



Metro North-West Joint Development Assessment Panel Agenda

Meeting Date and Time: 5 June 2014; 3pm
Meeting Number: MNWJDAP/55
Meeting Venue: City of Stirling
25 Cedric Street Stirling

Attendance

DAP Members

Ms Karen Hyde (Presiding Member)
Mr Ian Birch (Alternate Deputy Presiding Member)
Mr Fred Zuideveld (Specialist Member)
Cr Russell Driver (Local Government Member, City of Wanneroo)
Cr Frank Cvitan (Local Government Member, City of Wanneroo)
Cr John Chester (Local Government Member, City of Joondalup)
Cr Mike Norman (Local Government Member, City of Joondalup)
Mayor Giovanni Italiano (Local Government Member, City of Stirling)
Cr Rod Willox (Local Government Member, City of Stirling)

Officers in attendance

Mr Patrick Leach (Department of Planning)
Mr Pas Bracone (City of Wanneroo)
Ms Cathrine Temple (City of Wanneroo)
Ms Melinda France (City of Joondalup)
Mr Ross Povey (City of Stirling)
Mr Neil Maull (City of Stirling)
Ms Kimberley Masuku (City of Stirling)
Ms Amorette Dyer (City of Stirling)
Ms Kate Bainbridge (City of Stirling)

Local Government Minute Secretary

Ms Jessica Cringle (City of Stirling)

Applicants and Submitters

Item 8.1

Mr Sean Fairfoul (Rowe Group)
Mr Nathan Stewart (Rowe Group)
Mr Graham Taylor (Taylor Robinson)

Item 8.3

Mr Mark Baker (Meyer Shirecore and Associates)
Ms Doreen Ding (Meyer Shirecore and Associates)
Mr Andre Gillot (Fast Track Approvals)
Mr Carlo Famiano (URP)

Item 9.1

Mr Tom Hockley (Allerding and Associates)



Members of the Public

Nil

1. Declaration of Opening

The Presiding Member declares the meeting open and acknowledges the past and present traditional owners and custodians of the land on which the meeting is being held.

2. Apologies

Nil

3. Members on Leave of Absence

Nil

4. Noting of Minutes

Note the Minutes of the Metro North-West JDAP meeting no.54 held on the 13 May 2014.

5. Disclosure of Interests

Nil

6. Declarations of Due Consideration

Any member who is not familiar with the substance of any report or other information provided for consideration at the DAP meeting must declare that fact before the meeting considers the matter.

7. Deputations and Presentations

Nil

8. Form 1 - Responsible Authority Reports – DAP Applications

8.1	Property Location:	Lot 520 (950) Wanneroo Road Wanneroo
	Application Details:	'Liquor Store' and 'Mixed-Use' Tenancy (multiple uses)
	Applicant:	Rowe Group
	Owner:	Bieson Pty Ltd
	Responsible authority:	City of Wanneroo
	Report date:	23 May 2014
	DoP File No:	DP/13/00874



8.2 Property Location: Lot 803 (15) Hocking Parade, Sorrento (Sacred Heart College)
Application Details: Educational Establishment (Gymnasium Addition)
Applicant: MGA Town Planners
Owner: Roman Catholic Archbishop of Perth
Responsible authority: City of Joondalup
Report date: 30 May 2014
DoP File No: DP13/00954

8.3 Property Location: Lots 1 & 2 (285&285A) West Coast Hwy, Scarborough
Application Details: Residential Development - 20 units
Applicant: Meyer Shircore & Associates
Owner: Lakecrest Nominees Pty Ltd
Responsible authority: City of Stirling
Report date: ~~10/05/2014~~ 10/05/2014
DoP File No: DP/14/00213

9. Form 2 – Responsible Authority Reports - Amending or cancelling DAP development approval

9.1 Property Location: Lot 302, House Number 22, Wheatcroft Street, Scarborough
Application Details: Nursing Home
Applicant: Allering & Associates
Owner: Regents Garden Scarborough Pty Ltd
Responsible authority: City of Stirling
Report date: 27 May 2014
DoP File No: DP/13/00425

10. Appeals to the State Administrative Tribunal

Nil

11. Meeting Closure



Minutes of the Metro North-West Joint Development Assessment Panel

Meeting Date and Time: Tuesday 13 May 2014; 1pm
Meeting Number: MNWJDAP/54
Meeting Venue: City of Wanneroo
23 Dundebur Rd, Wanneroo

Attendance

DAP Members

Ms Karen Hyde (Presiding Member)
Mr Paul Drechsler (Deputy Presiding Member)
Mr Fred Zuideveld (Specialist Member)
Cr Mike Norman (Local Government Member, City of Joondalup)
Cr John Chester (Local Government Member, City of Joondalup)
Cr Russell Driver (Local Government Member, City of Wanneroo)
Mayor Tracey Roberts (Local Government Member, City of Wanneroo)

Officers in attendance

Ms Ivin Lim (Department of Planning)
Mr Patrick Leach (Department of Planning)
Ms Melinda France (City of Joondalup)
Mr John Corbellini (City of Joondalup)
Mr Pas Bracone (City of Wanneroo)

Local Government Minute Secretary

Ms Grace Babudri (City of Wanneroo)

Applicants and Submitters

Mr Chris Harman (TPG)
Ms Kim Munro (Coles)

Members of the Public

Nil

1. Declaration of Opening

The Presiding Member, Ms Karen Hyde declared the meeting open at 1pm on 13 May 2014 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

Ms Karen Hyde

Presiding Member, Metro North-West



The Presiding Member announced the meeting would be run in accordance with the *Development Assessment Panel Standing Orders 2012* under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

The Presiding Member advised that in accordance with Section 5.16 of the Standing Orders 2012; No Recording of Meeting, which states: 'A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the DAP meeting unless the Presiding Member has given permission to do so.', the meeting would not be recorded.

2. Apologies

Cr Frank Cvitan (Local Government Member, City of Wanneroo)

3. Members on Leave of absence

Nil

4. Noting of minutes

Minutes of the Metro North-West JDAP meeting no. 53 held on 6 May 2014 were not available for noting at the time of meeting.

5. Disclosure of interests

Nil

6. Declaration of Due Consideration

All members declared that they had duly considered the documents.

7. Deputations and presentations

Nil

8. Form 1 - Responsible Authority Reports – DAP Application

PROCEDURAL MOTION

Moved by: Mayor Tracey Roberts

Seconded by: Cr Russell Driver

That the application at Item 9.1 be heard prior to the application at Item 8.1.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

Ms Karen Hyde

Presiding Member, Metro North-West JDAP

Karen Hyde



- 8.1** Property Location: Lot 702 (34) Marri Road, Duncraig
Application Details: Proposed three storey mixed use development with under croft car park
Applicant: Piran Group Pty Ltd
Owner: JHF Holdings Pty Ltd
Responsible authority: City of Joondalup
Report date: 30 April 2014
DoP File No: DP/14/00199

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr John Chester

Seconded by: Mr Paul Drechsler

That the Metro North-West JDAP resolves to:

Approve DAP Application reference DP/14/00199 for "Shop", "Office" and "Multiple Dwellings" and accompanying plans (refer to Attachment 2) in accordance with Clause 6.9 of the City of Joondalup Planning Scheme No. 2, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.
2. A Construction Management Plan being submitted to and approved by the City of Joondalup prior to the commencement of development. The management plan shall detail how it is proposed to manage:
 - (a) all forward works for the site;
 - (b) the delivery of materials and equipment to the site;
 - (c) the storage of materials and equipment on the site;
 - (d) the parking arrangements for the contractors and subcontractors;
 - (e) the management of sand and dust during the construction process;
 - (f) the management of noise during the construction process; and
 - (g) other matters likely to impact on the surrounding properties.
3. Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, with details of the location of such plant being submitted for approval by the City prior to the commencement of development.
4. An onsite stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied, and thereafter maintained to the satisfaction of the City. Plans showing the proposed

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stormwater drainage system are to be submitted to the City for approval, prior to the commencement of development.

5. The car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009) and Off-street Commercial Vehicle Facilities (AS2890.2:2002), prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City.
6. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Offstreet Carparking – Bicycles (AS2890.3-1993 as amended) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided to the City for approval prior to the commencement of development.
7. All external walls of the proposed buildings, including retaining walls shall be of a clean finish, and shall at all times be maintained to a high standard, including being free of vandalism, to the satisfaction of the City.
8. All development shall be contained within the property boundaries.
9. Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of development. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:
 - Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
 - Provide all details relating to paving, treatment of verges and tree planting in the car park;
 - Show spot levels and/or contours of the site;
 - Be based on water sensitive urban design principles to the satisfaction of the City;
 - Be based on Designing out Crime principles to the satisfaction of the City; and
 - Show all irrigation design details.
10. Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City.
11. A full schedule of colours and materials for all exterior parts to the building is to be submitted and approved prior to the commencement of development. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard to the satisfaction of the City.
12. A refuse management plan indicating the method of rubbish collection is to be submitted prior to the commencement of development, and

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Karen Hyde



approved by the City prior to the development first being occupied.

13. Refuse management for the development shall be undertaken in accordance with the approved Refuse Management Plan, to the satisfaction of the City.
14. The storage areas indicated on plans for Unit 13, 15 and 16 shall be enclosed and lockable. This storage area shall be provided prior to the occupation of the development, and to the satisfaction of the City.

Advice Notes

1. Further to condition 1 above, where an approval has lapsed, no development shall be carried out without further approval having first being sought and obtained.
2. The tenancies indicated as 'Office' on the approved plans are approved as an 'Office' as defined by the City of Joondalup District Planning Scheme No. 2.
3. The City of Joondalup District Planning Scheme No. 2 defines 'Office' as *"any premises used for the administration of clerical, technical, professional or other like business activities but does not include administration facilities which are required in association with a predominant use on site, and does not include consulting rooms or medical centres."*
4. The tenancies indicated as 'Shop' on the approved plans are approved as a 'Shop' as defined by the City of Joondalup District Planning Scheme No. 2.
5. The City of Joondalup District Planning Scheme No. 2 defines 'Shop' as *"premises where goods are kept exposed or offered for sale by retail or hire, but the term does not include a Showroom, Drive Through Food Outlet or a Restricted Premises."*
6. The units on the first and second floor of the development are approved as 'Multiple Dwellings' as defined by the Residential Design Codes of WA.
7. The Residential Design Codes of WA defines a 'Multiple Dwelling' as *"a dwelling in a group of more than one dwelling on a lot where any part of the plot ratio area of a dwelling is vertically above any part of the plot ratio area of any other but:*
 - *does not include a grouped dwelling; and*
 - *includes any dwellings above the ground floor in a mixed use development."*
8. All plant and equipment must be designed and installed to meet the provisions of the *Environmental Protection (Noise) Regulations 1997*.
9. Bin store areas are to be provided with a hose cock and have a

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Presiding Member, Metro North-West JDAP

Karen Hyde



concrete floor graded to an industrial floor waste connected to sewer.

10. The applicant is required to provide written confirmation prior to the issue of a building permit that the decommissioning of the existing tanks and the remediation of the site has been completed to the satisfaction of the Department of Environmental Regulation and the site has subsequently been deemed suitable for use as residential and commercial premises.
11. Mechanical ventilation for the development (including undercroft parking area) to comply with *Australian Standard 1668.2*, *Australian Standard 3666* and the *Health (Air Handling and Water Systems) Regulations 1994*.
12. The applicant is advised that all residential units should be provided with condensation dryers within the laundries. Conventional dryers are key contributors to the growth of indoor mould.
13. Should any of the proposed commercial units be used for the preparation and sale of food, then they are required to comply with the *Food Act 2008* and the *Australia New Zealand Food Standards Code*. Prior to submitting a Certified Building Permit Application for the fit out of any food business, the applicant is encouraged to send a copy of their plans to the City's Health & Environmental Services for comment. Please call 9400 4933 for further details.

AMENDING MOTION 1

Moved by: Cr John Chester

Seconded by: Cr Mike Norman

That an additional condition be added to read as follows -

"That the applicant is required to place shading over exposed windows on the upper floor on the Northern and Western aspects of the residential portion of the development to the satisfaction of the City."

REASON: To enhance the amenity and sustainability of the building.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION 2

Moved by: Ms Karen Hyde

Seconded by: Cr John Chester

That Condition 9 include an additional dot point to read as follows:

- *"Demonstrate how the landscaping will screen retaining walls."*

REASON: To enhance the amenity and sustainability of the building.

The Amending Motion was put and CARRIED UNANIMOUSLY.

Ms Karen Hyde

Karen Hyde



AMENDING MOTION 3

Moved by: Cr Mike Norman

Seconded by: Cr John Chester

That Advice Note 10 be deleted and replaced with the following:

“Applicant shall note that there is an obligation to ensure that the site is suitable for a sensitive land use in consideration of its previous land use (as a service station). To this regard, advice should be sought from the Department of Environment and Regulation regarding the environmental investigations undertaken, and noting that the Cardno Soil and Groundwater Investigation Report August 2008 identified contaminated soil on the Southern portion of the site that may need to be managed.”

REASON: To provide clarity to the applicant.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION 4

Moved by: Ms Karen Hyde

Seconded by: Mr Paul Drechsler

That an additional advice note be added to read as follows:

“The applicant is strongly encouraged to consider incorporating environmentally sustainable design principles in the detailed design of the development in line with the City’s Environmentally Sustainable Design Policy.”

REASON: To draw the applicant's attention to the City's Policy.

The Amending Motion was put and CARRIED UNANIMOUSLY.

PRIMARY MOTION (AS AMENDED)

That the Metro North-West JDAP resolves to:

Approve DAP Application reference DP/14/00199 for “Shop”, “Office” and “Multiple Dwellings” and accompanying plans (refer to Attachment 2) in accordance with Clause 6.9 of the City of Joondalup Planning Scheme No. 2, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.
2. A Construction Management Plan being submitted to and approved by the City of Joondalup prior to the commencement of development. The management plan shall detail how it is proposed to manage:

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Karen Hyde



- (a) all forward works for the site;
 - (b) the delivery of materials and equipment to the site;
 - (c) the storage of materials and equipment on the site;
 - (d) the parking arrangements for the contractors and subcontractors;
 - (e) the management of sand and dust during the construction process;
 - (f) the management of noise during the construction process; and
 - (g) other matters likely to impact on the surrounding properties.
3. Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, with details of the location of such plant being submitted for approval by the City prior to the commencement of development.
4. An onsite stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied, and thereafter maintained to the satisfaction of the City. Plans showing the proposed stormwater drainage system are to be submitted to the City for approval, prior to the commencement of development.
5. The car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009) and Off-street Commercial Vehicle Facilities (AS2890.2:2002), prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City.
6. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Offstreet Carparking – Bicycles (AS2890.3-1993 as amended) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided to the City for approval prior to the commencement of development.
7. All external walls of the proposed buildings, including retaining walls shall be of a clean finish, and shall at all times be maintained to a high standard, including being free of vandalism, to the satisfaction of the City.
8. All development shall be contained within the property boundaries.
9. Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of development. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:
 - Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
 - Provide all details relating to paving, treatment of verges and

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Karen Hyde



- tree planting in the car park;
 - Show spot levels and/or contours of the site;
 - Be based on water sensitive urban design principles to the satisfaction of the City;
 - Be based on Designing out Crime principles to the satisfaction of the City;
 - Show all irrigation design details; and
 - Demonstrate how the landscaping will screen retaining walls.
10. Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City.
 11. A full schedule of colours and materials for all exterior parts to the building is to be submitted and approved prior to the commencement of development. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard to the satisfaction of the City.
 12. A refuse management plan indicating the method of rubbish collection is to be submitted prior to the commencement of development, and approved by the City prior to the development first being occupied.
 13. Refuse management for the development shall be undertaken in accordance with the approved Refuse Management Plan, to the satisfaction of the City.
 14. The storage areas indicated on plans for Unit 13, 15 and 16 shall be enclosed and lockable. This storage area shall be provided prior to the occupation of the development, and to the satisfaction of the City.
 15. That the applicant is required to place shading over exposed windows on the upper floor on the Northern and Western aspects of the residential portion of the development to the satisfaction of the City.

Advice Notes

1. Further to condition 1 above, where an approval has lapsed, no development shall be carried out without further approval having first being sought and obtained.
2. The tenancies indicated as 'Office' on the approved plans are approved as an 'Office' as defined by the City of Joondalup District Planning Scheme No. 2.
3. The City of Joondalup District Planning Scheme No. 2 defines 'Office' as *"any premises used for the administration of clerical, technical, professional or other like business activities but does not include administration facilities which are required in association with a predominant use on site, and does not include consulting rooms or*

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medical centres.”

4. The tenancies indicated as ‘Shop’ on the approved plans are approved as a ‘Shop’ as defined by the City of Joondalup District Planning Scheme No. 2.
5. The City of Joondalup District Planning Scheme No. 2 defines ‘Shop’ as *“premises where goods are kept exposed or offered for sale by retail or hire, but the term does not include a Showroom, Drive Through Food Outlet or a Restricted Premises.”*
6. The units on the first and second floor of the development are approved as ‘Multiple Dwellings’ as defined by the Residential Design Codes of WA.
7. The Residential Design Codes of WA defines a ‘Multiple Dwelling’ as *“a dwelling in a group of more than one dwelling on a lot where any part of the plot ratio area of a dwelling is vertically above any part of the plot ratio area of any other but:*
 - *does not include a grouped dwelling; and*
 - *includes any dwellings above the ground floor in a mixed use development.”*
8. All plant and equipment must be designed and installed to meet the provisions of the *Environmental Protection (Noise) Regulations 1997*.
9. Bin store areas are to be provided with a hose cock and have a concrete floor graded to an industrial floor waste connected to sewer.
10. Applicant shall note that there is an obligation to ensure that the site is suitable for a sensitive land use in consideration of its previous land use (as a service station). To this regard, advice should be sought from the Department of Environment and Regulation regarding the environmental investigations undertaken, and noting that the Cardno Soil and Groundwater Investigation Report August 2008 identified contaminated soil on the Southern portion of the site that may need to be managed.
11. Mechanical ventilation for the development (including under croft parking area) to comply with *Australian Standard 1668.2, Australian Standard 3666* and the *Health (Air Handling and Water Systems) Regulations 1994*.
12. The applicant is advised that all residential units should be provided with condensation dryers within the laundries. Conventional dryers are key contributors to the growth of indoor mould.
13. Should any of the proposed commercial units be used for the preparation and sale of food, then they are required to comply with the *Food Act 2008* and the *Australia New Zealand Food Standards Code*. Prior to submitting a Certified Building Permit Application for the fit out of any food business, the applicant is encouraged to send a copy of their plans to the City’s Health & Environmental Services for comment.

Ms Karen Hyde

Karen Hyde



Please call 9400 4933 for further details.

14. The applicant is strongly encouraged to consider incorporating environmentally sustainable design principles in the detailed design of the development in line with the City's *Environmentally Sustainable Design Policy*.

The Primary Motion (as amended) was put and CARRIED UNANIMOUSLY.

9. Form 2 – Responsible Authority Reports - Amending or cancelling DAP development approval

- 9.1** Property Location: Lot 3801 (1001) Joondalup Drive, Banksia Grove
Application Details: Amendment to Banksia Grove Town Centre (Stage 1) – tenancy layout and use (condition b) and modification to condition d.
Applicant: TPG Town Planning, Urban Design & Heritage
Owner: Coles Group Property Dev Ltd
Responsible authority: City of Wanneroo
Report date: 5 May 2014
DoP File No: DP/13/00180

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Mr Paul Drechsler

Seconded by: Mayor Tracey Roberts

Recommendation:

That the Metro North-West Joint Development Assessment Panel resolves to:

1. Accept that the DAP Application reference DP/13/00180 as detailed on the DAP Form 2 dated 5 March 2014 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. Approve the DAP Application reference DP/13/00180 as detailed on the DAP Form 2 dated 5 March 2014 and accompanying plans (Plan A9.01 dated 17/3/2014, Elevations dated 12/02/2014) in accordance with the provisions of the Metropolitan Region Scheme and the City of Wanneroo District Planning Scheme No. 2, for the proposed minor amendment to the approved Banksia Grove Town Centre (Stage 1) at Lot 3801 (1001) Joondalup Drive, BANKSIA GROVE, subject to:

Amended Conditions

- b)** Tenancies within the proposed development shall accord with the following land uses and their corresponding definitions under the City of Wanneroo District Planning Scheme No. 2:

Plan A9.01

- T01, T04-T06, T12 and T17 – 'Shop';
- T02 – 'Liquor Store';

Ms Karen Hyde

Karen Hyde



- T03 – 'Bank';
- T07-T11 – 'Take-Away Food Outlet' and 'Restaurant';
- T16 – 'Medical Centre; and
- M28 and M29 – 'Take-Away Food Outlet'.

Plan DA03:

- T01 and T02: 'Take-Away Food Outlet'; and
- Fuel Station: 'Convenience Store'.

- d) Satisfactory arrangements being made with the City of Wanneroo prior to any occupancy of the development, to ensure that the proposed accesses at Pinjar Road and Joondalup Drive are redesigned and reconstructed as left-in, left-out accesses only at the proponent's cost, once alternative access to the subject site is available from the future eastward extension of Golf Links Drive between Pinjar Road and Joondalup Drive through the adjoining lot to the north.

Advice Notes

All other conditions and requirements detailed on the previous approval dated 30 May 2013 (LG ref DA2013/223) shall remain unless altered by this application.

The Report Recommendation/Primary Motion was put and CARRIED UNANIMOUSLY.

10. Appeals to the State Administrative Tribunal

As invited by the State Administrative Tribunal under Section 31 of the *State Administrative Act 2004*, the Metro North-West JDAP reconsidered a Mixed Use Commercial and Residential Development at Lot 604 (114) Cedric Street, Stirling on the 6 May 2014.

11. Meeting Close

There being no further business, the presiding member declared the meeting closed at 1.41pm.

Ms Karen Hyde

Presiding Member, Metro North-West JDAP

Karen Hyde



Form 1 - Responsible Authority Report

(Regulation 12)

Property Location:	Lot 520 (950) Wanneroo Road, WANNEROO
Application Details:	'Liquor Store' and 'Mixed-Use' Tenancy (multiple uses)
DAP Name:	Metropolitan North-West Joint Development Assessment Panel
Applicant:	Rowe Group
Owner:	Bieson Pty Ltd
LG Reference:	DA2013/1375
Responsible Authority:	City of Wanneroo
Authorising Officer:	Len Kosova Director, Planning & Sustainability
Department of Planning File No:	DP/13/00874
Report Date:	23 May 2014
Application Receipt Date:	4 November 2013
Application Process Days:	
Attachment(s):	<u>Attachment 1</u> 1a. SK01 – Location Plan (aerial view) 1b. SK02 – Site Plan 1c. SK03 – West (Wanneroo Rd) elevations 1d. SK04 – North & South elevations 1e. SK05 – North elevation (colour schedule) 1f. SK03 – Loading area modifications <u>Attachment 2</u> Submission Schedule <u>Attachment 3</u> Photograph of <i>Eucalyptus grandis</i> <u>Attachment 4</u> Site plan overlayed onto aerial photograph

Recommendation:

That the Metropolitan North-West Joint Development Assessment Panel (JDAP) resolves to:

Approve DAP Application reference DP/13/00874 and accompanying plans (**Attachment 1**) in accordance with the provisions of District Planning Scheme No. 2 of the City of Wanneroo, subject to the following conditions to the satisfaction of the Manager, Planning Implementation:

1. Revised plans of the development shall be lodged with the City for its approval prior to the commencement of development which address the following:

- a. Modifications to the setback of the building from the *Eucalyptus grandis* identified in **Attachment 4** to ensure the tree can be retained as part of the proposed development; and
 - b. Reduction in the height of the loading area screening as depicted in **Attachment 1c**.
2. A 1.8 metre high chain link fence shall be erected to protect the *Eucalyptus grandis* identified in **Attachment 4** prior to the commencement of construction and shall remain in place until construction has been completed. No development or storage shall occur within this protection zone without the written consent of the City.
3. Prior to commencement of construction details of measures to be taken to demonstrate that the proposed development will not detrimentally affect the tree which is to be retained adjacent to the loading dock identified on **Attachment 1b** shall be submitted and approved by the City.
4. The portion of the building indicated in yellow on **Attachment 1b** shall only be used for the purpose of **Liquor Store** as defined in the City of Wanneroo's District Planning Scheme No. 2. A change of use from that outlined in this condition will require further approval from the City of Wanneroo.
5. The portion of the building indicated in green on **Attachment 1b** shall only be used for the purpose of a **Bakery, Bank, Beauty Parlour, Consulting Room, Convenience Store, Costume Hire, Dry Cleaning Premises, Hairdresser, Laundromat, Laundry, Lunch Bar, Office, Pharmacy, Restaurant, Shop, Take Away Food Outlet or Video Hire** as defined in the City of Wanneroo's District Planning Scheme No. 2. A change of use from that outlined in this condition will require further approval from the City of Wanneroo.
6. Parking areas and driveways shall be designed and constructed in accordance with the Australian Standard for Offstreet Carparking (AS2890), and shall be drained, sealed and marked and thereafter maintained to the satisfaction of the City.
7. The parking areas and associated access indicated on the approved plans shall not be used for the purpose of storage or obstructed in any way at any time, without the prior approval of the City.
8. Detailed landscaping and reticulation plans for the site shall be submitted for approval by the City within 30 days of the date of this approval. Planting and installation shall be in accordance with the approved plans and shall be completed prior to occupation of the development.
9. A construction management plan shall be submitted by the proponent and approved by the City prior to the commencement of any works on site. This plan is to detail how construction will be managed to minimise disruption in the area and shall include:
 - The delivery of and delivery times for materials and equipment to the site;

- Storage of materials and equipment on site;
- Parking arrangements for contractors and sub-contractors
- The impact on traffic movement;
- Days and times of construction; and,
- Any other matter required by the City.

Advice Note

1. This decision constitutes planning approval only and is valid for a period of two (2) years from the date of approval. If the development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without further approval of the City having been first sought and obtained.

Background:

Property Address:	Lot 520 (950) Wanneroo Road, WANNEROO
Zoning	MRS: Urban
	DPS 2: Commercial
ASP 23:	Commercial
Proposed Use Class:	Liquor Store, Bakery, Bank, Beauty Parlour, Consulting Room, Convenience Store, Costume Hire, Dry Cleaning Premises, Hairdresser, Laundromat, Laundry, Lunch Bar, Office, Pharmacy, Restaurant, Shop, Take Away Food Outlet and Video Hire.
Strategy Policy:	N/A
Development Scheme:	District Planning Scheme No. 2
Lot Size:	56,682m ²
Existing Land Use:	Shopping Centre
Value of Development:	\$3,050,000

The proponent proposes to construct a 'Liquor Store' and 'Mixed Use' tenancy on a site area of approximately 2,300m², on the western side of Lot 520 (950) Wanneroo Road, Wanneroo. Lot 520 contains the Wanneroo Central Shopping Centre. The site is bounded by Wanneroo Road to the west, Conlan Avenue to the north, the existing shopping centre to the east and an existing loading dock and carpark to the south. Please refer to **Attachment 1a** for an aerial view of the subject site in relation to the entirety of Lot 520. The proposed 'Liquor Store' fronts Wanneroo Road and the 'Mixed Use' tenancy is located between the 'Liquor Store' and the existing car park.

Attachment 1b depicts the footprint of the proposed 'Liquor Store' and 'Mixed Use' tenancy;

Attachment 1c depicts the western elevation of the 'Liquor Store' as viewed from Wanneroo Road;

Attachment 1d depicts the northern and southern elevation of the proposed development;

Attachment 1e contains the plan showing the perspective of the proposed development; and

Attachment 1f contains the site plan indicating the area to be modified to locate the Loading Area.

The subject lot is zoned 'Commercial' under the Wanneroo Town Centre Agreed Structure Plan No. 23 (ASP 23) and falls within the Wanneroo Square Precinct of ASP 23. The 2,300m² site directly abuts Conlan Avenue and Wanneroo Road, and is identified as a 'development site' by ASP 23. Conlan Avenue is identified as a Main Street by ASP 23. Wanneroo is identified as a Secondary Centre by State Planning Policy 4.2: Activity Centres for Perth and Peel.

Details: outline of development application

The subject development application is for a 'Liquor Store' and a separate 'Mixed Use' tenancy. The 'Liquor Store' is proposed to have a total floor area of 1,250m², and the 'Mixed Use' Tenancy is proposed to have a total floor area of 200m².

The applicant is seeking approval for a range of uses within the 'Mixed Use' Tenancy, including:

- | | | |
|-------------------------|---------------------|------------------|
| • Bakery | • Bank | • Beauty Parlour |
| • Consulting Room | • Convenience Store | • Costume Hire |
| • Dry Cleaning Premises | • Hairdresser | • Laundromat |
| • Laundry | • Lunch Bar | • Office |
| • Pharmacy | • Restaurant | • Shop |
| • Take-Away Food Outlet | • Video hire | |

All proposed land uses are permitted ('P') uses within the 'Commercial' zone, with the exception of 'Bakery', 'Laundry' and 'Take-Away Food Outlet', all of which are discretionary ('D') uses.

Legislation & policy:

Legislation

Planning and Development Act 2005

Metropolitan Region Scheme

District Planning Scheme No. 2

Wanneroo Town Centre Agreed Structure Plan No. 23

State Government Policies

State Planning Policy 4.2: Activity Centres for Perth and Peel

Designing Out Crime Planning Guidelines

Local Policies

Local Planning Policy 5.2: Wanneroo Town Centre

Signs Local Planning Policy

Consultation:

Public Consultation

Public consultation is not required to be undertaken where a land use is permitted ('P') on the subject lot. The City may, where it considers appropriate, advertise applications for discretionary uses. In this instance, consultation was not considered necessary as the proposed discretionary uses ('Bakery', 'Laundry' and 'Take-Away Food Outlet') are considered appropriate uses within a 'Commercial' zone.

Consultation with other Agencies or Consultants

The subject lot directly abuts a primary regional road (Wanneroo Road), accordingly, the proposal was referred to Main Roads Western Australia for comment.

A copy of the comments provided by Main Roads and Administration's responses are provided as **Attachment 2**.

Planning assessment:

Development on the subject land is required to comply with the provisions of ASP 23 and Local Planning Policy 5.2: Wanneroo Town Centre (LPP 5.2). An assessment of the proposal against these planning documents is provided below.

Wanneroo Town Centre Agreed Structure Plan No. 23

ASP 23 was adopted on 4 May 2001 and provides a framework for the development of the town centre and its surrounds. The subject land is within the 'Wanneroo Square Precinct' which is intended to offer a dynamic mix of retail, commercial and civic uses around the Main Street. The subject land is identified as a 'development site', and is to be developed in a manner and scale to visually screen the shopping centre building and provide activity and building orientation to adjoining roads, access ways and open spaces. In particular, ASP 23 requires development on this particular 'development site' to be designed to orientate to and address Conlan Avenue to the north.

The existing car park on the corner of Conlan Avenue and Wanneroo Road is to be retained as part of the proposal, however, the proponent has indicated their longer term intention is to construct a building on the corner of Conlan Avenue and Wanneroo Road at some stage in the future. Although inconsistent with ASP 23 which states 'development sites' are not to be developed for car parking, the existing car park was approved by the City as part of the Stage 1 Shopping Centre redevelopment in 2006. Whilst the ultimate design outcome for the City would include a building directly fronting Conlan Avenue, it is recognised that the existing car park does provide some function and is needed at this stage of the shopping centre development. Therefore, Administration supports the retention of the car park even though it is inconsistent with ASP 23.

Retention of existing tree

The proponent intends to remove an existing *Eucalyptus grandis* (rose gum) to allow for construction of the proposed Liquor Store building (A photograph of the tree is

provided as **Attachment 3**). Administration considers that the removal of the tree would have an immediate impact on the amenity of the development site which could not be replaced by design and therefore in the view it should be retained. An Arboricultural Assessment was commissioned by the City to ascertain the condition of the tree and its suitability for retention in the context of the proposed development.

The report surmised that the tree is in a reasonable condition with a useful life expectancy of between 15 - 40 years. To maximise the tree's long term survival and stability, it is important the following issues are given due consideration during the planning process:

- Future growth and development patterns of the tree;
- Prevention of injury to the tree including mitigating soil cut/fill, trenching and collision damage to trunks and branches; and
- Ensuring sufficient undisturbed space is available to retain a healthy root system and growth of the crown.

Consistent with the Australian Standard 4970-2009: Protection of Trees on Development Sites (AS4970), the report recommends a tree protection zone of a 7.8 metre radius from the trunk basal area to provide sufficient room for the tree to grow both above and below the ground. This area should be fenced off during construction activities to minimise damage to the tree and surrounding root system. There is an existing foot path and car park immediately to the north of the tree inside the tree protection zone hence it is important to retain this protection zone on the development site to ensure sufficient space is available for long term growth of the tree.

A plan depicting the submitted site plan overlayed onto an aerial photograph has been provided as **Attachment 4**. This plan shows the location of the tree, and the approximate tree protection zone which has been recommended. It is noted this tree protection zone equates to approximately 100m² of the proposed Liquor Store building, however, Administration considers the proponent can still achieve a functional design using the tree as a centrepiece for the pedestrian entrance from Wanneroo Road. Administration is prepared to work with the proponent to negotiate an appropriate setback from the tree for the proposed buildings to ensure the tree can be retained as part of this development.

Local Planning Policy 5.2: Wanneroo Town Centre

LPP 5.2 was adopted by Council on 7 February 2012 to expand and elaborate on ASP 23 and to provide greater control and influence over development outcomes and quality of built forms in the town centre.

Building Placement

Part 3.1 a) of Table 2: Development Standards of LPP 5.2 requires development to be built to the side boundaries of a lot to present a contiguous built frontage to the street and states that development which does not provide a contiguous street frontage is unacceptable. Part 3.1 b) requires commercial or 'Mixed Use' development to achieve a nil street setback, except at building entrances or dedicated al-fresco dining areas, and states that development which is setback from the street is unacceptable. Built form on the boundary of Conlan Avenue

would establish a well-defined and active street edge which would aid in the transformation of Conlan Avenue into a Main Street.

The proposed building does not directly front Conlan Avenue and therefore does not comply with LPP 5.2. Administration is of the view that a variation to this provision of LPP 5.2 is acceptable, given the long term intention is to provide development directly fronting Conlan Avenue, and the proposed development could easily integrate with this.

Street Interface

Part 4.1 a) of LPP 5.2 of Table 2: Development Standards requires all development to provide the primary building entrance from the street, and states development which does not provide building entrances from the street is unacceptable. The building entrances are provided from the car park and not from the street, which does not comply with Part 4.1 a) of LPP 5.2. The location of the building entrances is suitable in the context of the development layout and Administration is of the view this variation is acceptable.

Screening to Wanneroo Road

The proposal includes erection of a 7-metre high semi permeable screen fence along Wanneroo Road, to screen the loading area for the proposed 'Liquor Store'. The proponent has advised they propose 7 metres height to equal the height of the building and appear as an extension to it. Administration is of the view a screen fence at 7 metres in height along Wanneroo Road is excessive and the height should be reduced to a more appropriate height as viewed from Wanneroo Road.

A portion of the existing wall which screens the Discount Department Store (K-Mart) loading area is proposed to be removed in order to provide access for trucks to the 'Liquor Store' loading area. This loading area and the access driveway created to access the 'Liquor Store' loading area is proposed to be screened by a newly constructed wall, which at its highest point, will have a height of 2.2 metres above natural ground level along the Wanneroo Road boundary (please refer to **Attachment 1f** which identifies the area of modification to the existing screen wall). Administration does not consider the submitted plans provide sufficient detail in relation to the intended finish of this wall and considers the proponent should provide further detail on this matter prior to commencement of construction.

The proposed development will require removal of the existing landscaping (with the exception of an existing tree adjacent to the loading area denoted on **Attachment 1b**) between Wanneroo Road and the K-Mart loading area, to allow for the access driveway to be constructed. A small portion of this boundary will be landscaped, however, no details have been provided. Administration is of the view the proponent should provide a landscaping plan prior to commencement of the use to ensure any landscaping is suitable for the location and will also serve as a soft-screen to the wall. In addition, the proponent should demonstrate that the proposed development will not affect the retention of the existing tree adjacent to the loading area.

Car Parking

The provisions of LPP 5.2 allow for 1 bay per 50m² net floor area to be provided for development within the Wanneroo town centre, providing the parking does not

detract from the streetscape or built form outcomes. The proponent does not plan to provide any additional parking for the proposed development, and is of the view the existing shopping centre parking facility is adequate and can accommodate the traffic generated by this proposal.

Under the provisions of LPP 5.2, the development is required to provide 29 parking bays. The current on-site parking was approved by Council in its consideration of the shopping centre redevelopment application, and equates to 6 bays per 100m² (LPP 5.2 was not adopted when the shopping centre redevelopment was considered in 2006). Administration is of the view that the required parking for the proposed development can be accommodated within the existing car park.

Signage

The application proposes to incorporate 'signage zones' on the blade wall of the 'Liquor Store', on the Wanneroo Road boundary wall of the 'Liquor Store' and above the 'Mixed Use' tenancy entrance. The 'signage zone' for the proposed 'Mixed Use' tenancy is proposed above the entrance within the glazing area. The proposed 'signage zone' for the 'Mixed Use' tenancy complies with the provisions of the City's Signs Local Planning Policy (SLPP).

In relation to the proposed 'signage zone' on the blade wall of the 'Liquor Store', the City's SLPP states wall signs shall be no greater than 8m² and should not extend laterally beyond either end of the wall or protrude above the top of the wall. This 'signage zone' is approximately 12m² in size and extends to the west of the wall and above the wall. Additionally, the proponent proposes a 'signage zone' on the western elevation boundary wall (Wanneroo Road), which is contrary to the SLPP which states that signs shall not be affixed to boundary walls and fences. The proposed signage zone is recessed into the boundary wall to ensure no part of any signage will protrude beyond the lot boundary. Administration is of the view these variations are acceptable in the context of the scale of the existing and proposed development and does not consider the variations will erode the visual quality and character of Wanneroo Road.

Conclusion:

The proposal has been assessed against the provisions of DPS 2, ASP 23, LPP 5.2 and the SLPP. Administration is of the view the variations proposed are acceptable and can be supported, however, does consider the development should be redesigned to retain the existing mature *Eucalyptus grandis* on the site. It is recommended the proposal be supported subject to conditions.

LOT 520 (950) WANNEROO ROAD WANNEROO

Attachment 1a



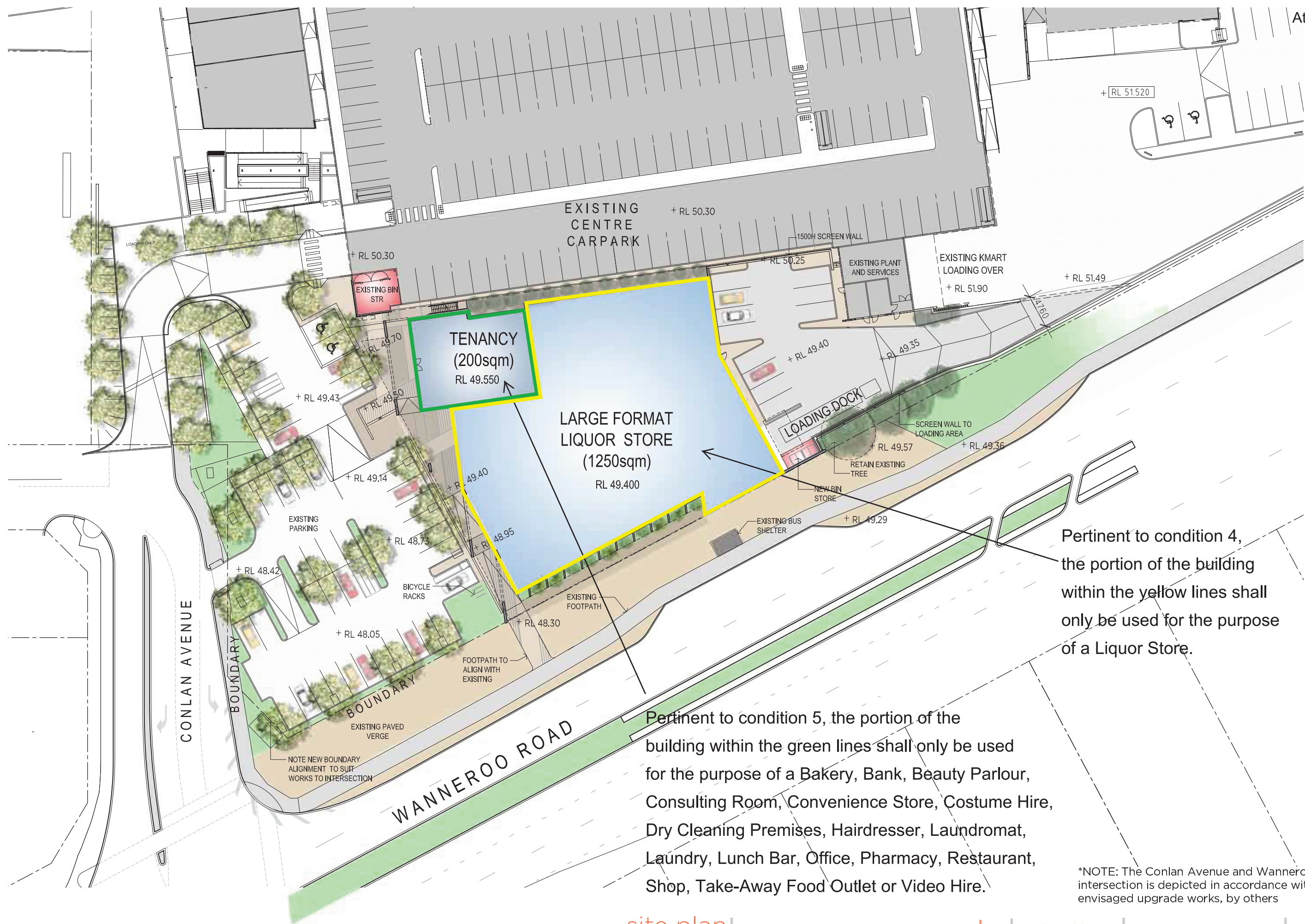
PROPOSED
DEVELOPMENT SITE
2300sqm

WANNEROO
CENTRAL
SHOPPING
CENTRE

SINAGRA STREET



0 25 50 100 150 200 Metres



Pertinent to condition 4,
the portion of the building
within the yellow lines shall
only be used for the purpose
of a Liquor Store.

Pertinent to condition 5, the portion of the
building within the green lines shall only be used
for the purpose of a Bakery, Bank, Beauty Parlour,
Consulting Room, Convenience Store, Costume Hire,
Dry Cleaning Premises, Hairdresser, Laundromat,
Laundry, Lunch Bar, Office, Pharmacy, Restaurant,
Shop, Take-Away Food Outlet or Video Hire.

