</b>		
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>	

Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	It is considered that there is a low risk to the City in the event Council endorses the policy review schedule. The City's officers have considered the impact that the order of the policy review will have on the current planning process and how the policies will be implemented within the City.	

Option 2	That Council endorses the proposed planning policy review schedule as contained in Attachment 1 to this report, with modification(s).	
Risk Category	Adopted Risk Appetite	Risk Assessment Outcome  Dependent on the modification(s) determined by Council.
Strategic Direction	Moderate	
Reputation	Low	
Governance	Low	
Community and Stakeholder	Moderate	
Financial Management	Low	
Environmental Responsibility	Low	
Service Delivery	Low	
Organisational Health and Safety	Low	
Conclusion	The risks are dependent on the modification(s) determined by Council.	

<b>Option 3</b>	<b>That Council does not endorse the proposed planning policy review schedule as contained in Attachment 1 to this report.</b>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Moderate
Reputation	Low	Moderate
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	It is considered that there is a moderate risk to the City's strategic direction, reputation and community and stakeholder relationship in the event no review is undertaken on the existing local planning policies. The local planning policies are used to guide the City with specific aspects of the built form. If no review is undertaken, the City's local planning policies may not align with the City's vision and become less relevant.	

## FINANCIAL IMPLICATIONS

Not applicable.

## STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme: Community  
Goal C1: Create safe and inviting places for people to come together.

Theme: Environment and Liveability  
Goal E1: Maintain the identity and heritage of our neighbourhoods while supporting an increase in high quality density around transport nodes.

Theme: Vibrancy

Goal V4: Support businesses across the City to grow and thrive.

The policy review schedule will provide guidance on when the City's local planning policies are intended to be reviewed, to ensure the City continues to maintain the amenity and vibrancy of its neighbourhoods and town centres, whilst also providing the community with accurate advice on when a policy review will occur.

## **CONCLUSION**

In light of the above, it is recommended that Council endorses the planning policy review schedule as contained in **Attachment 1** to this report.

**Proposed Planning Policy Review Schedule**

Mobile Food Vehicles Policy	12 April 2018	It is considered that there have been no significant issues raised with the policy however a Notice of Motion adopted by Council at its Ordinary Meeting held 25 January 2022 seeks to comprehensively review the policy.	High priority	May 2022 Committee
Major Town Centre Events Policy	18 April 2017	It is considered that this policy is required to be reviewed to align with the community grants review, it is not strictly speaking a local planning policy and is to be rescinded accordingly. The new community grants program is intended to be effective from mid-2022 and it would be appropriate for the new community grants policy to align with this timeframe.	High priority	May 2022 Committee
Short Term Accommodation Policy	20 June 2017	It is considered that there have been no significant issues raised with the policy however the City is investigating whether this policy is required to be updated in light of the recent draft <i>Planning for Tourism Position Statement</i> and draft Guidelines released by the Department of Planning, Lands and Heritage.	High priority	August 2022 Committee
Sponsorship Signage on Reserves Policy	23 July 2003	It is considered that there have been no significant issues raised with the policy however the City is investigating whether this policy can be rescinded, once the modified signage policy is adopted as provisions have been incorporated into the draft signage policy which is being considered at the February 2022 committee meeting.	High priority	February 2022 Committee

Sustainability Policy	N/A	This policy is intended to comprise different chapters and it is currently considered to be a high priority. A draft policy comprising chapters on cool roofs and biophilic design is included in a separate report. The policy is then proposed to develop additional chapters to further improve and promote sustainable development within the City.	High priority	Cool Roofs and Biophilic Design - February 2022 Committee Water Sensitive Urban Design and Energy Efficiency – August 2022 Committee
Carparking in the Town Planning Scheme No.24 Area Policy  Cash in Lieu of Carparking Policy	19 April 2011  20 November 2012	The City is currently undertaking a holistic review of car parking requirements as a part of the Local Planning Scheme review and in light of the recently released Position Statement on Cash-in-lieu by the Department of Planning, Lands and Heritage. The City's policies are required to align with the State Government guide by mid-2023.	High priority	November 2022 Committee
Heritage Policies  Refunding of Planning and Building Fees Policy; and  Flexible Application of Statutory Requirements for Buildings Contained Within the City's Heritage List Policy	24 October 2006  24 October 2006	The overall policy has not been reviewed in a significant amount of time. It is considered that there have been no significant issues raised with the policies however there is the potential to combine with the above heritage places policy. This would result in there being one policy which contains all the relevant heritage policies, which assist in making the document more user friendly.	Moderate priority	Early 2023 – Date dependent on Committee Schedule
Diversity in Housing Types Policy	N/A	It is considered that this policy is low priority as there is no external demand for these housing types currently. This policy would be created to provide guidance and provisions for different housing types, including but not limited to:  Intergenerational housing; Tiny houses; and Affordable housing.	Low priority	Early to mid-2023 – Date dependent on Committee Schedule

Character Protection Areas Policy	22 September 2015	It is considered that there have been no significant issues raised with the policy however the policy is to be updated to align with current formatting of the City's local planning policies. It is considered beneficial to review the content of the policy at this time to ensure it contains relevant provisions to achieve the purpose of the policy.	Low priority	Early to mid-2023 – Date dependent on Committee Schedule
Naming of Parks, Reserves, Streets and Infrastructure Policy	15 August 2017	It is considered that there have been no significant issues raised with the policy however the City is investigating whether this policy can be rescinded and used as an internal practice. It is noted that this process is guided by a State Government policy as well.	Low priority	Early to mid-2023 – Date dependent on Committee Schedule
Percent for Public Art Policy	7 November 2017	It is considered that there have been no significant issues raised with the policy however the policy is awaiting the development of a Public Art Strategy, which is currently being developed in-house. Once the Public Art Strategy has been developed and endorsed by Council, work will commence on updating the policy in accordance with the recommendations of the Strategy.	Low priority	Late 2023 – Date dependent on Committee Schedule

**11 NEXT MEETING**

The next meeting of the Planning and Heritage Policy Review and Development Committee will take place in the Committee Room, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on 17 May 2022 commencing at **5.00pm** (to be confirmed).

**12 CLOSURE**

There being no further business to discuss, the Chairperson, Cr Catherine Ehrhardt, Deputy Mayor, declared the meeting closed at 6:14pm.