*NOTE: The Conlan Avenue and Wanneroo Road
intersection is depicted in accordance with future
envisaged upgrade works, by others

site plan
LARGE FORMAT LIQUOR STORE
WCSC

TAYLORROBINSON
www.taylorrobinson.com.au



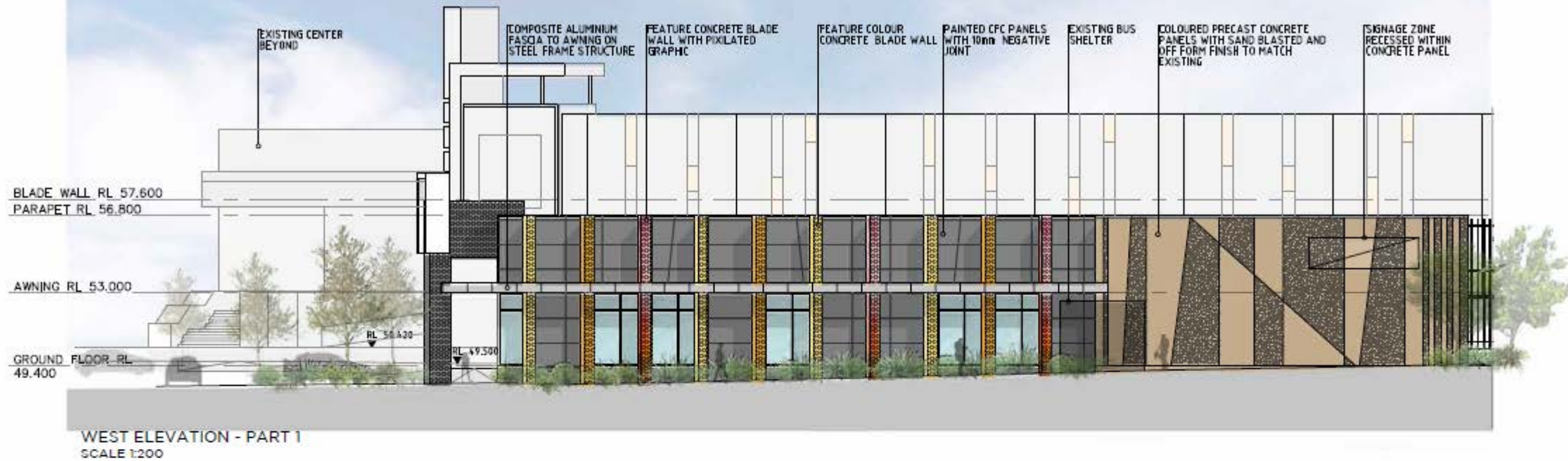
taylor robinson
234 railway pde,
west leederville
T 08 9388 6111
F 08 9388 6177

1:500 @A3
13043
MAR 2014



sk02

REV B



wanneroo rd elevation
LARGE FORMAT LIQUOR STORE
WCSC

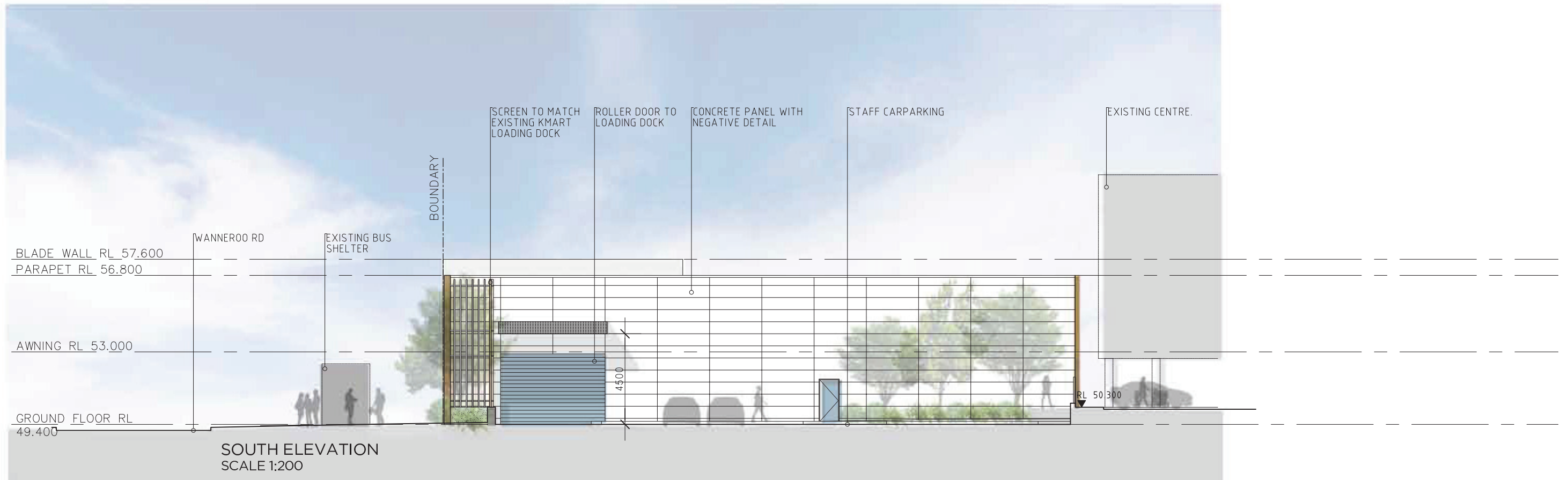
TAYLORROBINSON
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1:200 @A3
13043
MAR 2014

REV A
sk03





FEATURE COLOUR CONCRETE
BLADE WALLS



FEATURE COLOUR CONCRETE
BLADES WITH PIXELATED GRAPHIC



PATTERNED CONCRETE
WALL BEYOND WITH SCREEN
TO LAODING AREA - TO
MATCH EXISITNG



EXISTING
CENTRE
BEYOND

NEW
INTEGRATED
SIGNAGE

SIGNAGE ZONE
RECESSED WITHIN
CONCRETE PANEL
BEYOND

EXISTING BUS
STOP

WANNEROO RD PERSPECTIVE



Site Plan - Loading Area Modifications
LARGE FORMAT LIQUOR STORE
WCSC

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13043
JULY 2013

sk03

No.	Submission Details	Administration Response	Modification Required
1.	Main Roads Western Australia		
1.1	<p>Main Roads has no objections to the proposed development subject to the following conditions being imposed:</p> <ul style="list-style-type: none"> • No earthworks shall encroach onto the Wanneroo Road reserve; • No stormwater drainage shall be discharged into the Wanneroo Road reserve; • The applicant shall make good any damage to the existing verge vegetation within the Wanneroo Road reservation; • As per the location plan (drawing 13043) supplied with the development application all vehicle access shall be restricted to the existing crossovers; • No development other than landscaping shall be permitted on the land as shown required for future road purposes on the enclosed extract of Main Roads drawing 9621-126. • The area required for future road purposes is <u>not</u> to be included in the specific car parking requirements for this development. • The sign and sign structure is to be placed on private property and shall not overhang or encroach upon the Wanneroo Road reserve. • Main Roads agreement is to be obtained prior to any modifications. • If illuminated it must be of low-level not exceeding 300cd/m² not flash, pulsate or chase; • The device shall not contain fluorescent, reflective or retro reflective colours or materials; • The type of sign and location must comply with 	<p>Noted. The response provided by Main Roads Western Australia outlines their general requirements for development which directly abuts Wanneroo Road.</p>	<p>No modification required.</p>

	<p>all relevant by-laws and planning schemes made by Council;</p> <ul style="list-style-type: none"> • No other unauthorised signing is to be displayed 		
1.2	<p>This property is affected by land reserved in the Metropolitan Region Scheme as shown on the enclosed extract of Main Roads drawing 9621-126 and will be required for road purposes at some time in the future.</p> <p>The project for the upgrading/widening of Wanneroo Road is not in Main Roads current 4-year estimated construction program and all projects not listed are considered long term. Please be aware that timing information is subject to change and that Main Roads assumes no liability whatsoever for the information provided.</p>	<p>Noted. The part of Wanneroo Road which the proposed development directly abuts is not affected by the future road widening as depicted on Main Roads drawing 9621-126.</p>	<p>No modification required.</p>



LOT520 (950) WANNEROO ROAD
WANNEROO

Attachment 4





Form 1 - Responsible Authority Report (Regulation 12)

Property Location:	Lot 803 (15) Hocking Parade, Sorrento (Sacred Heart College)
Application Details:	EDUCATIONAL ESTABLISHMENT (Gymnasium addition)
DAP Name:	Metro North West JDAP
Applicant:	MGA Town Planners
Owner:	Roman Catholic Archbishop of Perth
LG Reference:	DA13/1505
Responsible Authority:	City of Joondalup
Authorising Officer:	Dale Page Director Planning and Community Development
Department of Planning File No:	DP13/00954
Report Date:	5 June 2014
Application Receipt Date:	20 November 2013
Application Process Days:	90 Days
Attachment(s):	<ol style="list-style-type: none">1. Location plan2. Height of buildings within the coastal area (non residential) policy3. Development plans4. Building perspectives5. Amended site plan6. Amended perspective7. Map of submitters8. ESD Checklist9. Landscape Plan

Recommendation:

That the Metro North West JDAP resolves to:

Refuse DAP Application DP13/00954 and accompanying plans (refer Attachment 3) in accordance with Clause 6.9 of the City of Joondalup District Planning Scheme No.2, for the following reasons:

1. The proposed development does not meet the objective of the City's policy *Height of buildings within the coastal area (non-residential zones)* as it does not enhance the amenity and streetscape character of the surrounding area by virtue of its height and bulk given its location.
2. The proposed development does not meet the objective of the City's policy *Height of buildings within the coastal area (non-residential zones)* as it will result in a detrimental impact on the amenity of the locality, particularly on residential properties to the north of the site and from Bahama Close as a result of excessive height and building bulk, and a significant loss of the overall visual permeability of the foreshore and ocean from these areas.

Background:

Insert Property Address:	Lot 803 (15) Hocking Parade, Sorrento (Sacred Heart College)
Insert Zoning	MRS: Urban
	TPS: Private Clubs/ Recreation
Insert Use Class:	Educational Establishment
Insert Strategy Policy:	Height of Buildings within the coastal area (non- residential zones) SPP 2.6 – Coastal Planning
Insert Development Scheme:	District Planning Scheme No. 2 (DPS2)
Insert Lot Size:	79,470.8m ²
Insert Existing Land Use:	Educational Establishment
Value of Development:	\$8.4 million

The subject site abuts West Coast Drive, near Hillary's Marina, and Sorrento Beach. The Sorrento Sunset Estate development is located to the south and existing residential development is located to the north and east (Attachment 1 refers). The residential land surrounding the development site has a density code of R20.

The subject site is zoned 'Private Clubs/Recreation' under DPS2. Sacred Heart College is an existing secondary school, established in 1966 with its buildings being generally two storeys in height.

The topography of the site slopes upwards from West Coast Drive to Hocking Parade with a level difference of approximately 14 metres. The site has been terraced to achieve the transition between West Coast Drive and Hocking Parade. The majority of the college buildings are located on a plateau in approximately the middle of the site. The topography of the locality and the layout of the existing development results in the subject land being highly visible from West Coast Drive and Sorrento Beach and to pedestrians and vehicles travelling along the coast. To the north and east, the subject land is overlooked by the existing Sorrento residential area.

The subject site is within 300 metres of the coast and the City's local planning policy *Height of buildings within the coastal area (non-residential zones)* (Attachment 2 refers), which was adopted by Council in February 2006, applies to the site. The City's policy limits building height for development on non residential zones within 300 metres of the coast to a maximum of 10 metres. The objective of the City policy is to ensure that the height of development within the coastal area protects and enhances the amenity and streetscape character of the coastal area.

The application was originally lodged on 20 November 2013 proposing a gymnasium addition west of the existing school buildings on the northern part of the subject site (refer Attachments 3 and 4). The building was setback a minimum of 7.5 metres from the northern boundary of the lot (as measured from the cul de sac head at Bahama Close) and was considered to be up to 15.7 metres above natural ground level. As the proposal did not comply with the maximum 10 metres height of the City's policy *Height of buildings within the coastal area (non-residential zones)*, it was advertised to surrounding properties thought to be impacted by this additional height. A total of 19 submissions were received, all of which were objections.

At its meeting held 26 February 2014 the JDAP considered the proposal and resolved as follows:

That the Metro North-West JDAP resolves to defer:

DAP Application reference DP13/00954 to ensure the following considerations are addressed:

- 1. Proponents to review design in light of comments made from the DAP members and the presenters at the meeting; and*
- 2. Proponent considers modifying the current form of building cladding of materials/ heights/ bulk perceptions.*

Discussions were held between the applicant and the City regarding the application and decision. Following these discussions, the applicant wrote to the City stating a preparedness to accept a condition of approval requiring the gymnasium to be set back an additional 12 metres from the northern boundary. No amended proposal was lodged, however the applicant did provide additional information depicting the gymnasium setback and additional 12 metres from the northern boundary. This came in the form of an amended site plan and perspectives (refer Attachments 5 and 6) which were advertised to nearby landowners and occupiers as well as anyone who provided a submission on the first proposal.

The applicant has not indicated a preparedness to change any other elements of the development.

Details: outline of development application

The proposal for a new two storey gymnasium in the north western portion of the school site remains unchanged other than the applicant's preparedness for a condition requiring an additional 12 metre setback from the northern boundary.

The proposed development is comprised of:

- Five new classrooms and a wet weather room
- Staff offices
- Two internal courts
- Male and female change rooms
- Biomechanics room
- Storerooms
- Weight rooms
- Kitchen/servery
- Six outdoor courts and a soccer field

To match the level of the new gymnasium with the existing gymnasium, retaining walls to a maximum height of four metres are proposed as part of this development. A bridge connection between the two buildings is also proposed. Including the retaining, the proposed development has a maximum height of 15.7m from the existing ground level.

No additional car parking bays are proposed to be provided on site.

The applicant has provided an indicative landscaping plan based on the original proposed location for the gymnasium (Attachment 9 refers). The plan indicates existing vegetation to be retained where possible as well as the installation of new vegetation.

Legislation & policy:

Legislation

- *Planning and Development Act 2005*
- *Metropolitan Region Scheme (MRS)*
- *City of Joondalup District Planning Scheme No.2 (DPS2)*

State Government Policies

- *State Planning Policy 2.6 – State Coastal Planning policy*

The purpose of this policy is to provide guidance for decision making within the coastal zone including managing development and land use change, establishment of foreshore reserves, and protection, conservation and enhancement of coastal values.

Local Policies

- *Height of buildings within the coastal area (non-residential zones) policy*

The objective of this policy is to ensure that the height of all development within the coastal area (non-residential zones) is sympathetic to and protects and enhances the amenity and streetscape character of the surrounding area.

The policy sets out that buildings on non-residential zoned sites within 300 metres of the horizontal setback datum should not exceed a maximum height of 10 metres as measured from natural ground level.

The policy also promotes the following outcomes:

- Allowing the development of small community activity hubs near the coast that provide facilities for the local and wider community to enjoy, and that add to the social wellbeing of the community,
- Allowing small, low-rise activity nodes that will not lead to the overdevelopment of the coastal area, and that will assist in maintaining the unique coastal setting,
- Limiting the potential overshadowing of adjoining areas, including beach areas, and limiting the visual impact of development on the coastal strip,
- Attracting small businesses and additional employment opportunities to the area,
- Attracting visitors to the City of Joondalup.

Consultation:

Public Consultation

The original proposal was advertised for a period of 28 days from 10 January 2014 to 7 February 2014. The advertising was carried out by way of letters to 55 nearby landowners and occupiers. A notice was also placed on the City's website. A total of 19 submissions were received all being objections. The concerns raised were in relation to the impact of the development on the amenity of the area by way of elements such as building bulk, glare, increased traffic, noise and reduced privacy.

The submissions were all provided by land owners and occupiers of properties adjoining the school site.

Following consideration of the proposal by the JDAP at its meeting held on 26 February 2014 and discussions held between the applicant and the City, the proposal was readvertised. The consultation letters advised the preparedness of the applicant to accept a condition requiring the development to be set back an additional 12 metres from the northern boundary. The advertising was carried out for a period of 28 days from 16 April 2014 to 14 May 2014. The advertising was again carried out by way of letters to 55 nearby land owners and occupiers as well as to anyone who made a submission on the previous proposal. A notice was also placed on the City's website.

A total of 140 submissions were received during the second advertising period which consisted of:

- 45 objections from landowners and occupiers of properties adjoining the school site, and
- 95 submissions in support of the proposal, from staff and parents or those associated with the school.

A multi-signature letter (containing 12 signatures) opposing the proposal and one late submission in support of the proposal were also received.

The locations of the submissions are shown at attachment 7 where the submitters provided their address.

The submissions received as well as the City's response to the concerns raised are discussed in the planning assessment section of this report.

Consultation with other Agencies or Consultants

The application was not required to be referred to any other agency or consultant.

Planning assessment:

The application is for a gymnasium addition to the existing educational establishment. The addition is proposed to be located on the northern side of the existing school oval where the existing outdoor hard courts are situated.

The subject site is zoned 'Private Clubs/ Recreation' and the land use 'Educational Establishment' is a discretionary ("D") use under this zone in DPS2.

The proposed development has been assessed against the provisions of the City's DPS2 and the Council policy *Height of buildings within the coast area – non residential*.

The proposal complies with the setback, landscaping and car parking provisions of DPS2 as outlined in the table below:

Provisions	Required	Provided	Compliance
Car parking			
2 car bays are	69 classrooms x 2	139 bays	Yes. Due to an existing

required to be provided per classroom and a minimum of 10 bays for the entire educational establishment.	bays = 138 bays		surplus of bays on the site no additional parking bays are required.
Setbacks			
Front (Hocking Parade)	9 metres	197 metres	Yes
Rear (West Coast Highway)	6 metres	147.5 metres	Yes
Side (north)	3 metres	7.5 metres*	Yes
Side (south)	3 metres	176 metres	Yes
Landscaping			
	8% of the site is to be landscaped	18% of the site is landscaped	Yes. In addition to the landscaping on the periphery of the site the school oval is included in the landscaping area.

* As measured from the cul de sac head. If the JDAP impose a condition requiring the building to be setback from the boundary by an additional 12 metres the minimum setback would be 19.5 metres.

The applicant has indicated that there are no proposed changes to how the site is to be accessed for the purposes of student pick up and drop off as a result of this development.

As there is an existing car parking surplus on site the 10 bays required as a result of this development will be accommodated without additional bays needing to be constructed.

Building height limits

DPS2 does not include provisions for building height for non residential development, however the City's policy *Height of buildings within the coastal area (non residential zones)* limits building height to 10 metres above natural ground level where the development is within 300 metres of the horizontal setback datum. The policy defines natural ground level as follows:

Natural Ground Level:

- a) *means the ground level as formed by nature; or*
- b) *where a level exists other than the ground level as formed by nature, and that level is the subject of all approvals required by law to authorise that level, means that level.*

The plans originally submitted indicate the natural ground level where the gymnasium is to be located is 5 metres AHD. As a comparison the level of the road in the cul de sac at the end of Bahama Close abutting the school site is 10 metres AHD. The ground levels within the school site slope up towards Hocking Parade to a level of 21 metres AHD.

The proposed gymnasium addition has an overall height above natural ground level of 15.7 metres, which is inclusive of four metres of retaining. The applicant states the retaining is required so as to connect the new gymnasium with the existing

gymnasium by way of a bridge. The bridge runs between the ground floor of the existing gymnasium and the first floor of the proposed gymnasium

The building is screened from view from the residential properties to the east by existing buildings on the school site. Given the proposed setback to the southern boundary, there will be no impact by way of overshadowing or building bulk on the properties to the south. The addition will be clearly visible from the western boundary although it is set back in excess of 100 metres from this lot boundary.

The northern boundary of the school site adjoins an existing residential area consisting predominantly of two storey dwellings. Due to the retaining proposed as well as the natural topography of the area, the proposed building will be level with or higher than some of the dwellings immediately abutting the school site.

Consultation

The modified perspectives and site plan provided by the applicant indicating the additional 12 metre setback from the northern boundary was advertised for public comment (refer to the Consultation section earlier in this report). Unlike the previous public comment period, numerous submissions in support of the application were received. The basis for supporting the proposal although not planning related are as follows:

- The school has been established for over fifty years and existed before the residential development occurred therefore nearby landowners should expect the school to develop to meet student needs.
- The school is one of the biggest rate payers within the City of Joondalup.
- The school is ranked as one of the highest performing schools in the state.
- Without the gymnasium addition the school would be unable to provide a high level of service and education to its students.
- Loss of view should not be taken into consideration.

It is acknowledged that letters of support have been received from members of the school community who will benefit from the new facility; however, these submitters will not be impacted by the bulk and scale of the building or any potential increase in traffic to the site.

The key concerns arising from the objections received during consultation remain the same as previously presented to the JDAP and are discussed below.

- Building height and bulk

The submissions received objecting to the development indicated the building height and bulk were not acceptable given the proximity to the existing residential buildings to the north even if a condition was applied requiring the additional 12 metre setback. The additional setback is also unlikely to significantly change the impact of the building as viewed from West Coast Drive.

The proposed 4 metre high retaining walls have not been modified and therefore still contribute to the total height of the development, being 15.7 metres. The development does not appear to consider the 10 metre height limit for development within 300 metres of the setback datum as provided in the City's policy. No further

information was provided by the applicant in support of their assertions that the proposed fill would reinstate the original natural ground levels of the site.

It is considered that the proposed building is of excessive height and scale and is out of character with the surrounding area and therefore does not meet the requirements or the objectives of the City's *Height of buildings within the Coastal Area (non residential zones)* policy. Removing the four metres of retaining would assist in reducing the impact of the building as viewed from the residential properties to the north and the public areas to the west. However, it is understood that the purpose of the retaining is to allow for connectivity between the proposed building and the existing gymnasium by way of a bridge between the ground floor of the existing gymnasium and the first floor of the proposed gymnasium.

- Reduced privacy

The objectors perceive that their visual privacy will be impacted due to the height of the proposed building and suggest the privacy setbacks required for residential development be applied to this development.

Although the Residential Design Codes of Western Australia (R-codes) do not apply to this development (as it is not a residential development) the proposed building is set back in excess of the 6 metre and 7.5 metre privacy setbacks required for residential developments.

Should a condition be imposed requiring the building to be set back and additional 12 metre from the northern boundary it would lessen the opportunities for direct overlooking to the adjoining properties. However, given the height of the building and proximity to the lot boundary it could still be perceived that the users of the gymnasium would be able to view areas of the adjoining properties which are not already visible from the school site.

- Increased traffic

The objectors raised concerns regarding the volume of traffic experienced during peak pick up and drop off times and school or community events. Comments were also made regarding the use of Bahama Close for visitor parking and the resulting obstruction of the road verge and driveways during these times was also raised as an issue.

It is acknowledged that during the normal peak school drop off and pick up times as well as when school or community events are held, a significant volume of traffic is experienced in the area. It is considered unlikely that the proposed addition will result in an increase in traffic to the school during these times. However, it is likely on the occasions when the gymnasium is used for events that there will be a greater number of visitors to the site. A condition requiring an additional 12 metre setback from the northern boundary is unlikely to alleviate existing traffic issues.

The existing traffic and car parking layout at the college has previously been approved by the City. There are no changes proposed as part of this development. The school itself may need to consider further traffic management and additional parking areas within the school site itself if or when school events are held. When the performing arts centre was approved a condition of approval required the preparation, approval and implementation of a traffic management plan to minimise traffic issues associated with the use of the centre. Should this application be

approved, the City recommends that the JDAP imposes a condition to require an updated traffic management plan for the school site.

It should be noted however that the traffic management plan would be required to address the traffic resulting from the use of the proposed gymnasium only and not the rest of the school.

- Overflow of lighting, glare, creation of a wind tunnel

The objectors raised concerns about the impact of the overflow lighting and glare from the proposed building into the adjoining residential properties. They were also concerned about the potential for a wind tunnel to be created in Bahama Close due to the location of the building on the school site.

The development application does not propose any lighting to the outdoor courts.

It is proposed the gymnasium will be constructed from white aluminium cladding to the first floor and roof with light grey colorbond steel roofing and limestone walls to the ground floor.

The applicant has submitted that as the new building will sit to the south of adjacent residences, light (even low angle mid-winter sun's rays) and heat will be reflected downwards to the ground and not upwards towards adjacent buildings.

If the application is supported subject to a further 12 metre setback from the northern boundary, it would assist in reducing light from the building shining directly into the adjoining properties. Should the application be supported the City would recommend a condition requiring low reflective materials and colours to be incorporated in the exterior of the building and that a schedule demonstrating the applicable materials be submitted prior to the application for a building permit. This will help minimise any light or glare reflecting from the building to the residential properties nearby.

The effect of development on wind is not specifically covered by the DPS2 or any local planning policies. In addition, there is no evidence that the proposed building would create a wind tunnel. If the development is supported subject to a further 12 metres setback from the northern boundary, this would assist in further reducing the risk of the building affecting wind around existing buildings.

- Impact on views and value of property

Concerns were raised by the submitters in relation to the impact of the height of the proposed development on the views to and from the area as well as the property values.

State Planning Policy 2.6: State Coastal Planning states that *"When determining building height controls in a local planning scheme and/or structure plan, building heights should have due regard to the following planning criteria:*

(e) there is overall visual permeability of the foreshore and ocean from nearby residential areas, roads and public spaces."

The City's *Height of buildings within the coastal area (non residential zones)* local planning policy was developed under the City's local planning scheme and considered the potential impact on overall visual permeability when it was developed.

The maximum height limit of 10 metres above natural ground level is set out in the policy to ensure there is overall visual permeability of the foreshore and ocean from nearby residential areas, roads and public spaces.

The application proposes a maximum height of 15.7 metres above natural ground level. It is considered that, even with an additional 12 metre setback, there will still be a significant loss of overall visual permeability of the foreshore and ocean as a result of the development. The excessive height and building bulk will restrict the visual permeability of the foreshore and coast from Bahama Close and a number of residential properties to the north of the school site, particularly those dwellings on the same or similar level as the proposed addition.

An additional 12 metre setback will assist in allowing for some visual permeability to the foreshore and coast from Bahama Close and particular properties. However, the visual permeability will still not be maintained for Bahama Close and some properties as a result of the additional height and scale of the proposed development.

The City is only able to consider the areas of the proposed development that are not in accordance with its standards and requirements when assessing loss of visual permeability. The loss of some views is clearly contemplated and considered appropriate under the Council's policy and the City would not require development to be modified or moved to ensure the retention of these views. However, the development proposes a height of 15.7 metres above natural ground level, well in excess of the policy limit, being 10 metres above natural ground level. The additional 5.7 metres of height clearly reduces the visual permeability of the foreshore and coast from Bahama Close and residential properties, well beyond that which is considered appropriate under the City's policy. The City therefore does not support the overall height of the structure as it does not accord with Council policy, and if the overall height of the development were to be reduced, some visual permeability that would otherwise be lost may be retained.

- Increased noise and antisocial behaviour

Comments were provided by the submitters regarding incidents of antisocial behaviour that are currently experienced at the school site outside of the normal school hours.

The use of the proposed building is required to comply with the Environmental Protection (Noise) Regulations 1997 at all times. Should a noise issue arise, this matter can be followed up under the relevant legislation.

Antisocial behaviour problems at the College are a matter for the College to address and not relevant to this application.

The proposed increased setback from the northern boundary will assist in reducing some noise to the adjoining residential properties. The setback will also increase the amount of open area that is able to be viewed from the adjoining residential properties and West Coast Drive improving passive surveillance and assist in deterring antisocial behaviour in this location.

- Impact on drainage (overflow onto adjoining properties.)

As there is a history of drainage issues for the residents in Bahama Close submitters have indicated their concern regarding the impact of the gymnasium addition, inclusive of the retaining, on the nearby drainage.

All stormwater associated with the development will need to be disposed of onsite as is the current practice. The retaining walls and gymnasium building are approximately 5 metres clear of the nearby drainage line and therefore not considered to pose an issue.

Greater detail regarding the drainage will be provided and assessed through the building permit stage, should this application be approved by the JDAP.

- Loss of bushland on the periphery of the school oval and impact on native birds in the area.

Through the submissions concern has been raised in relation to the loss of existing vegetation on the school site to accommodate the new gymnasium and the inclusion of Norfolk Pines as part of the revegetation.

The new gymnasium will be built over the existing playing courts not bushland. If applied, the additional 12 metre setback is not anticipated to require any additional vegetation to be removed. Existing trees to the bank will be retained and enhanced by the planting of new trees and shrubs providing additional habitat for native birds. There is no vegetation in the proposed location of the building. There may be some minor vegetation removal for the proposed bridge however this will be offset by the landscaping proposed as part of the application.

If the application is supported the City recommends a condition of approval requiring the submission and approval of a landscaping plan indicating the location and type of species to be planted on the school site. It should be noted that Norfolk Pines and/or Cook Island Pines are both contained on the City's list of approved species and their use as part of the landscaping solution for the site could be supported.

- Impact on amenity and character of the area

The objectors indicated the design of the proposed gymnasium is not sympathetic to or in keeping with the other buildings in the immediate area by way of the building style and materials.

The applicant submits the development is '*consistent with all standard amenity measures of amenity impact and will confirm with noise standards, overlooking and privacy*'. The applicant contends that given the building is set back approximately 200 metres from the beach there will be no impact. However, the City considers that the proposed development will be highly visible from the adjoining residential properties and from West Coast Drive due to its height and location. The development will be a dominant feature as viewed from the coast given it is proposed to be supported by four metre high retaining walls rather than being constructed level with the existing ground level. If imposed, the 12 metre setback is unlikely to significantly reduce the impact of the building on the amenity of the area.

Conclusion:

As outlined above the development complies with the requirements of DPS2. However, it is considered the development does not meet the requirements or

objectives of the City's local planning policy *Height of buildings within the coast area (non residential)* as it is not sympathetic to the natural topography of the site or the character of the adjoining residential area and does not retain the visual permeability to the foreshore and coast from the adjoining residential area, by virtue of its excessive height and bulk given its location.

It is therefore recommended that the application be refused.

Options/Alternatives

Notwithstanding the City's recommendation for refusal of the proposed development, should the JDAP consider that the height of the proposed development is appropriate and seek to approve the application set out in Attachment 2, it is recommended that the following conditions and advice notes be included.

- 1. This decision constitutes planning approval only and is valid for a period of two (2) years from the date of approval. If the subject development is not substantially commenced within the two (2) year period, the approval shall lapse and be of no further effect.**
- 2. The gymnasium addition shall be set back an additional 12 metres from the northern boundary, being not less than 19.5m from the cul de sac head of Bahama Close.**
- 3. A traffic management plan shall be prepared to the satisfaction of the City. The approved traffic management plan shall detail how parking and traffic shall be managed for any events to be run from the proposed facility and shall be implemented as set out in the approved document.**
- 4. An on-site stormwater drainage system, with the capacity to contain a 1:100 year storm of 24-hour duration, is to be provided prior to the development first being occupied, and thereafter maintained to the satisfaction of the City. Plans showing the proposed stormwater drainage system are to be submitted to the City for approval, prior to the commencement of construction.**
- 5. The development shall only be used for college, or school community purposes. It shall not be used for any other purposes, including commercial purposes without the prior planning approval of the City.**
- 6. Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of construction. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:**
 - Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;**
 - Provide all details relating to paving, treatment of verges and tree planting in the car park;**
 - Show spot levels and/or contours of the site;**
 - Indicate any natural vegetation to be retained and the proposed manner in which this will be managed;**
 - Be based on water sensitive urban design principles to the satisfaction of the City;**

- Be based on Designing out Crime principles to the satisfaction of the City; and
 - Show all irrigation design details.
7. Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City.
 8. A Construction Management Plan being submitted and approved prior to the commencement of development. The management plan shall detail how it is proposed to manage:
 - all forward works for the site;
 - the delivery of materials and equipment to the site;
 - the storage of materials and equipment on the site;
 - the parking arrangements for the contractors and subcontractors;
 - the management of sand and dust during the construction process;
 - other matters likely to impact on the surrounding properties.
 9. A refuse management plan indicating the method of rubbish collection is to be submitted prior to the commencement of development, and approved by the City prior to the development first being occupied.
 10. A full schedule of colours and materials for all exterior parts to the building is to be submitted and approved prior to the commencement of development. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard to the satisfaction of the City.
 11. The external surface of the gymnasium, including roofing, shall be finished in materials and colours that have low reflective characteristics, to the satisfaction of the City. The external surfaces shall be treated to the satisfaction of the City if it is determined by the City that glare from the completed development has a significant adverse effect on the amenity of adjoining or nearby neighbours.
 12. Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, with details of the location of such plant being submitted for approval by the City prior to the commencement of construction.

Advice Notes

1. Further to condition 1, where an approval has so lapsed, no development shall be carried out without the further approval under District Planning Scheme No. 2 having first being sought and obtained.
2. The development has been defined as a public building and shall comply with the provisions of the *Health Act 1911* relating to public building, and the *Public Building Regulations 1992*.

3. All construction works shall comply with the requirements of the *Environmental Protection Act 1986 and the Environmental Protection (Noise) regulations 1997*.
4. All pipework shall be installed in accordance with the *Water Services Regulations 2013*.
5. The development shall comply with the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971*.
6. On completion of the installation of any Mechanical Services, the applicant/builder shall provide a Mechanical Services Plan signed by a suitably qualified Mechanical services engineer or Air Conditioning Contractor. It shall certify that the mechanical ventilation of the development complies with and is installed in accordance with Australian Standard 1668.2, AS 3666 and the *Health (Air Handling and Water Systems) Regulations 1994*.
7. The applicant's electrical contractor shall submit a Form 5 Electrical Compliance Certificate on completion of the electrical works.





HEIGHT OF BUILDINGS WITHIN THE COASTAL AREA (NON-RESIDENTIAL ZONES)

STATUS:	<p>Council Policy - A strategic policy that sets governing principles and guides the direction of the organisation to align with community values and aspirations.</p> <p>Council policies are developed by the Policy Committee for approval by Council.</p>
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	To ensure that the height of all development within the coastal area (non-residential zones) is sympathetic to the protection and enhancement of the amenity and streetscape character of the surrounding area.

Definitions

1 "Natural Ground Level" :

- (i) means the ground level as formed by nature; or
- (ii) where a level exists other than the ground level as formed by nature, and that level is the subject of all approvals required by law to authorise that level, means that level.

"Height": when used in relation to:

- (i) a building used exclusively for residential purposes, has the same meaning given to it in the Codes; or
- (ii) a building used other than exclusively for residential purposes, means the vertical distance measured at any point from the natural ground level to the uppermost part of the building above that point excluding any chimney or vent pipe.

STATEMENT

1. This Policy applies to all land, including local reserves, subject to the provisions of District Planning Scheme No 2, other than land within the Residential Zone. The Policy does not apply to land Reserved under the Metropolitan Region Scheme.
2. On land within 300 metres of the horizontal set back datum of a coast, as defined in the Western Australian Planning Commission's Statement of Planning Policy 2.6, buildings shall not exceed 10 metres in height.



SUSTAINABILITY

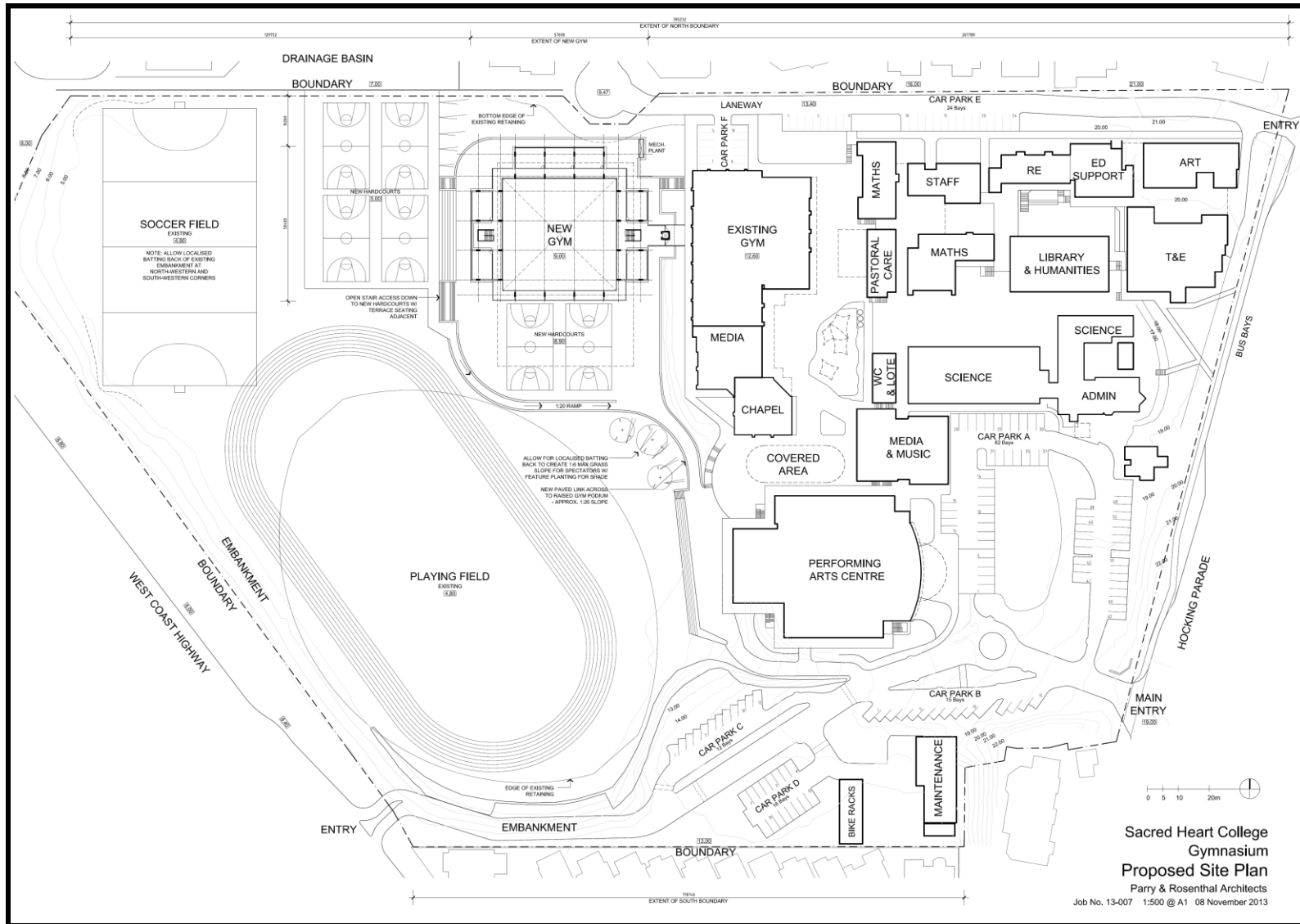
This Policy promotes Council's sustainability objectives by:

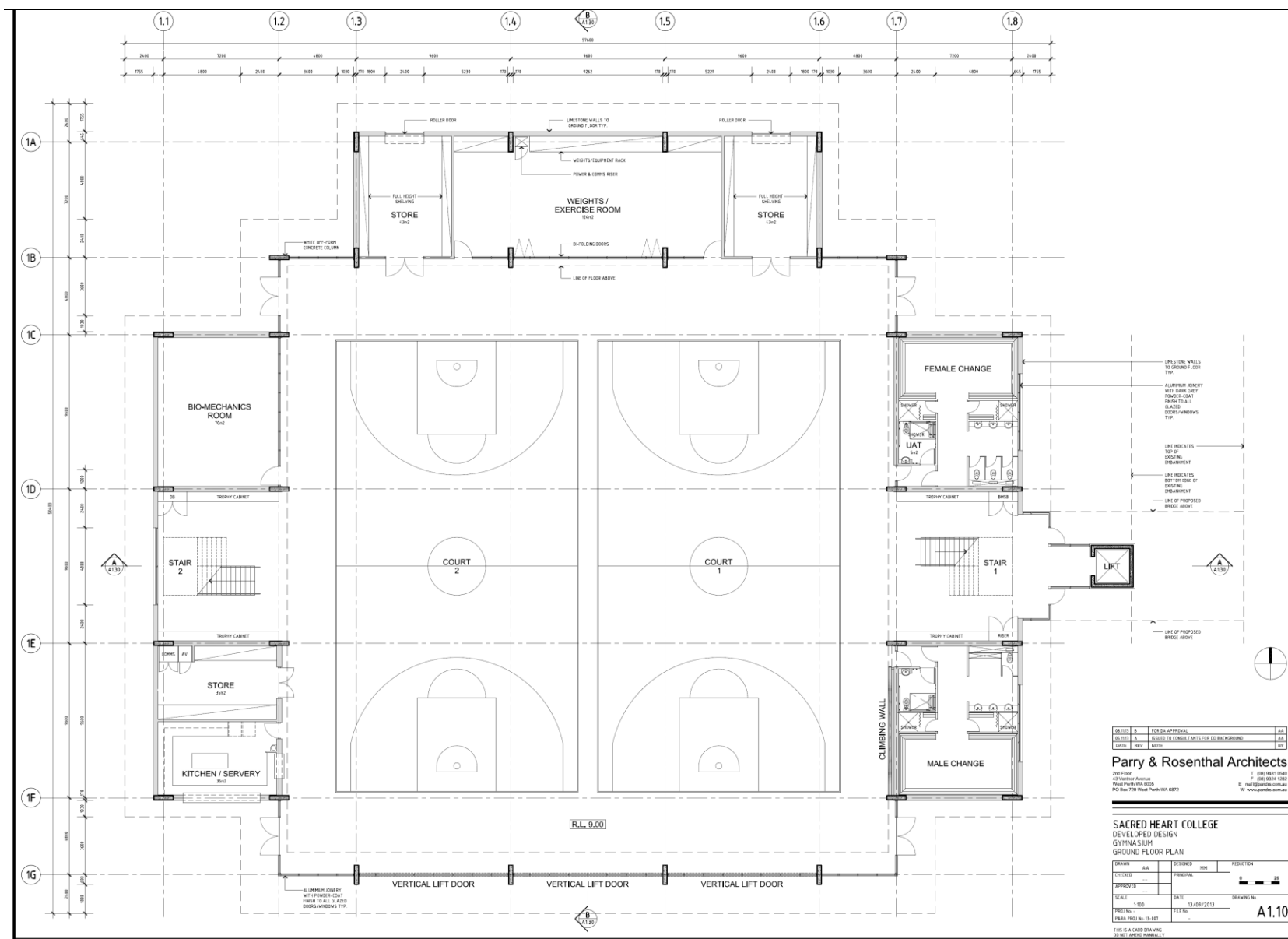
- Allowing the development of small community activity hubs near the coast that provide facilities for the local and wider community to enjoy, and that add to the social wellbeing of the community,
- Allowing small, low-rise activity nodes that will not lead to the over-development of the coastal area, and that will assist in maintaining the unique coastal setting,
- Limiting the potential overshadowing of adjoining areas, including beach areas, and limiting the visual impact of development on the coastal strip,
- Attracting small businesses and additional employment opportunities to the area,
- Attracting visitors to the City of Joondalup

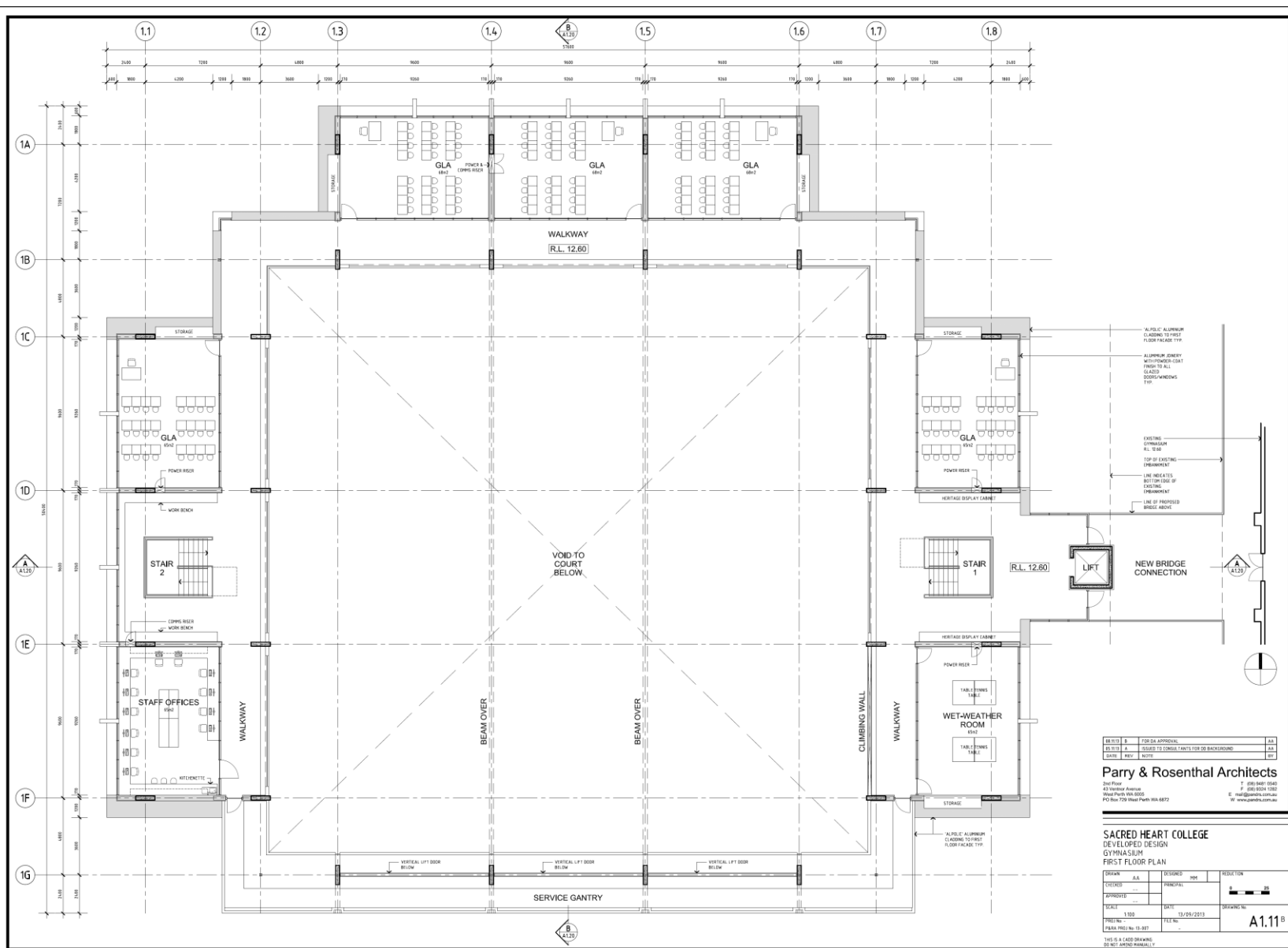
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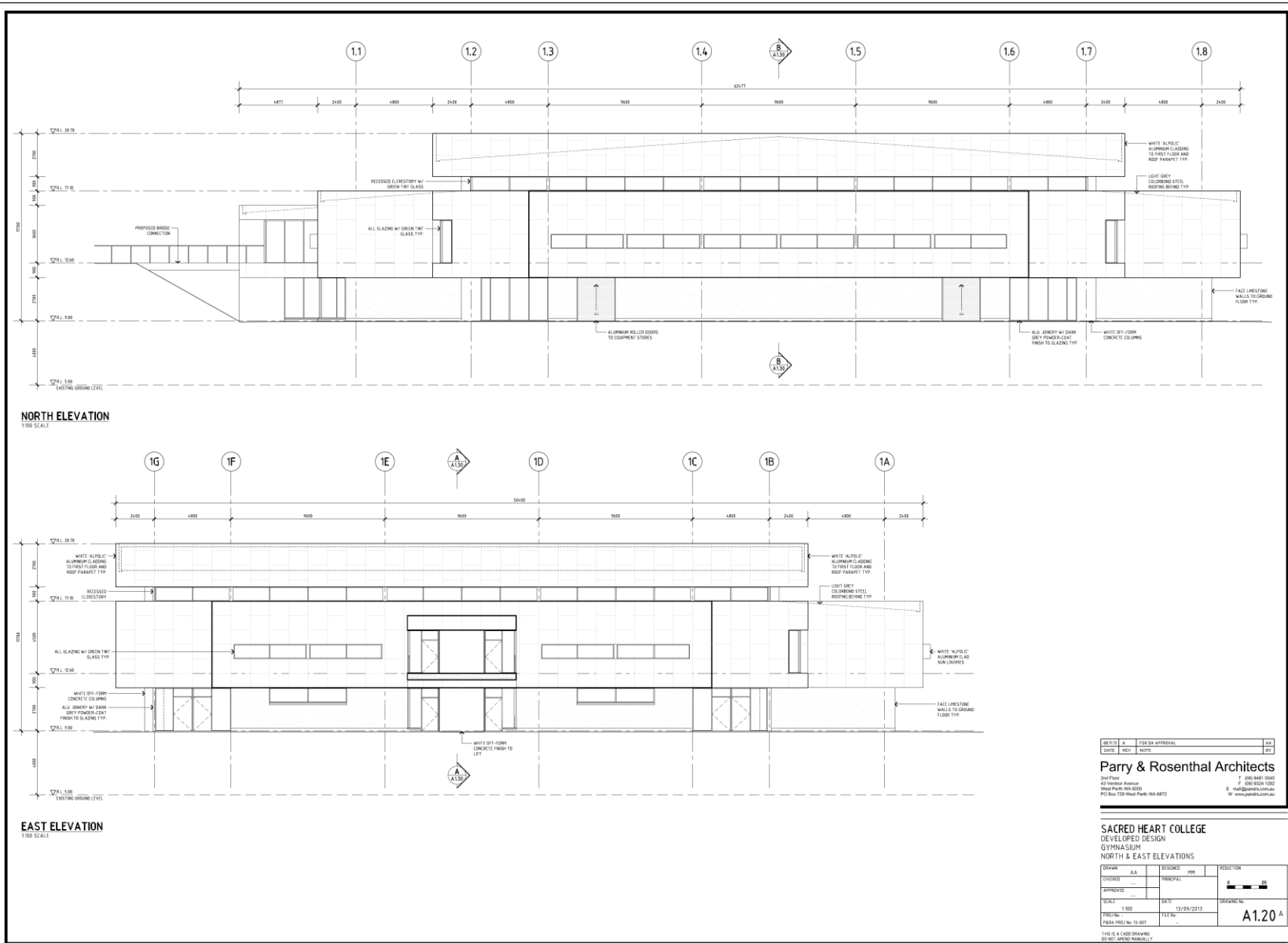
Related Documentation: District Planning Scheme No 2
Delegated Authority Manual
Council Sustainability Policy 2-1

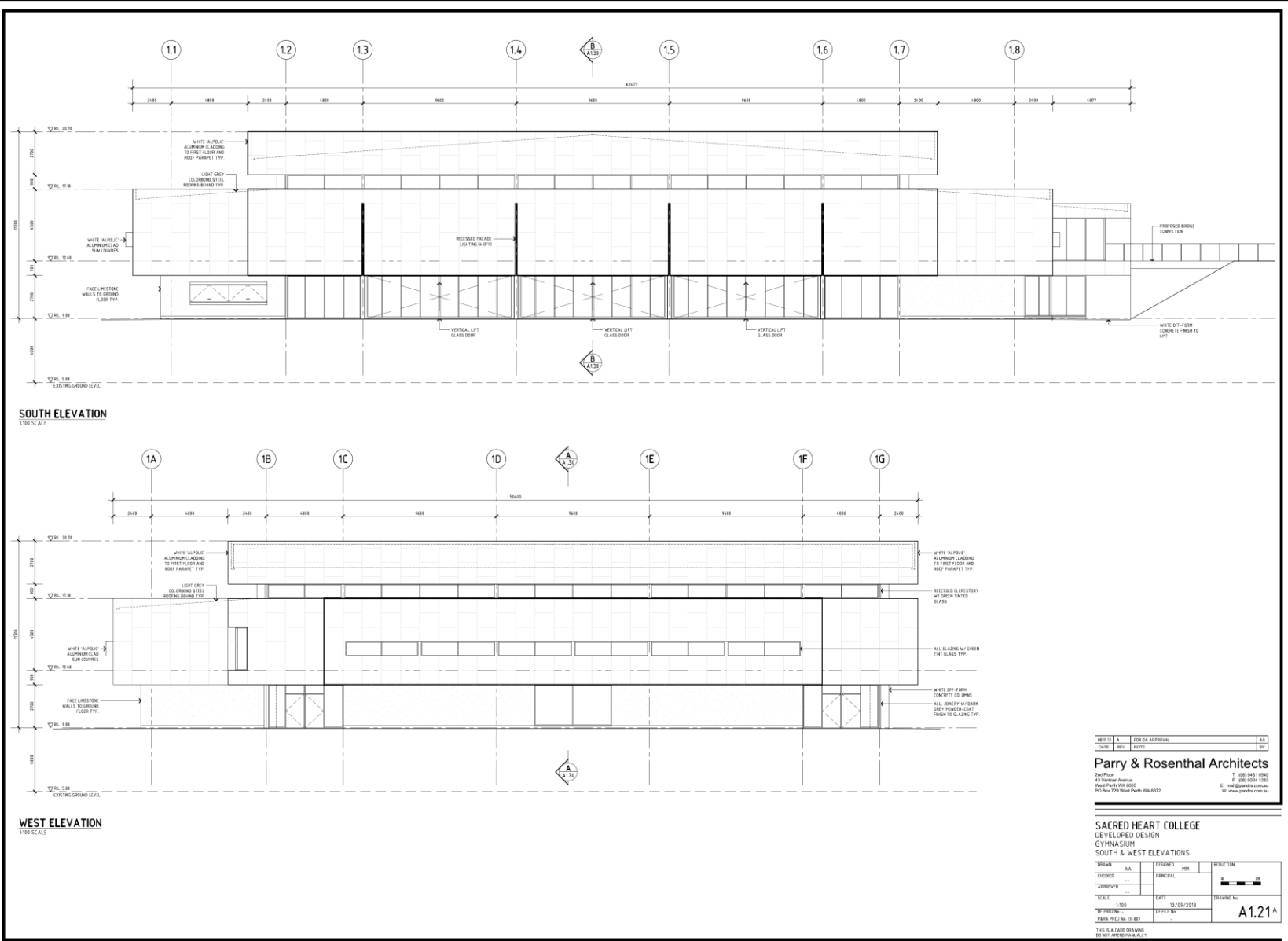
Issued: February 2006

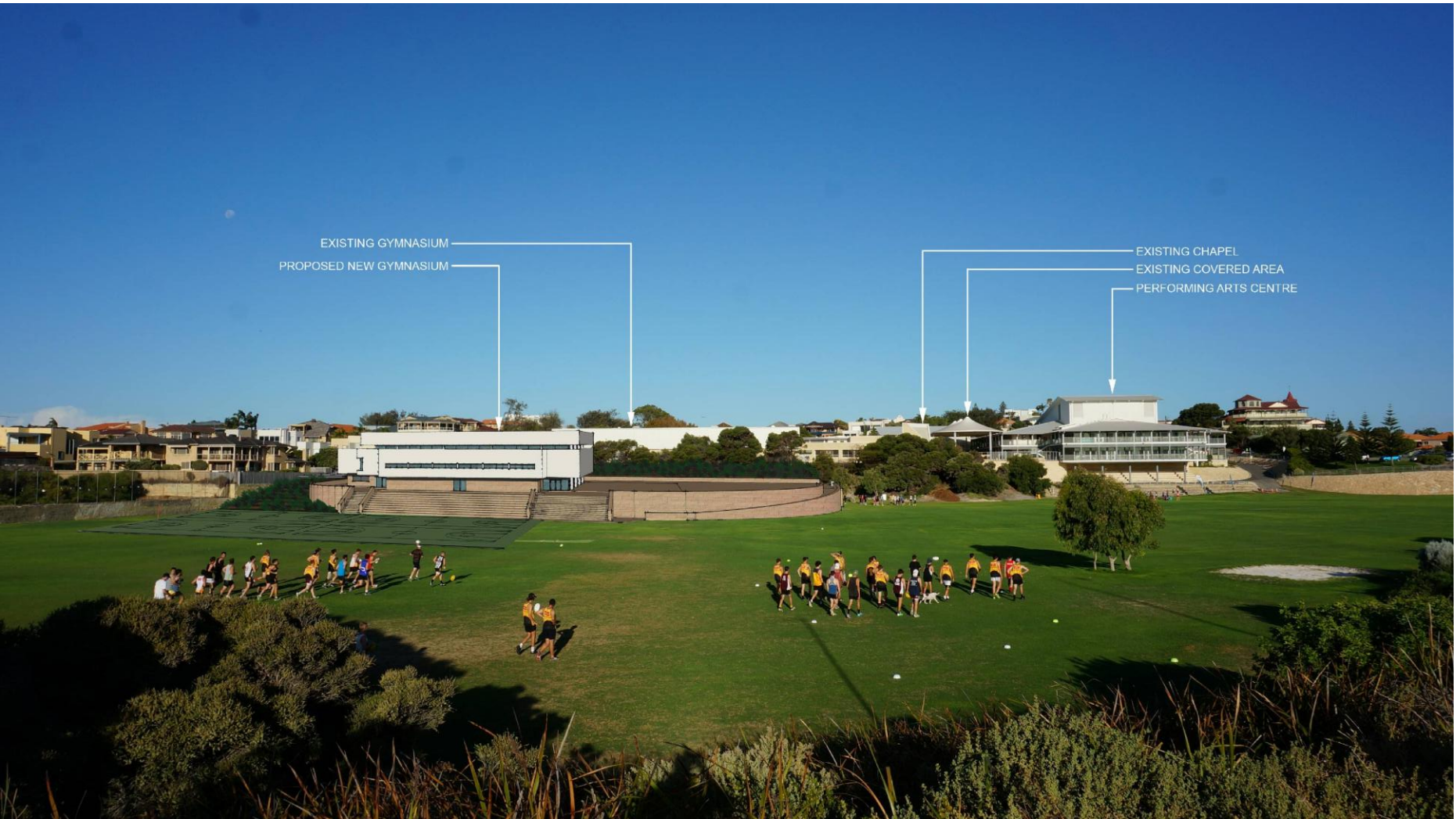


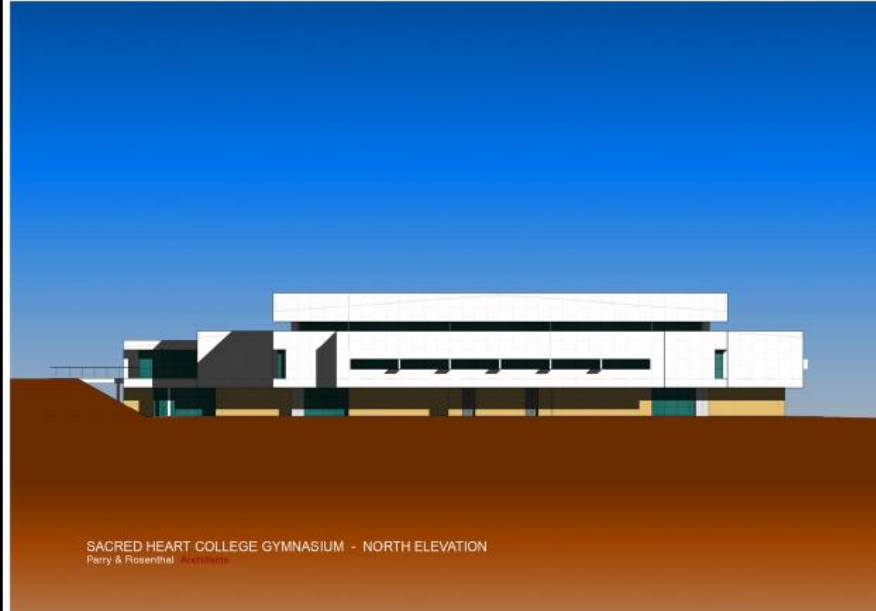




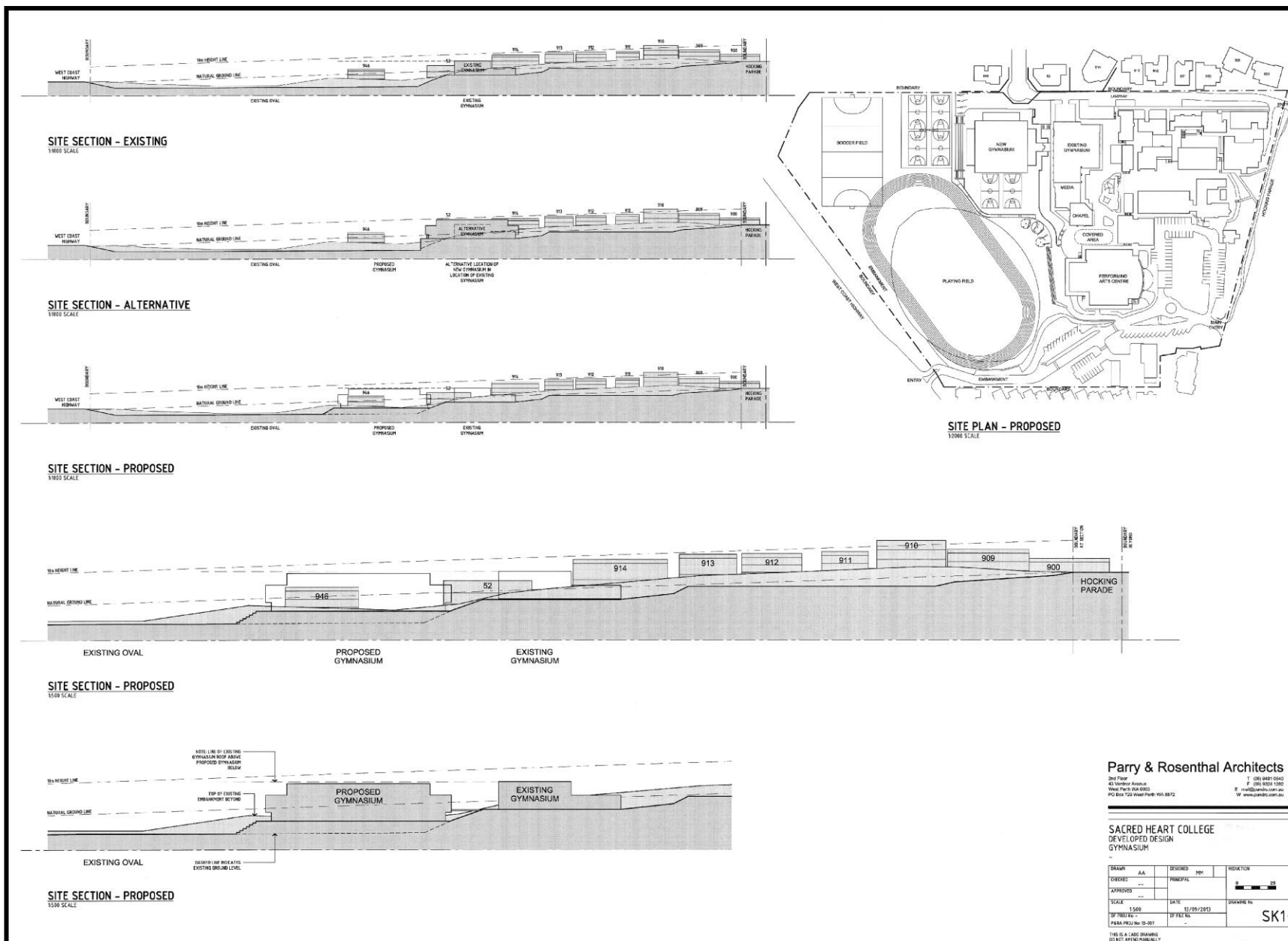










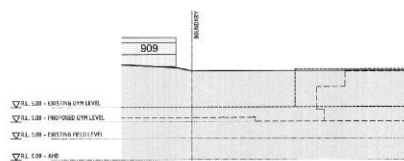


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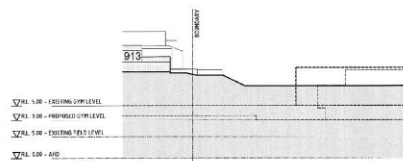
**SACRED HEART COLLEGE
DEVELOPED DESIGN
GYMNASIUM**

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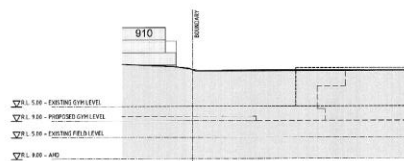
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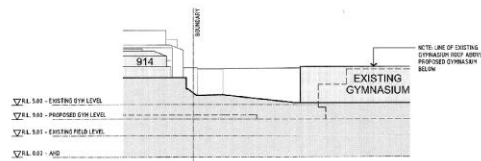
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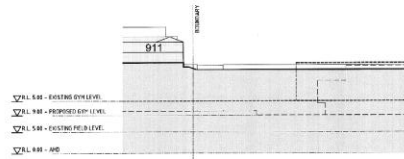
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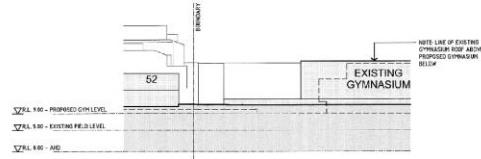
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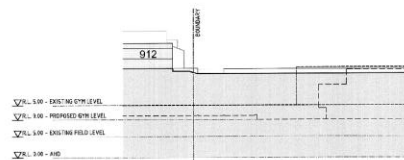
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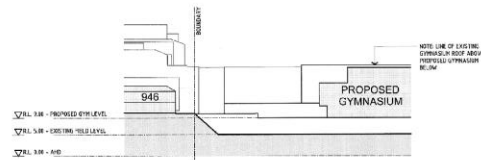
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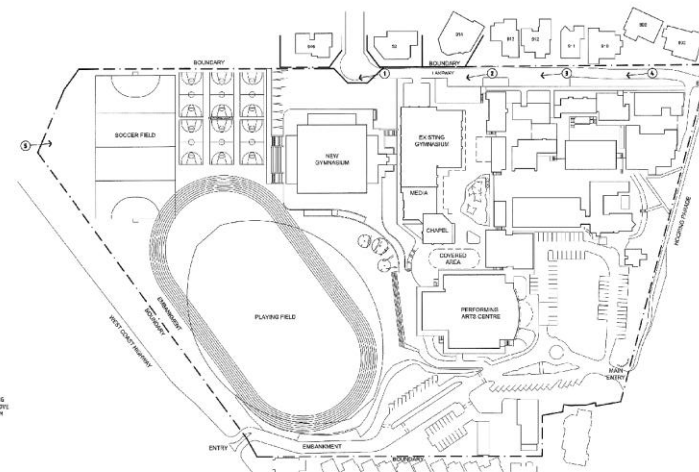
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SITE SECTION - PROPOSED
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SITE SECTION - PROPOSED
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SITE PLAN - PROPOSED
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View



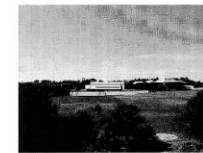
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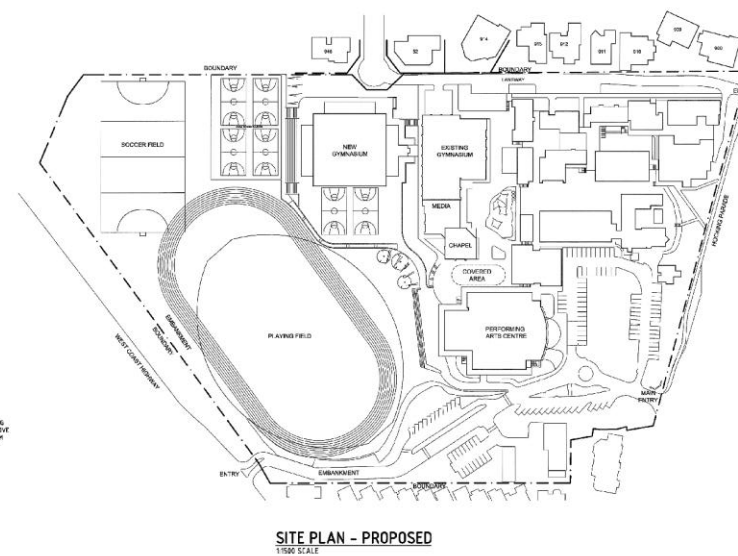
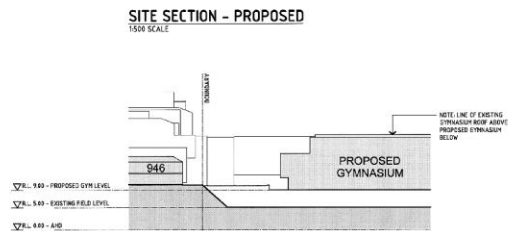
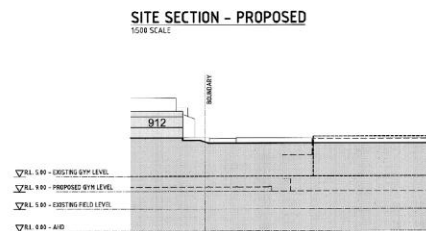
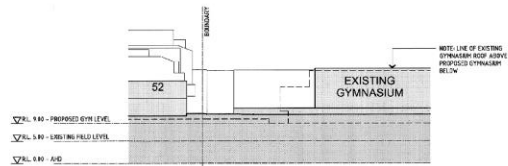
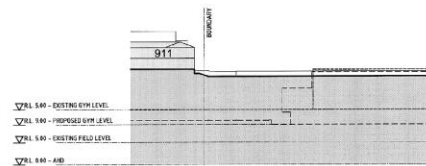
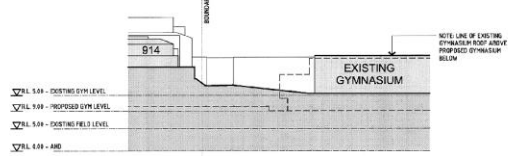
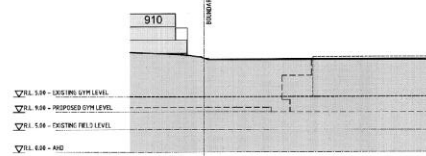
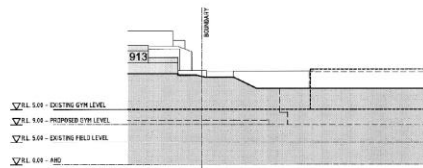
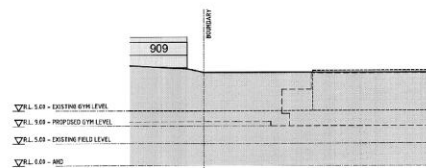
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SACRED HEART COLLEGE
DEVELOPED DESIGN
GYMNASIUM

DRAWN A.A.	DESIGNED H.M.	REDUCED 0 1 2 3 4 5 6 7 8 9 10 INCHES
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APPROVED H.M.		
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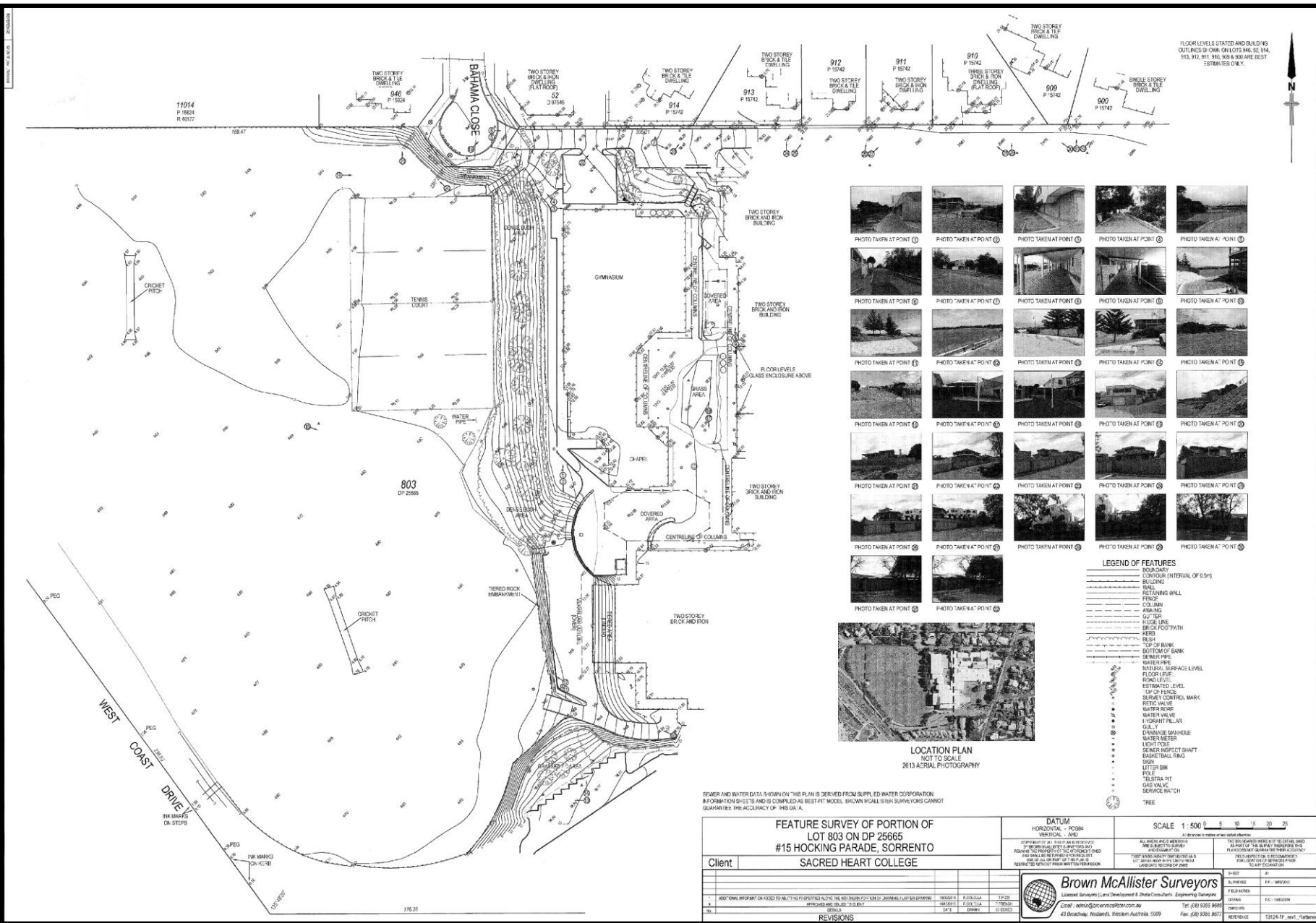


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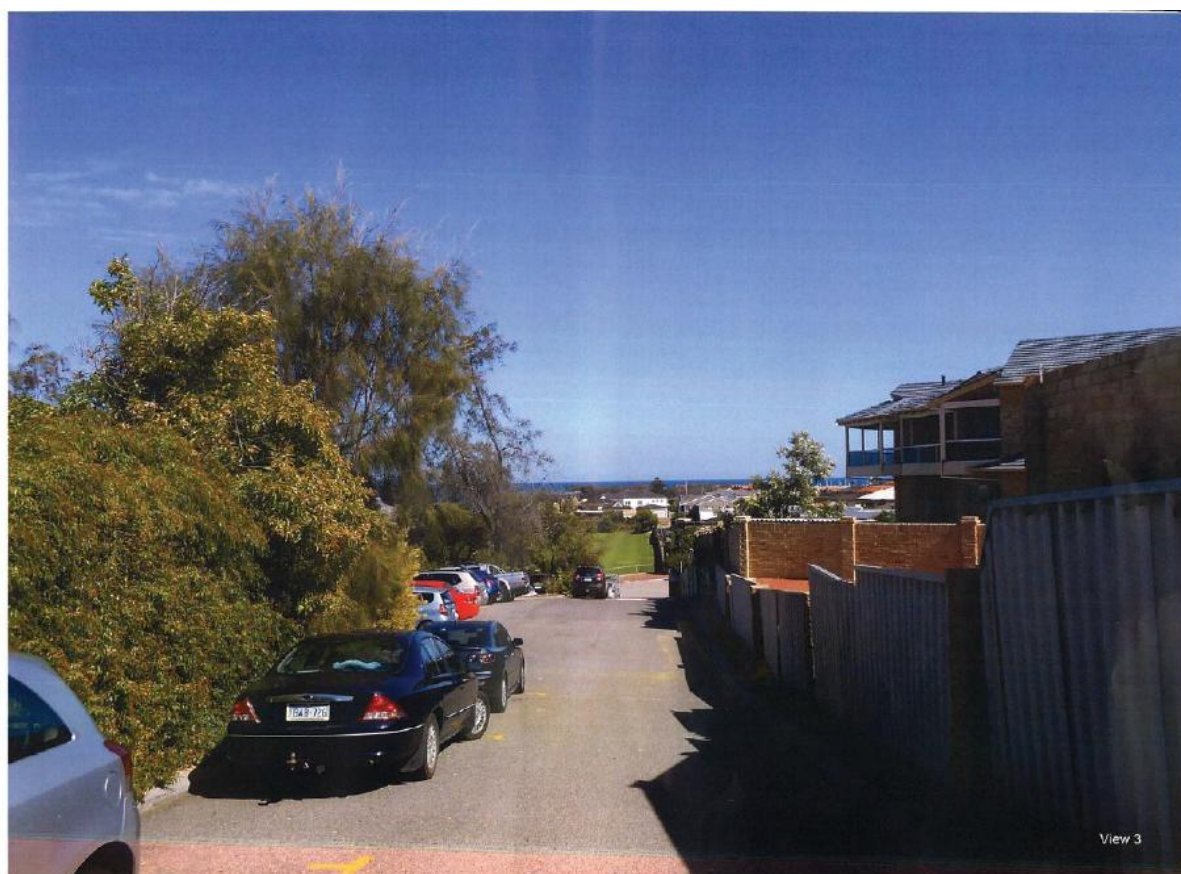
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W www.parsnbs.com.au

<h1 style="text-align: center;">SACRED HEART COLLEGE</h1> <h2 style="text-align: center;">DEVELOPED DESIGN</h2> <h3 style="text-align: center;">GYNASIUM</h3>				100' 0" 0" 0"
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Environmentally Sustainable Design – Checklist

Under the City's planning policy, *Environmentally Sustainable Design in the City of Joondalup*, the City encourages the integration of environmentally sustainable design principles into the construction of all new residential, commercial and mixed-use buildings and redevelopments (excluding single and grouped dwellings, internal fit outs and minor extensions) in the City of Joondalup.

Environmentally sustainable design is an approach that considers each building project from a 'whole-of-life' perspective, from the initial planning to eventual decommissioning. There are five fundamental principles of environmentally sustainable design, including: siting and structure design efficiency; energy efficiency; water efficiency; materials efficiency; and indoor air quality enhancement.

For detailed information on each of the items below, please refer to the *Your Home Technical Manual* at: www.yourhome.gov.au, and *Energy Smart Homes* at: www.clean.energy.wa.gov.au.

This checklist must be submitted with the planning application for all new residential, commercial and mixed-use buildings and redevelopments (excluding single and grouped dwellings, internal fit outs and minor extensions) in the City of Joondalup.

The City will seek to prioritise the assessment of your planning application and the associated building application if you can demonstrate that the development has been designed and assessed against a national recognised rating tool.

Please tick the boxes below that are applicable to your development.

Siting and structure design efficiency

Environmentally sustainable design seeks to affect siting and structure design efficiency through site selection, and passive solar design.

Does your development retain:

- ☒ existing vegetation; and/or
- ☒ natural landforms and topography

Does your development include:

- ☒ northerly orientation of daytime living/working areas with large windows, and minimal windows to the east and west
- ☒ passive shading of glass
- ☒ sufficient thermal mass in building materials for storing heat
- ☒ insulation and draught sealing
- ☒ floor plan zoning based on water and heating needs and the supply of hot water; and/or
- ☒ advanced glazing solutions

Energy efficiency

Environmentally sustainable design aims to reduce energy use through energy efficiency measures that can include the use of renewable energy and low energy technologies.

Do you intend to incorporate into your development:

- ☐ renewable energy technologies (e.g. photo-voltaic cells, wind generator system, etc); and/or
- ☒ low energy technologies (e.g. energy efficient lighting, energy efficient heating and cooling, etc); and/or
- ☒ natural and/or fan forced ventilation

Water efficiency

Environmentally sustainable design aims to reduce water use through effective water conservation measures and water recycling. This can include stormwater management, water reuse, rainwater tanks, and water efficient technologies.

Does your development include:

- ☐ water reuse system(s) (e.g. greywater reuse system); and/or
- ☐ rainwater tank(s)

Do you intend to incorporate into your development:

- ☒ water efficient technologies (e.g. dual-flush toilets, water efficient showerheads, etc)

Materials efficiency

Environmentally sustainable design aims to use materials efficiently in the construction of a building. Consideration is given to the lifecycle of materials and the processes adopted to extract, process and transport them to the site. Wherever possible, materials should be locally sourced and reused on-site.

Does your development make use of:

- ☐ recycled materials (e.g. recycled timber, recycled metal, etc)
- ☐ rapidly renewable materials (e.g. bamboo, cork, linoleum, etc); and/or
- ☐ recyclable materials (e.g. timber, glass, cork, etc)
- ☐ natural/living materials such as roof gardens and "green" or planted walls

Indoor air quality enhancement

Environmentally sustainable design aims to enhance the quality of air in buildings, by reducing volatile organic compounds (VOCs) and other air impurities such as microbial contaminants.

Do you intend to incorporate into your development:

- ☐ low-VOC products (e.g. paints, adhesives, carpet, etc)

'Green' Rating

Has your proposed development been designed and assessed against a nationally recognised "green" rating tool?

- ☐ Yes
- ☐ No

If yes, please indicate which tool was used and what rating your building will achieve:

If yes, please attach appropriate documentation to demonstrate this assessment.

If you have not incorporated or do not intend to incorporate any of the principles of environmentally sustainable design into your development, can you tell us why:

- Existing vegetation to be retained except some specimens may be removed for bridge
- No "natural" landforms are affected
- Floor plan zoned to the extent that services supplied to areas requiring them only
- Tinted glass to be used. Not reflective glass

Is there anything else you wish to tell us about how you will be incorporating the principles of environmentally sustainable design into your development:

When you have checked off your checklist, sign below to verify you have included all the information necessary to determine your application.

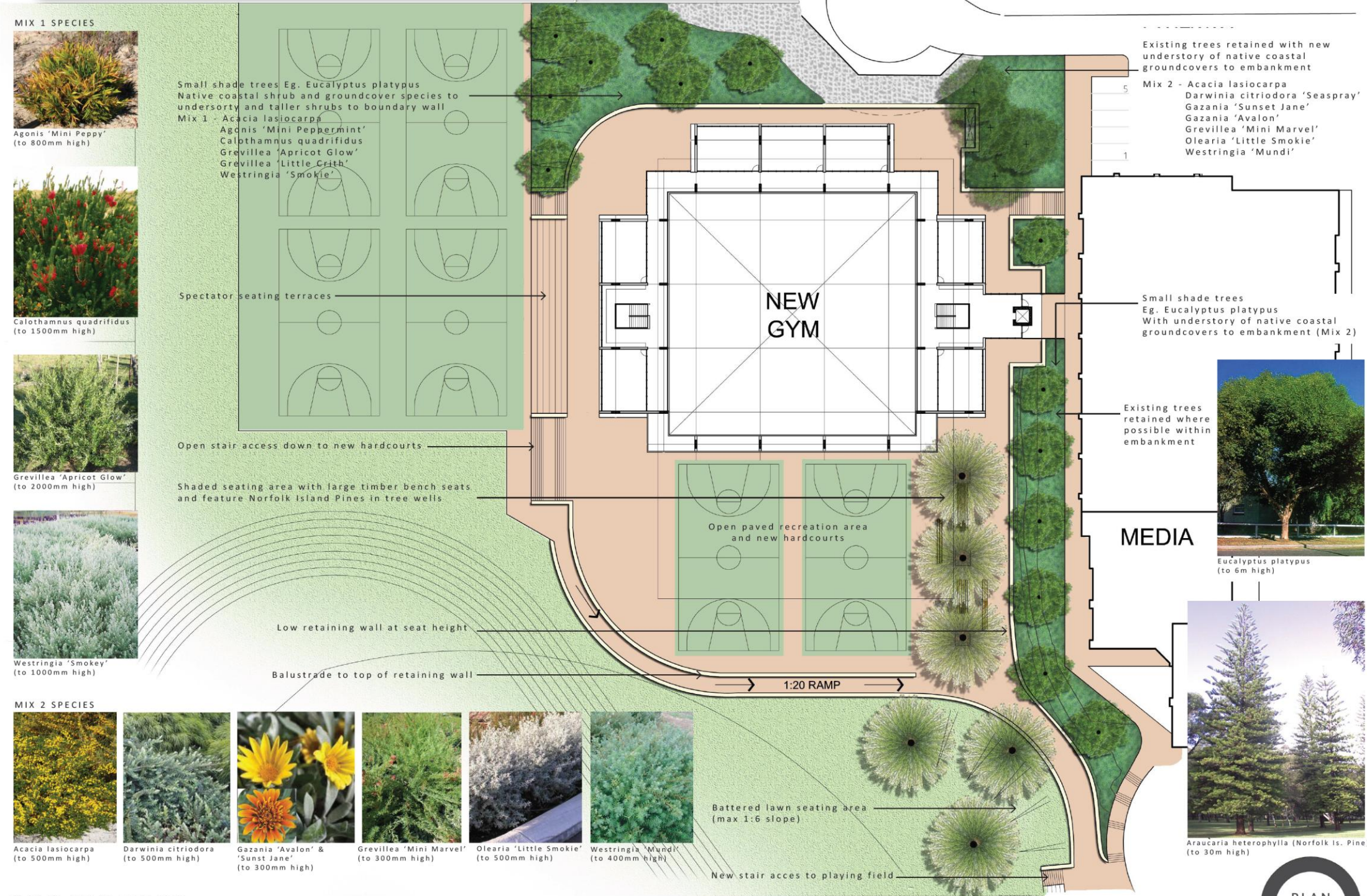
Thank you for completing this checklist to ensure your application is processed as quickly as possible.

Applicant's Full Name: MGA Town Planners Contact Number: 9321 3011

Applicant's Signature:  Date Submitted: 13/2/14

Accepting Officer's Signature: _____

Checklist Issued: March 2011



SACRED HEART COLLEGE
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GYMNASIUM & HARD COURTS UPGRADE LANDSCAPE CONCEPT PLAN

JOB NO. 13058-02
1:500 @ A3

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LANDSCAPE ARCHITECTS
414 ROKEBY RD SUBIACO WA 6008
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LANDSPACE PTY LTD ACN 056 538 679

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Form 1 - Responsible Authority Report

(Regulation 12)

Property Location:	Lot 156, House Number 285 & 285A, West Coast Highway, Scarborough
Application Details:	20 Multiple Dwellings
DAP Name:	Metro North-West JDAP
Applicant:	Meyer Shircore and Associates
Owner:	Lakecrest Nominees Pty Ltd
LG Reference:	DA14/0477
Responsible Authority:	City of Stirling
Authorising Officer:	Ross Povey Director Planning and Development
Department of Planning File No:	DP14/00213
Report Date:	29 May 2013
Application Receipt Date:	5 March 2014
Application Process Days:	83 days
Attachment(s):	<p>ATTACHMENT 1</p> <ul style="list-style-type: none">a) Drawing List (dated 8 May 2014)b) Location Plan (dated 8 May 2014)c) Site Feature Survey Plan (dated 8 May 2014)d) Ground Floor Plan (dated 8 May 2014)e) Second to Fourth Floor Plan (dated 8 May 2014)f) Roof Deck Plan (dated 8 May 2014)g) Landscape Plan, Cone of Vision Diagram and Overshadowing Diagram (dated 8 May 2014)h) Elevations (dated 8 May 2014)i) Perspectives (dated 8 May 2014)j) Sightlines, Boundary Setbacks and Sightlines, Street Setback and Sightlines – First Floor Plan (dated 8 May 2014)k) External Finished Schedule <p>ATTACHMENT 2 Aerial Location Map</p> <p>ATTACHMENT 3 Metropolitan Region Scheme (MRS) Zoning Map</p> <p>ATTACHMENT 4 City of Stirling Local Planning Scheme No. 3- (LPS3) Zoning Map</p> <p>ATTACHMENT 5 Local Planning Policy 5.6 – Scarborough Design Guidelines – Scarborough</p>

	<p>Redevelopment Zone</p> <p>ATTACHMENT 6 City of Stirling Local Planning Policy 6.3 – Bin Storage</p> <p>ATTACHMENT 7 City of Stirling Local Planning Policy 6.2 – Bicycle Parking</p> <p>ATTACHMENT 8 City of Stirling Local Planning Policy 6.6 - Landscaping</p> <p>ATTACHMENT 9 a. Main Roads Comments dated 2 April 2014 b. Main Roads Comments dated 23 May 2014</p> <p>ATTACHMENT 10 a. Applicant's submission dated 5 March 2014 b. Applicant's submission dated 6 May 2014 c. Transcore Report dated 5 May 2014</p>
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Recommendation:

That the Metropolitan North-West JDAP resolves to:

1. **Refuse** DAP Application reference DA14/00213 and accompanying plans (ATTACHMENT 1) in accordance with Clause 10.3.1 of the City of Stirling's Local Planning Scheme No. 3, for the following reasons:
 - a. The development does not comply with the following objectives of Part 6.9 – Scarborough Special Control Area of the City of Stirling's Local Planning Scheme no. 3:

“Buildings designed to contribute towards a distinctive urban-coastal character and sense of place, and which are evocative of a beach-side town;

Buildings designed to capitalise on the vistas and climatic attributes of the location, but which will respect the visual amenities of the street and locality;

Buildings designed to provide an attractive visual frame and sense of enclosure for the adjacent street but which area in ‘scale’ with the adjoining public spaces.

Buildings designed to provide safe and efficient vehicular and pedestrian access and egress along the streets and to the foreshore”

- b. The development exceeds the maximum plot ratio permitted in accordance with Clause 6.9.5 (d) (iii) of the City's Local Planning Scheme No. 3 with a plot ratio of 1:1.33 in lieu of 1:1.0;
- c. The development exceeds the maximum building height permitted in accordance with Clause 6.9.8 (d) (ii) of the City's Local Planning Scheme No. 3 with a building height of 6 storeys in lieu of 4 storeys and no distinguishable roofing provided;
- d. The failure to provide the required 5.5 metre vehicular access way in accordance with Clause 6.9.11 of the City of Stirling's Local Planning Scheme No. 3 is not in the interests of orderly and proper planning;
- e. The development does not comply with the following objectives of the City's Local Planning Policy 5.6 – Scarborough Redevelopment Design Guidelines – Scarborough Redevelopment Zone:

“To ensure that building facades facing the street portray an attractive and inviting frontage;

To improve the visual appeal of development, screen service areas and provide shade and 'green relief' in built up areas;

To ensure that vehicle access ways are safe and easily traversed.”

- f. The development does not provide a enough articulation to break up the façade of the development in accordance with the Built form and design provisions of the City's Local Planning Policy 5.6;
- g. The development is not proposed to be constructed of materials or of a colour scheme in accordance with the Built form and design provisions of the City's Local Planning Policy 5.6;
- h. The ground floor frontage of the development does not contain enough robust detail (awnings, major openings and variation in alignment) in accordance with the Ground floor frontage provisions of the City's Local Planning Policy 5.6;
- i. The development does not provide a visual softening of the façade with the greater setback of upper floors above 10 metres (3 storeys) to reduce the visual dominance of the development on the street in accordance with the provisions of the City's Local Planning Scheme no. 3;
- j. The development does not comply with the City's Local Planning Policy 5.6 or the Design Principles of Clause 6.3.2 – Landscaping of the Residential Design Codes with a significant lack of soft landscaping proposed within the front setback area;
- k. The development does not comply with the Design Principles of Clause 6.3.4 – Design of car parking spaces of the Residential Design Codes with the visitor bicycle parking inconveniently located;
- l. The development does not comply with the Design Principles of Clause 6.4.1 – Visual Privacy of the Residential Design Codes as the balconies of the

development will overlook the northern neighbouring landowner's uncovered outdoor living areas.

Background:

Property Address:	Lot 156, House Number 285 & 285A, West Coast Highway, Scarborough
Zoning	MRS: Urban
	TPS: Residential R80
Use Class:	Residential
Strategy Policy:	Not Applicable
Development Scheme:	Not Applicable
Lot Size:	875m ²
Existing Land Use:	Residential
Value of Development:	\$3.5 million

The subject lot is located in the local municipality of Stirling, approximately 15 km north of the Perth CBD and 5 km west of Stirling Train Station. The site abuts West Coast Highway on the eastern boundary and three (3) residential allotments on the northern, western and southern boundaries. West Coast Highway has been identified as a Category 2, Primary Regional Road under the Metropolitan Region Scheme (MRS) (ATTACHMENT 3).

Two (2) grouped dwellings currently occupy the subject site with a shared crossover to West Coast Highway.

Local Planning Scheme No. 3

Clause 4.2 'Objectives of the Zone'

The subject lot is zoned Residential and the City's Local Planning Scheme No.3 (LPS3) provides the following objectives for a Residential zone:

- a) *"To provide for residential development at a range of densities with a variety of housing type and size, to meet the current and future needs of the community.*
- b) *To provide for a range of non-residential uses, which are compatible with and complementary to residential development."*

Clause 5.5 'Variations to Site and Development Standards and Requirements'

The application for 20 multiple dwellings seeks a number of variations under the Scarborough Special Control Area provisions prescribed in LPS3. Clause 5.5.1 allows Council despite non-compliance of a proposal, to approve the application unconditionally or subject to conditions.

- 5.5.1 *"Except for development in respect of which the Residential Design Codes apply, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the Council may, despite the non-compliance, approve the*

application unconditionally or subject to such conditions as the Council thinks fit.

5.5.4 The power conferred by Clause 5.5.1 may be exercised only if the Council is satisfied that -

- a) approval of the proposed development would be appropriate having regard to the criteria set out in Clause 10.2; and*
- b) the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.”*

Clause 10.2 ‘Matters to be Considered by the Council’

The Council in considering an application for planning approval is to have due regard to the following relevant matters as are in the opinion of the Council relevant to the use or development the subject of the application:

- a) “the aims and provisions of the Scheme and the objectives of the relevant zone and any other relevant town planning schemes operating within the Scheme area (including the Metropolitan Region Scheme);*
- b) The requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;*
- i) the compatibility of a use or development with its setting;*
- l) the likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment;*
- m) whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire or any other risk;*
- n) the preservation of the amenity of the locality;*
- o) the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;*
- p) whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;*
- q) the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
- r) whether public transport services are necessary and, if so, whether they are available and adequate for the proposal;*

- v) *whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*
- y) *any relevant submissions received on the application;*
- z) *the comments or submissions received from any authority consulted under Clause 10.1.1. ”*

Clause 6.9 ‘Scarborough Special Control Area Objectives’

The subject lot is located in the ‘Scarborough Special Control Area’ (ATTACHMENT 4 and 5) under the City’s LPS 3. The objectives of the Scarborough Special Control Area are as follows:

- a. *“Recognise the uniqueness and suitability of this area for development as a significant tourism and recreational destination in the Metropolitan Coastline.*
- b. *To provide a sound, coordinated strategy for the integrated development of public and private land to facilitate the creation of a safe, vibrant mixed use centre based on ‘main street’ design principles.*
- c. *Development of a range of commercial facilities that will contribute towards economic development, local employment and the viability of the area as a commercial centre servicing residents, visitors and the local workforce.*
- d. *Development of a range of versatile, medium and high density accommodation suitable for both tourists and permanent residents, so as to maximise accessibility to the foreshore and enhance the level of support for a wide range of commercial and recreational facilities.*
- e. *Buildings designed to contribute towards a distinctive urban-coastal character and sense of place, and which are evocative of a beach-side town.*
- f. *Buildings designed to capitalise on the vistas and climatic attributes of the location, but which will respect the visual amenities of the street and locality.*
- g. *Buildings designed to provide an attractive visual frame and sense of enclosure for the adjacent street but which are in ‘scale’ with the adjoining public spaces.*
- h. *Buildings designed to provide safe and efficient vehicular and pedestrian access and egress along the streets and to the foreshore.”*

Clause 6.9.5 ‘Plot Ratio’

Plot ratios are applied based on the sub-area the property is located within. The property is located within the ‘Residential (Outer)’ sub-area. Clause 6.9.5 d) iii) states the following:

“In the case of land within the Residential (Outer) sub-area, the overall plot ratio of development shall not exceed 1.0:1”.

Clause 6.9.6 ‘Residential Density’

Residential densities are applied based on the sub-area the property is located within and as the property is located within the 'Residential (Outer)' sub-area, clause 6.9.6 d) ii) is applicable as follows:

"In the case of land within the Residential (Outer) sub-area, a maximum residential density of R80 shall apply, based on the total number of dwelling units irrespective of the nature of occupancy".

Clause 6.9.8 ' Building Height'

Building heights for the 'Residential (Outer)' sub-area are specified within Clause 6.9.8 d) ii) as follows:

"In the Residential (Outer) Sub-Area, the maximum building height shall be 17 metres above natural ground level or 4 storeys or 47 metres AHD (whichever is the lesser), except where such a limit would otherwise restrict the height to less than 14 metres above natural ground level or 3 storeys, in which case a 14 metres above natural ground level or 3 storey (whichever is the lesser) height limit shall apply".

Additionally, the building is required to have distinguishable roofing as specified in Clause 5.9.8 d) iii) as follows:

"All development shall include distinguishable roofing to a height of between 3 and 5 metres above the highest point of the wall to which it relates, and within the maximum permitted building height specified in clauses 6.9.8.d.i and 6.9.8.d.ii."

The Scheme also specifies how the height of a building should be measured as follows:

"Height in relation to a 'building' refers to the vertical distance at any point from natural ground level to the uppermost part of the building above that point, and shall include all lift motor rooms, lift overruns and architectural features".

Clause 6.9.9 'Cash-in-lieu for Car Parking'

A cash-in-lieu construction payment is required under Clause 6.9.9 b) i) of the Scarborough Special Control Area provisions in the LPS3, as follows:

"In the case of residential development, the cash-in-lieu contribution shall be 10 per cent of the total number of parking spaces required for the residential development".

Additionally, with regard to reduction to the number of car parking bays required, Clause 6.9.9 c) i) states the following:

"Where cash-in-lieu of parking is payable, there shall be no reduction in parking standards otherwise applicable under the Scheme, except for the reduction in on-site parking as a consequence of the contribution to the cost of off-site parking."

Clause 6.9.11 'New Access Ways'

A vehicle access easement is identified to be provided on the southern side and western rear boundaries of the subject lot under Clause 6.9.11(b) of the Scarborough Special Control Area provisions in the LPS3, which is as follows:

- b) *"A new 5.5 metre wide vehicular access way depicted on the Scarborough Design Guidelines Access and Parking Map contained within the Scarborough Design Guidelines shall be created by the creation of public access easements in gross".*

Local Planning Policy 5.6 – 'Scarborough Design Guidelines – Scarborough Redevelopment Zone'

The City's Local Planning Policy 5.6 – 'Scarborough Design Guidelines – Scarborough Redevelopment Zone' (ATTACHMENT 7), herein referred to as the LPP 5.6, provides specific development provisions to guide development on the subject lot.

LPP5.6 contains the following objectives:

- a. *"To ensure that building facades facing the street portray an attractive and inviting frontage.*
- b. *To ensure entrances are designed to enable safe and comfortable access and that building entrances are clearly defined.*
- c. *To create an active, vibrant and safe town centre by reinforcing the interface between internal and external uses along the street front and by providing passive surveillance.*
- d. *To support a comfortable external environment for pedestrians.*
- e. *To ensure that development follows the topography of the land and to ensure that there is equitable access for pedestrians.*
- f. *To provide an open, accessible and attractive urban environment.*
- g. *To improve the visual appeal of development, screen service areas and provide shade and 'green relief' in built up areas.*
- h. *To ensure that vehicle access ways are safe and easily traversed.*
- i. *To create a pedestrian network that is safe and direct.*
- j. *To ensure there is sufficient space for the storage of waste and other materials and sufficient space for the delivery of goods.*
- k. *To ensure that developments provide sufficient and attractive illumination of public and private spaces.*
- l. *To improve safety and reduce crime and graffiti.*
- m. *To ensure that ground floor areas provide an attractive frontage to the street and other visible spaces whilst providing security.*
- n. *To ensure that buildings are have optimal solar access orientation and minimise resource use.*
- o. *To ensure a reduction in water use.*

- p. To ensure a reduction in energy use.*
- q. To ensure that noise from non-residential uses does not adversely affect the amenity of residential development.”*

The subject lot is located within the ‘Residential (Outer)’ zone in LPP 5.6.

Summary of Development Application (DA14/0477)

The application proposes development of the subject lot for 20 multiple dwellings. The development is summarised as follows:

- 20 dwelling are proposed comprising of 12 one (1) one bedroom units and eight (8) two (2) bedroom units;
- 20 residential car bays provided on the ground floor level and three (3) visitor car bays are proposed within the front setback area; and
- A roof deck level provides a communal area of 62m².

Legislation & Policy:

Legislation

- Planning and Development Act 2005
- Metropolitan Region Scheme (MRS)
- Local Planning Scheme No. 3 (LPS3)

State Government Policies

- State Planning Policy 3.1- Residential Design Codes (R-Codes).

Local Policies:

- Local Planning Policy 5.6 – Scarborough Redevelopment Design Guidelines- Scarborough Redevelopment Zone (LPP 5.6);
- Local Planning Policy 6.2 – Bicycle Parking Policy (refer to Residential Design Codes assessment);
- Local Planning Policy 6.3 – Bin Storage Areas; and
- Local Planning Policy 6.6 – Landscaping (Refer to Residential Design Codes and LPP5.6 assessments).

Consultation:

Public Consultation

The application was advertised for public comment in accordance with the requirements of the Residential Design Codes and Part 9.4 of the City’s Local Planning Scheme No. 3. The consultation period was for 14 days and letters were sent to all property owners and occupants abutting the subject lot.

A total of 24 submissions were received during the consultation period all of which objected. The submissions received are summarised in the table below. Also provided is the percentage of objections in which the use was raised and the officer’s response to the issue.

Issue raised	Percentage of objections in which issue was raised	City of Stirling Officer response	Applicant's response
<p>Access</p> <p>Many submitters misinterpreted the City's consultation correspondence. Submitter's believed that the proposal sought to share access with the southern neighbouring property (no. 287&289 West Coast Highway) in accordance with the requirements of the City's Local Planning Scheme no. 5.6 – Scarborough Redevelopment Design Guidelines when the development proposes to retain the existing access to West Coast Highway.</p> <p>Many submitters believe that the applicants should not be able to share access with the southern neighbouring property and object to the City's requirement to have the access located along the southern lot boundary, shared with the southern neighbouring property.</p>	67%	<p>The access to the subject property is proposed to remain in its current location. The applicant is proposing a contingency to permit access from the rear of the property should this become available in the future from the redevelopment of other properties further north, however the City does not support this proposal as no information has been given as to how this access will be achieved or if the existing access to West Coast Highway will be removed.</p>	<p><i>The misinterpretation of the vehicular access arrangements for the proposed development by the submitters is noted.</i></p> <p><i>In light of the erroneous statements, it is recommended that these comments be dismissed.</i></p>
<p>Building Height</p> <p>The building height exceeding the maximum height permitted of 4 storeys at 5 storeys.</p> <p>Building height will affect views and will have a negative impact on surrounding landowners' amenity.</p> <p>Additional building height will limit access to sunlight.</p> <p>Does not follow the contour of the land and therefore the additional height has a greater impact on properties further east.</p>	67%	<p>The City notes that the building height is over the permitted four (4) storeys at six (6) storeys but is under the 17 metres height above natural ground level and 47 metres AHD permitted.</p> <p>Building height is discussed in further detail in the comments section of this report.</p>	<p><i>According to the City's Policy No.5.6 and Local Planning Scheme No.3 (LPS No.3) (Clause 6.9.8 -'Outer Residential Area') a maximum building height of 17 metres from natural ground level (NGL) is permitted. Furthermore, LPS No.3 specifies that any new development within the Scarborough Redevelopment Zone is not permitted to exceed an overall height of 47 metres AHD. Under the terms of the plans submitted the overall height of the proposed development is less than 17 metres</i></p>

			<p>from NGL and comprises a height of 28.9 metres AHD. As such it is contended that the proposed development meets the intent of the prescribed building height restriction for the area.</p> <p>Given the above, it is contended that the overall impact on views caused by a four (4) storey building with a maximum height of 17 metres from NGL is identical to the impacts of a five (5) or six (6) storey building comprising an overall height of 17 metres from NGL.</p> <p>The proposal to construct a five (5) storey building (including a roof top deck area) on the subject land is consistent with other similar developments approved within the immediate locality, specifically the development at No.272 West Coast Highway.</p> <p>The proposed setbacks from the side boundaries for the new development have been designed to provide view corridors in accordance with the provisions of the City's Policy No.5.6 to enable properties east of West Coast Highway to enjoy views of the Indian Ocean.</p> <p>The proposed development meets the 'deemed to comply requirements' of Element 6.4.2 C2.1 ('Solar access for adjoining sites') of the R-Codes and will not</p>
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			overshadow or detrimentally impact access to light and ventilation for the existing dwellings on any adjoining properties.
<p>Plot ratio Overdevelopment/overcrowding of the property.</p> <p>Believes there should be a maximum of 50% one bedroom apartments</p>	58%	<p>The plot ratio is over the permitted maximum of 1:1.0 at 1:1.333. This represents an additional 291.28m² of additional unit area.</p> <p>Plot ratio is discussed in further detail in the comment section of this report.</p>	<p>The proposed development will provide a diversity of housing stock, and therefore greater choice for future potential residents in the Scarborough locality. The building design provides for the effective use of all available space and the creation of adequate internal and external living areas which will benefit future occupants.</p> <p>The proposed development complies with the overall maximum permitted building height limits prescribed in the City's Policy No.5.6, provides sufficient side setbacks to allow for view corridors and is consistent with other similar developments approved within the locality. As such it is contended that the proposed development does not constitute overdevelopment of the site.</p> <p>The claim that the development will result in overcrowding of the site is speculative and unsubstantiated, therefore not valid.</p> <p>The proposed development meets the 'deemed to comply requirements' Element 6.4.3 C3.1 ('Dwelling size') of the R-Codes, meaning the number of</p>

			<p><i>single bedroom dwellings proposed complies with the R-Codes.</i></p> <p><i>The single bedroom dwelling will assist with providing affordable housing within the Scarborough locality.</i></p>
<p>Parking</p> <p>The reduced number of visitor car parking bays provided with 3 in lieu of 5 bays.</p> <p>An overall lack of car parking provided, with the minimum number of car parking provided for residents.</p> <p>Lack of car parking provided will cause car parking problems within the locality.</p>	75%	<p>The number of car parking bays proposed is not compliant with the requirements of the Residential Design Codes, however the City's Scarborough Redevelopment Design Guidelines and the provisions within the Scarborough Special Control Area within LPS3 permit the reduction of the required number of car parking bays by 10% for the payment of compulsory cash-in-lieu of car parking.</p> <p>Car parking is discussed in further detail in the comment section of this report.</p>	<p><i>The proposed number of on-site car parking bays, including visitor bays, for the new development meets the 'deemed to comply requirements' of the 'access & parking' provisions of the City's Policy No.5.6.</i></p> <p><i>Refer to response above.</i></p> <p><i>Refer to response above</i></p>
<p>Street setbacks</p> <p>Street setbacks should be observed to lessen the appearance of height.</p> <p>Lack of upper floor setback from the lower floors makes the development appear more commercial in nature and more suitable to an inner city area.</p>	46%	<p>The upper floors above 10 metres in height above natural ground level are required to be setback an additional 4 metres from the lower floors (i.e. 6 metres from the front lot boundary in the R80 zone).</p> <p>Street setbacks are discussed in further detail in the comment section of this report.</p>	<p><i>The proposed front setback for the new development meets the 'deemed to comply requirements' of Element 6.1.3 C3.1 ('Street setback') of the R-Codes.</i></p> <p><i>The proposed development has been designed with variable setbacks along its West Coast Highway frontage to help provide an interesting and articulated facade.</i></p> <p><i>The proposed development has been designed with varying materials and 'architectural features' that will provide a positive contribution to</i></p>

			<p><i>the West Coast Highway streetscape and result in an 'iconic' building within the Scarborough Redevelopment Zone.</i></p> <p><i>The proposed development will significantly improve current levels of passive surveillance over West Coast Highway.</i></p>
<p>Lot boundary setbacks Lot boundary setbacks should be observed to ensure properties on the other side of the highway will not have views obstructed</p>	38%	<p>The side and rear setbacks are required to be in accordance with the requirements of the R-Codes to ensure east-west sightlines are maintained. The setbacks required are 4 metres, and the proposal has setbacks less than 4 metres to the side and rear lot boundaries.</p> <p>Lot boundary setbacks are discussed in further detail in the comment section of this report.</p>	<p><i>The upper floor setback variation to the southern and northern side boundaries (i.e. 300mm & 700mm) are considered minor.</i></p> <p><i>The proposed setbacks from the side boundaries for the new development have been designed to provide view corridors in accordance with the provisions of the City's Policy No.5.6 to enable properties east of West Coast Highway to enjoy views of the Indian Ocean.</i></p>
<p>Landscaping Not enough landscaping provided within the front setback to lessen the impact and the appearance of the development as viewed from the street and neighbouring properties</p>	50%	<p>There is a substantial landscaping variation within the front setback area, with the majority of the front setback (93.8%) being hardstand.</p> <p>Landscaping is discussed in further detail in the comment section of this report.</p>	<p><i>The proposed development has been designed to incorporate 'green walls' on the front elevation to help provide additional landscaping.</i></p> <p><i>The West Coast Highway verge area adjoining Lot 156 comprises a width of approximately 4.5 metres which will be comprehensively landscaped to help soften any potential negative visual impacts that the development may have on the local streetscape</i></p>
<p>Overshadowing Overshadowing from the development limiting the southern property's access</p>	50%	<p>The development accords with the overshadowing provisions of LPP5.6</p>	<p><i>The proposed development meets the 'deemed to comply requirements' of</i></p>

to winter sun.		and the R-Codes. The development does not overshadow the neighbouring property to the south by more than 15% of the neighbouring property's lot area. The overshadowing calculation is provided for the shortest day of the year, when the greatest shadow is cast at 12 noon.	<i>Element 6.4.2 C2.1 ('Solar access for adjoining sites') of the R-Codes and will not overshadow or detrimentally impact access to light and ventilation for the existing dwellings on any adjoining properties.</i>
<p>Building appearance</p> <p>The appearance of the development from the southern elevation is aesthetically unappealing.</p> <p>Overall appearance of the development appears to be a box shape and lacks articulation.</p> <p>Perforated panels do not suit the beach-themed architecture of other surrounding buildings.</p> <p>Its design, size and colour is inappropriate within a beachside suburb with no effort made to blend in or complement with existing buildings in the area.</p> <p>Believes that the appearance of the development will date and look out of place in the area.</p> <p>The appearance of the development lacks any architectural appeal in all respects of form, shape, colour scheme and choice of materials.</p>	58%	<p>The building complies with the minimum requirements in terms of the façade design; however the materials of construction do not comply with the City's requirements of the Scarborough Redevelopment Design Guideline area. The building lacks articulation and does not use the materials specified within the Scarborough Redevelopment Design Guidelines to complement existing surrounding architecture or the natural environment.</p> <p>Building design is discussed in further detail in the comment section of this report.</p>	<p><i>The comments provided in relation to the submitter's belief that the appearance of the development is aesthetically unappealing, does not suit the locality and lacks architectural appeal are considered subjective and unsubstantiated. As such the comment is not valid.</i></p> <p><i>The proposed development has been designed with varying materials, articulation and 'architectural features' that will provide a positive contribution to the immediate locality and result in an 'iconic' building within the Scarborough Redevelopment Zone.</i></p>
<p>Visual Sightlines and Traffic</p> <p>Visual sightlines entering and leaving the property and neighbouring properties will be obstructed by car parking on the verge.</p> <p>Traffic likely to increase, and there will be more vehicles</p>	42%	<p>The existing crossover and the proposed driveway comply with AS2890.1 in terms of width, gradient and location. All car parking spaces have been designed to ensure entry of</p>	<p><i>The claim that vehicles will park on the verge area is speculative and unsubstantiated, As such the comment is not valid.</i></p> <p><i>The proposed development meets the 'deemed to comply</i></p>

<p>slowing down on West Coast Highway to enter the property, increasing the likelihood of a traffic incident</p> <p>Negatively impact pedestrians and cyclists due to decreased sightlines.</p>		<p>vehicles in forward gear. The parking of vehicles within the verge blocking safe sightlines and access is not a planning consideration.</p> <p>The amount of traffic generated by a residential development within the residential zone is not required to be assessed as part of this planning application under the requirements of the R-Codes or LPP5.6. Clause 10.2 of LPS3 permits the amount of traffic generated to be taken into consideration, however the City is of the belief that the number of units and the capacity of the road network (West Coast Highway is a Primary Regional Road designed for high volumes of traffic) is able to absorb the proposed number of car movements generated by the development.</p>	<p><i>requirements' of Element 6.2.3 C3 ('Sight line') of the R-Codes.</i></p> <p><i>The City's Policy No.5.6 requires a new vehicle access point/s from West Coast Highway. The application proposes an alternative access point from The Esplanade to reduce vehicle movements along West Coast Highway. As such, it is contended that the proposed development on the subject land will in fact reduce vehicle movements along West Coast Hwy in the long term.</i></p> <p><i>According to the traffic impact study prepared by Transcore in support of the application, the proposed development will not have an adverse impact on traffic movement and safety along West Coast Highway.</i></p> <p><i>The proposed development meets the 'deemed to comply requirements' of Element 6.2.3 C3 ('Sight line') of the R-Codes.</i></p> <p><i>Given the above, the claim that pedestrian/cyclist will be negatively impact upon by decreased sight lines is unsubstantiated. As such the comment is not valid.</i></p>
<p>Precedent Concerned that the number of variation and the type of variation if approved will create a precedence and will detract from the overall desired re-development of</p>	21%	Each development application is assessed on its individual merits against the legislation and planning policies in	<p><i>The claim is speculative and unsubstantiated, therefore not valid.</i></p>

the Scarborough area		force at the time of decision making. Therefore should this application be approved with variations, any subsequent development application would be assessed only against the relevant Scheme and Policy provisions.	
Consultation Believe further neighbour consultation should have been undertaken by the applicants prior to lodging a development application.	29%	The City conducted the necessary statutory consultation for 14 days in accordance with LPS3 Part 9.4 and the Residential Design Codes. There is no statutory requirement for the applicants to consult with neighbouring property owners prior to submission of a development application.	<i>Advertising of the application for public comment has been undertaken by the City in accordance with the planning framework. Furthermore, there are no statutory requirements for the applicant to undertake independent public consultation.</i>
Roof garden Believes the roof garden has the potential to encourage rowdy behaviour. Given all apartments have balconies, submitter does not believe the roof garden is necessary.	8%	The roof garden is a covered area. There is a requirement under the Scarborough Redevelopment Design Guidelines to provide a communal open space area. The best location in terms of minimising impact on neighbouring properties and ensuring this area has access to northern sun is on the roof. The roof top garden meets all the requirements of the Scarborough redevelopment Design Guidelines and the Residential Design Codes.	<i>The claim that anti-social behaviour will result from the roof top common area is unsubstantiated. As such the statement is not valid. Notwithstanding the above, the matter regarding anti-social behaviour is not a valid planning consideration and is a matter to be controlled by the WA Police force.</i>
Privacy The development will reduce privacy for the property to the south from west facing balconies and the communal	38%	The development proposes unscreened balconies visual privacy cone of	<i>The southern façade of the proposed development meets the 'deemed to comply requirements' of</i>

<p>corridors facing south to the car parking areas and front doors of the residences.</p> <p>To the north, the proposal will look into the neighbouring property's patio area.</p> <p>Development will look directly into rear yard area of submitter</p> <p>Believes the boundary wall will impact on privacy.</p>		<p>vision incursions into the northern and western neighbouring properties.</p> <p>Visual Privacy considerations are discussed in further detail in the comment section of this report.</p>	<p><i>Element 6.4.1 C1.1 ('Visual privacy') of the R-Codes. Furthermore, it is contended that any overlooking from the proposed development over the communal car parking area on the adjoining southern property would in fact improve passive surveillance.</i></p> <p><i>The proposed development has been designed to locate a blank wall on each level adjacent the outdoor living area of the existing grouped dwelling on adjoining Strata Lot 1 (No.283) West Coast Highway to avoid direct overlooking of the outdoor living area associated with the existing dwelling on the adjoining property. In addition, it is significant to note that the outdoor living area comprises a solid roofing structure.</i></p> <p><i>It is unknown which property the submitter is from, therefore a response cannot be provided. As such the statement is not valid.</i></p> <p><i>It is contended that the portion of the proposed development to be built up to the side boundaries will in fact improve privacy with the adjoining properties. As such the statement is unsubstantiated and should be dismissed.</i></p>
<p>Noise</p> <p>Believes there will be a large amount of construction noise for a large development.</p> <p>Use of the balconies during summer and reduced</p>	17%	<p>The Environmental Regulations (Noise) 1997 controls and governs the amount of noise that can be created during certain times of the</p>	<p><i>The issue regarding construction noise is a health matter and will be controlled by the City's environmental health officers during construction stage. As</i></p>

<p>setbacks will create noise pollution impacting negatively on neighbouring properties.</p> <p>Large wall to the south will echo traffic noise from West Coast Highway.</p> <p>Noise from air conditioning units impacting neighbouring properties.</p>		<p>day. An officer of the City's Environmental Health Business Unit has reviewed the application and has recommended a noise management plan be submitted to identify all sources of noise and how noise will be managed throughout the development.</p> <p>Submissions regarding additional noise from the West Coast Highway from an echo effect from the building are not substantiated.</p>	<p><i>such this matter is not a valid planning consideration and should be dismissed.</i></p> <p><i>The issue regarding noise generated by the future occupants of the dwellings is controlled by the City's environmental health officers. As such, this matter is not a valid planning consideration and should be dismissed.</i></p> <p><i>The claim that noise will echo off the building is speculative and unsubstantiated. As such the statement is not valid.</i></p> <p><i>Any noise generated from air conditioning units is controlled by the City's environmental health officers. As such, this matter is not a valid planning consideration and should be dismissed.</i></p>
<p>Services and Waste Collection</p> <p>Concerns regarding drainage and water connections.</p> <p>Believes the location and collection of the bulk bin will cause traffic issues on West Coast Highway with the truck having reduced access.</p>	8%	<p>Drainage and Water connections are governed by Water Corporation.</p> <p>A bulk bin location has been provided in accordance with the City's Bin Storage Areas Policy. However the location will be difficult for the City's Waste Services refuse truck to enter and leave the site in forward gear. The truck will need to use car parking bay area to turn around internally to enter the street in forward gear.</p>	<p><i>All drainage and water supply connections for the proposed development will be addressed at building permit stage to the satisfaction of the City's Engineering Department and the Water Corporation. As such this matter is not a valid planning consideration and should be dismissed.</i></p> <p><i>Waste disposal will be undertaken to the satisfaction of the City of Stirling.</i></p>
<p>Anti-social behaviour</p> <p>Concerns the development will create more crime and</p>	8%	<p>This is not a valid planning consideration.</p>	<p><i>The claim that anti-social behaviour and crime will result from</i></p>

antisocial behaviour with the types of dwellings proposed.		Multiple Dwellings are a permitted land use within the 'Residential R80' zone.	<p><i>the proposed development is speculative and unsubstantiated. As such the statement is not valid.</i></p> <p><i>Notwithstanding the above, the matter regarding anti-social behaviour and/or crime is not a valid planning consideration and is a matter to be controlled by the WA Police force.</i></p>
Damage to dwellings Submitter believes the development may cause damage to the existing neighbouring dwellings.	4%	Damage to dwellings through the construction process is a civil matter under the Building Act 2011, governed by the Building Commission WA.	<p><i>The issue regarding damage to adjoining properties as a result of any development is a civil matter that will need to be addressed at the building construction stage. As such this matter is not a valid planning consideration and should be dismissed.</i></p>
Construction Submitter believes there will be a lack of car parking during construction	4%	Should this application be approved a condition requiring a construction management plan will be required to be submitted with the building permit.	<p><i>The issue regarding construction management will be addressed at building permit/construction stage. As such this matter is not a valid planning consideration and should be dismissed.</i></p>
Heat and smell Submitter believes too much latent heat will be given off from the building and air conditioning units during summer months. Submitter believes car exhaust may become an issue if the ground floor is poorly ventilated or directed to neighbouring properties through ventilation.	4%	<p>Submissions regarding heat from the proposed building being generated are not substantiated.</p> <p>Ventilation of the ground floor will be required to be in accordance with the Building Codes of Australia.</p>	<p><i>The claim that the proposed building will generate heat during summer months is speculative and unsubstantiated. As such the statement is not valid.</i></p> <p><i>Notwithstanding the above, the subject lot is located within 270 metres of the waterline along Scarborough Beach and is exposed to coastal winds. These factors will assist with dispersing any heat generated by the proposed development.</i></p> <p><i>The car parking area for the proposed</i></p>

			<p><i>development has been designed to be naturally ventilated (i.e. adequate ventilation is provided).</i></p> <p><i>Notwithstanding the above, the issue regarding car parking ventilation will be addressed at the building permit stage in accordance with the relevant Australian Standards. As such this matter is not a valid planning consideration and should be dismissed.</i></p>
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Consultation with other Agencies or Consultants

The City referred the application to the Metropolitan Redevelopment Authority (MRA) and Main Roads WA. The MRA did not provide any comments, however Main Roads WA provided comment which is summarised below.

The City of Stirling referred the application to Main Roads WA as the subject lot abuts a Category 2, Primary Regional Road identified under the Metropolitan Region Scheme. Main Roads WA has provided comments dated 2 April 2014 and 23 May 2014 (ATTACHMENT 9a and 9b).

Comments received by Main Roads WA dated 2 April 2014 (ATTACHMENT 9a) noted that the access did not comply with Figure 3 of the City of Stirling's Local Planning Policy 5.6 – Scarborough Redevelopment Design Guidelines (the Guidelines), which requires access to be provided from the southern side boundary or western rear boundary via a shared 5.5 metre wide access. Half of the access is required to be provided on the subject lot (2.75m). Main Roads objected to the access being retained from West Coast Highway and requested that the Access strategy in Figure 3 of the Guidelines is enforced.

Main Roads believes the rationalisation of crossovers will improve safety of West Coast Highway for motorists, however recognised the difficulties for the applicants in implementing the access strategy in their design.

As a result of the initial comments provided by Main Roads WA, the applicant provided additional justification dated 6 May 2014 and a Traffic report prepared by Transcore dated 5 May 2014 (ATTACHMENT 10c), which highlight concerns of providing a public access easement on the southern side boundary of the lot required under the Scarborough Special Control Area in the LPS 3 and *Scarborough Redevelopment Zone Design Guidelines*. The applicants also revised their proposal to provide a 2.75 metre contingency future access easement at the western rear boundary of the subject property.

Consequently, the revised proposal and Transport Report was referred to Main Roads WA by the City of Stirling, with revised comments received on the 23rd May 2014. Main Roads noted in their latest submission that the original submission dated

the 2nd April 2014 is still relevant, however provided additional comment. Main Roads now agrees that the proposal to retain the access to West Coast Highway and rear future access easement is the superior option due to the ability to remove access via West Coast Highway when the rear access becomes available.

However the City and Main Roads are concerned that no further information has been submitted that suggests how the future rear access will be implemented at a later stage. Main Roads has made the following recommendations, in the event the metro North-West JDAP approves the application:

1. *Notifications on the Certificate of Title of each Strata Lot shall be required to notify prospective purchasers of the ultimate access point from the rear of the property. This notification shall be placed on Certificate of Titles pursuant to 70A of the Transfer of Land Act 1893, and shall read as follows:*

"Ultimate access for this property shall be derived from the rear of the property, ingressing and egressing from The Esplanade".

2. *Revised plans shall be submitted to Main Roads and the City of Stirling demonstrating how the proposed development can be retrofitted to allow access from the rear of the property. It should also be a requirement of the revised plan to show how future and interim services, such as garbage collection, will access the site. This revised plan may be subject to modifications required by the identified authorities and shall be required to be approved prior to work commencing on Lot 156 West Coast Highway.*
3. *An easement in gross shall be placed on the rear boundary of Lot 156, covering its full length, and be 2.75m in width to create a Right of Way and allow for public access to and from Lot 156 West Coast Highway.*
4. *No earthworks or fixed components of the final built structure shall encroach onto or over the land required for the introduction of the ultimate access way.*
5. *The applicant shall bond funds with the City of Stirling for the construction and implementation of the Right of Way required for ultimate access to The Esplanade. These funds will need to cover all expenses for the introduction of the Right of Way as constructed over the easement in gross covering Lot 156 West Coast Highway, directly benefitting the applicants Lot.*
6. *No stormwater drainage shall be discharged onto the West Coast Highway road reservation.*
7. *Any damage done to the existing verge and its vegetation shall be made good at the full expense of the applicant.*

Planning Assessment:

The development has been assessed against the City of Stirling's Local Planning Scheme No. 3 (LPS 3), relevant Local Planning Policies and State Planning Policy 3.1 – Residential Design Codes 2013.

The applicant has sought a discretionary decision to be made in respect of a number of matters, including:

- Local Planning Scheme No.3- clause 6.9 'Scarborough Special Control Area':
 - Plot Ratio;
 - Building Height (number of storeys);
 - Cash- in-lieu of Car Parking; and
 - New Access Way (the Scarborough Special Control Area under the LPS 3 has indentified the requirement to provide a 2.75m wide public access easement on the southern and western lot boundaries of the subject lot).
- Local Planning Policy 5.6 – Scarborough Design Guidelines- Scarborough Redevelopment Zone:
 - Built Form & Design;
 - Colours & Materials;
 - Ground Floor Frontage;
 - Number of Car Parking Bays;
 - Cash-in-Lieu;
 - Location of Parking Facilities;
 - Crossovers;
 - New Vehicle Access Ways;
 - Plot Ratio;
 - Building Height (number of storeys);
 - Street Setbacks;
 - Other setbacks;
 - Visual Permeability; and
 - Open Space & Landscaping.
- Residential Design Codes:
 - 6.1.4 Lot boundary setbacks
 - 6.3.2 Landscaping
 - 6.3.3 Parking
 - 6.3.4 Design of car parking areas
 - 6.4.1 Visual privacy
 - 6.4.3 Dwelling size
 - 6.4.6 Essential facilities

Local Planning Scheme No.3 Scarborough Special Control Area

The table below outlines the assessment of the proposed development against the provisions of the Scarborough Special Control Area provisions.

LPS 3 Requirement		Complies	Variation Required	Officer Comment
1	Plot Ratio			
	<p>Clause 6.9.5 (d)- <i>In the Residential Sub-Areas, the following plot ratio requirements apply:</i></p> <p><i>iii) In the case of land within the Residential (Outer) sub-area, the overall plot ratio of development shall not exceed 1.0:1.</i></p>		✓	<p>The lot is located within the Residential (Outer) sub- area as indicated on Plan 6.9.2 of the Scarborough Special Control Area 'Sub-Areas'.</p> <p>The proposed plot ratio is 1.33 (1166.28m²) in lieu of 1 (875m²). The proposed plot ratio exceeds the maximum plot ratio permitted by 0.33. (291.28m²) under the LPS3.</p>

LPS 3 Requirement		Complies	Variation Required	Officer Comment
				The additional plot ratio area is equal to another level of units.
2	Building Height			
	<p>Clause 6.9.8 (d)- <i>In the Residential Sub-Areas, the following building height requirements apply:</i></p> <p><i>ii) In the Residential (Outer) Sub-Area, the maximum building height shall be 17 metres above natural ground level or 4 storeys or 47 metres AHD (whichever is the lesser), except where such a limit would otherwise restrict the height to less than 14 metres above natural ground level or 3 storeys, in which case a 14 metres above natural ground level or 3 storey (whichever is the lesser) height limit shall apply.</i></p>		✓	<p>The proposed multiple dwelling has one (1) storey of car parking, four (4) storeys of units and a covered rooftop garden. The development has a maximum height of 17m above the Natural Ground Level (NGL) and an AHD level of 28.9 metres.</p> <p>The development exceeds the four (4) storey maximum permitted with six (6) storeys proposed (including the covered roof top garden).</p>
3	Cash-in-lieu for Car Parking			
	<p>Clause 6.9.9 (b)- <i>Other Zones within the Scarborough Special Control Area, the following cash-in-lieu contributions apply:</i></p> <p><i>i) In the case of residential development, the cash-in-lieu contribution shall be 10 per cent of the total number of parking spaces required for the residential development.</i></p>	✓		<p>The proposed development requires a total of 25 car bays on site (20 car bays for residents and 5 car bays for visitors). The proposal has 20 residential car parking bays and 3 visitor car parking bays.</p> <p>10% of the total amount of car parking equates to 2.5 car bays that is required to be contributed towards cash-in-lieu for car parking for the residential development.</p> <p>The provisions also permit a reduction in the number of car parking bays provided on site in accordance with the amount of car parking to be provided as Cash-in-Lieu. The application proposes to reduce the car parking provided on site by two (2) bays.</p>
4	New Access Way			
	<p>Clause 6.9.11- <i>These clauses apply to all land outside of the Special Beach Development Zone within the Scarborough Special Control Area.</i></p> <p><i>b) A new 5.5 metre wide vehicular accessways</i></p>		✓	<p>The City's Scarborough Special Control Area refers to <i>Figure 3- Scarborough Design Guidelines Access and Parking Map</i> contained within the <i>Scarborough Redevelopment Zone Design Guidelines</i> and identifies required public access thoroughfares within the</p>

LPS 3 Requirement	Complies	Variation Required	Officer Comment
<p><i>depicted on the Scarborough Design Guidelines Access and Parking Map contained within the Scarborough Design Guidelines shall be created by the creation of public access easements in gross.</i></p>			<p>Scarborough Special Control Area to rationalise the number of crossovers onto West Coast Highway.</p> <p>The proposal seeks to retain access from West Coast Highway in the current location and has provided a contingency undeveloped area to the rear to permit rear access in the future. Details have not been provided with regard to how this area will be redeveloped should rear access be achieved and how the car parking area will be reconfigured.</p>

An assessment of the variations to the Scarborough Special Control Area provisions against the relevant points in Clause 10.2 'Matters to be considered by the Council', are outlined in the table below as follows:

Objective	Officer Comment
i) <i>the compatibility of a use or development with its setting;</i>	The site is zoned Residential R80 and multiple dwellings are permitted under Table 1 of the City's LPS 3 under Clause 4.3 'Zoning Table'.
l) <i>the likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment;</i>	The proposal does not substantially alter the natural ground level of the property, ensuring the development mitigates any negative impact on the natural environment. However the lack of landscaping and large amount of hard stand area may create stormwater drainage issues and increase the temperature around the building.
m) <i>whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire or any other risk;</i>	The subject lot is not identified to be unsuitable for development.
n) <i>the preservation of the amenity of the locality;</i>	<p>Amenity is defined in LPS as "... all those factors which combine to form the character of an area and include the present and likely future amenity".</p> <p>The building will appear monolithic from the southern elevation and lacks articulation to the street. The materials of construction do not conform with the requirements of the Scarborough Redevelopment Design Guidelines and therefore it is considered that the development will not add to the amenity of the area and has the potential to detract from the desired streetscape appearance.</p>
o) <i>the relationship of the proposal to development on adjoining land or on other</i>	The assessment of the appearance, building height and plot ratio are discussed in detail further in the Planning Assessment section of

<i>land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;</i>	this report.
<i>p) whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;</i>	<p>Safe vehicle manoeuvring and access has been designed to and from West Coast Highway for resident and visitor car parking.</p> <p>The applicants have not provided any additional information regarding how cash-in-lieu of car parking will provide the necessary car parking for the residents and visitors to the subject property. The nearest public car parking area is 350m to the north of the subject property and property is not within 250m of a high frequency bus route or 800m of a train station.</p>
<i>q) the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;</i>	The subject lot abuts a Category 2, Primary Regional Road identified under the Metropolitan Region Scheme. Main Roads WA position is to remove access from West Coast Highway where possible. However MRWA is willing to support the proposal subject to conditions in relation to future access arrangements from the rear of the subject property.
<i>r) whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);</i>	<p>The provisions of visitor bicycle bays are located behind a barrier (being the visitor access) restricting convenient access by visitors. This reduces the visibility and ease of access for visitors to the site via bicycle as visitors must go through two (2) doors with a bicycle to access the bicycle parking.</p> <p>The stores are only marginally larger (4.2 – 4.3m²) to accommodate a bicycle store. The stores should be a minimum of 4.5m² to accommodate bicycle parking.</p> <p>Therefore the development fails to provide adequate bicycle parking facilities for residents or visitors to the subject property.</p>
<i>v) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;</i>	The application proposes 6.2% landscaped area within the front setback. The provision of landscaping is further discussed under the R-Codes section of this report.
<i>y) any relevant submissions received on the application;</i>	The application was advertised for public comment in accordance with the Residential Design Codes and Part 9.4 of the City's Local Planning Scheme no. 3. The consultation period was for 14 days and letters were sent to all property owners abutting the subject lot. A total of 24 submissions were received. Details of the submissions received are outlined in the Consultation section of this report.
<i>z) the comments or submissions</i>	The City consulted with Main Roads WA and the

received from any authority consulted under Clause 10.1.1;	Metropolitan Redevelopment Authority (MRA). Comments from Main Roads WA are further outlined in the Consultation section of this report. Comments were not received from MRA.
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Local Planning Policy 5.6 – Scarborough Design Guidelines- Scarborough Redevelopment Zone

The table below indicates the assessment of the proposed development against the provision of the Local Planning Policy 5.6- *Scarborough Redevelopment Zone Design Guidelines*. The table includes all relevant provisions, with the provisions not applicable excluded from the table.

Scarborough Redevelopment Zone Design Guidelines Requirement	Complies	Variation Required	Officer Comment
General Design Guidelines			
1 Built Form & Design			
<p><i>Facades</i> The second level and subsequent levels of <u>all facades</u> shall be articulated to break-up straight plain facades through the use of <u>at least three</u> of the following:</p> <ul style="list-style-type: none"> • Openings; • Protruding balconies; • Awnings over windows; • Use of different colours and textures; and • Indentations and extrusions with details to break the building into individual elements. <p><i>Balconies</i> • Balcony balustrades shall be 50% permeable</p> <p><i>Openings</i> Facades shall express vertically through the use of openings that are more vertical than horizontal.</p> <p><i>Location of Services</i> Services shall not be visible from the street frontage or other public areas, including aerials, air conditioners and satellite dishes etc.</p> <p><i>Parapets</i> New buildings that contain parapets shall avoid monotonous flat parapet lines and shall include:</p>	✓		<p>The façade of the building incorporates openings, protruding balconies and the use of different colours and materials. The protruding balconies are only for a small portion of the façade and the rest of the façade has large sections of wall with a feature relief. The façade design lacks articulation to the streetscape and does not effectively incorporate balconies or make use of different colours and materials of construction.</p> <p>The balconies to the street are annotated on the plans as being clear balustrades and therefore the 50% permeability has been complied with.</p> <p>The individual openings express horizontally than rather than vertically. However taking into consideration that the windows are aligned vertically, in aggregate the windows to the façade present a vertical element.</p> <p>The services are not shown on the plans submitted. This can be addressed through conditions of approval if required.</p> <p>Parapets to the street have minor indentations and a relief pattern shown on the panels. No variations to the parapet height or design have been provided. The parapets are considered to detract from the appearance of the development and add to the building bulk. The proposed colours and materials of the parapets do not demonstrate compliance with the</p>

Scarborough Redevelopment Zone Design Guidelines Requirement		Complies	Variation Required	Officer Comment
	<ul style="list-style-type: none"> • <i>Indentations and patterns on panels;</i> • <i>Variation in parapet heights and designs so as to provide additional interest to the street.</i> 			<p>objectives of the guidelines.</p> <p>The design and the materials and colours of construction of the proposal are discussed further below.</p>
2	Colours & Materials			
	<p><i>The base palette for external materials shall be:</i></p> <ul style="list-style-type: none"> • <i>Non corrosive metals such as copper and zinc etc;</i> • <i>Naturally protected metals such as Corten/Bisalloy;</i> • <i>Durable hardwood timbers for architectural detailing (no old growth timber);</i> • <i>Glass;</i> • <i>Limestone walls;</i> • <i>Texture, rendered walls; and</i> • <i>Materials which are specifically manufactured for high exposure to extreme coastal conditions with adequate lifestyle properties.</i> 		✓	<p>The materials of construction are as follows:</p> <ul style="list-style-type: none"> • masonry painted white; • precast concrete tinted 'ash' grey; • clear windows tinted light green; • opaque windows with a white colour-back glazing; • aluminium sun louvers over windows provided with a timber look finish; • clear glass balustrades with a light green tinting; and • the ground floor has a 'green wall' with stainless steel wire trellis for ivy to grow up the wall. <p>The materials are generally considered consistent with the policy requirements. The performance of the aluminium louvers would need to be demonstrated in the conditions of an approval.</p>
3	Ground Floor Frontage			
	<p><i>Objective: To ensure that building facades facing the street portray an attractive and inviting frontage.</i></p> <p><i>The ground floor area of all residential facades facing the street shall:</i></p> <ul style="list-style-type: none"> • <i>Contain significant and robust detail, including awnings, major openings and variations in alignment (areas of blank wall should be avoided).</i> 	✓		<p>The ground floor has limited detail with a protruding lobby and entrance to the southern half of the façade. The rest of the wall contains a permeable roller door entrance to the car parking area and the blank areas of wall on the ground floor frontage have been covered with stainless steel wire trellises with ivy to be grown over the trellises.</p> <p>The development is not considered to contain significant or 'robust detail' at the ground floor level. The entrance is distinguished, however is considered an inconsequential element, being</p>

Scarborough Redevelopment Zone Design Guidelines Requirement		Complies	Variation Required	Officer Comment
				subservient to the vehicle entry and the design treatments to the southern side of the building.
4	Entry Points <i>Objective: To ensure entrances are designed to enable safe and comfortable access and that building entrances are clearly defined.</i>			
	<p><i>Entry points shall include at least two of the following:</i></p> <ul style="list-style-type: none"> • <i>Signage above the entry door;</i> • <i>Indentation of the entry point, where recesses entrances are provided, they should be truncated at an angle to the pedestrian route of no less than 60 degrees;</i> • <i>Highlighting the entry point through the use of different materials; and</i> • <i>Increasing the height of the awning above the entry point to no higher than 3.2m above footpath level.</i> 	✓		There is signage above the entrance, and the entrance has been indented and directly faces the pedestrian footpath. The entry is not highlighted through the use of different materials.
5	Weather Protection <i>Objective: To support a comfortable external environment for pedestrians.</i>			
	<ul style="list-style-type: none"> • <i>Awnings shall be provided over all footpaths that abut a building, including footpaths that</i> • <i>provide access to the rear of buildings;</i> • <i>Awnings shall be provided above all entrances and exits of a building;</i> • <i>Awnings shall be constructed using materials that are opaque and non-reflective;</i> 	✓		Awnings have been provided above the entrance. The awning is constructed of concrete and is painted white.
6	Levels <i>Objective: To ensure that development follows the topography of the land and to ensure that there is equitable access for pedestrians.</i>			
	<ul style="list-style-type: none"> • <i>A maximum of 500mm of fill shall be permitted on sites;</i> • <i>The difference between the ground floor level of a building and the footpath level shall generally be nil; and</i> • <i>A maximum 500mm difference between the ground floor level and the footpath level of a building shall be permitted where it can be demonstrated that such a difference is required.</i> 	✓		The site slopes down two (2) metres from West Coast Highway to the western rear boundary. The ground floor car parking and stores positioned along the southern side boundary (rather than retaining) ensures that the natural level of the site is maintained with no more than 0.5 metres of retaining shown on the elevations or site plan. The site is primarily cut.

Scarborough Redevelopment Zone Design Guidelines Requirement		Complies	Variation Required	Officer Comment
7	Number of Car Parking Bays			
	<p><i>Parking provision shall accord with the standards in City's Parking Policy, and where applicable the Residential Design Codes, with the exception that a portion of the required parking shall be subject to the cash-in-lieu requirements in accordance with the clauses below.</i></p>	✓		<p>The development is required to provide 25 car parking bays. 10% of the required number of car parking bays is required to be provided as a cash-in-lieu payment (2.5 bays). The number of car parking bays required to be provided on site may be reduced by 10% for providing a cash-in-lieu payment.</p> <p>The proposal includes 23 car parking bays and therefore the reduction in car parking can be supported in principle by the City with a condition of planning approval requiring the payment of cash-in-lieu of car parking. However, the allocation of parking (i.e. the reduction in the number of only visitor car parking bays) is a concern as discussed later in the R-Codes assessment section of this report.</p>
8	Cash-in-lieu			
	<ul style="list-style-type: none"> <i>A proportion of the required parking shall be subject to a cash-in-lieu contribution as specified below, and where cash-in-lieu is required, the number of on-site parking spaces may be reduced by the number of spaces for which cash-in-lieu is payable.</i> <i>In the case of residential development within all Sub-Areas, the cash-in-lieu contribution shall be 10 per cent of the total number of parking spaces required for the residential development.</i> <i>The amount of cash-in-lieu to be paid for the requisite number of parking spaces shall be determined by Council on the basis of the estimated cost of providing an equivalent number of parking spaces and manoeuvring areas in the form of decked parking in terms of land and construction cost.</i> <i>Where cash-in-lieu of parking is payable, there shall be no reduction in parking standards otherwise applicable under the Scheme, except for the reduction in on-site parking as</i> 	✓		<p>See above comment.</p>

Scarborough Redevelopment Zone Design Guidelines Requirement	Complies	Variation Required	Officer Comment
<p>a consequence of the contribution to the cost of off-site parking.</p> <ul style="list-style-type: none"> • Cash-in-lieu of required parking shall be placed in a trust account for use in the provision of transport infrastructure and services within the Scarborough Special Control Area, or land adjacent to this area which may take the form of additional on-street public parking bays or a public parking facility. • The number of parking spaces required to be provided on-site shall be reduced by the number of parking spaces in respect of which a cash-in-lieu contribution is made pursuant to this clause. 			
9 Design and Allocation of Parking Bays			
<ul style="list-style-type: none"> • Parking bays shall be designed in accordance with the relevant Australian Standard; and • On-site parking shall be designed and operated to facilitate shared use by all occupants and visitors of the particular site, by ensuring that:- <ul style="list-style-type: none"> ○ access to any on-site parking bays in excess of the required 90 per cent of residential parking and in excess of 2 bays per tenancy for non-residential uses, shall not be restricted by the placement of partitions, bollards, signage, or other means to prevent parking by other users of the site; and ○ any on-site parking bays in excess of the required 90 per cent of residential parking and in excess of 2 bays per tenancy for non-residential uses, shall be designated as common property on 	✓		<p>The car parking bays are designed to Australian Standards.</p> <p>Three (3) of the 23 car parking bays provided on site are available for visitors to the subject property.</p>

Scarborough Redevelopment Zone Design Guidelines Requirement		Complies	Variation Required	Officer Comment
	<p><i>any strata titles issued for the particular site, and shall not be allocated to individual strata lots.</i></p> <ul style="list-style-type: none"> • <i>Notwithstanding the above clause, in the case of residential development, car parking bays in excess of the required 90 per cent may be allocated for the exclusive use of the occupiers of individual dwellings, provided that additional common parking bays shall be provided on site to the same amount as those bays allocated for exclusive use to the residential occupants in excess of the 90 per cent.</i> 			
10 Location of Parking Facilities				
	<p><i>Parking which is provided on-site shall be located so as not to be visible from the street and disrupt the continuity of commercial frontages, or otherwise detract from the amenity of the streetscape, but shall be located so as to facilitate safe and convenient access by users.</i></p>	✓		<p>The access to the car parking is mostly concealed with the access being through a permeable roller door.</p> <p>Visitor car parking is clearly visible in front of the development. The access is safe and convenient for residents and visitors to the site.</p> <p>Bicycle parking is discussed in the R-Codes and Part 10.2 of LPS3 comment sections of the report.</p>
11 Crossovers				
	<ul style="list-style-type: none"> • <i>Crossovers and access ways shall accord with the Scarborough Design Guideline Area Access and Parking Map, refer Figure 3, and where designated crossovers are identified as shared, appropriate reciprocal rights of carriageway easements will be required over the affected lots in relation to driveway access as a condition of development approval. Crossovers may be approved for a limited time pending alternative vehicular access arrangements becoming available at which time such temporary crossovers shall be removed at the owner's expense.</i> • <i>No more than one crossover</i> 		✓	<p>The applicant is proposing to retain the existing access rather than comply with the access requirements of the Scarborough Special Control Area provisions of LPS3 or the Scarborough Redevelopment Design Guidelines. LPS 3 and the Guidelines require the access to be shared with the southern and western lot (same property) with a 5.5 metre wide access leg provided along the southern side and western rear boundary.</p> <p>The applicants have provided a transport/traffic report which specifies the difficulties/impracticalities of the City's required access arrangements.</p> <p>The applicants have shown the ground floor area being clear of any building</p>

Scarborough Redevelopment Zone Design Guidelines Requirement		Complies	Variation Required	Officer Comment
	<p><i>shall be permitted for any one site, and the position and width of all crossovers shall be such as to minimise traffic (including pedestrian) conflict and any disruption to the continuity of commercial frontage or the amenity of the streetscape.</i></p> <ul style="list-style-type: none"> <i>The position and design of existing crossovers shall be reviewed in relation to all applications for development approval and removed at the owner's expense where required.</i> 			<p>structures for future access, should this become available in the future. This area is not specified as being required to be an easement and two (2) of the resident car parking bays are required to be removed to provide this future rear access. No detail has been provided with regard to re-orientating the proposed access to the rear should rear access become available or if the car parking will be re-designed to ensure no loss of resident or visitor car parking bays. Therefore the applicants have not adequately addressed the requirements of the location of crossovers or access to the subject property.</p> <p>Access is discussed in further detail in a later section of this report.</p>
12	New Vehicle Access ways <i>Objective: To ensure that vehicle access ways are safe and easily traversed.</i>			
	<ul style="list-style-type: none"> <i>New 5.5 metre wide vehicular access ways depicted on the Scarborough Design Guideline Area Access and Parking Map, refer Figure 3, shall be created by the creation of public access easements in gross.</i> <i>Vehicle access to sites shall be obtained from these new vehicular access ways or from rights-of-ways where available;</i> <i>All vehicle movements shall be able to enter and exit the site in a forward gear; and</i> <i>All parking areas to comply with the Australian Standard 2890.1 in relation to turning circles, gradients within the site.</i> 		✓	<p>The proposal seeks to retain access from West Coast Highway with a 2.75 metre easement provided along the western rear boundary to permit future rear access should this become available in the future.</p> <p>The City requires the provision of a 2.75 metre wide access along the southern side boundary and western rear boundary to permit the construction of a 5.5 metre wide access way to be constructed in the future, rationalising the number of crossovers to West Coast Highway.</p> <p>A detailed assessment of the proposed new vehicle access way requirement is discussed further in the comment section after this table.</p>
13	Pedestrian Access <i>Objective: To create a pedestrian network that is safe and direct.</i>			
	<ul style="list-style-type: none"> <i>Pedestrian access, in the form of a footpath, shall be provided from the parking area to the entry point of the</i> 	✓		<p>Pedestrian access has been provided which is 2m wide, connecting the public footpath to the entrance of the dwelling. The pedestrian access also</p>

Scarborough Redevelopment Zone Design Guidelines Requirement		Complies	Variation Required	Officer Comment
	<p><i>proposed development and along all street frontages;</i></p> <ul style="list-style-type: none"> • <i>For developments with parking at the rear pedestrian access between the street and car parking area shall be provided;</i> • <i>Pedestrian routes shall be aligned primarily along existing building fronts and thereafter along proposed new development fronts;</i> • <i>Pedestrian access to basement or rooftop parking shall be provided from the street front;</i> • <i>Pedestrian routes shall be as direct and level as possible; and</i> • <i>Pedestrian footpaths shall be a minimum of 2.0m wide.</i> 			<p>is provided to the resident car parking area and lift lobby of the building. The pedestrian route is direct and logically located. Visitors to the subject property also have access to the pedestrian path from the visitor car parking area.</p>
14	Service Access and Facilities <i>Objective: To ensure there is sufficient space for the storage of waste and other materials and sufficient space for the delivery of goods.</i>			
	<ul style="list-style-type: none"> • <i>The provision of service access to all commercial premises shall be provided for loading and unloading goods;</i> • <i>Service access shall be constructed to ensure that vehicles can enter and exit in a forward gear;</i> • <i>Service courts, screened from the street, shall be provided for the storage of bins, and other materials in all commercial developments with a minimum site area of 10m² and a minimum dimension of 3.5m; and</i> • <i>Where bulk bins are provided a larger service court may be required and sufficient space provided for the turning of a refuse truck.</i> 		✓	<p>The bin storage area is behind a roller door and the area internally does not permit a refuse truck to enter and exit the property in forward gear without the use of the resident car parking bays. The applicants have not demonstrated how waste removal will occur.</p>
15	Site Requirements <i>Objective: To ensure that buildings are have optimal solar access orientation and minimise resource use.</i>			
	<ul style="list-style-type: none"> • <i>Locate residential and short-stay accommodation components of buildings on the site to allow for maximum northern winter solar access; and</i> 	✓		<p>The development has mostly northern facing windows and balconies to permit optimal solar access for winter sun exposure.</p>

Scarborough Redevelopment Zone Design Guidelines Requirement		Complies	Variation Required	Officer Comment
	<ul style="list-style-type: none"> Where possible, locate living areas such as family rooms, dining and kitchens on north side to allow for winter solar access. 			
Residential Sub Areas Guidelines				
16	Plot Ratio			
	<p><i>In the case of land within the Residential (Outer) sub-area, the overall plot ratio of development shall not exceed 1.0:1.</i></p>		✓	<p>The proposed plot ratio is 1.33 (1166.28m²) in lieu of 1.0 (875m²). The proposed plot ratio exceeds the maximum plot ratio permitted by 0.33. (291.28m²) under LPS 3.</p> <p>The additional plot ratio area is equal to one (1) storey of the development</p> <p>A detailed assessment of the proposed plot ratio variation is discussed further in the comment section after this table.</p>
17	Building Height			
	<p><i>In the case of land within the Residential (Outer) sub-area the maximum building height shall be 17 metres above natural ground level or 4 storeys or 47 metres AHD (whichever is the lesser), except where such a limit would otherwise restrict the height to less than 14 metres above natural ground level or 3 storeys, in which case a 14 metres above natural ground level or 3 storey (whichever is the lesser) height limit shall apply.</i></p> <p><i>All development shall include distinguishable roofing to a height of between 3 metres and 5 metres above the highest point of the wall to which it relates, and within the maximum permitted building height specified above.</i></p>		✓	<p>The proposed multiple dwelling is six (6) storeys with a maximum height of 17m above the Natural Ground Level (NGL) and 28.9 metres AHD height. The development includes one (1) storey of car parking (not exempt within Scheme and policy provisions), four (4) levels of dwellings/units and a roof top covered communal area, which equates to six (6) storeys.</p> <p>The development does not include any distinguishable roofing above the wall heights provided.</p> <p>A detailed assessment of the proposed building height variation is discussed further in the comment section after this table.</p>
18	Street setbacks			
	<p><i>The setback of buildings from the street alignment (or in the case of streets to be widened, the road widening alignment) shall accord with the requirements of the Residential Design Codes, except for walls above 10 metres (3 storeys) in height, which shall be set back</i></p>		✓	<p>The R80 zone requires a minimum setback of two (2) metres from the front boundary in accordance with the requirements of the R-Codes. Therefore the ground floor, first and second floors are required to be setback two (2) metres with the remaining floors required to be setback another four (4) metres from the lower</p>

Scarborough Redevelopment Zone Design Guidelines Requirement		Complies	Variation Required	Officer Comment
	<p><i>an additional 4 metres from that of the wall immediately below which faces any street.</i></p> <p>Note: The purpose of this requirement is to provide a visual softening of the façade of taller buildings, and to limit the extent of over-shadowing and/or visual dominance of the street which might otherwise occur.</p>			<p>floors or six (6) metres from the front boundary.</p> <p>The development has a ground floor setback of 3.15 metres and the first to fourth floors have a minimum setback of 3 metres. The roof top communal area has a setback of 17 metres. Therefore the third and fourth floors do not have the required six (6) metre setback from the front boundary.</p>
19	Other setbacks			
	<p><i>Side and rear setbacks shall accord with the requirements of the Residential Design Codes.</i></p>		✓	<p>Table 5 of the R-Codes requires side and rear setbacks to be 4 metres. The southern side boundary setback is 3.7 metres and the minimum northern side boundary setback is 3.1 metres. The minimum rear setback is 3 metres.</p> <p>The rear setback is to a car parking area and the orientation is such that overshadowing and ventilation to the neighbouring property will not be impacted by the rear setback variation.</p> <p>The northern and southern side setback variations are discussed in visual permeability below. The rear setback variation is discussed in the R-Codes assessment below.</p>
20	Visual Permeability			
	<p><i>In order to provide for east-west visual permeability, all development shall accord with the side and rear setback standards prescribed in the Residential Design Codes, except in regard to street setbacks in which case the above provisions shall prevail.</i></p>		✓	<p>The development proposes reduced side setbacks to the north and south as detailed above. The east-west sightlines are poor to the southern half of the development due to the orientation of the building on the southern property. Therefore the reduced side setback of 3.7 metres in lieu of 4 metres can be considered acceptable.</p> <p>The northern facade has open balconies protruding into the northern side boundary setback area. These areas are open in nature and therefore sightlines are still largely maintained from east to west along the northern side setback.</p> <p>The rear setback does not impact on east-west visual permeability.</p>
21	Open Space & Landscaping			
	<ul style="list-style-type: none"> • All dwelling units (irrespective 		✓	Each unit has been provided with a

Scarborough Redevelopment Zone Design Guidelines Requirement		Complies	Variation Required	Officer Comment
	<p><i>of the nature of the occupancy) shall be provided with a minimum of at least one balcony or equivalent, opening directly from a habitable room and with a minimum dimension of 2 metres and a minimum area of 10m²; and</i></p> <ul style="list-style-type: none"> <i>Each development shall provide one area of communal open space equating to a minimum of 5% of the site area, and not located within the front setback area; and</i> <i>Front setback areas shall be landscaped with mature in-ground planting.</i> 			<p>balcony over 10m² in area and over two (2) metres in dimension.</p> <p>The roof-top communal area is 62m² in area. Only 43.75m² of communal open space is required to be provided. The roof top communal area is not located within the front setback.</p> <p>The development depicts 6.2% of the front setback area as landscaped. The maturity of the proposed landscaping has not been specified by the applicant. Insufficient landscaping detail is provided.</p>
22	Solar Access			
	<p><i>A development will be deemed to meet the Deemed-to-comply provisions of the Residential Design Codes in regard to solar access, provided living areas on the affected site are afforded at least three hours of solar access between the hours of 9.00am and 3.00pm on the shortest day of the year.</i></p> <p>Note: <i>In order to demonstrate compliance with Solar Access provisions, shadow diagrams need to be provided.</i></p>	✓		<p>The applicant has provided an overshadowing plan which demonstrates no more than 15% of the southern neighbouring lot being overshadowed by the proposed development. Additionally, the area being overshadowed is mostly a car parking area and access area. There is a communal pool area also proposed to be overshadowed during the winter months however this area will still achieve three (3) hours of sunlight between 9am and 3pm, namely 9am – 10:30am and 1:30pm – 3pm in the winter months.</p>

Built Form & Design, Colours and Materials, Ground Floor Frontage and Street Setbacks

The proposed built form and design is not considered to meet the requirements of the Guidelines. It is clear that the building lacks articulation as it presents to the streetscape. The details provided of colours and materials of construction do not demonstrate compliance and have the potential to detract from the desired coastal appearance of built form for new developments within the locality.

The ground floor frontage, although designed with a 'green wall' and a foyer, lacks 'robust detail' to create a pedestrian scale of visual amenity for the development. The appearance of the development as viewed from the street will also appear monolithic with a general lack of articulation in wall lengths, wall heights and large relief pattern parapets used for sections of the front façade.

The objectives of the Scarborough Redevelopment Special Control Area in Part 6.9.1 of the Scheme which relate to the appearance of the development are as follows:

- e) *"Buildings designed to contribute towards a distinctive urban-coastal character and sense of place, and which are evocative of a beach-side town."*

- f) *“Buildings designed to capitalise on the vistas and climatic attributes of the location, but which will respect the visual amenities of the street and locality.”*
- g) *“Buildings designed to provide an attractive visual frame and sense of enclosure for the adjacent street but which area in ‘scale’ with the adjoining public spaces”.*

The objectives of the City Local Planning Policy 5.6 – Scarborough Redevelopment Design Guidelines applicable are as follows:

- *“To ensure that building facades facing the street portray an attractive and inviting frontage.*
- *To ensure that ground floor areas provide an attractive frontage to the street and other visible spaces whilst providing security.”*

The development fails to respond to the coastal location through the materials of construction and façade treatments utilised. The building's façade to the street lacks the necessary detail to achieve a positive contribution to the character and sense of place of the area. The development is therefore considered likely to have a negative impact on neighbouring properties and the streetscape.

New Access Way

The City's *Scarborough Redevelopment Zone Design Guidelines* and the provisions of the Scarborough Special Control Area under the LPS 3 has identified the requirement to provide a 2.75m and 5.5m wide public access easement on the northern and eastern boundaries of the subject lot, to rationalise the number of direct crossovers onto West Coast Highway.

As outlined in the *‘Consultation with other Agencies or Consultants’* section of the report under the comments provided by Main Roads WA, it has been recognised that the access way from the south extending along the rear of the property is not currently feasible and an alternate access solution is required. The neighbouring residents to the south also have expressed concerns regarding any shared access easement over the northern side boundary of their property.

As a result, a contingency 2.75m wide right-of-way has been shown along the western rear boundary of the subject property. The proposed easement would be used only when access becomes available along the rear boundary. Difficulty in obtaining legal access from the property to the west (also the proposed to the north) has been demonstrated through the lack of neighbouring landowner support outlined in the submissions from neighbouring landowners. However should this access be established in the future, there is still the issue of two (2) resident car parking bays requiring removal/relocation to facilitate the access from the rear. The applicant is also proposing the maximum cash-in-lieu car parking reduction permitted of two (2) bays. However in accordance with LPS3 and LPP5.6, no future further reduction of the car parking would be possible to implement this arrangement.

The proposed development fails to address the following objective of LPP5.6:

“... to ensure that vehicle access ways are safe and easily traversed”.

Additionally, LPS3 has an objective as follows which is applicable:

- h. "Buildings designed to provide safe and efficient vehicular and pedestrian access and egress along the streets and to the foreshore."*

Maintaining the existing access from West Coast Highway does not meet the intended purpose to rationalise the number of crossovers to West Coast Highway. In order for the City to consider access being retained from West Coast Highway, the City requires further detail on how the contingency rear access will be achieved in the future, how the crossover is ensured to be removed once rear access is achieved, and how the rear access if implemented, will still ensure that the development continues to comply with the LPS3 and Guidelines' and R-Codes car parking requirements.

In view of the above, the proposed access from West Coast Highway and contingency rear access proposed is not considered to satisfy the objectives of the *Scarborough Redevelopment Zone Design Guidelines* (LPP5.6) and the Scarborough Special Control Area under the LPS 3.

Plot Ratio

As outlined in the table above, the proposed plot ratio exceeds the maximum plot ratio permitted by 0.33 (291.28m²). Considerations of the plot ratio variation against the relevant objectives of the Scarborough Redevelopment Special Control Area in LPS3 are as follows:

- d. "Development of a range of versatile, medium and high density accommodation suitable for both tourists and permanent residents, so as to maximise accessibility to the foreshore and enhance the level of support for a wide range of commercial and recreational facilities.*
- e. Buildings designed to contribute towards a distinctive urban-coastal character and sense of place, and which are evocative of a beach-side town.*
- f. Buildings designed to capitalise on the vistas and climatic attributes of the location, but which will respect the visual amenities of the street and locality.*
- g. Buildings designed to provide an attractive visual frame and sense of enclosure for the adjacent street but which are in 'scale' with the adjoining public spaces."*

The multiple dwelling is proposed to be a medium to high density accommodation suitable for meeting and satisfying the needs of both tourist and permanent residents which will have accessibility to the foreshore. However the design of the development is not considered to contribute to the distinctive urban-coastal character and sense of place, nor is the development considered to provide an attractive frame and sense of enclosure for the adjacent street.

The street setbacks have not been adhered to for the upper levels and the façade of the building lacks articulation. Therefore the development is considered likely to add greatly to the perception of building bulk. Plot ratio variations can be considered favourably where the development has sought to conceal bulk, height and the façade

of the development is attractive and well-articulated and this has not been achieved by this proposal.

In view of the above, the proposed plot ratio is not considered to satisfy the objectives of LPP5.6 or objectives of the Scarborough Special Control Area in LPS3.

Building Height

The proposed development is six (6) storeys with a maximum height of 17 metres above the Natural Ground Level (NGL) and 28.9 metres AHD. The height does not comply with the maximum of four (4) storeys, but complies with the 47 metres AHD and 17 metres height above natural ground level permitted. One (1) of the storeys is due to the provision of a covered rooftop communal area and lift shaft. This is setback considerably from the ground floor and will be largely concealed from the street. Another level of the development is due to the car parking being at-grade with the street rather than being a basement structure. The car parking and roof-top communal area add to the four (4) storeys of residential due to the following definition within the Guidelines:

“that portion of a building which is situated between the top of any floor and the top of the next floor above it, and if there is no floor above it, that portion between the top of the floor and the ceiling above it, but does not include any portion of a storey having 50% or more of its volume below natural ground level”.

The proposal is considered to be six (6) storeys in lieu of the permitted four (4) storeys, however the development fits within the permitted height above natural ground level of 17 metres and is also within the permitted AHD height of 47 metres at 28.9 metres AHD.

Variations to the building height must be assessed against the objectives of the Scarborough Special Control Area in LPS3 which are as follows:

- e. Buildings designed to contribute towards a distinctive urban-coastal character and sense of place, and which are evocative of a beach-side town.*
- f. Buildings designed to capitalise on the vistas and climatic attributes of the location, but which will respect the visual amenities of the street and locality.*
- g. Buildings designed to provide an attractive visual frame and sense of enclosure for the adjacent street but which are in ‘scale’ with the adjoining public spaces.*

The development has the sixth storey concealed from the street and one (1) of the storeys provided is for car parking. Additionally, the AHD height and the height above average natural ground level are compliant with the provisions of the LPP5.6; however the building does not have a distinguishable roofing feature as required by the guidelines or the upper floors further setback from the front boundary to lessen building bulk on the streetscape. The development is over the plot ratio by the same amount of plot ratio provided in a storey of units. The City believes that the development has not been designed to conceal height, provide roofing features or minimise the appearance of building bulk.

In view of the above, the proposed building height is not considered to satisfy the objectives of the Scarborough Special Control Area in LPS3.

Street setback

The development proposes to have no setback of the upper floors above 10 metres. In accordance with LPP5.6, the upper floors above 10 metres (3 storeys) in height, i.e. the third, fourth and fifth floors are required to be setback an additional 4 metres from the floors below 10 metres (3 storeys) in height. In accordance with LPP5.6:

“The purpose of the increased street setback for upper floors is to provide a visual softening of the façade of taller buildings, and to limit the extent of overshadowing and/or visual dominance of the street which might otherwise occur.”

Although the development has over the required 2 metre street setback for the lower floors, the building will still dominate the streetscape and cast a large shadow over the neighbouring property to the south during summer months. The building bulk of the development as viewed from the street and neighbouring properties, coupled with a building height variation and a plot ratio variation will not contribute to the desired streetscape or provide a visually appealing development with differing wall lengths and heights.

Variations to the building height must be assessed against the objectives of the Scarborough Special Control Area in LPS3 which are as follows:

- h. “Buildings designed to contribute towards a distinctive urban-coastal character and sense of place, and which are evocative of a beach-side town.*
- i. Buildings designed to capitalise on the vistas and climatic attributes of the location, but which will respect the visual amenities of the street and locality.*
- j. Buildings designed to provide an attractive visual frame and sense of enclosure for the adjacent street but which are in ‘scale’ with the adjoining public spaces.”*

The street setback provided is not consistent with the desired streetscape and does not add to the sense of place or provide an attractive visual frame and sense of enclosure. The visual amenity of the streetscape is likely to be negatively impacted by the tall flat façade and therefore, the street setbacks are not considered to meet the objectives of the Scarborough Special Control Area in LPS3.

Other Lot Boundary Setbacks and Visual Permeability

The development proposes reduced side and rear setbacks contrary to the requirements of LPP5.6.

The reduced rear setback is 3 metres in lieu of 4 metres. This is considered an acceptable variation as east-west visual permeability is not impacted and the car parking and access area impacted on the adjoining property still has adequate access to sunlight, with no impact on privacy to outdoor living areas and major openings of dwellings.

The southern side boundary setback of 3.7 metres in lieu of 4 metres is also considered acceptable due to the lack of existing east-west visual permeability from impacted eastern neighbouring properties. The building to the south and west is of 6-7 storeys in height and has an orientation which blocks whatever sightlines that would have been achieved east-west from eastern properties. Therefore the reduced side setback of 0.3 metres can be considered to not impact on any existing views of significance to the west and is minor in nature. The area impacted to the south is car parking and access area. The communal pool area to the south is impacted by overshadowing from the development; however this is mainly during winter months where uncovered outdoor living areas are less frequently used.

The setback provided to the northern lot boundary is 3.1 metres in lieu of 4 metres. The area within the northern side boundary setback is open balcony area and therefore the sightlines from east to west along the northern side boundary are maintained.

In view of the above, the proposed lot boundary setback variations are considered to satisfy the objectives of the Scarborough Special Control Area in LPS3.

Residential Design Codes

The table below outlines how the elements of the proposal comply or do not comply with the 'Deemed-to-comply' requirements of the State Planning Policy 3.1- Residential Design Codes, herein referred to as the 'R-Codes'.

Where the proposed multiple dwellings do not satisfy the Deemed-to-comply Requirements, the development is to be considered against the Design Principles as follows:

Deemed-to-comply Requirement	Design Principles	Officer Comment
1 6.1.4 Lot boundary setbacks		
<p>C4.2 In areas coded R80–R160 and/or R-AC, the development complies with minimum lot boundary setback requirements as set out in Table 5 subject to any additional measures in other elements of the R-Codes; and if applicable:</p> <ul style="list-style-type: none"> i. the wall has a zero setback where it abuts an existing or simultaneously constructed wall of equal or greater proportions; or ii. a wall built to one side boundary has a maximum height and average height as set out in Table 4. 	<p>P4.1 Buildings set back from boundaries or adjacent buildings so as to:</p> <ul style="list-style-type: none"> • ensure adequate daylight, direct sun and ventilation for buildings and the open space associated with them; • moderate the visual impact of building bulk on a neighbouring property; • ensure access to daylight and direct sun for adjoining properties; and • assist with the protection of privacy between adjoining properties. 	<p>Table 5 of the R-Codes requires side and rear setbacks to be four (4) metres. The southern side boundary setback is 3.7 metres and the minimum northern side boundary setback is 3.1 metres. The minimum rear setback is three (3) metres.</p> <p>The side boundary setbacks are discussed earlier in the report. However it should be noted that the reduced northern side boundary setbacks have will not ensure the protection of privacy between the properties given the visual privacy cone of vision incursions proposed.</p> <p>The rear setback is to a car parking area and the orientation is such that overshadowing and ventilation to the neighbouring property will not be impacted by the rear setback variation. The area impacted is also a car parking/access area, ensuring</p>

Deemed-to-comply Requirement		Design Principles	Officer Comment
			<p>the neighbouring dwellings are not impacted by the proposed rear setback variation.</p> <p>The proposal has boundary walls proposed to both the northern and southern side boundaries. The boundary walls are additionally over the permitted two thirds of the boundary length behind the front setback. The boundary walls make effective use of space and permit a larger car parking area, however add to the appearance of the site being 'overdeveloped' as viewed from the street and neighbouring properties. The development has not been designed to reduce the impact of building bulk on the street or neighbouring properties to the south.</p>
2	6.2.1 Street surveillance		
	<p>C1.1 The street elevation(s) of the building to address the street, with facades generally parallel to the street with clearly defined entry points visible and accessed from the street.</p> <p>C1.2 The building has habitable room windows or balconies that face the street.</p> <p>C1.3 Basement parking structures between a street frontage and the main front elevation are no more than 1m natural ground level at any point.</p>	<p>P1.1 Buildings designed to provide for surveillance (actual or perceived) between individual dwellings and the street and between common areas and the street, which minimise opportunities for concealment and entrapment.</p>	<p>The building provides passive surveillance of the street with balconies and major openings facing the street. The entrance point is not clearly defined but is accessible via a footpath connecting to the public footpath.</p>
3	6.3.2 Landscaping		
	<p>C2 Landscaping of open spaces in accordance with the following:</p> <ol style="list-style-type: none"> the street setback areas developed without car parking, except for visitors' bays, and with a maximum of 50 per cent hard surface; separate pedestrian paths providing wheelchair accessibility connecting all entries to buildings with the public footpath and car parking areas; landscaping between 	<p>P2 The space around the building is designed to allow for planting. Landscaping of the site is to be undertaken with appropriate planting, paving and other landscaping that:</p> <ul style="list-style-type: none"> meets the projected needs of the residents; enhances security and safety for residents; and contributes to the streetscape. 	<p>Landscaping within the front setback area is proposed to be 6.2% in lieu of 50%. The lack of landscaping is not considered to contribute positively to the streetscape and detracts from the desired streetscape outcome for the area.</p>

	Deemed-to-comply Requirement	Design Principles	Officer Comment
	<p>each six consecutive external car parking spaces to include shade trees;</p> <p>iv. lighting provided to pathways, and communal open space and car-parking areas; and</p> <p>v. Clear sight lines at pedestrian and vehicle crossings.</p>		
10	6.3.3 Parking		
	<p>C3.1 The site is required to provide one (1) car parking bay per dwelling for resident parking and 0.25 bays per dwelling for visitors.</p> <p>C.3.2 In addition to the above, one (1) bicycle space is required to be provided per dwelling (in accordance with the City's Bicycle Parking Policy) and one (1) bicycle parking space for every 10 dwellings for visitors.</p>	<p>P3.1 Adequate car and bicycle parking provided on-site in accordance with projected need related to:</p> <ul style="list-style-type: none"> • the type, number and size of dwellings; • the availability of on-street and other off-site parking; and • the proximity of the proposed development in relation to public transport and other facilities. <p>P3.4 Some or all of the required car parking spaces located off-site, provided that these spaces will meet the following:</p> <ol style="list-style-type: none"> i. the off-site car parking area is sufficiently close to the development and convenient for use by residents and/or visitors; ii. any increase in the number of dwellings, or possible plot ratio, being matched by a corresponding increase in the aggregate number of car parking spaces; iii. permanent legal right of access being established for all users and occupiers of dwellings for which the respective car parking space is to be provided; and 	<p>The proposal is required to provide 25 car parking bays, 20 for residents and five (5) for visitors. The proposal includes 20 car parking bays for residents and three (3) car parking bays for visitors. Under the provisions of the Scarborough Special Control Area in LPS3 and LPP5.6, the City is able to consider a reduction in the number of car parking bays provided given compulsory cash-in-lieu of car parking payment is required. Although the reduction in car parking bays is in accordance with the provisions of LPS3 and LPP5.6, the City has concerns that the reduction in car parking is to visitor car parking only. Additionally, unlike more central areas of the Scarborough Special Control Area, there are no nearby high frequency bus routes (nearest 650 metres) or public car parking facilities (nearest 350 metres). Therefore the reduction in the number of visitor car parking bays only may cause car parking problems in the locality and is not considered to meet the Design Principles of the R-Codes.</p> <p>Bicycle parking is required to be provided at a rate of three (3) per 10 units for residents and one (1) for every 10 units for visitors. Therefore six (6) resident bicycle bays are required and two (2) visitor bicycle bays are required. The City's Bicycle Parking Policy (LPP6.2) permits bicycles to be stored within the stores should be stores be larger in area. The City usually accepts an additional area of 0.5m² for bicycle parking within stores. The applicants</p>

Deemed-to-comply Requirement		Design Principles	Officer Comment
		iv. where off-site car parking is shared with other uses, the total aggregate parking requirement for all such uses, as required by the R-Codes and the scheme being provided. The number of required spaces may only be reduced by up to 15 per cent where the non-residential parking occurs substantially between 9 am and 5 pm on weekdays.	have only provided an additional 0.2 – 0.3m ² per store. Two (2) visitor bays have been provided, however the bicycle parking is behind a barrier. Therefore the bicycle parking is not considered conveniently located and sized for ease of access for residents and visitors to the subject property.
11	6.3.4 Design of car parking spaces		
	<p>C4.1 Car parking spaces and manoeuvring areas designed and provided in accordance with AS2890.1 (as amended).</p> <p>C4.2 Visitor car parking spaces:</p> <ul style="list-style-type: none"> marked and clearly signposted as dedicated for visitor use only and located close to or visible from the point of entry to the development and outside any security barrier; and provide an accessible path of travel for people with disabilities. <p>C4.3 Car parking areas comprising of six (6) or more spaces provided with landscaping between each six consecutive external car parking spaces to include shade trees.</p> <p>C4.4 All car parking spaces except visitors' car parking spaces fully concealed from the street or public place.</p>	<p>P4 Car, cycle and other parking facilities are to be designed and located on-site to be conveniently accessed, secure, and consistent with streetscape and appropriately manage stormwater to protect the environment.</p>	<p>The car parking spaces and manoeuvring areas are compliant with AS2890.1.</p> <p>The footpath from the public footpath to the entrance of the dwelling and also the footpath connecting the car parking spaces to the lift is at grade and accessible for people with disabilities.</p> <p>The resident car parking spaces are concealed from the street.</p> <p>The visitor spaces for car parking are in front of a security barrier; however the bicycle spaces are behind two doors behind the pedestrian entrance to the building. Therefore the visitor bicycle spaces are not considered to be conveniently located for casual use. Therefore the Design Principles have not been met for design of parking spaces.</p>
12	6.3.5 Vehicular access		
	<p>C5.1 Vehicle access is limited to one opening per 20m street frontage that is visible from the street.</p> <p>C5.2 Access to on-site car parking spaces to be</p>	<p>P5 Vehicular access provided so as to minimise the number of crossovers, to be safe in use and not detract from the streetscape.</p>	<p>The proposal seeks to retain the existing driveway and crossover access from West Coast Highway. This does not comply with LPP5.6 which requires access to be shared with the property to the south, with a</p>

Deemed-to-comply Requirement	Design Principles	Officer Comment
<p>provided:</p> <ul style="list-style-type: none"> • where available from a right-of-way available for the lawful use to access the relevant lot and which is adequately paved and drained from the property boundary to a constructed street; • from a secondary street where a right-of-way does not exist; or • from the primary street frontage where no secondary street or right-of-way exists. <p>C5.3 Driveways designed for two way access to allow for vehicles to enter the street in forward gear where:</p> <ul style="list-style-type: none"> • the driveway serves five or more dwellings; • the distance from a car space to street alignment is 15m or more; or • the public street to which is connects is designated as a primary distributor, district distributor or integrated arterial road. <p>C5.4 Driveways to be adequately paved and drained.</p>		<p>5.5m wide public access way created to rationalise the number of crossovers to West Coast Highway. Access is discussed in greater detail earlier in the report.</p>
13 6.3.6 Site Works		
<p>C6.1 Excavation or filling between the street and building, or within 3m of the street alignment, whichever is the lesser, shall not exceed 0.5m, except where necessary to provide for pedestrian or vehicle access, drainage works or natural light for a dwelling.</p> <p>C6.2 Excavation or filling within a site and behind a street setback line limited by compliance with building height limits and building setback requirements.</p> <p>C6.3 Subject to clause 6.3.6 C6.2, all excavation or filling</p>	<p>P6.1 Development that considers and responds to the natural features of the site and requires minimal excavation/fill.</p> <p>P6.2 Where excavation/fill is necessary, all finished levels respecting the natural ground level at the boundary of the site and the adjoining properties and as viewed from the street.</p>	<p>The development does not show fill or retaining above 0.5 metres on the floor plan of elevations submitted as part of the proposal.</p>

Deemed-to-comply Requirement	Design Principles	Officer Comment
<p>behind a street setback line and within 1m of a lot boundary shall not be more than 0.5m above the natural ground level at the lot boundary except where otherwise stated in a local planning policy or local development plan.</p>		
14 6.4.1 Visual privacy		
<p>C1.1 Major openings and unenclosed outdoor active habitable spaces, which have a floor level of more than 0.5m above natural ground level and overlook any part of any other residential property behind its street setback line are:</p> <p>i. setback, in direct line of sight within the cone of vision, from the lot boundary, a minimum distance as prescribed in the table.</p>	<p>P1.1 Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:</p> <ul style="list-style-type: none"> • building layout, location; • design of major openings; • landscape screening of outdoor active habitable spaces; and/or • location of screening devices. <p>P1.2 Maximum visual privacy to side and rear boundaries through measures such as:</p> <ul style="list-style-type: none"> • offsetting the location of ground and first floor windows so that viewing is oblique rather than direct; • building to the boundary where appropriate; • setting back the first floor from the side boundary; • providing higher or opaque and fixed windows; and/or • screen devices (including landscaping, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters). 	<p>All balconies to the northern side boundary have less than the required six (6) metre cone of vision setback.</p> <p>The kitchen window and bedroom windows to the western rear boundary have less than the required 4.5 metre and three (3) metre cone of vision setbacks.</p> <p>The reduced cone of vision setbacks to the northern side boundary has the potential to overlook the northern neighbours' uncovered outdoor living area from the first and possibly the second floor balconies. No measures have been made to remove the overlooking potential into these uncovered outdoor living areas through screening devices.</p> <p>The western rear reduced cone of vision setbacks do not overlook outdoor living areas or habitable rooms, only car parking and access areas, ensuring privacy is maintained between the subject property and the western neighbouring property.</p>
16 6.4.3 Dwelling Size		
<p>C3.1 Development that contains more than 12 dwellings are to provide diversity in unit types and sizes as follows:</p> <ul style="list-style-type: none"> • minimum 20 per cent 1 	<p>P3 Each dwelling within the development is of a sufficient size to cater for the needs of the residents. The development must provide diversity in dwellings to ensure that a range of types</p>	<p>The dwelling size for the proposed multiple dwelling are as follows:</p> <ul style="list-style-type: none"> • 60% single bedroom dwellings; and • 40% two bedroom dwellings.

Deemed-to-comply Requirement		Design Principles	Officer Comment
	bedroom dwellings, up to a maximum of 50 per cent of the development; and <ul style="list-style-type: none"> • minimum of 40 per cent 2 bedroom dwellings. 	and sizes is provided.	<p>The number of two (2) bedroom apartments is compliant however more than the permitted 50% maximum number of one (1) bedroom dwellings has been provided.</p> <p>The mix of dwellings provides essentially three (3) different dwelling types within the development. The number of one (1) bedroom dwellings being slightly over the permitted 50% at 60%; however the development still provides a mixture of dwelling types and sizes to ensure that there is diversity in housing choice.</p>
17	6.4.6 Utilities and facilities		
	C6.1 An enclosed, lockable storage area, constructed in a design and material matching the building/dwelling where visible from the street, accessible from outside the dwelling, with a minimum dimension of 1.5m and an internal area of at least 4m ² shall be provided for each multiple dwelling.	P6 External location of storeroom, rubbish collection/bin areas, and clothes drying areas where these are: <ul style="list-style-type: none"> • convenient for residents; • rubbish collection areas which can be accessed by service vehicles; • screened from view; and • able to be secured and managed. 	<p>Clothes drying facilities have been provided as a dryer inside the laundry area for each of the dwellings in lieu of having an external clothes drying area.</p> <p>The dryer is convenient for residents and screened from view and therefore the City supports to use of dryers in lieu of external clothes drying areas in accordance with the Design Principles of the R-Codes.</p>

Conclusion:

The subject lot is located in the local municipality of Stirling, approximately 15 km north of the Perth CBD and 5 km west of Stirling Train Station. The site abuts West Coast Highway on the eastern boundary and three residential allotments on the northern, eastern and southern boundaries. West Coast Highway has been identified as a Category 2, Primary Regional Road under the Metropolitan Region Scheme (MRS) (ATTACHMENT 2).

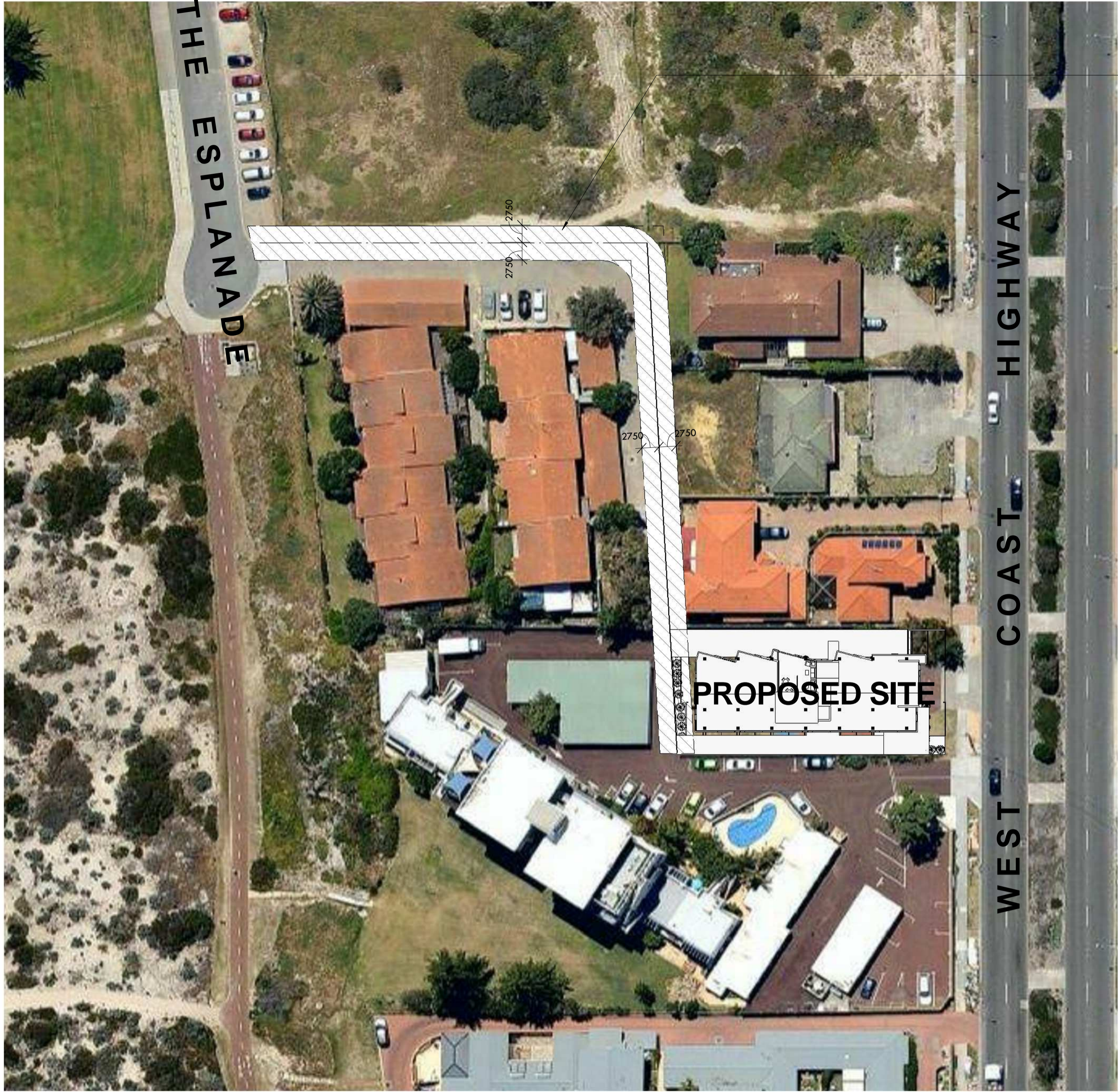
The proposed development has been assessed and is considered to not comply with the relevant statutory planning provisions. Accordingly the development application is recommended for refusal.



DRAWING LIST

<u>SHEET NO.</u>	<u>SHEET NAME</u>	<u>SCALE</u>
0	DRAWING LIST	NA
1	LOCATION PLAN	1 : 250
2	SITE FEATURE SURVEY PLAN	1 : 100
3	SITE & GROUND FLOOR PLAN	1 : 100
4	1ST FLOOR PLAN	1 : 100
5	TYPICAL FLOOR PLANS - 2ND -4TH FLOOR	1 : 100
6	ROOF DECK FLOOR PLAN	1 : 100
7	LANDSCAPE & DIAGRAMS	1 : 100 & 1 : 300
8	ELEVATIONS	1 : 100
9	PERSPECTIVE VIEWS	NA
10	SIGHTLINES	AS SHOWN





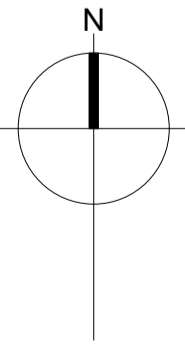
PROPOSED FUTURE 5.5m WIDE ACCESS EASEMENT
(SHOWN HATCHED)
NIL CROSSOVERS TO WEST COAST HIGHWAY



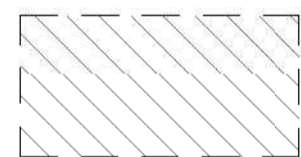
CURRENT SCARBOROUGH DESIGN GUIDELINE
FUTURE VEHICULAR ACCESS 5.5m WIDE
2 CROSSOVERS TO WEST COAST HIGHWAY

LOCATION PLAN
(PROPOSED FUTURE ACCESS EASEMENT)

LOCATION PLAN
(SCARBOROUGH DESIGN GUIDELINE - FUTURE VEHICULAR ACCESS)

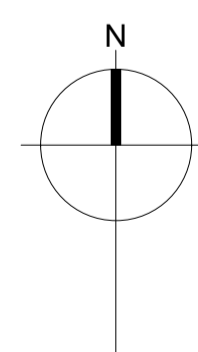
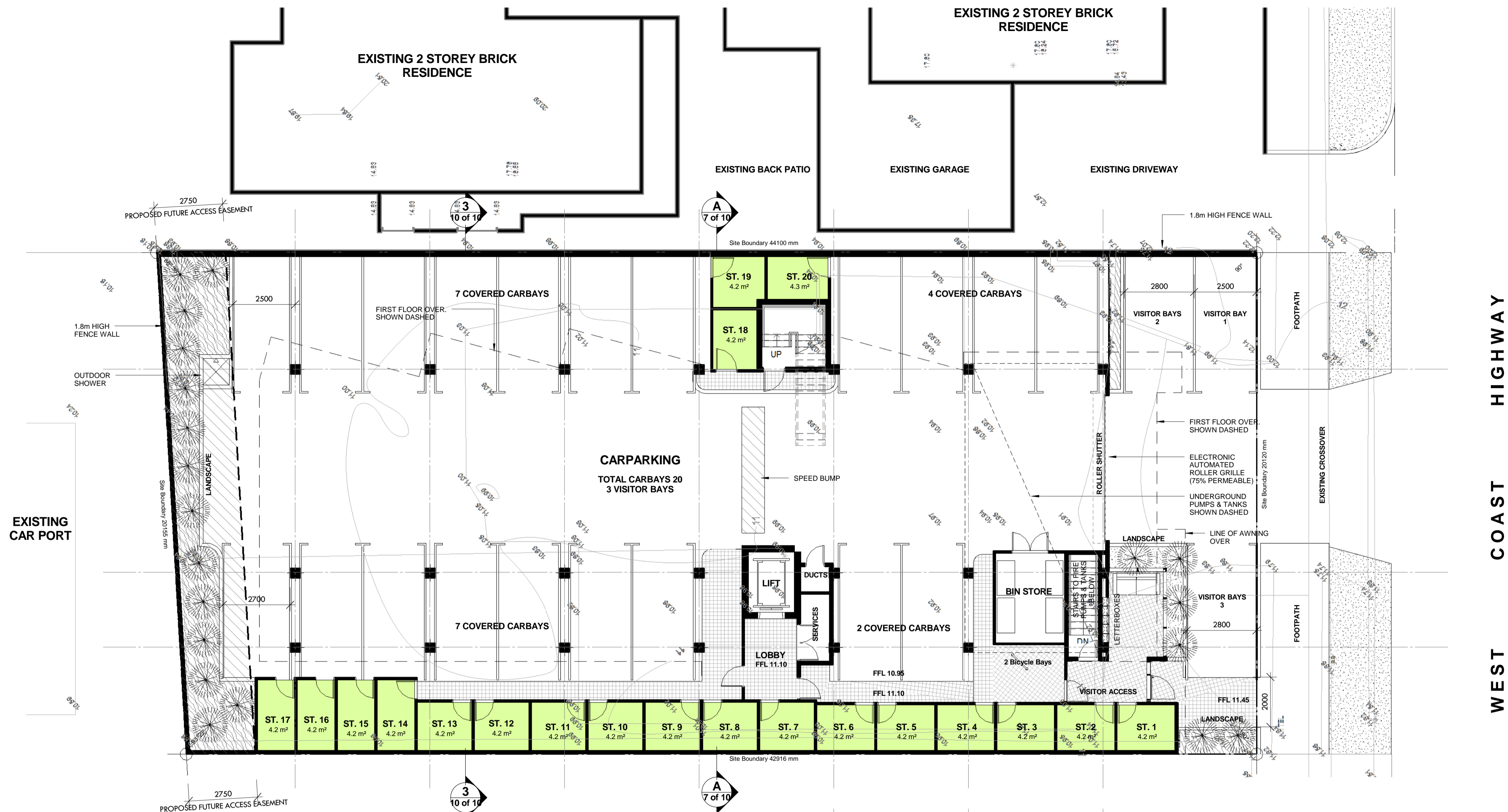


SCALE: 1 : 100

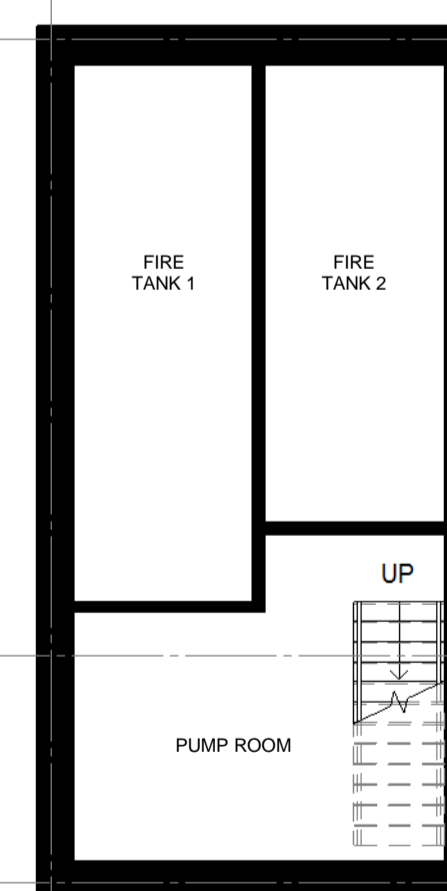


EXISTING HOUSE TO BE
DEMOLISHED

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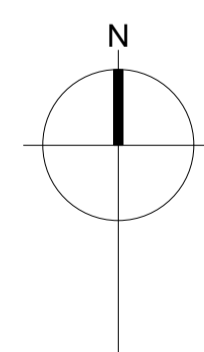
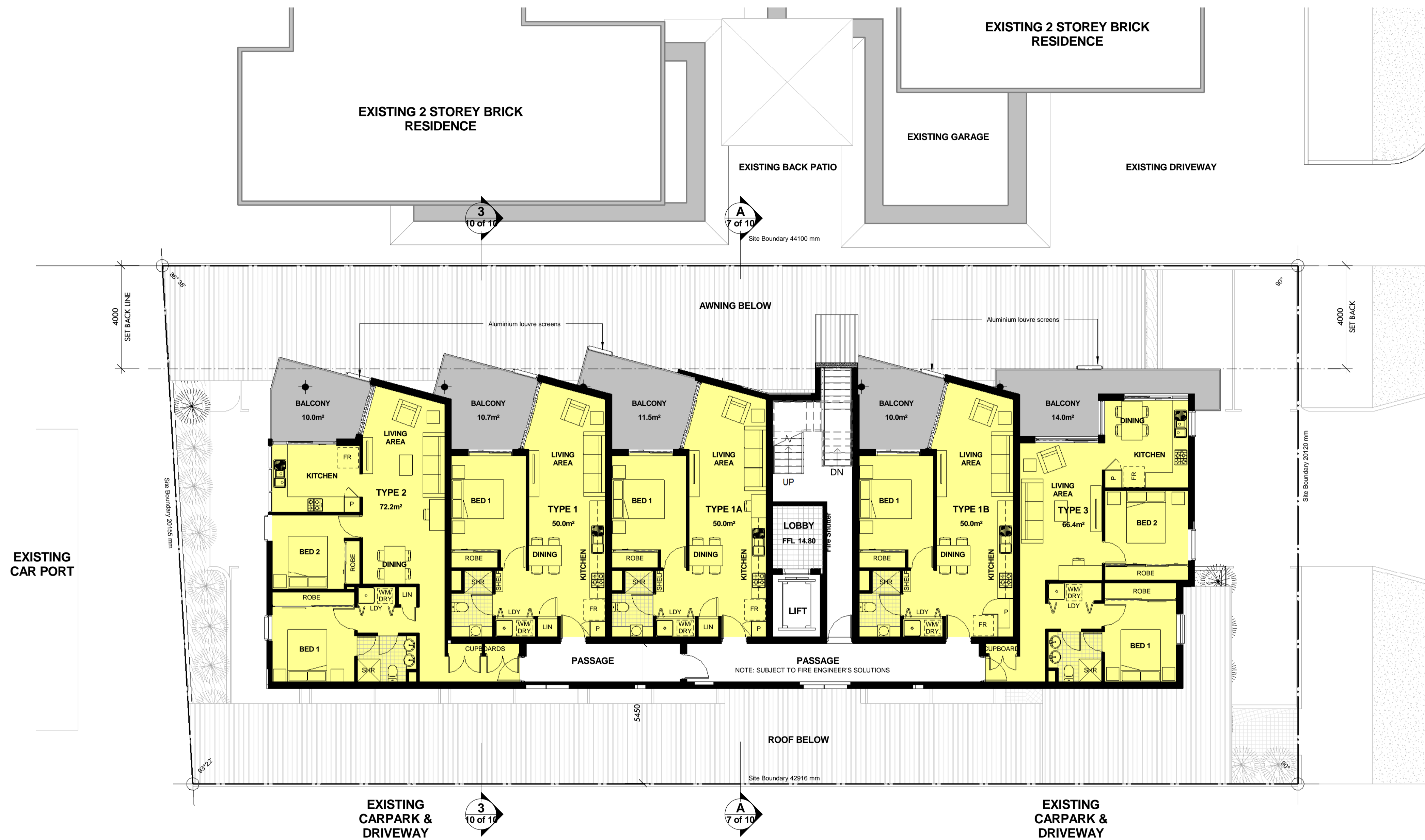


GROUND FLOOR PLAN
SCALE: 1 : 100



UNDERGROUND PUMPS & TANKS
SCALE: 1 : 100

HIGHWAY
COAST
WEST



FIRST FLOOR PLAN
SCALE: 1:100



2ND - 4TH FLOOR PLAN
SCALE: 1:100

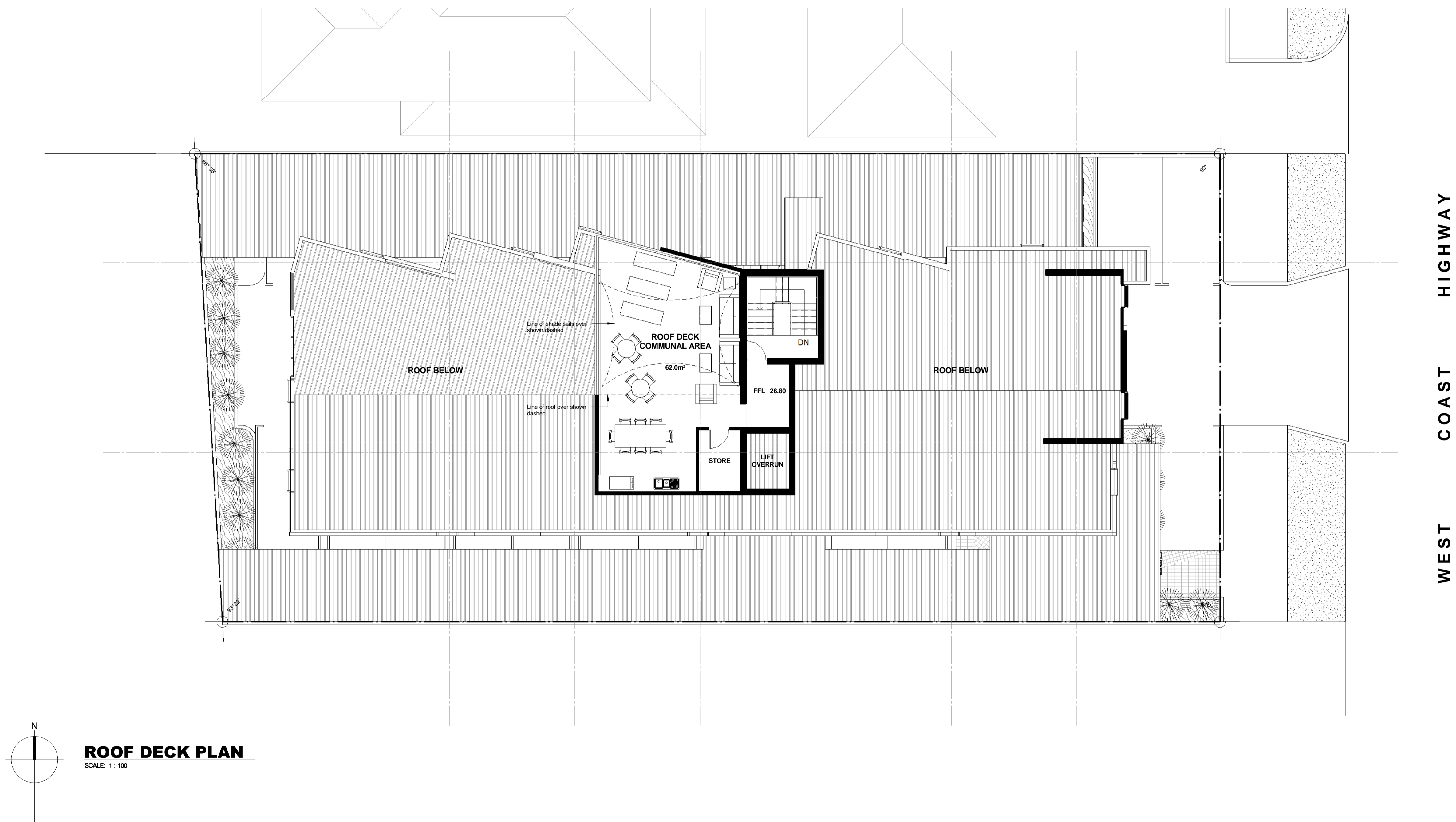
WEST COAST HIGHWAY

PROPOSED RESIDENTIAL DEVELOPMENT
LOCATION: 285 WEST COAST HIGHWAY, SCARBOROUGH

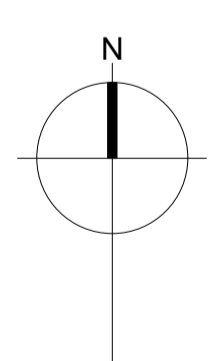
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WEST COAST HIGHWAY

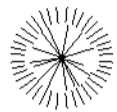




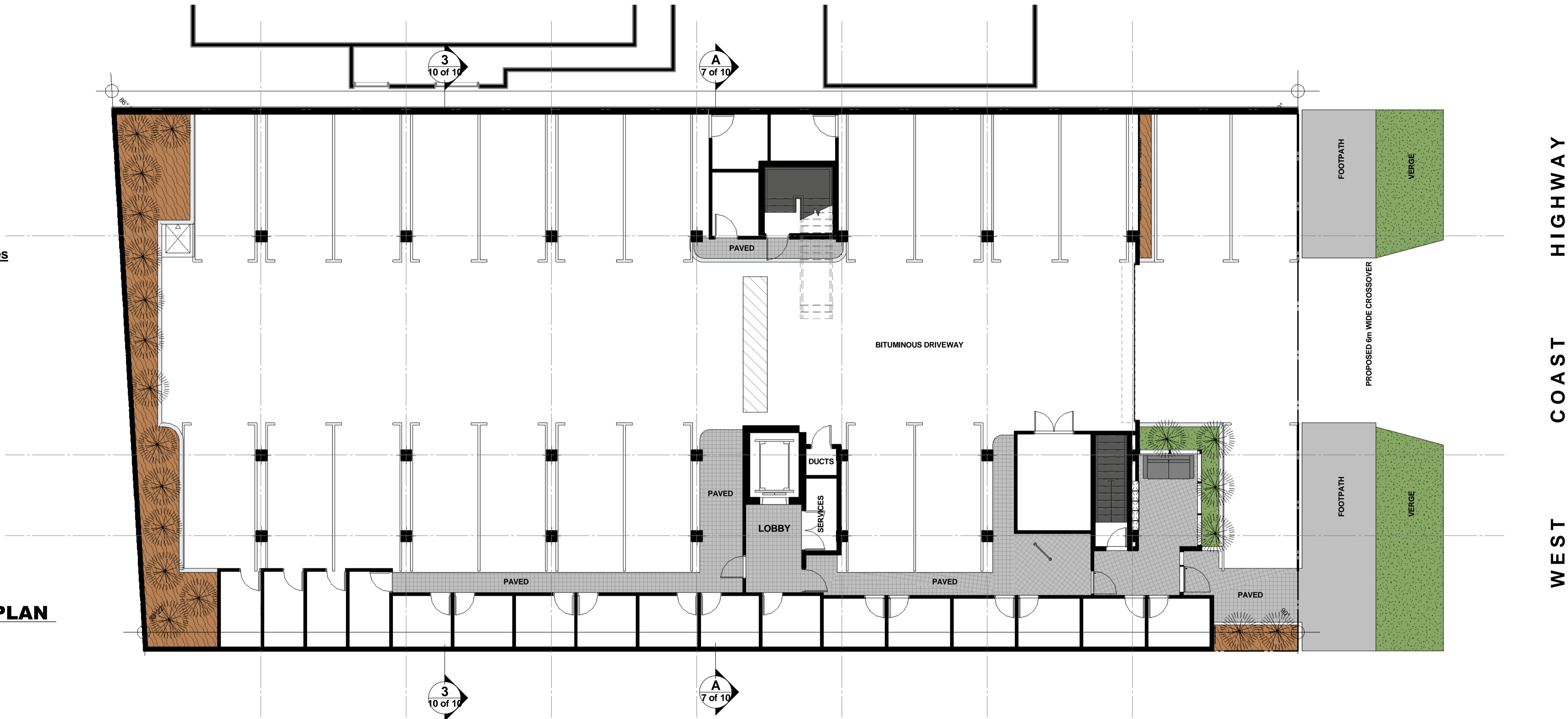
ROOF DECK PLAN
SCALE: 1:100

LANDSCAPING

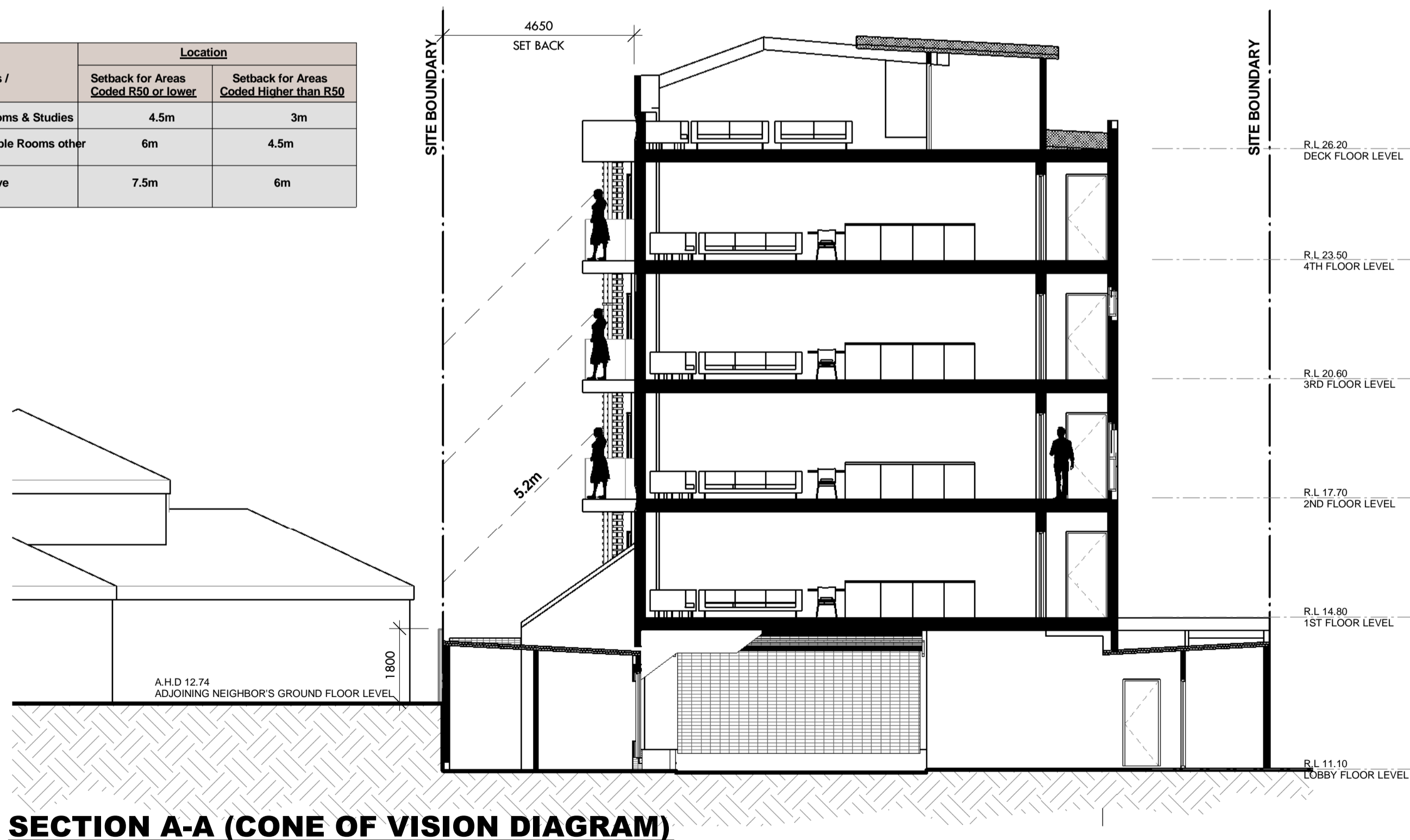
1. SITE AREA	875.385m²
3. LANDSCAPING PROVIDED	
Hard Landscaping	80.0m²
Soft Landscaping	24.0m²

Landscape Legend

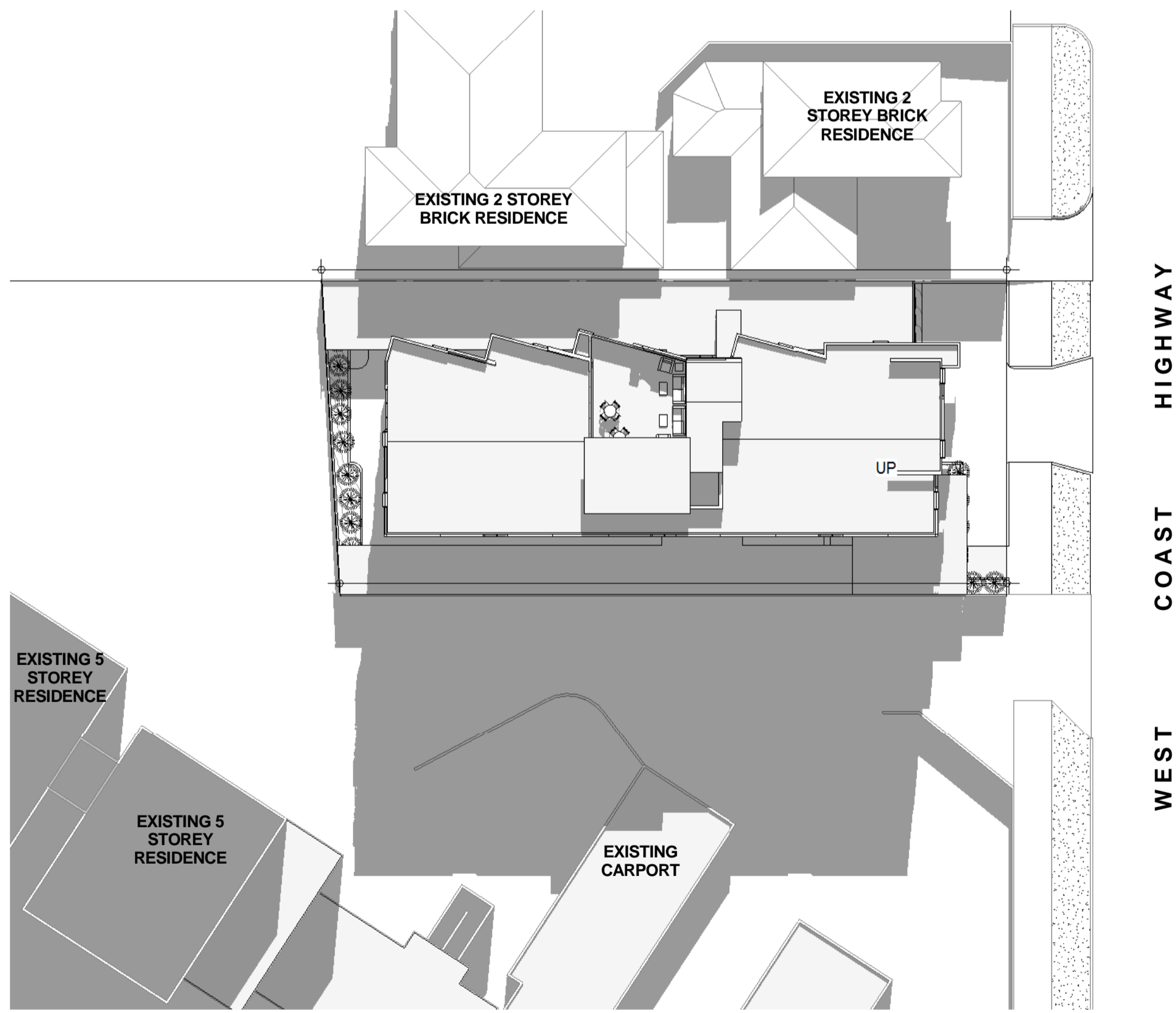
	Description	Quantities
	Buxus Sempervirens English Box - Grows up to 1m	20
	Mulch min 50mm deep bed	25m²
	Lawn - Winter Green A low maintenance, hard wearing hybrid lawn. Characterized by deep green colour	Verge 33m²



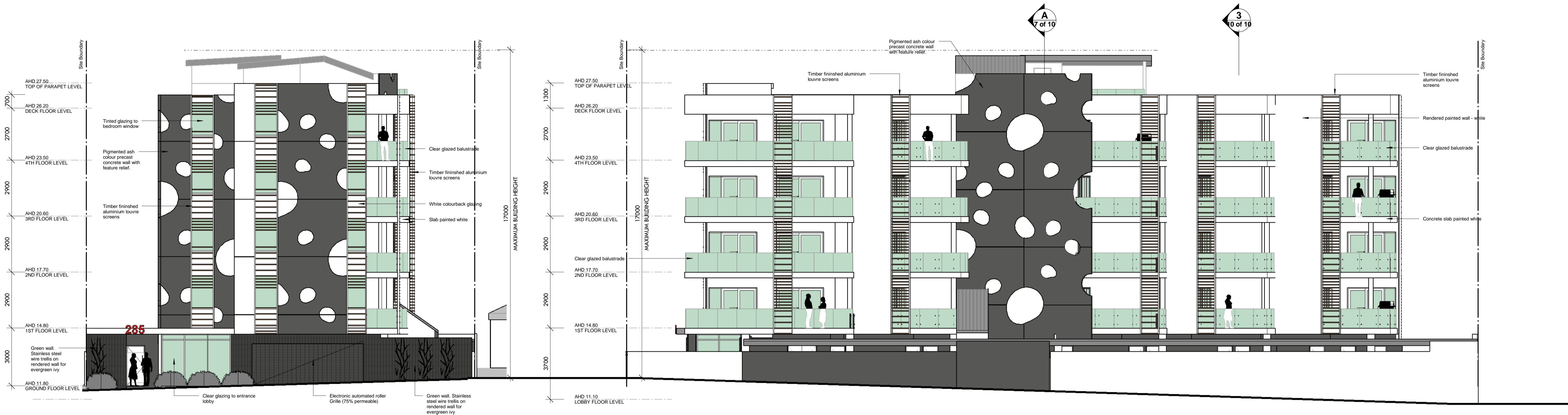
Types of Habitable Rooms / Active Habitable Spaces	Location	
	Setback for Areas Coded R50 or lower	Setback for Areas Coded Higher than R50
Major Openings to Bedrooms & Studies	4.5m	3m
Major Openings to Habitable Rooms other than Bedrooms & Studies	6m	4.5m
Unenclosed Outdoor Active Habitable Spaces	7.5m	6m



SECTION A-A (CONE OF VISION DIAGRAM)
SCALE: 1:100

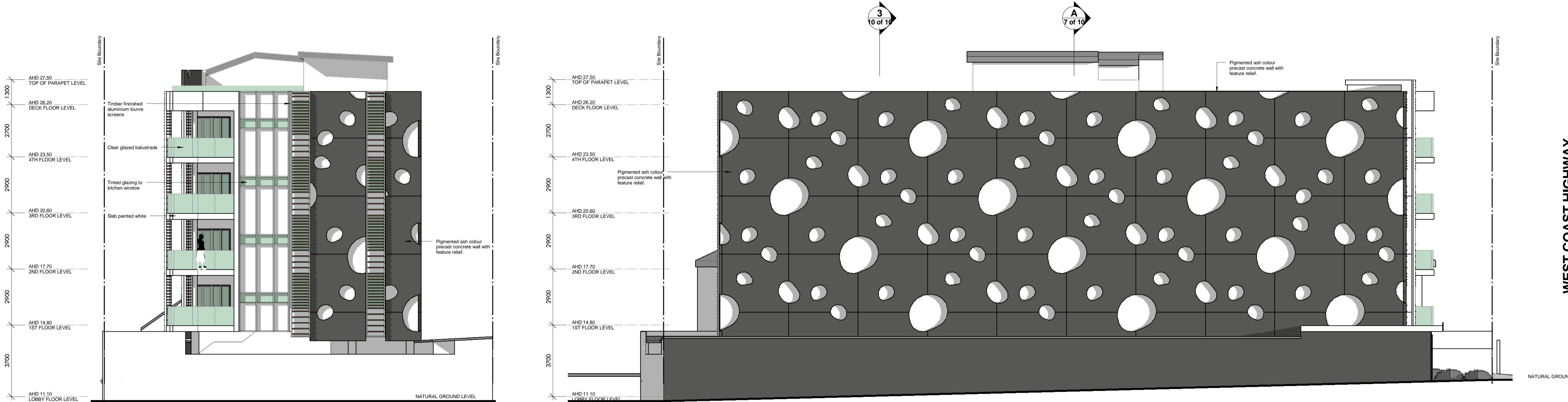


OVERSHADOW DIAGRAM - WINTER 12PM
SCALE: 1:300



EAST ELEVATION
SCALE: 1 : 100

NORTH ELEVATION
SCALE: 1 : 100



WEST ELEVATION
SCALE: 1 : 100

SOUTH ELEVATION
SCALE: 1 : 100

PROPOSED RESIDENTIAL DEVELOPMENT
LOCATION: 285 WEST COAST HIGHWAY, SCARBOROUGH

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NORTH EAST VIEW

SCALE:



NORTH SOUTH VIEW

SCALE:



SOUTH EAST VIEW

SCALE:

PROPOSED RESIDENTIAL DEVELOPMENT
LOCATION: 285 WEST COAST HIGHWAY, SCARBOROUGH

SK005
MAY 2014
9 of 10
@ A1

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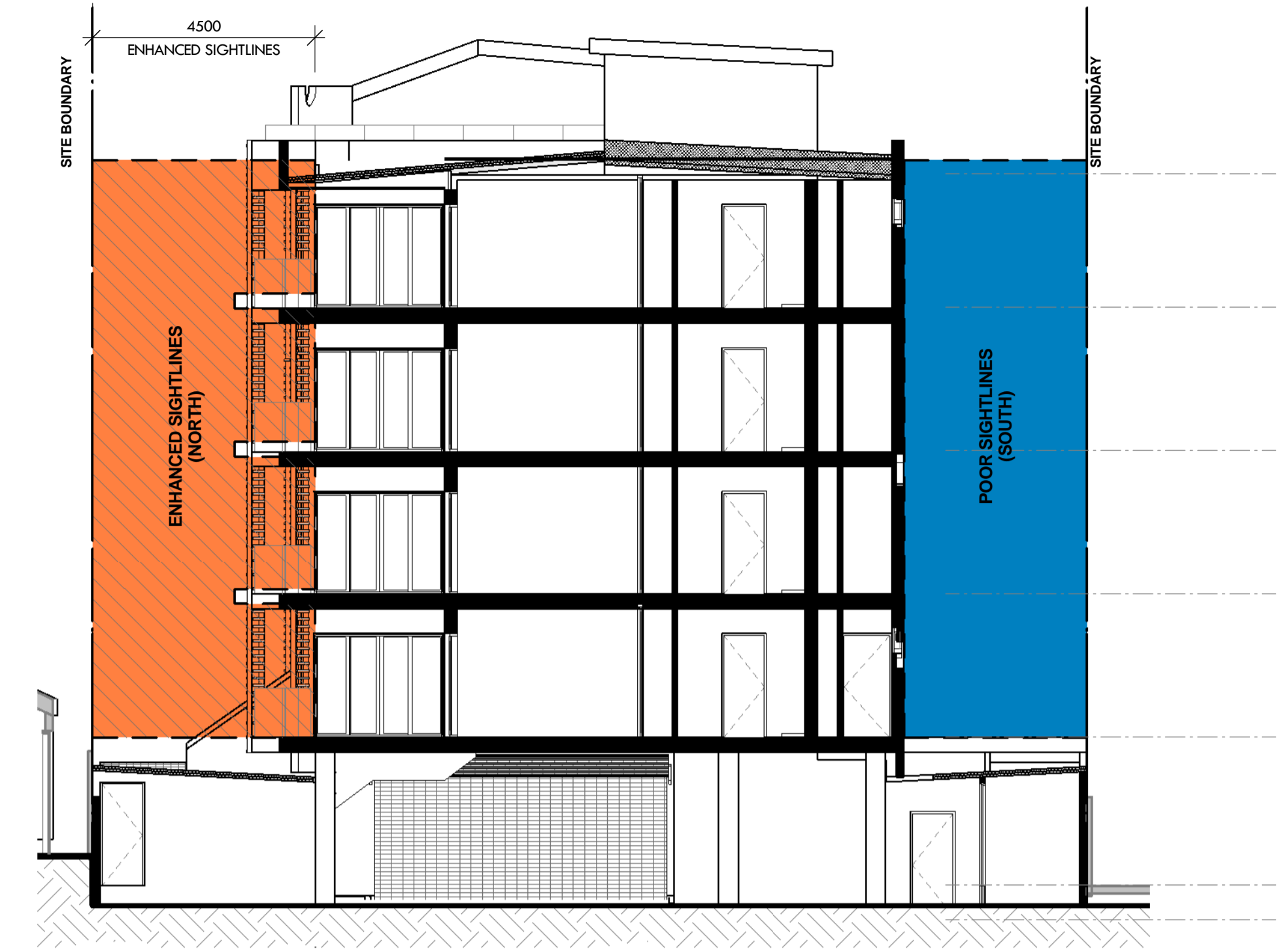
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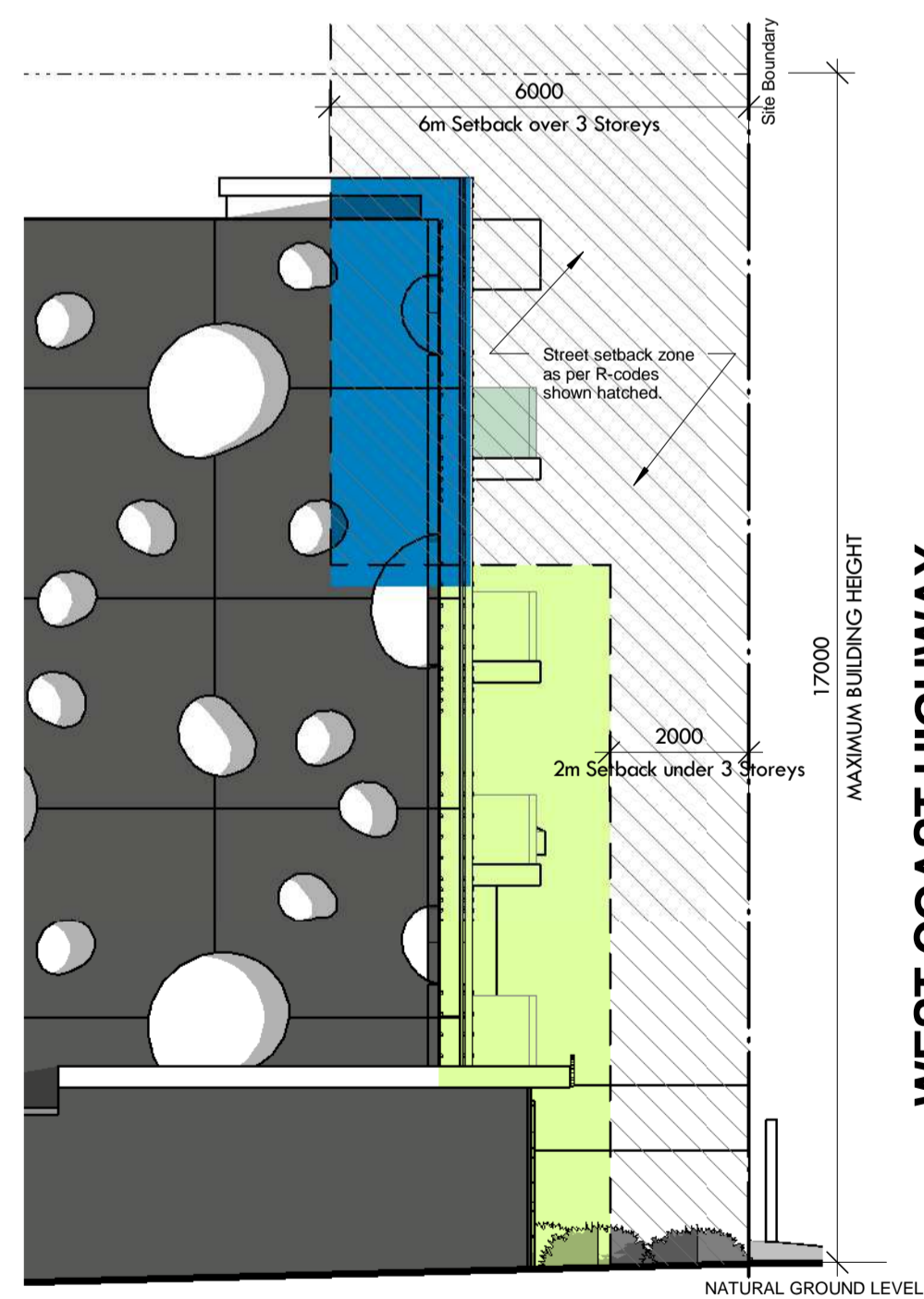


SIGHTLINES - SITE PLAN
SCALE: 1 : 250

WEST COAST HIGHWAY



BOUNDARY SETBACKS & SIGHTLINES
SCALE: 1 : 100



STREET SETBACK - PART SOUTH ELEVATION
SCALE: 1 : 100



SIGHTLINES - FIRST FLOOR PLAN
SCALE: 1 : 100

EXISTING CARPARK & DRIVEWAY

EXISTING CARPARK & DRIVEWAY

PROPOSED RESIDENTIAL DEVELOPMENT
LOCATION: 285 WEST COAST HIGHWAY, SCARBOROUGH

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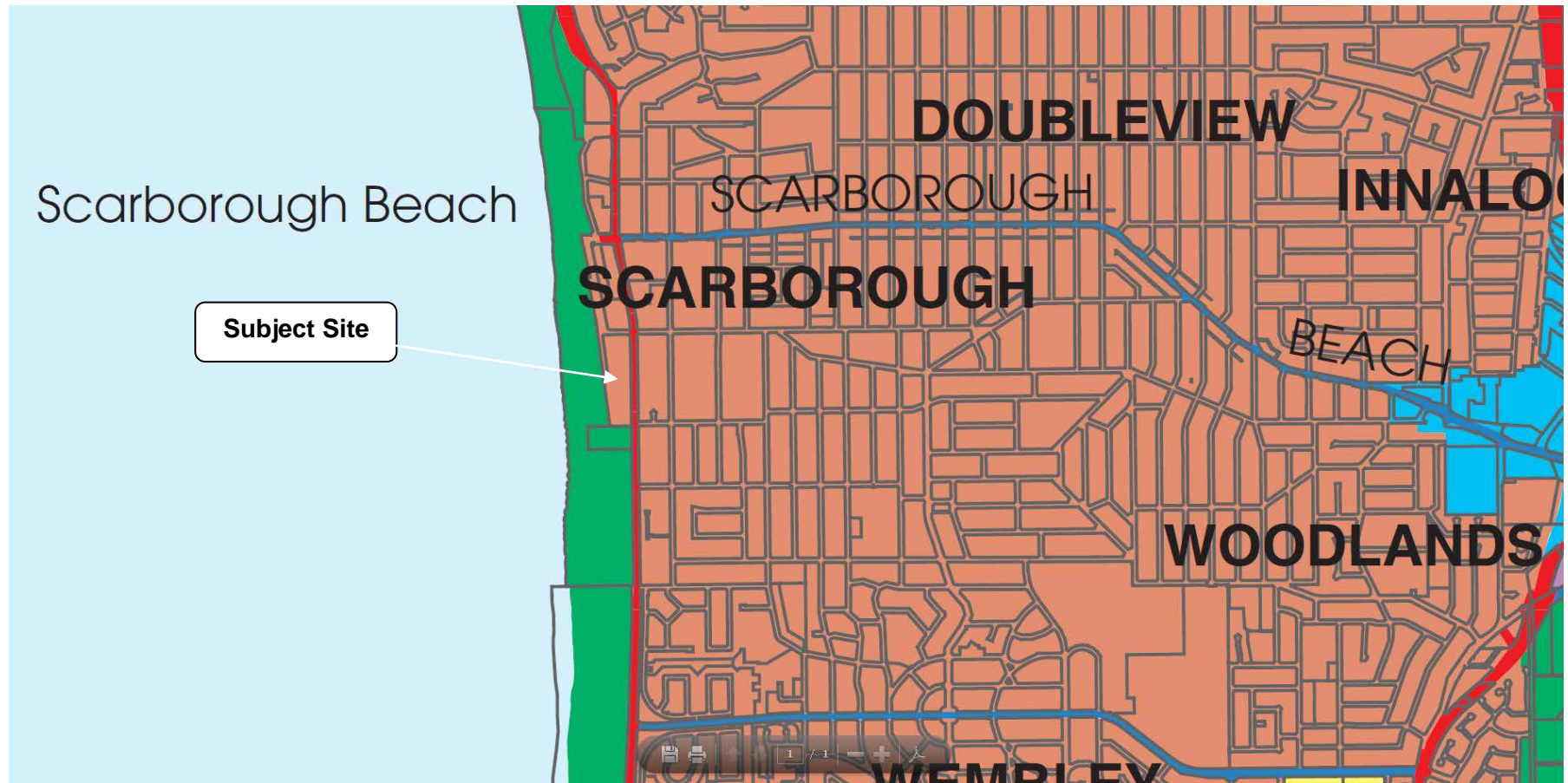
EXTERNAL FINSHES SCHEDULE

ITEM	AREA	MATERIAL	FINISHES
1	WALL	MASONRY	PAINT COLOUR : NATURAL WHITE
2	WALL	PRECAST CONCRETE	PIGMENTED ASH COLOUR
3	WINDOWS	TINTED COLOURBACK GLAZING	COLOUR : LIGHT GREEN COLOUR : WHITE
4	WINDOWS	ALUMINIUM SUN LOUVERS	COLOUR : TIMBER LOOK
5	BALUSTRADE	CLEAR GLAZING	COLOUR : LIGHT GREEN
6	GREEN WALL	STAINLESS STEEL WIRE TRELLIS	STAINLESS STEEL

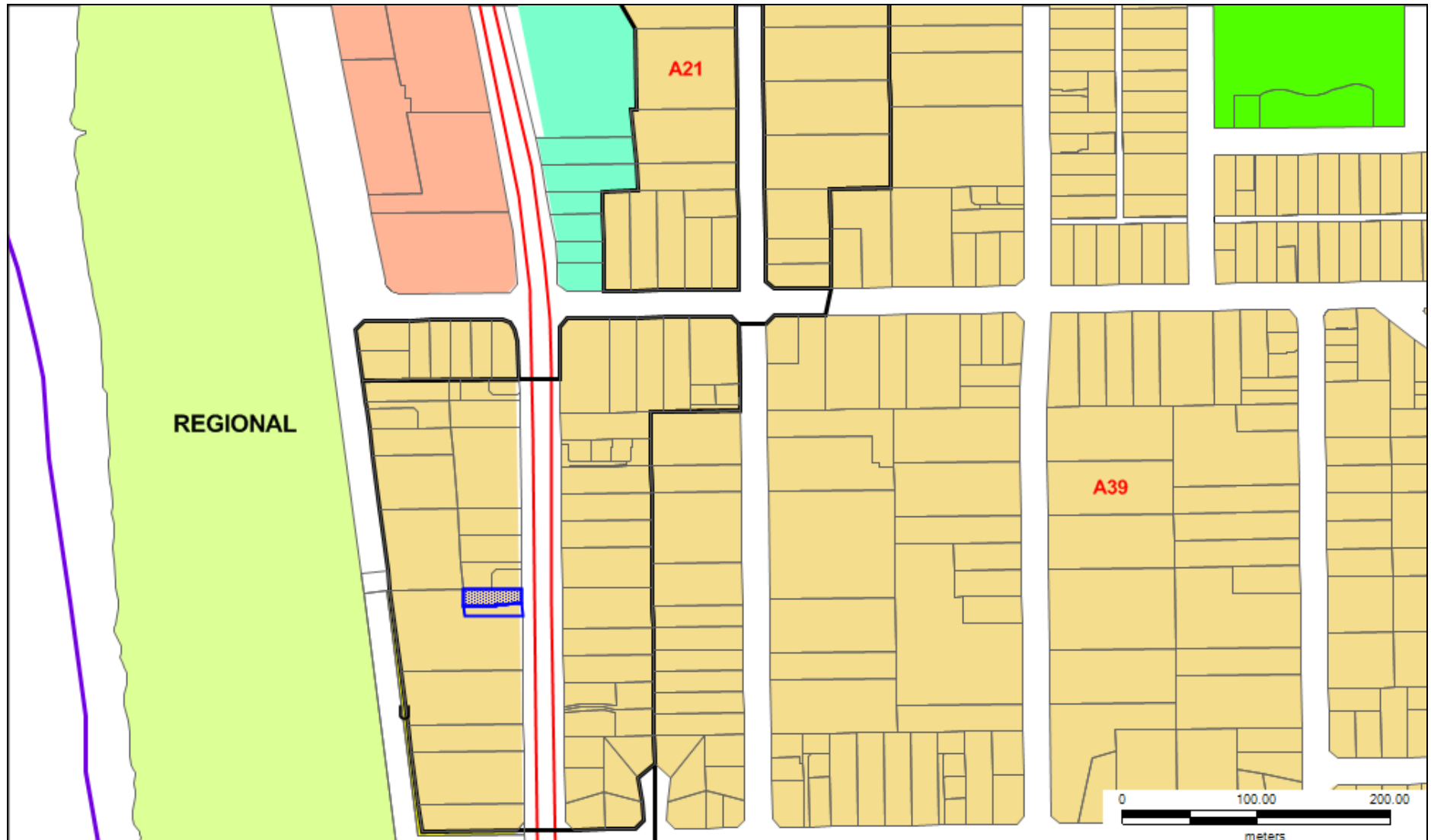
ATTACHMENT 2 – AERIAL LOCATION PLAN



ATTACHMENT 3 – METROPOLITAN REGION SCHEME (MRS) ZONING



ATTACHMENT 4 – CITY OF STIRLING LPS3 ZONING MAP



5.6 SCARBOROUGH DESIGN GUIDELINES – SCARBOROUGH REDEVELOPMENT ZONE

INTRODUCTION

These guidelines identify design expectations for development within the Scarborough Design Guideline Area in addition to those applicable under Local Planning Scheme No. 3.

This document has been divided into General Design Guidelines that apply to **all** areas within the Scarborough Design Guideline Area, together with Specific Design Guidelines that apply to specific sub-areas. Where there is an inconsistency between the general guidelines and the specific guidelines, the provisions of the specific guidelines shall prevail.

Where this Policy is inconsistent with the provisions of a general Policy or Guideline applying to the City as a whole, the provisions of these Guidelines shall prevail for land within the Scarborough Design Guideline Area.

GUIDELINE AREA These Guidelines apply to Scarborough Design Guideline Area which is shown in **Figure 1** below:-



Figure 1 – Scarborough Design Guideline Area

SUB- AREAS

These guidelines are further divided into five (5) sub-areas which are shown in **Figure 2** below:-

- Mixed-Use (Lower Scarborough Beach Road)
- Mixed-Use (Upper Scarborough Beach Road)
- Mixed-Use (West Coast Highway)
- Residential (Inner)
- Residential (Outer)

Specific Design Guidelines are contained within this document for each of these sub-areas, and shall apply together with the General Design Guidelines.



Figure 2 – Scarborough ‘Sub-Areas’

APPLICATIONS SUBJECT OF THESE GUIDELINES

All development within the Scarborough Design Guideline Area is subject to these guidelines.

GENERAL DESIGN GUIDELINES

The General Design Guidelines apply to all development within the Scarborough Design Guideline Area shown in **Figure 1**. In addition, Specific Design Guidelines for particular sub-areas are also contained within this document and should be referred to for all development within each sub-area.

BUILT FORM & DESIGN

Facades

The second level and subsequent levels of all facades shall be articulated to break-up straight plain facades through the use of at least three of the following:

- Openings;
- Protruding balconies;
- Awnings over windows;
- Use of different colours and textures; and
- Indentations and extrusions with details to break the building into individual elements.

Balconies

- Balcony balustrades shall be 50% visually permeable.

Openings

Facades shall express verticality through:

The use of openings that are more vertical than horizontal.

Location of Services

Services shall not be visible from the street frontage or other public areas, including aerials, air conditioners and satellite dishes etc.



This design requires more articulation such as balconies, awnings over windows and more detail.



This design makes use of balconies, openings, indentations and different colours to achieve a high level of articulation.

Parapets

New buildings that contain parapets shall avoid monotonous flat parapet lines and shall include:

- Indentations and patterns on panels; and
- Variation in parapet heights and designs so as to provide additional interest to the street.

Colours & Materials

The base palette for external materials shall be:

- Non corrosive metals such as copper and zinc etc;
- Naturally protected metals such as Corten / Bisalloy;
- Durable hardwood timbers for architectural detailing (no old-growth timber);
- Glass;
- Limestone walls;
- Texture, rendered walls; and
- Materials which are specifically manufactured for high exposure to extreme coastal conditions with adequate lifestyle properties.

Dwelling Occupancy

Dwellings allocated for short-stay accommodation shall:

- be so designed as, in the opinion of the Council, to satisfactorily limit conflict with, or disturbance of the occupants of any dwelling (other than caretaker accommodation) available for occupancy on a permanent basis;

Note: Areas of potential conflict between permanent residents and the occupants of short-stay accommodation are generally related to different expectations concerning noise, privacy, and behaviour. Minimisation of conflicts relating to these matters will generally require some degree of segregation, and may also require design features to reduce the transmission of noise and limit visual intrusion.

- be available for tenancy on a short-term basis, not exceeding a period of more than six weeks at any one time by the occupier or occupiers; and
- be subject to a management agreement providing for occupancy controls, to the satisfaction of the Council.

Note: It is anticipated that the required management agreement would be incorporated as a Management Statement as provided for under the Strata Titles Act, and be subject to enforcement as part of the By-Laws of the relevant Strata company. Under these circumstances, any amendment or repeal of the Management Statement would require the consent of the Council.

STREETSCAPE RELATIONSHIP

Ground Floor Frontage

Objective

To ensure that building facades facing the street portray an attractive and inviting frontage.

The ground floor area of all commercial facades facing the street shall:

- Contain a minimum of 75% glazing; and
- A maximum amount of signage on individual windows of not more than 50%.

The ground floor area of all residential facades facing the street shall:

- Contain significant and robust detail, including awnings, major openings and variations in alignment (areas of blank wall shall be avoided).

Entry Points

Objective

To ensure entrances are designed to enable safe and comfortable access and that building entrances are clearly defined.

Entry points shall include at least two of the following:

- Signage above the entry door;
- Indentation of the entry point, where recessed entrances are provided, they should be truncated at an angle to the pedestrian route of no less than 60 degrees;
- Highlighting the entry point through the use of different materials; and
- Increasing the height of the awning above the entry point to no higher than 3.2m above footpath level.

Activity & Uses

Objective

To create an active, vibrant and safe town centre by reinforcing the interface between internal and external uses along the street front and by providing passive surveillance.

Where Local Planning Scheme No.3 allows for such uses, the following shall apply:

- Retail and other active commercial uses shall be located on the ground floor level; and
- Office and other non-active uses (residential and short-stay accommodation) shall be located on upper levels.

Weather Protection

Objective

To support a comfortable external environment for pedestrians.

- Continuous pedestrian shelter shall be provided along all commercial street frontages, either in the form of awnings or colonnading, with a minimum width of 2.5 metres and a nominal vertical clearance from the finished pavement level of not more than 3.5 metres.
- Awnings shall be provided over all footpaths that abut a building, including footpaths that provide access to the rear of buildings;
- Awnings shall be provided above all entrances and exits of a building;
- Awnings shall be constructed using materials that are opaque and non-reflective;
- New awnings shall line up with existing awnings (where present); and
- Awnings shall be constructed to comply with the Local Government Miscellaneous Provisions Act 1960 – section 400 (2) and the Building Regulations 1989 Part 9.

Levels

Objective

To ensure that development follows the topography of the land and to ensure that there is equitable access for pedestrians.

- A maximum of 500mm of fill shall be permitted on sites;
- The difference between the ground floor level of a building and the footpath level shall generally be nil; and
- A maximum 500mm difference between the ground floor level and the footpath level of a building shall be permitted where it can be demonstrated that such a difference is required.

Fencing

Objective

To provide an open, accessible and attractive urban environment.

For non-residential (to include mixed-use) developments:-

- Fencing between the building and the front and secondary boundary shall not be permitted; and
- Fencing behind the building line shall generally not be permitted as areas behind the setback line shall be used for the parking of vehicles and shall remain open to the public at all times.

For residential developments:-

- Fencing between the building and the front and secondary boundary shall be 'open-style' and not exceed 1200mm in height; and
- Any solid portions of fencing shall not exceed 600mm in height.

Landscaping

Objective

To improve the visual appeal of development, screen service areas and provide shade and 'green relief' in built up areas.

- A landscaping plan shall be submitted for all new non-residential development and residential development comprising 5 or more units and be in accordance with the City's Landscaping Policy; and
- All open-air parking areas shall have 1 tree per 6 parking bays, as required by the City's Landscaping Policy.

ACCESS & PARKING

Number of Car Parking Bays

Parking provision shall accord with the standards in City's Parking Policy, and where applicable the *Residential Design Codes*, with the exception that a portion of the required parking shall be subject to the cash-in-lieu requirements in accordance with the clauses below.

Cash-in-lieu

- A proportion of the required parking shall be subject to a cash-in-lieu contribution as specified below, and where cash-in-lieu is required, the number of on-site parking spaces may be reduced by the number of spaces for which cash-in-lieu is payable.
- In the case of residential development within all Sub-Areas, the cash-in-lieu contribution shall be 10 per cent of the total number of parking spaces required for the residential development.
- In the case of non-residential development within all Sub-Areas, the cash-in-lieu contribution shall be 25 per cent of the total number of parking spaces required for the relevant use under Local Planning Scheme No. 3's Parking Policy.
- The Council may agree to a cash-in-lieu contribution in respect of a greater proportion of the total number of required parking spaces in circumstances where the provision of additional parking on-site is considered undesirable or not practicable.
- The amount of cash-in-lieu to be paid for the requisite number of parking spaces, shall be determined by Council on the basis of the estimated cost of providing an equivalent number of parking spaces and manoeuvring areas in the form of decked parking in terms of land and construction cost.
- Where cash-in-lieu of parking for non-residential uses is payable, the amount is to be reduced by half in recognition of the economies of shared use of common public parking facilities off-site.

Note: This means that where for example, 25% of the total parking requirement is to be subject to a cash-in-lieu payment, the actual cash payable will be based on only 12.5% of the requisite number of parking spaces.

- Where cash-in-lieu of parking is payable, there shall be no reduction in parking standards otherwise applicable under the Scheme, except for the reduction in on-site parking as a consequence of the contribution to the cost of off-site parking.

Note: The purpose of this provision is to avoid a shortfall in parking contributions which would otherwise arise from a reduction in parking requirements based on assumptions of shared use of on-site parking facilities. Such a reduction is already accounted for by the reduced contribution payable under paragraph above.

- Cash-in-lieu of required parking shall be placed in a trust account for use in the provision of transport infrastructure and services within the Scarborough Special Control Area, or land adjacent to this area which may take the form of additional on-street public parking bays or a public parking facility.
- The number of parking spaces required to be provided on-site shall be reduced by the number of parking spaces in respect of which a cash-in-lieu contribution is made pursuant to this clause.

Public Parking Facilities:

- For the purposes of the Plot Ratio and Building Height clauses for the 'Mixed-Use – Lower Scarborough Beach Road' sub-area and for all clauses within these Guidelines relating to

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public parking facilities, the term 'public parking facility' shall mean land used for the purpose of parking vehicles by members of the public, where the site on which it is located (which may comprise one or more lots) is used primarily for other purposes; and is not used as a car parking station.

- Clauses within these Guidelines relating to public parking facilities and the provisions of this clause shall apply only where the public parking facility:
 - is to be located on land shown as the location of a public parking facility on the 'Scarborough Design Guideline Area Access and Parking Map' (Figure 3);
 - is separate from any parking spaces provided on the land in relation to other uses of the land; and
 - is not reserved for use in relation to the other uses of the land.
- Council may refuse or approve, with or without conditions, a public parking facility. Where Council grants approval for a public parking facility it may impose a condition requiring the owner of the land to enter into an agreement with the City in relation to the operation of the public parking facility.
- In determining any application for approval to commence development of a public parking facility, Council shall consider:
 - whether the public parking facility (to include design, layout, access and operation) would have a significant adverse effect on any adjoining land;
 - whether the public parking facility (to include design layout, access, and operation) would have a significant adverse effect on any other use of the land on which the public parking facility is to be located;
 - whether the public parking facility complies with relevant Australian Standards in relation to the size of bays, aisle widths, and circulation and manoeuvring areas;
 - the hours of operation, long-term maintenance, and the level and nature of security measures provided for the public parking facility.
- The public parking facility shall be operated in accordance with the terms of any agreement entered into under these clauses.

Note: The allocation of parking for public use does not necessarily require that the land or facilities be publicly owned and/or managed. It is anticipated that the development of public parking facilities would be integrated with the overall development of the site.

Design and Allocation of Parking Bays

- Parking bays shall be designed in accordance with the relevant Australian Standard; and
- On-site parking shall be designed and operated to facilitate shared use by all occupants and visitors of the particular site, by ensuring that:-
 - access to any on-site parking bays in excess of the required 90 per cent of residential parking and in excess of 2 bays per tenancy for non-residential uses, shall not be restricted by the placement of partitions, bollards, signage, or other means to prevent parking by other users of the site; and
 - any on-site parking bays in excess of the required 90 per cent of residential parking and in excess of 2 bays per tenancy for non-residential uses, shall be designated as common property on any strata titles issued for the particular site, and shall not be allocated to individual strata lots.

Note: The purpose of this provision is to avoid allocation of more than the required share of on-site parking to residential users to the detriment of other users.

- Notwithstanding the above clause, in the case of residential development, car parking bays in excess of the required 90 per cent may be allocated for the exclusive use of the occupiers of individual dwellings, provided that additional common parking bays shall be provided on site to the same amount as those bays allocated for exclusive use to the residential occupants in excess of the 90 per cent.

Location of Parking Facilities

- Parking which is provided on-site shall be located so as not to be visible from the street and disrupt the continuity of commercial frontages, or otherwise detract from the amenity of the streetscape, but shall be located so as to facilitate safe and convenient access by users.

Note: The purpose of this provision is to ensure car parking areas are not located adjacent to the street, where they have the potential to detract from the character of the streetscape and continuity of the built form.

Crossovers

- Crossovers and access ways shall accord with the Scarborough Design Guideline Area Access and Parking Map, refer **Figure 3**, and where designated crossovers are identified as shared, appropriate reciprocal rights of carriageway easements will be required over the affected lots in relation to driveway access as a condition of development approval. Crossovers may be approved for a limited time pending alternative vehicular access arrangements becoming available at which time such temporary crossovers shall be removed at the owner's expense.
- No more than one crossover shall be permitted for any one site, and the position and width of all crossovers shall be such as to minimise traffic (including pedestrian) conflict and any disruption to the continuity of commercial frontage or the amenity of the streetscape.
- The position and design of existing crossovers shall be reviewed in relation to all applications for development approval and removed at the owner's expense where required.

Public Access

- In order to facilitate safe and convenient movement of vehicles and pedestrians between West Coast Highway and Hastings Street, a 7 metre public access thoroughfare (5.5 metre two-way vehicle access, 1.5 metre pedestrian access) shall be provided for in accordance with the 'Scarborough Design Guideline Area Access and Parking Map' shown in **Figure 3** and in accordance with the Building Height clause for the Mixed-Use (West Coast Highway) sub-area.

Note: Such access may take the form of either a public road or an easement-in-gross, and is intended to be provided in conjunction with the re-development of the land on which it is situated. Where ceded free of cost to the Crown by the owner/developer, the area of land so ceded shall be deemed to remain part of the original development site for the purposes of determining its development potential (plot ratio and residential density).

New Vehicular Access ways

Objective

To ensure that vehicle access ways are safe and easily traversed.

- New 5.5 metre wide vehicular access ways depicted on the Scarborough Design Guideline Area Access and Parking Map, refer **Figure 3**, shall be created by the creation of public access easements in gross;

Note: In relation to the above clause, access ways that are not required for the full length of the sites as shown on the Scarborough Design Guideline Area Access and Parking Map, must have a minimum length of 25 metres to ensure that the access way is continued to the rear of ground floor commercial tenancies and provide enough length for on-site circulation and manoeuvring.

- Vehicle access to sites shall be obtained from these new vehicular access ways or from rights-of-ways where available;
- All vehicle movements shall be able to enter and exit the site in a forward gear; and
- All parking areas to comply with the Australian Standard 2890.1 in relation to turning circles, gradients within the site.

Existing Laneways

- Existing small roads (rights-of-way/laneways) depicted on the Scarborough Design Guideline Area Access and Parking Map as shown in **Figure 3** shall be widened to 6 metres and the land be ceded free of cost and vested in the Crown under Section 152 of the Planning and Development Act 2005.

Note: In relation to the two clauses above, it is intended that such access shall be provided in conjunction with the redevelopment of the land on which it is situated. In the case of the provision of easements in gross (i.e. new vehicular access ways) and where the land is ceded free of cost to the Crown (i.e. existing laneways) by the owner/developer, the area of land so provided/ceded shall be deemed to remain part of the original development site for the purposes of determining its development potential (plot ratio and residential density).

Pedestrian Access

Objective

To create a pedestrian network that is safe and direct.

- Pedestrian access, in the form of a footpath, shall be provided from the parking area to the entry point of the proposed development and along all street frontages;
- For developments with parking at the rear pedestrian access between the street and car parking area shall be provided;
- Pedestrian routes shall be aligned primarily along existing building fronts and thereafter along proposed new development fronts;
- Pedestrian access to basement or rooftop parking shall be provided from the street front;
- Pedestrian routes shall be as direct and level as possible; and
- Pedestrian footpaths shall be a minimum of 2.0m wide.

Service Access and Facilities

Objective

To ensure there is sufficient space for the storage of waste and other materials and sufficient space for the delivery of goods.

- The provision of service access to all commercial premises shall be provided for loading and unloading goods;
- Service access shall be constructed to ensure that vehicles can enter and exit in a forward gear;
- Service courts, screened from the street, shall be provided for the storage of bins, and other materials in all commercial developments with a minimum site area of 10m² and a minimum dimension of 3.5m; and
- Where bulk bins are provided a larger service court may be required and sufficient space provided for the turning of a refuse truck.

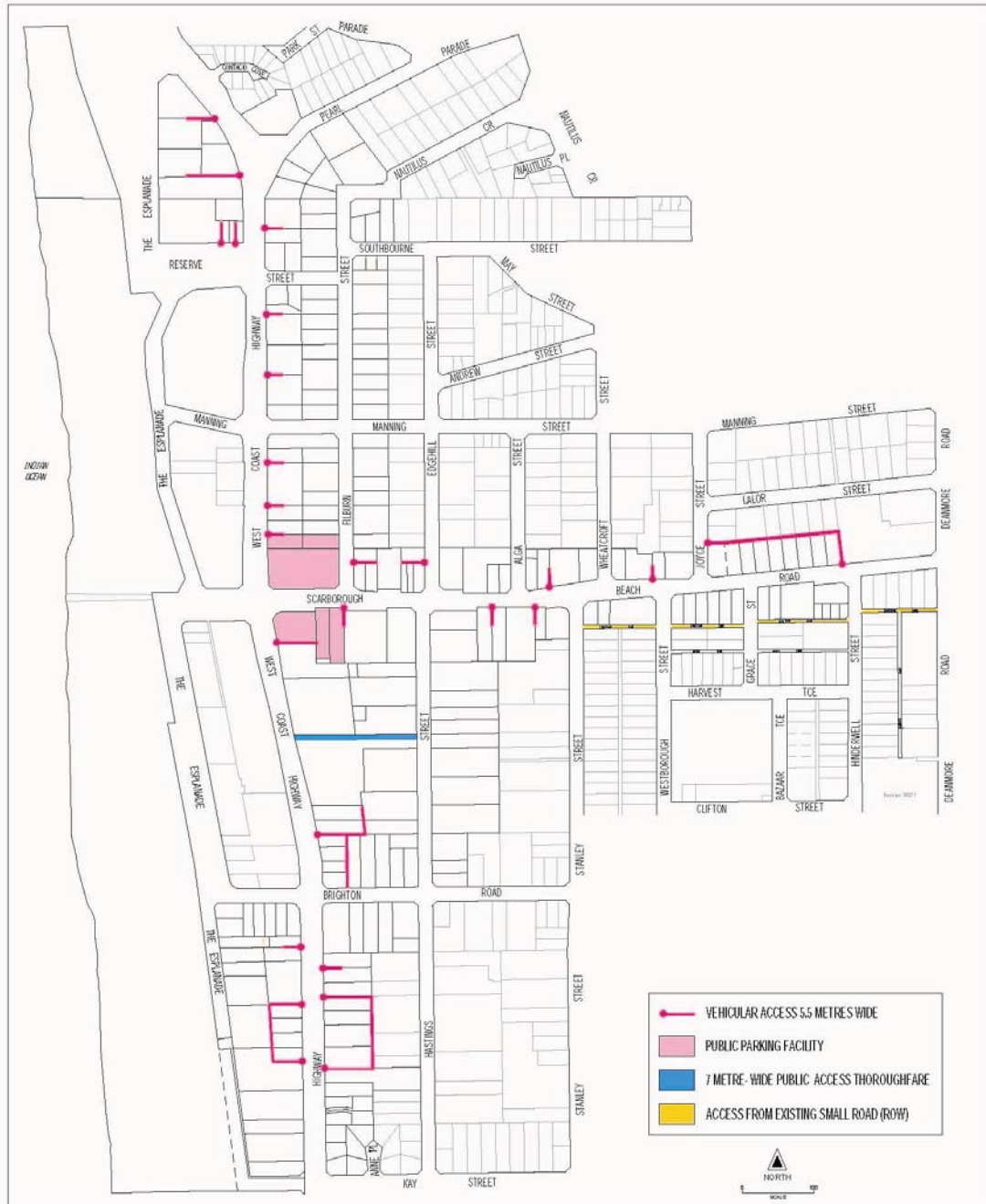


Figure 3 - Scarborough Design Guideline Area Access and Parking Map

LIGHTING, SAFETY & SECURITY

Lighting

Objective

To ensure that developments provide sufficient and attractive illumination of public and private spaces.

Lighting shall be provided in the following areas:

- Under all awnings;
- In all parking areas;
- Service areas;
- Over all footpaths;
- Over all entry points; and
- Additional lighting of key elements and features of the building and landscaping is encouraged to add vitality.

Safety

Objective

To improve safety and reduce crime and graffiti.

The following shall apply:

- Entrapment areas, blind corners and dead ends shall not be permitted.

Roller Shutter Doors

Objective

To ensure that ground floor areas provide an attractive frontage to the street and other visible spaces whilst providing security.

- Solid roller shutter doors shall not be permitted on any façade facing the street;
- Roller doors of see through acrylic material and open metal roller grills are acceptable on existing shop fronts providing that at least 75% of the roller door is transparent and the material maintains a high level of transparency once installed; and
- Visually permeable security grills (75% visually permeable) shall be designed into the shop front as a permanent feature rather than as added on structures.

ENVIRONMENTAL MEASURES

Site Requirements

Objective

To ensure that buildings have optimal solar access orientation and minimise resource use.

- Locate residential and short-stay accommodation components of buildings on the site to allow for maximum northern winter solar access;
- Where possible, locate living areas such as family rooms, dining and kitchens on north side to allow for winter solar access; and

- Site construction shall be undertaken to minimise resource waste to landfill, by engaging a waste management company with proven recycling strategies.

Water Efficiency

Objective

To ensure a reduction in water use.

Developments shall include:-

- Minimum 3-star WELS rated shower heads;
- Minimum 4 star WELS rated tap fittings, other than garden and bath taps;
- Installation of low flow trickle irrigation in all garden areas;
- Installation of a Waterwise garden and landscaping (recommended by the Water Corporation's Waterwise program); and
- All shower, bath, laundry, trough and washing machines drains shall be connected to a grey water diversion system for use in toilets and gardens.

Energy Efficiency

Objective

To ensure a reduction in energy use.

Developments shall include:-

- Installation of solar hot water system or integrated 5-star rated gas hot water system complying with AS 4552-2005. If a roof-mounted storage system is used, the tank must be integrated in colour to match the roof, and the roof profile and pitch of the building;
- Install energy efficient fixtures (such as compact fluorescent lighting) and Star Rated appliances (recommended by the Sustainable Energy Development Office);
- The ability to utilise cross ventilation, by minimizing barriers to air paths through the building;
- Provide west and east facing windows with adequate summer shading (eg. awnings, eaves, pergolas) or with energy efficient glazing (eg. solar performance film, tinting, toned); and
- Encourage the provision of facilities on building rooftops that facilitate the use of renewable energy, including wind turbines and solar panels.

Sound Attenuation

Objective

To ensure that noise from non-residential uses does not adversely affect the amenity of residential development.

- All mixed-use developments containing residential uses shall submit an acoustic report prepared by a qualified acoustic (noise) consultant.
- Developments shall locate noise sensitive areas such as bedrooms away from significant noise sources;

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- Developments shall use 10mm glazing or double glazing where windows to residential and short-stay apartments face West Coast Highway, Scarborough Beach Road or an after-hours commercial tenancy;
- Developments shall use appropriate sound-attenuating materials between floors, walls, ceilings and doors to minimise noise; and
- Endeavour to comply with the Environmental Protection (Noise) Regulations 1997.

For further information regarding sound attenuation, it is recommended that applicants refer to Australian Standard AS-NZS2107: 2000 - Acoustics - Recommended Design Sound Levels and Reverberation Times for Building Interiors.

DEVELOPER CONTRIBUTIONS

- Developer contributions shall be required in respect of any development in the Scarborough Development Contribution Area with a plot ratio, as determined by the City, of more than 2.0:1; and
- Schedule 11 of Local Planning Scheme No. 3 and Table 1 of these Guidelines outlines the specific contributions that apply.

SPECIFIC DESIGN GUIDELINES FOR SUB-AREAS

INTENTIONALLY
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MIXED-USE – LOWER SCARBOROUGH BCH RD & WEST COAST HWY

These specific Design Guidelines apply to the Mixed-Use ‘Lower Scarborough Beach Road’ and ‘West Coast Highway’ Sub-Areas (refer **Figure 4**).



Figure 4 – Mixed-Use ‘Lower Scarborough Beach Rd’ & ‘West Coast Hwy’ Sub-Areas

BUILT FORM & DESIGN

Residential Density

- A maximum residential density of R-160 shall apply, based on the total number of dwelling units other than short-stay accommodation;
- Single bedroom dwellings with a plot ratio area up to 60m² and aged or dependent persons' dwellings with a plot ratio area up to 80m² will be subject to the standard density bonus provisions of the *Residential Design Codes*; and
- For the purposes of determining the permissible number of dwellings for a particular site, where land is ceded free of cost to the Crown for public access (including road widening), the area of land so ceded shall be deemed to remain part of the development site.

Note: The intention of this provision is to facilitate the designated widening of roads, and the provision of supplementary vehicular access where required, without unduly prejudicing the development potential of the affected sites.

Dwelling Unit Size and Occupancy

The dwelling unit size and occupancy of development shall accord with the following:

- Of the total number of dwellings on any development site, a minimum of:
 - 10 per cent shall be single bedroom dwellings, with a maximum plot ratio area of 60m²;
 - 25 per cent, which may include the single bedroom dwellings referred to in the subparagraph above, shall be designed and occupied for short stay accommodation, with a maximum plot ratio area of 85m²; and
 - 10 per cent shall be designed for occupancy on a permanent basis, with a maximum plot ratio area of 85m².

Note: For the purposes of determining the percentage of dwellings for short stay accommodation, dwellings capable of separate access and occupancy (separately keyed) shall be deemed to be separate dwellings, notwithstanding that they may be available for occupation on a combined basis, e.g. twin key apartments.

Plot Ratio

- The total plot ratio of any development within the Mixed-Use Sub-Areas (Lower Scarborough Beach Road and West Coast Highway) shall not exceed 2.0:1;
- The plot ratio referred to above may be increased to a maximum of 3.0:1, but only subject to:-
 - provision of commercial floor space at ground level with a plot ratio area of at least 0.2:1;
 - compliance with the Dwelling Unit Size and Occupancy requirements above, without modification; and
 - payment of a contribution towards the cost of infrastructure in accordance with Schedule 11 of Local Planning Scheme No.3, without modification.
- For the purposes of determining the plot ratio area for a particular site, where land is or has been ceded free of cost to the Crown for public access (including road widening), the area of land so ceded shall be deemed to remain part of the development site;

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- Where a public parking facility is provided on a site designated for public parking on the 'Scarborough Design Guideline Area Access and Parking Map' at **Figure 3**, and is provided in accordance with the Public Parking Facility clauses of Local Planning Scheme No. 3 (clause 6.9.5 and these Guidelines), those public parking facilities shall be excluded from the plot ratio calculation for the site.
- Where a public parking facility is provided on a site designated for public parking on the 'Scarborough Design Guideline Area Access and Parking Map' at **Figure 3**, and is provided in accordance with the Public Parking Facility clauses of Local Planning Scheme No. 3 (clause 6.9.5 and these Guidelines), the Council may allow an increase in the maximum permitted 3.0:1 plot ratio, provided the increased floor space does not exceed the amount of floor space allocated to the public parking facility to a maximum plot ratio of 1.0:1.

Note: The intention of the above two clauses, is to facilitate the development of public parking facilities without unduly prejudicing the development potential of the site, and to provide an additional incentive for the provision of such facilities. Where such a concession is provided, it should be reflected in any payment to secure the provision of public parking facilities.

Building Height

The building height of development shall accord with the following:

- Subject to 'Podium Height', the maximum building height of any building shall be limited to 8 storeys or 32 metres above natural ground level or 47 metres AHD (*whichever is the lesser*), except:
 - where such a limit would otherwise restrict the building height to less than 14 metres above natural ground level or 3 storeys, in which case a 14 metres above natural ground level or 3 storey (*whichever is the lesser*) height limit shall apply;
 - where a public parking facility is provided on a site designated for a Public Parking Facility on the 'Scarborough Design Guideline Area Access and Parking Map' at **Figure 3**, and is provided in accordance with the Public Parking Facility clauses of Local Planning Scheme No. 3 (clause 6.9.5 and these Guidelines), a height bonus to a maximum building height of 44 metres above natural ground level or 12 storeys (*whichever is the lesser*), may be allowed provided the plot ratio floor area of the building above 32 metres above natural ground level is no more than the floor area allocated for the public parking facility; or
 - where a 7 metre public access thoroughfare is provided connecting Hastings Street and West Coast Highway as designated on the 'Scarborough Design Guideline Area Access and Parking Map' at **Figure 3**, and is provided in accordance with clause 6.9.6 (a) of Local Planning Scheme No. 3 Scheme Text and the 'Public Access' clause under these Guidelines, a height bonus to a maximum building height of 44 metres above natural ground level or 12 storeys (*whichever is the lesser*) may be allowed on that site.

Note: The height cap of 47 metres AHD is based on a standard 32 metre building height above a nominal 15 metre AHD ground level. Where the natural ground level is above 15 metres AHD, the building height limit referred to above, shall be commensurately reduced.

Note: Height in relation to a 'building' refers to the vertical distance at any point from natural ground level to the uppermost part of the building above that point, and shall include all lift motor rooms, lift overruns, and architectural features.

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- All developments shall include distinguishable roofing to a height of between 3 metres and 5 metres above the highest point of the wall to which it relates, and within the maximum permitted building height specified in the above clauses;
- The minimum floor to ceiling heights of any development shall be:-
 - 3.5 metres for the ground floor; and
 - 3.0 metres for all other floors.

Podium Height

- The wall height of any development adjoining or immediately adjacent to any street, shall be between 6.5 metres and 10 metres (2 - 3 storeys), above which there shall be a setback so as to create a podium for any extension of height above this level in accordance with the Street Setback clauses below.

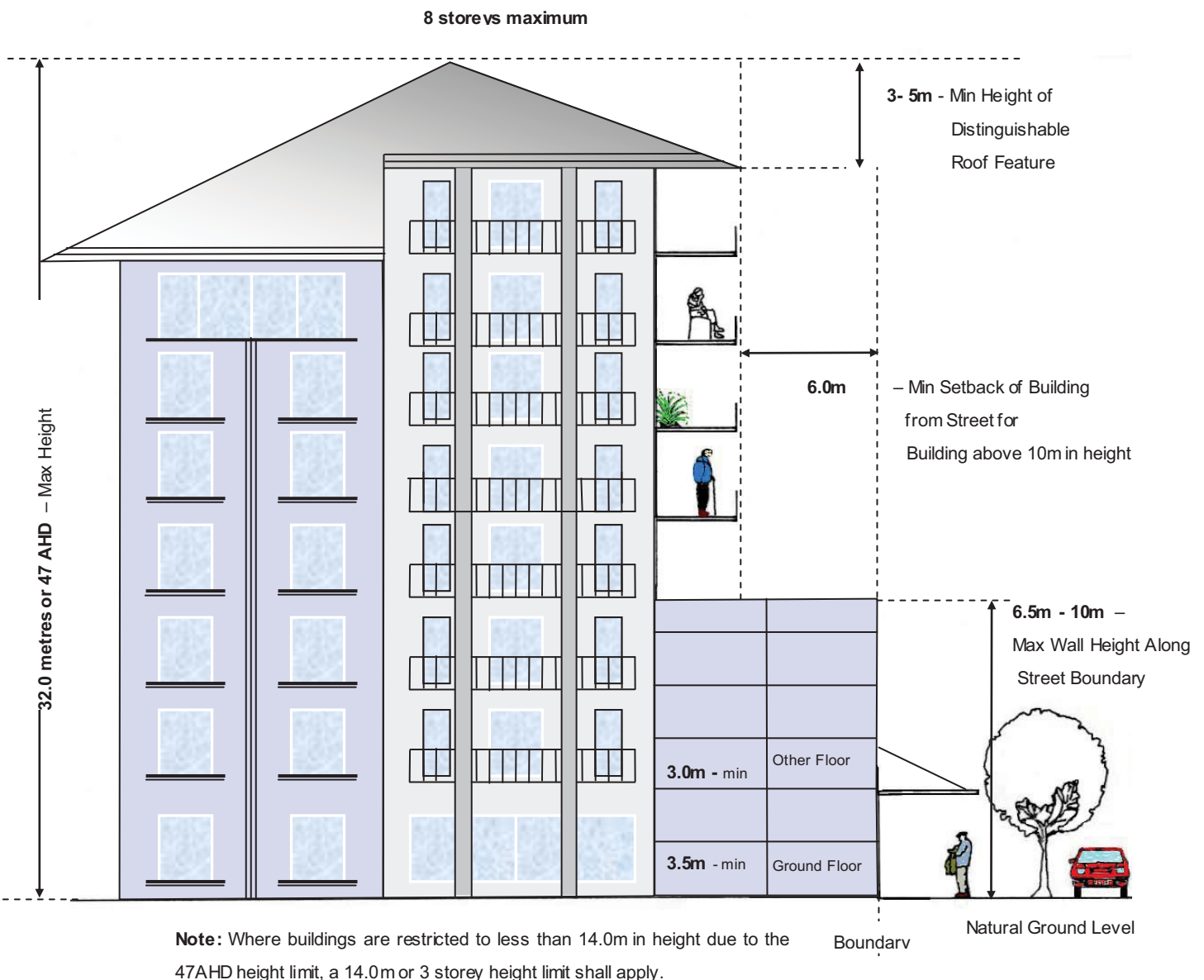


Figure 5 – Building Height: Mixed-Use ‘Lower Scarborough Beach Rd’ & ‘West Coast Hwy’

Street Setbacks

- Subject to the clause below, the setback of buildings from the street alignment (or in the case of streets to be widened, the road widening alignment) and from the 7-metre wide public access thoroughfare (as referred to on the Scarborough Design Guideline Area Access and Parking Map shown in Figure 3) shall be as follows:
 - The first two to three storeys (up to 10m), should take the form of street-front development, with a zero street (front) setback; and
 - Wall sections above 10 metres (3 storeys) shall have a minimum setback of 6 metres from the podium or building façade at the ground floor level.
- The zero front setback referred to in the clause above may be increased to allow a front setback, but only if alfresco dining or other active public use is to be made of the setback area,

or in the case of approved vehicular or pedestrian access to the interior of the site (“access” in regard to vehicles refers to driveways only, and not parking).

Note: The purpose of this setback requirement is to provide a continuity of building frontages at street level and a visual frame for the street. The additional setback above podium height is to limit the extent of over-shadowing and/or visual dominance of the street which might otherwise occur.

Other (side and rear) Setbacks

- Side and rear setbacks shall accord with the standards prescribed in the *Residential Design Codes*, except in the case of side setbacks for the building podium adjacent to commercial street frontages, where a zero setback will be required to a maximum length/depth of 15 metres along the side boundary so as to maintain the continuity of building frontages.

Visual Permeability

- In order to provide for east-west visual permeability, all development from a height of 10 metres and above shall accord with the side and rear setback standards prescribed in the *Residential Design Codes*, except in regard to street setbacks in which case the provisions of the ‘Street Setbacks’ clauses above shall prevail.

Open Space & Landscaping

- All dwelling units (irrespective of the nature of the occupancy) shall be provided with a minimum of at least one balcony or equivalent, opening directly from a habitable room and with a minimum dimension of 2 metres and a minimum area of 10m²; and
- Each development shall provide one area of communal open space equating to a minimum of 5% of the site area.

OTHER CONSIDERATIONS

Solar Access

- A development will be deemed to meet the Performance Criteria of the *Residential Design Codes* in regard to solar access provided living areas on the affected site are afforded at least three hours of solar access between the hours of 9.00am and 3.00pm on the shortest day of the year.

Note: In order to demonstrate compliance with Solar Access provisions, shadow diagrams need to be provided.

Signage

- Advertising signage shall accord with the requirements of Schedule 8 of Local Planning Scheme No. 3 and the City’s Advertising Signs Policy applicable to the ‘Special Beach Development’ Zone subject to the following:
 - Pylon signs shall not be permitted due to their inconsistency with ‘main street’ design principles;
 - Signs attached to or incorporated as part of an awning over a public thoroughfare, may be permitted at the discretion of the Council, taking into consideration issues such as safety and amenity.

These Specific Design Guidelines apply to the Mixed-Use 'Upper Scarborough Beach Road' Sub Area (refer **Figure 6** below).



BUILT FORM & DESIGN

Residential Density

The residential density of development shall accord with the following:

- A maximum residential density of R-80 shall apply, based on the total number of dwelling units irrespective of the nature of occupancy.
- Single bedroom dwellings with a plot ratio area up to 60m² and aged or dependent persons' dwellings with a plot ratio area up to 80m² will be subject to the standard density bonus provisions of the *Residential Design Codes*.
- For the purposes of determining the permissible number of dwellings for a particular site, where land is ceded free of cost to the Crown for public access (including road widening), the area of land so ceded shall be deemed to remain part of the development site.

Note: The intention of this provision, is to facilitate the designated widening of roads, and the provision of supplementary vehicular access where required, without unduly prejudicing the development potential of the affected sites.

Plot Ratio

- The plot ratio of development shall accord with the following:
 - The overall plot ratio shall not exceed 1.0:1 plus any ground level commercial floor space;
 - For the purposes of determining the plot ratio area for a particular site, where land is ceded free of cost to the Crown for public access (including road widening, the area of land so ceded shall be deemed to remain part of the development site.

Note: The intention of this provision, is to facilitate the designated widening of roads, and the provision of supplementary vehicular access where required, without unduly prejudicing the development potential of the affected sites.

Building Height

- The maximum building height of any building shall be limited as follows:-
 - The maximum building height of any building shall be limited to 17 metres above natural ground level or 4 storeys or 47 metres AHD (*whichever is the lesser*), except where such a limit would otherwise restrict the height to less than 14 metres above natural ground level or 3 storeys, in which case a 14 metres above natural ground level or 3 storey (*whichever is the lesser*) height limit shall apply; and

Note:

The height cap of 47 metres AHD is based on a standard 32 metre building height above a nominal 15 metre AHD ground level. Where the natural ground level is above 15 metres AHD, the building height limit referred to above, shall be commensurately reduced.

Height in relation to a 'building' refers to the vertical distance at any point from natural ground level to the uppermost part of the building above that point, and shall include all lift motor rooms, lift overruns, and architectural features.

- All developments shall include a distinguishable roof element to a height of between 3 metres and 5 metres above the highest point of the wall to which it relates, and within the maximum permitted building height specified above.

Podium Height

- The wall height of buildings adjoining or immediately adjacent to any street, shall be 7 metres (2 storeys), above which there shall be a setback so as to create a podium for any extension of building height above this level (also refer to the clause relating to *Street Setbacks* below).

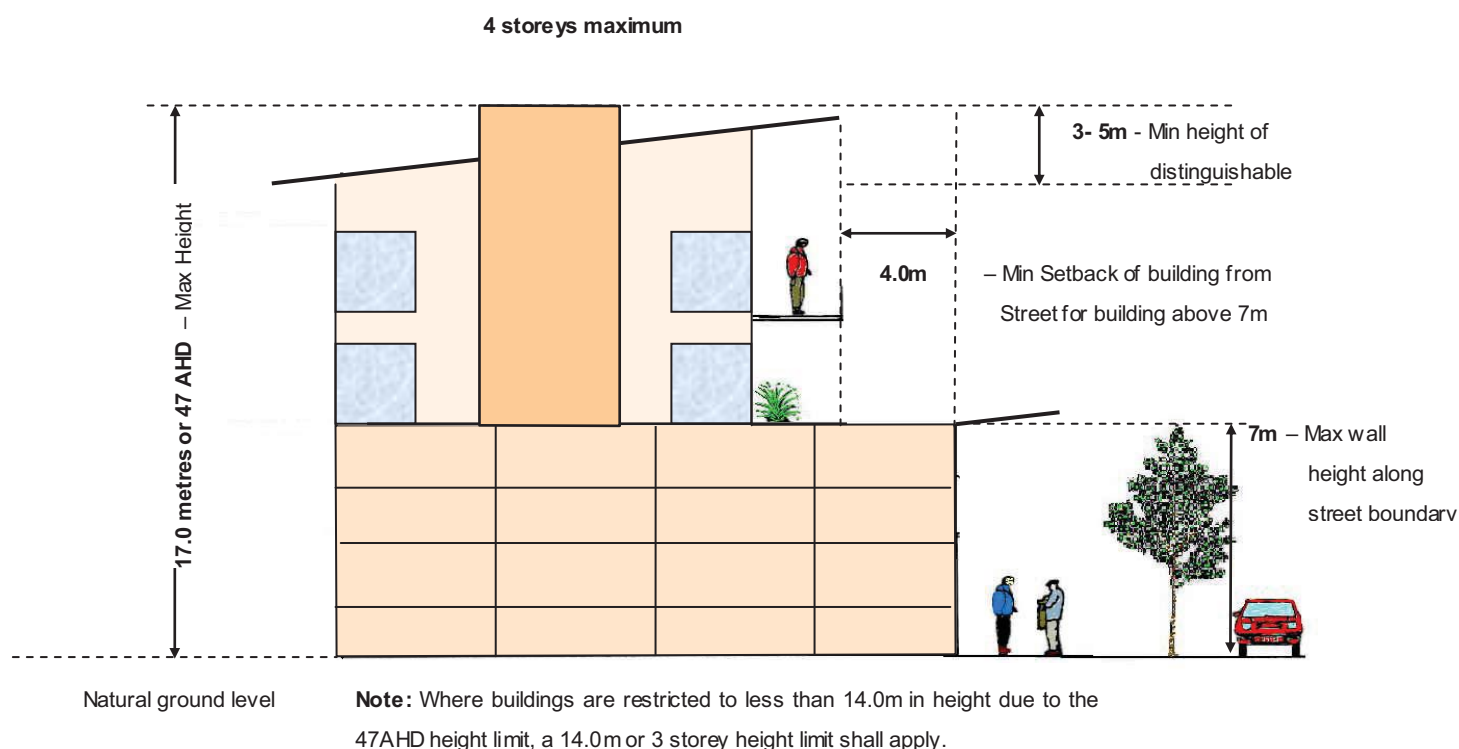


Figure 7 – Building Height: Mixed-Use 'Upper Scarborough Beach Road'

Street Setbacks

- The setback of buildings from the street alignment (or in the case of streets to be widened, the road widening alignment), shall be as follows:
 - The first two storeys (up to 7 metres), should generally take the form of street-front development, with a nil setback except as provided for below;
 - Wall sections above 7 metres (2 storeys) shall have a minimum setback of 4 metres from the podium or building façade at ground floor level;
 - Exceptions to a nil front setback may be granted where alfresco dining or other active public use is to be made of the setback area, or in the case of approved vehicular or pedestrian access to the interior of the site ("access" in regard to vehicles refers to driveways only, and not parking).

Note: The purpose of this setback requirement is to provide a continuity of building frontages at street level and a visual frame for the street. The additional setback above podium height is to limit the extent of over-shadowing and/or visual dominance of the street which might otherwise occur.

Other (side and rear) Setbacks

- Side and rear setbacks shall accord with the requirements of the *Residential Design Codes*, with the exception being for side setbacks for walls adjacent to commercial street frontages, where a nil setback will be required for a maximum length/depth of 15 metres along the side boundary so as to maintain the continuity of building frontages.

Open Space & Landscaping

- All dwelling units (irrespective of the nature of the occupancy) shall be provided with a minimum of at least one balcony or equivalent, opening directly from a habitable room and with a minimum dimension of 2 metres and a minimum area of 10m²; and
- Each development shall provide one area of communal open space equating to a minimum of 5% of the site area.

OTHER CONSIDERATIONS

Solar Access

- A development will be deemed to meet the Performance Criteria of the Residential Design Codes in regard to solar access, provided living areas on the affected site are afforded at least three hours of solar access between the hours of 9.00am and 3.00pm on the shortest day of the year.

Note: In order to demonstrate compliance with Solar Access provisions, shadow diagrams need to be provided.

Signage

- Advertising signage shall accord with the requirements of Local Planning Scheme No. 3 and the City's Advertising Signs Policy applicable to the 'Mixed Use' Zone subject to the following:
 - Pylon signs shall not be permitted due to their inconsistency with 'main street' design principles; and
 - Signs attached to or incorporated as part of an awning over a public thoroughfare, may be permitted at the discretion of the Council, taking into consideration issues such as safety and amenity.

RESIDENTIAL SUB AREAS

These Specific Guidelines apply to the Residential (Inner) and Residential (Outer) Sub-Areas (refer **Figure 8** below).



Figure 8 – Residential ‘Inner’ and ‘Outer’ Sub-Areas

BUILT FORM & DESIGN

Residential Density

- In the case of land within the Residential (Inner) sub-area, a maximum residential density of R-160 shall apply, based on the total number of dwelling units irrespective of the nature of occupancy;
- In the case of land within the Residential (Outer) sub-area, a maximum residential density of R-80 shall apply, based on the total number of dwelling units irrespective of the nature of occupancy;
- Single bedroom dwellings with a plot ratio area up to 60m² and aged or dependent persons' dwellings with a plot ratio area up to 80m² will be subject to the standard density bonus provisions of the *Residential Design Codes*; and
- For the purposes of determining the permissible number of dwellings for a particular site, where land is ceded free of cost to the Crown for public access (including road widening), the area of land so ceded shall be deemed to remain part of the development site.

Note: The intention of this provision, is to facilitate the designated widening of roads, and the provision of supplementary vehicular access where required, without unduly prejudicing the development potential of the affected sites.

Plot Ratio

- In the case of land within the Residential (Inner) sub-area, the overall plot ratio of development shall not exceed 2.0:1 provided that any increase above a plot ratio of 1.5:1 shall be conditional upon payment of a contribution towards the cost of infrastructure in accordance with Schedule 11 of Local Planning Scheme No. 3.
- In the case of the portion of land within the Residential (Inner) sub-area on Lot 1 (HN 242) West Coast Highway, the allowable plot ratio floor area may be transferred to the Mixed-Use (West Coast Highway) portion of the site on the basis that the portion of land on the Residential (Inner) sub-area (exclusive of the 7-metre public access thoroughfare) be developed and maintained as an area of open space accessible to the public to the satisfaction of the City.
- In the case of land within the Residential (Outer) sub-area, the overall plot ratio of development shall not exceed 1.0:1.
- For the purposes of determining the plot ratio area for a particular site, where land is ceded free of cost to the Crown for public access (including road widening), the area of land so ceded shall be deemed to remain part of the development site.

Note: The intention of this provision, is to facilitate the designated widening of roads, and the provision of supplementary vehicular access where required, without unduly prejudicing the development potential of the affected sites.

Building Height

- In the case of land within the Residential (Inner) sub-area, the maximum building height shall be 32 metres above natural ground level or 8 storeys or 47 metres AHD (*whichever is the lesser*), except where such a limit would otherwise restrict the height to less than 14 metres above natural ground level or 3 storeys, in which case a 14 metres above natural ground level or 3 storey (*whichever is the lesser*) height limit shall apply.
- In the case of land within the Residential (Outer) sub-area the maximum building height shall be 17 metres above natural ground level or 4 storeys or 47 metres AHD (*whichever is the lesser*), except where such a limit would otherwise restrict the height to less than 14 metres above natural ground level or 3 storeys, in which case a 14 metres above natural ground level or 3 storey (*whichever is the lesser*) height limit shall apply.

Note: The height cap of 47 metres AHD is based on a 32 metre building height above a nominal 15 metre AHD ground level. Where the natural ground level is above 15 metres AHD, the building height limit referred to above, shall be commensurately reduced.

Note: Height in relation to a 'building' refers to the vertical distance at any point from natural ground level to the uppermost part of the building above that point, and shall include all lift motor rooms, lift overruns, and architectural features.

- All developments shall include distinguishable roofing to a height of between 3 metres and 5 metres above the highest point of the wall to which it relates, and within the maximum permitted building height specified above.

Street Setbacks

- The setback of buildings from the street alignment (or in the case of streets to be widened, the road widening alignment) shall accord with the requirements of the *Residential Design Codes*, except for walls above 10 metres (3 storeys) in height, which shall be set back an additional 4 metres from that of the wall immediately below which faces any street.

Note: The purpose of this requirement is to provide a visual softening of the façade of taller buildings, and to limit the extent of over-shadowing and/or visual dominance of the street which might otherwise occur.

Note: On sites abutting the 7-metre wide public access thoroughfare as shown on the Scarborough Design Guideline Area Access and Parking Map, the above provision applies only to the Hastings Street frontage and not to the sides abutting the thoroughfare (which are subject to the side and rear setback provisions below).

Other Setbacks

- Side and rear setbacks shall accord with the requirements of the *Residential Design Codes*.

Visual Permeability

- In order to provide for east-west visual permeability, all development shall accord with the side and rear setback standards prescribed in the *Residential Design Codes*, except in regard to street setbacks in which case the above provisions shall prevail.

Open Space & Landscaping

- All dwelling units (irrespective of the nature of the occupancy) shall be provided with a minimum of at least one balcony or equivalent, opening directly from a habitable room and with a minimum dimension of 2 metres and a minimum area of 10m²; and
- Each development shall provide one area of communal open space equating to a minimum of 5% of the site area, and not located within the front setback area; and
- Front setback areas shall be landscaped with mature in-ground planting.

OTHER CONSIDERATIONS

Solar Access

- A development will be deemed to meet the Performance Criteria of the *Residential Design Codes* in regard to solar access, provided living areas on the affected site are afforded at least

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three hours of solar access between the hours of 9.00am and 3.00pm on the shortest day of the year.

Note: In order to demonstrate compliance with Solar Access provisions, shadow diagrams need to be provided.

Signage

- Advertising signage shall accord with the requirements of Local Planning Scheme No. 3 and the City's Advertising Signs Policy as they apply to the Residential Zone.

VARIATIONS

Applications seeking variations to this Policy shall be determined in accordance with the objectives of this Policy and the objectives of the Scarborough Special Control Area.

TABLE 1: INFRASTRUCTURE TO WHICH DEVELOPER CONTRIBUTIONS APPLY

[Schedule 11, No.3]

The following table details the infrastructure in respect of which developer contributions will be required under Schedule 11 of Local Planning Scheme No.3 (Note: all figures exclude GST).

Street and Section	Total Area of lots on street section	Infrastructure to which cost sharing arrangements apply	Cost Estimate (current as at August 2007, and subject to change)
West Coast Highway, between Reserve Street and Brighton Road	51,723m ²	Road works (re-construction of median and replacement/upgrading of footpath), landscaping of street, street lighting, street furniture, and associated streetscape works	\$1,717,127.00
West Coast Highway, between Contacio Cove and Reserve Street	23,101m ²	Road works (replacement/upgrading of footpath), landscaping of street, street lighting, street furniture, and associated streetscape works	\$775,340.00
Scarborough Beach Road between West Coast Highway and Hastings Street	23,296m ²	Road works (realignment of carriageway, construction of median and replacement/upgrading of footpath), landscaping of street, street lighting, street furniture, and associated streetscape works	\$2,630,751.00
Brighton Road, between The Esplanade and West Coast Highway	4371m ²	Road works (realignment of carriageway and replacement/upgrading of footpath), landscaping of street, street lighting, street furniture, and associated streetscape works	\$116,088.00
Brighton Road, between West Coast Highway and Hastings Street	15,953m ²	Road works (replacement/upgrading of footpath), landscaping of street, street lighting, street furniture, and associated streetscape works	\$212,242.00
Hastings Street, between Scarborough Beach Road and Brighton Road	63,103m ²	Road works (replacement/upgrading of footpath), landscaping of street, street lighting, street furniture, and associated streetscape works	\$621,690.00

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Filburn Street, between Scarborough Beach Road and Reserve Street	43,213m ²	Road works (replacement/upgrading of footpath), landscaping of street, street lighting, street furniture, and associated streetscape works	\$917,636.00
Manning Street, between West Coast Highway and Filburn Street	4094m ²	Road works (realignment of carriageway and replacement/upgrading of footpath), landscaping of street, street lighting, street furniture, and associated streetscape works	\$203,088.00
The Esplanade, from Brighton Road to it's termination	11,010m ²	Road works (realignment of carriageway and replacement/upgrading of footpath), landscaping of street, street lighting, street furniture, and associated streetscape works	\$642,506.00
Reserve Street, between The Esplanade and West Coast Highway	6331m ²	Road works (realignment of carriageway and replacement/upgrading of footpath), landscaping of street, street lighting, street furniture, and associated streetscape works	\$159,425.00
Reserve Street, between West Coast Highway and Filburn Street	5508m ²	Road works (replacement/upgrading of footpath), landscaping of street, street lighting, street furniture, and associated streetscape works	\$199,295.00

6.3 BIN STORAGE AREAS

Objectives

- To provide sufficient space for the storage of bulk refuse bins; and
- To ensure that bin areas are screened from the street and are in harmony with the materials and finishes of the building.

Applications Subject of this Policy

This Policy applies to Grouped, Multiple Residential Development applications containing 13 or more dwelling units and all non-residential development.

Development Provisions

Bin Storage Area Size

Residential Zones

- Bin storage areas for bulk bins in residential zones shall have the following minimum sizes:
width: 3.5m per bulk bin; and
depth 2.5m

Non Residential Zones

- Bin storage areas in non-residential zones shall have the following minimum sizes:
Size 10m²*; and
Width 3.5m.

Note: *A larger area may be required for the turning of a refuse truck.

Location of Bin Storage Area

- shall be located behind the building setback line; and
- shall ensure that adequate space is available for the bulk refuse truck to access the bin area and manoeuvre.

Design of Bin Storage Area

- shall be screened from view to a minimum height of 1.8m so that it is not be visible from the street;
- materials shall match with the building;
- shall be sealed and regularly cleaned and maintained; and
- stormwater and effluent drainage facilities shall be contained within this area.

Bulk Bin Sizes

- For residential developments containing 13 or more dwelling units provision is required to be made for a bulk refuse bin of 1.53m², plus 0.38m³ per three dwellings in excess of 13. *

Note *Alternative arrangements may be made for the use of MGB's (Green Bins) in consultation with the City's Sanitation Unit.

6.2 BICYCLE PARKING

Introduction

Where this Policy is inconsistent with the provisions of a specific Policy or Guidelines applying to a particular site or area (eg Heritage Protection Area Guidelines), the provisions of that specific Policy or Guidelines shall prevail.

Objectives

- To facilitate the development of adequate bicycle parking facilities;
- To ensure the provision of end of journey facilities; and
- To encourage the use of bicycles for all types of journeys.

Applications Subject of this Policy

This policy applies to the following:

- All non residential development in excess of 400m² gross floor area (new or existing); and
- Multiple dwelling residential developments involving 5 or more units.

Submission Requirements

Plan highlighting the location and number of bicycle parking bays and end of trip facilities.

Development Provisions

Bicycle Parking Ratios

All developments with 400m² or more of gross floor area shall be provided bicycle parking bays in accordance with the following ratios.

ACTIVITY / USE	No. BIKE PARKING SPACES FOR EMPLOYEES / RESIDENTS / STUDENTS	No. BIKE PARKING SPACES FOR CUSTOMERS / VISITORS
All other uses	1 space per 400m ² of the gross floor area (GFA)	N/A
Convenience Store	As above	1 space per 50m ² of GFA
Shop 0 – 5000m ² 5000m ² – 10,000m ² 10,000m ² plus	As above	1 space per 200m ² of GFA 1 space per 300m ² of GFA 1 space per 400m ² of GFA
Educational Establishment Pre-primary Primary Secondary Tertiary / Technical	N/A 1 space per 5 students (over year 4) 1 space per 5 students 1 space per 20 students	N/A
Residential - Multiple Dwelling	1 space per dwelling for residents (may be located within required storeroom provided sufficient space is available)	N/A

End of Journey Facilities

End of Journey facilities support the use of bicycle transport by allowing cyclists the opportunity to shower and change at the beginning or end of their journey to and from work. The following facilities shall be provided for all developments that are required to provide 10 or more bicycle parking spaces:

- There shall be a minimum of one female and one male shower, located in separate changing rooms (The changing rooms shall be secure facilities capable of being locked);
- Additional shower facilities shall be provided at rate of 1 female and 1 male shower for every additional 10 bicycle parking spaces, to a maximum of five male and five female showers per building; and
- A locker shall be provided for every bicycle parking space provided (only if 10 or more spaces provided). Lockers shall be well ventilated and be of a size sufficient to allow the storage of cycle attire and equipment.

Location of Bicycle Parking Facilities

All bicycle parking spaces and end of trip facilities shall comply with the following:

- Bicycle Parking Facilities shall be located at ground floor level and not require access via steps;
- Parking facilities shall be located as close as possible to main entrance points;
- Parking facilities shall be located in an area that allows informal surveillance of the facility to occur where ever possible; and
- Parking facilities shall be located away from areas of high pedestrian activity in order to minimise inconvenience or danger to pedestrians.

6.6 LANDSCAPING

Introduction

Where this Policy is inconsistent with the provisions of a specific Policy or Guidelines applying to a particular site or area (eg Inglewood Town Centre Design Guidelines), the provisions of that specific Policy or Guidelines shall prevail.

Objectives

- To promote improved landscaping provision and design;
- To improve the visual appeal of development, screen service areas and provide a buffer to boundaries;
- To provide shade and 'green relief' in built up areas; and
- To promote more environmentally sustainable landscaping.

Applications Subject of this Policy

This policy applies to:

- All non residential developments;
- Non-residential uses in residential areas such as child care centres, etc; and
- Multiple & grouped dwelling residential developments involving 5 or more units.

The following applications are exempt from this policy:

- Applications under Town Planning Scheme No. 38 – (Subject to separate landscaping provisions);
- Applications for a Change of Use & Home Occupations; and
- Minor extensions or changes to existing developments.

Submission Requirements

All development applications subject of this policy are required to submit a landscaping plan containing the following:

- Scale 1:100 – 1:250;
- North Point;
- Lot boundaries;
- Levels;
- Verge Areas;
- Building layout, including major openings;
- Paved areas, footpaths and driveways;
- Existing vegetation; and
- Proposed vegetation including plant sizes, plant species, number of plants and notation of existing vegetation proposed to be retained.

Development Provisions

The following provisions are supplementary to the Acceptable Development standards specified under Clause 6.4.5 - A5 of the Residential Design Codes of Western Australia.

Landscaping Areas

The following requirements are applicable to all applications subject of this policy:

- All individual planting areas, excluding those in or adjacent to public car parks, must have a minimum width in any direction of 500mm and a minimum plantable area of two square metres; and
- The inclusion of verge areas (abutting the site) in the overall landscaping design is required.

Plant Numbers & Types

All landscaped areas (beds) are required to be planted with a suitable number of plants that satisfy the objectives of this policy (plant numbers will be assessed with due regard to the eventual size of the species selected). Species should be chosen to suit the climate, environment, location and required function whilst taking into consideration surrounding landscapes. The use of native species is encouraged to reduce water and fertiliser use.

Street Trees

The provision of new street tree(s) are required where no street tree(s) currently exist. Species must be approved by the City's Parks Department.

Retention of Existing Vegetation

Council encourages the retention of existing vegetation and will *consider* the exercise of discretion in its application of scheme requirements and adopted local policies where such a variation would allow for the retention of significant existing vegetation on a site. (Note: Concessions cannot apply to non-discretionary provisions such as residential density).

Reticulation and Mulching

All landscaped areas shall be reticulated unless the applicant can provide satisfactory evidence that reticulation is not necessary. A minimum of 75mm of mulch (gravel not permitted) is to be applied to all landscaping beds.

Parking Areas

A minimum of 1 tree per 6 bays (Minimum 45 litre for exotics and 11 litre for natives) is required in open parking areas. Shrubs are generally not permitted as they may interfere with sight lines in and around parking areas and driveways. Acceptable examples of tree planting patterns within car parking areas are shown in the following illustrations.

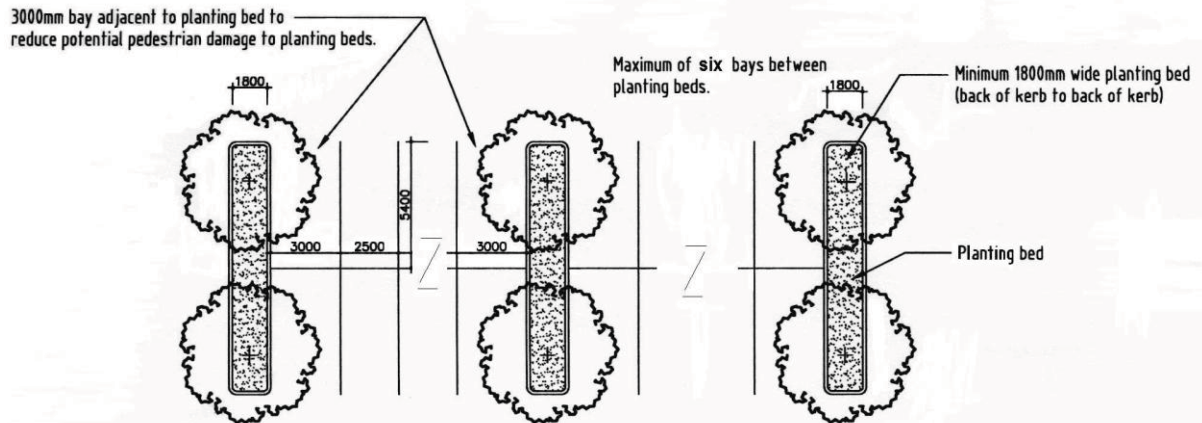


Figure 1 – Preferred Design

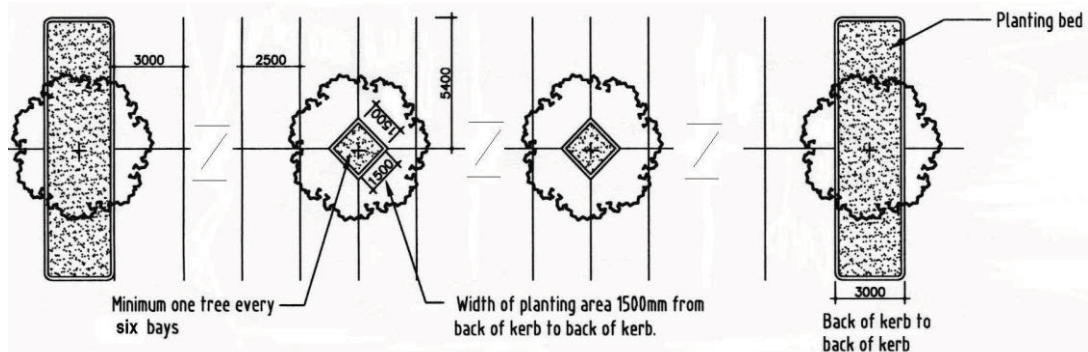


Figure 2 – Acceptable Design

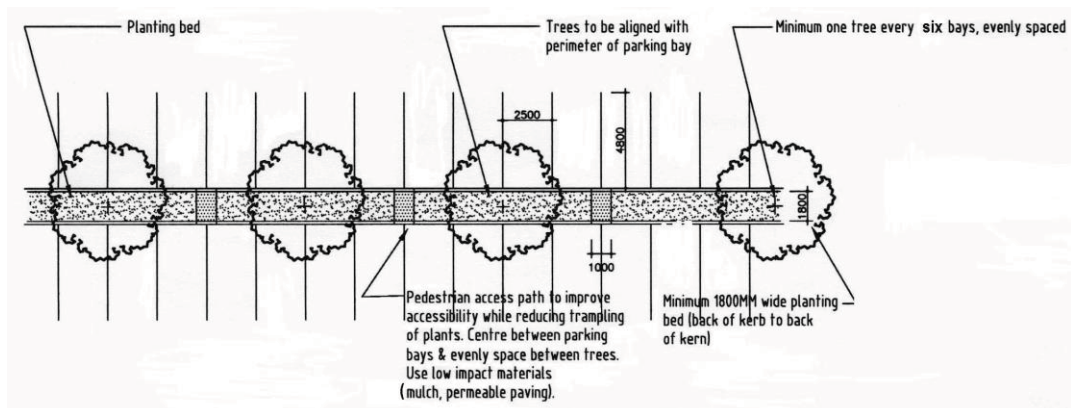


Figure 3 – Acceptable Design

Specific Landscaping Provisions for Commercial Developments

Development applications for commercial development must contain a minimum of 10% landscaping of the total site area. This must include 'soft' landscaped buffers, where setbacks are provided, to adjacent properties with a minimum width of 1.5m.

Specific Landscaping Provisions for Industrial Developments

The following Industrial zones contain specific provisions for landscaping:

- In all industrial precincts (except the Balcatta Precinct), a landscaped area not less than 1.5m wide shall be provided adjoining all street boundaries, primarily as planting bed;
- In the Balcatta Precinct and the Mixed Business zone, a minimum of one-sixth of the gross site area shall be landscaped. Landscaping should be provided primarily as buffers to adjacent properties, and along the street boundary; and
- In the Balcatta Precinct and the Mixed Business zone, a minimum landscaping strip of 6m wide along a primary road and 1.5m wide along a secondary road shall be provided, primarily as planting bed.

Assessment Procedure

Applications subject of this policy will be assessed against this policy by the City's Parks Department. Applicants are encouraged to undertake preliminary discussions with the City's Parks Department. Unsuitable species selection, insufficient numbers of species or inappropriate design (as determined by Parks & Reserves) will require the submission of a revised species list and plant numbers.

Variations

Should a residential application not comply with the requirements of this Policy, it may be assessed under the appropriate Performance Criteria of the R-Codes and the objectives of the Policy.



City of Stirling
Document Registration

RP	<i>P</i>
A	<i>Action</i>
ATT.	

No _____
Action Officer *App*
Note *Planning*



ABN: 50 860 676 021

Enquiries: James McCallum on (08) 9323 4214

Our Ref: 04/11020-19 (D14#162147)

Your Ref: P05281/01

2 April, 2014

The Chief Executive
City of Stirling
25 Cedric Street
Stirling WA 6021

ATTENTION: Kate Bainbridge

Dear Kate



**REQUEST FOR COMMENT – JDAP – TWENTY MULTIPLE DWELLINGS – LOT 156
(#285 & 285A) WEST COAST HIGHWAY, SCARBOROUGH**

Thank you for your letter dated the 6th of March, 2014 requesting Main Roads comment on the above proposed development.

Main Roads notes that the submitted application does not adhere to the City of Stirling's Scarborough Beach Design Guidelines Access Strategy and instead proposes to retain its current access arrangement, minus 4 metres of crossover width. Main Roads wishes to inform both the City, and the JDAP, that this Access Strategy should be used to inform access arrangements along West Coast Highway. Due to the non-compliance of the proposed development Main Roads **objects** to the development submission as it is currently presented. Considering that the Metropolitan Redevelopment Authority, in their Draft Interim Scarborough Redevelopment Scheme, proposes to utilise the City's Access Strategy in its future development of the Scarborough Beach Activity Centre so to should the current responsible authorities enforce this Access Strategy.

Although Main Roads was not consulted during the development of the Access Strategy, this authority sees great benefit in removing, where possible, crossovers onto a Primary Regional Road in favour of shared access. A number of benefits can be derived from this process, namely increased safety and efficiency for vehicles using West Coast Highway. This position is supported by the WAPC's DC Policy 5.1 *Regional Roads (Vehicular Access)*.

Main Roads does recognise the difficulties in implementing the Access Strategy nevertheless steps must be taken at this juncture to enable future implementation of the strategy and rationalisation of crossovers onto West Coast Highway.

If the City disagrees with Main Roads could you please contact Main Roads before the development of the City's Responsible Authority Report to the JDAP. It would also be appreciated if the City were to discuss Main Roads feedback with this authority prior to contacting the applicant.

Further, Main Roads would like the opportunity to present to the JDAP regarding this development and the future implementation of the Access Strategy along West Coast Highway.

If you require any further assistance or would like to query the above information, please contact James McCallum on (08) 9323 4214. In reply would you please quote reference number 04/11020-19 (D14#162147).

Yours faithfully



Lindsay Broadhurst

MANAGER ROAD PLANNING



ABN: 50 860 676 021

Enquiries: James McCallum on (08) 9323 4214
Our Ref: 04/11020-19 (D14#257929)
Your Ref: DA14/0477

19 May, 2014

The Chief Executive
City of Stirling
25 Cedric Street
Stirling WA 6021

ATTENTION: Kate Bainbridge

Dear Kate

**REQUEST FOR COMMENT – JDAP – TWENTY MULTIPLE DWELLINGS – LOT 156
(#285 & 285A) WEST COAST HIGHWAY, SCARBOROUGH**

I refer to your original letter dated the 6th of March, 2014 inviting Main Roads comment on the development of a multi-storey residential apartment block. I also refer to Main Roads original response to this referral dated the 2nd of April, 2014 and subsequent information forwarded to Main Roads. The issues raised in Main Roads original letter are still relevant and are attached for your reference.

Main Roads has reviewed the information submitted by the applicant, referred to above, namely the transport Technical Statement developed by Transcore. Main Roads agrees with the option suggested in the Technical Statement as a superior option, due entirely to the future ability to remove access to West Coast Highway altogether. However, no further information has been submitted that suggests how this option will be implemented, either in the Technical Statement or the Development Application.

In an effort to allow integration and ultimate delivery of the applicant's preferred access option Main Roads requests that the following is undertaken to gain this authorities support:

1. Notifications on the Certificate of Title of each Strata Lot shall be required to notify prospective purchasers of the ultimate access point from the rear of the property. This notification shall be placed on Certificate of Titles pursuant to 70A of the Transfer of Land Act 1893, and shall read as follows:

"Ultimate access for this property shall be derived from the rear of the property, ingressing and egressing from The Esplanade".
2. Revised plans shall be submitted to Main Roads and the City of Stirling demonstrating how the proposed development can be retrofitted to allow access from the rear of the property. It should also be a requirement of the revised plan to show how future and interim services, such as garbage collection, will access the site. This revised plan may be subject to modifications required by the identified authorities and shall be required to be approved prior to work commencing on Lot 156 West Coast Highway.
3. An easement in gross shall be placed on the rear boundary of Lot 156, covering its full length, and be 2.75m in width to create a Right of Way and allow for public access to and from Lot 156 West Coast Highway.

4. No earthworks or fixed components of the final built structure shall encroach onto or over the land required for the introduction of the ultimate access way.
5. The applicant shall bond funds with the City of Stirling for the construction and implementation of the Right of Way required for ultimate access to The Esplanade. These funds will need to cover all expenses for the introduction of the Right of Way as constructed over the easement in gross covering Lot 156 West Coast Highway, directly benefitting the applicants Lot.
6. No stormwater drainage shall be discharged onto the West Coast Highway road reservation.
7. Any damage done to the existing verge and its vegetation shall be made good at the full expense of the applicant.

Once the applicant has addressed the above conditions to Main Roads satisfaction this authority will be in a position to endorse the submitted revised Development Application. If the above measures are not carried out in full Main Roads reserves the right to object to the proposal, due to insufficient information and inability to address relevant planning considerations.

If you require any further assistance or would like to query the above information, please contact James McCallum on (08) 9323 4214. In reply would you please quote reference number 04/11020-19 (D14#257929).

Yours faithfully



Lindsay Broadhurst

MANAGER ROAD PLANNING



ABN: 50 860 676 021

Enquiries: James McCallum on (08) 9323 4214

Our Ref: 04/11020-19 (D14#162147)

Your Ref: P05281/01

2 April, 2014

The Chief Executive
City of Stirling
25 Cedric Street
Stirling WA 6021

ATTENTION: Kate Bainbridge

Dear Kate

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(#285 & 285A) WEST COAST HIGHWAY, SCARBOROUGH**

Thank you for your letter dated the 6th of March, 2014 requesting Main Roads comment on the above proposed development.

Main Roads notes that the submitted application does not adhere to the City of Stirling's Scarborough Beach Design Guidelines Access Strategy and instead proposes to retain its current access arrangement, minus 4 metres of crossover width. Main Roads wishes to inform both the City, and the JDAP, that this Access Strategy should be used to inform access arrangements along West Coast Highway. Due to the non-compliance of the proposed development Main Roads objects to the development submission as it is currently presented. Considering that the Metropolitan Redevelopment Authority, in their Draft Interim Scarborough Redevelopment Scheme, proposes to utilise the City's Access Strategy in its future development of the Scarborough Beach Activity Centre so to should the current responsible authorities enforce this Access Strategy.

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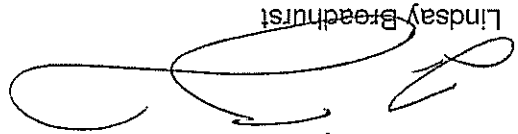
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Yours faithfully



Lindsay Breadhurst

MANAGER ROAD PLANNING

PROPOSED RESIDENTIAL DEVELOPMENT

LOT 1 & 2 (#285) WEST COAST HIGHWAY, SCARBOROUGH

DEVELOPMENT APPLICATION DESIGN REPORT

MARCH 2014

MSA JOB REF NO. 7613



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PROJECT TEAM

CLIENT		LAKECREST NOMINEES PTY LTD
ARCHITECT		MEYER SHIRCORE AND ASSOCIATES ARCHITECTS
LAND SURVEYOR		LAND SURVEYS PTY LTD

1.0

INTRODUCTION

1.1 OBJECTIVES

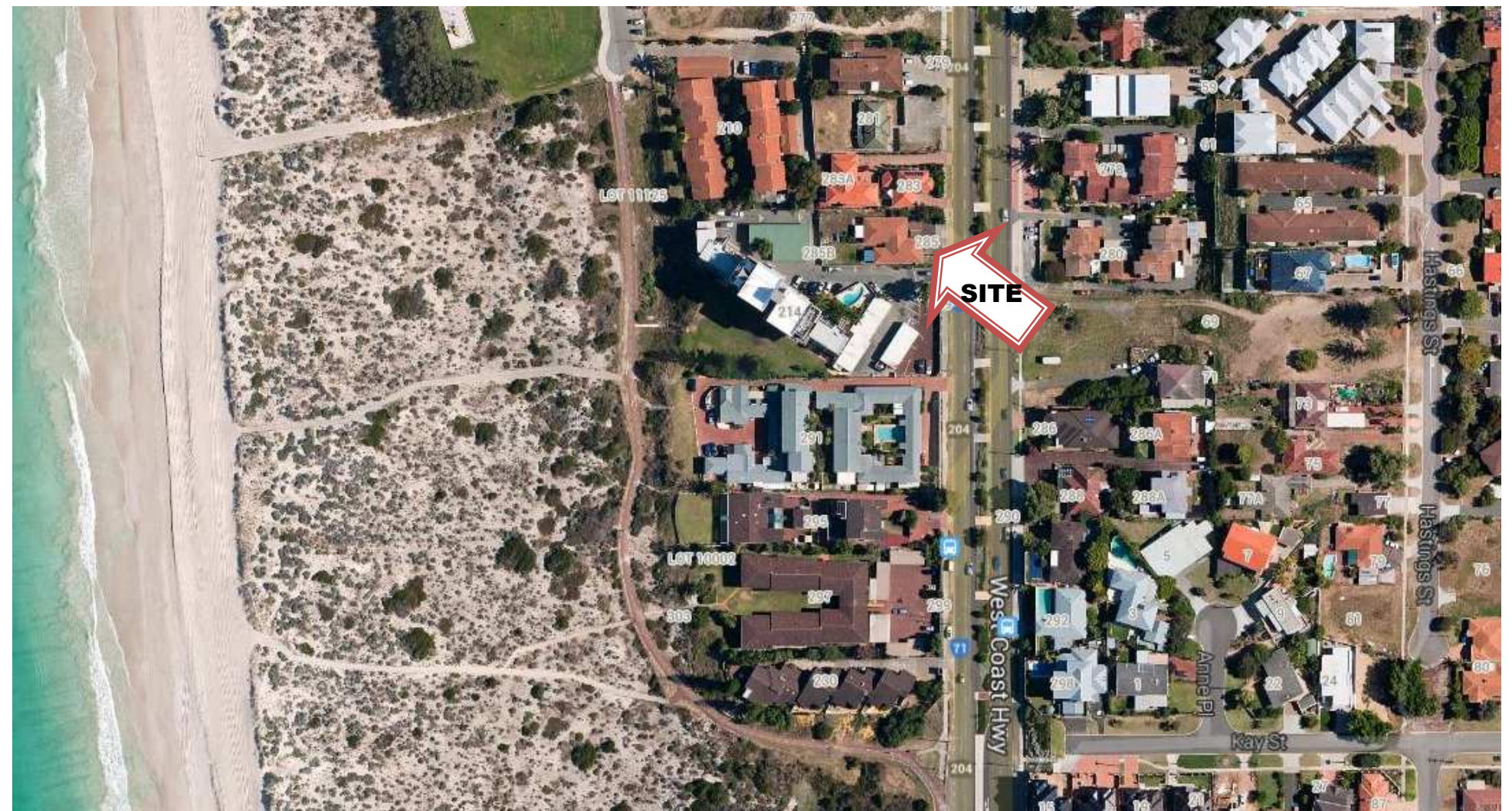
This report has been prepared by Meyer Shircore and Associates Architects under the instruction from Lakecrest Nominees Pty Ltd. Meyer Shircore has been engaged to design a residential development on the portion of property on West Coast Highway, indicated in red in the aerial site photograph on this current page.

The proposed development seeks to provide high quality apartment living for a mixture of singles and small families that are seeking coastal living. The development will provide a medium density accommodation suitable for permanent residents, so as to maximise accessibility to the foreshore and enhance the level of support for the wide range of existing commercial and recreational facilities.

1.1 OBJECTIVES

This report provides the supporting information to the sketch design drawings prepared by Meyer Shircore, and contains relevant technical information as required.

The design proposal generally aligns with the relevant authority guidelines but seeks a few variations. These variations are discussed further in the regulation and compliance section.

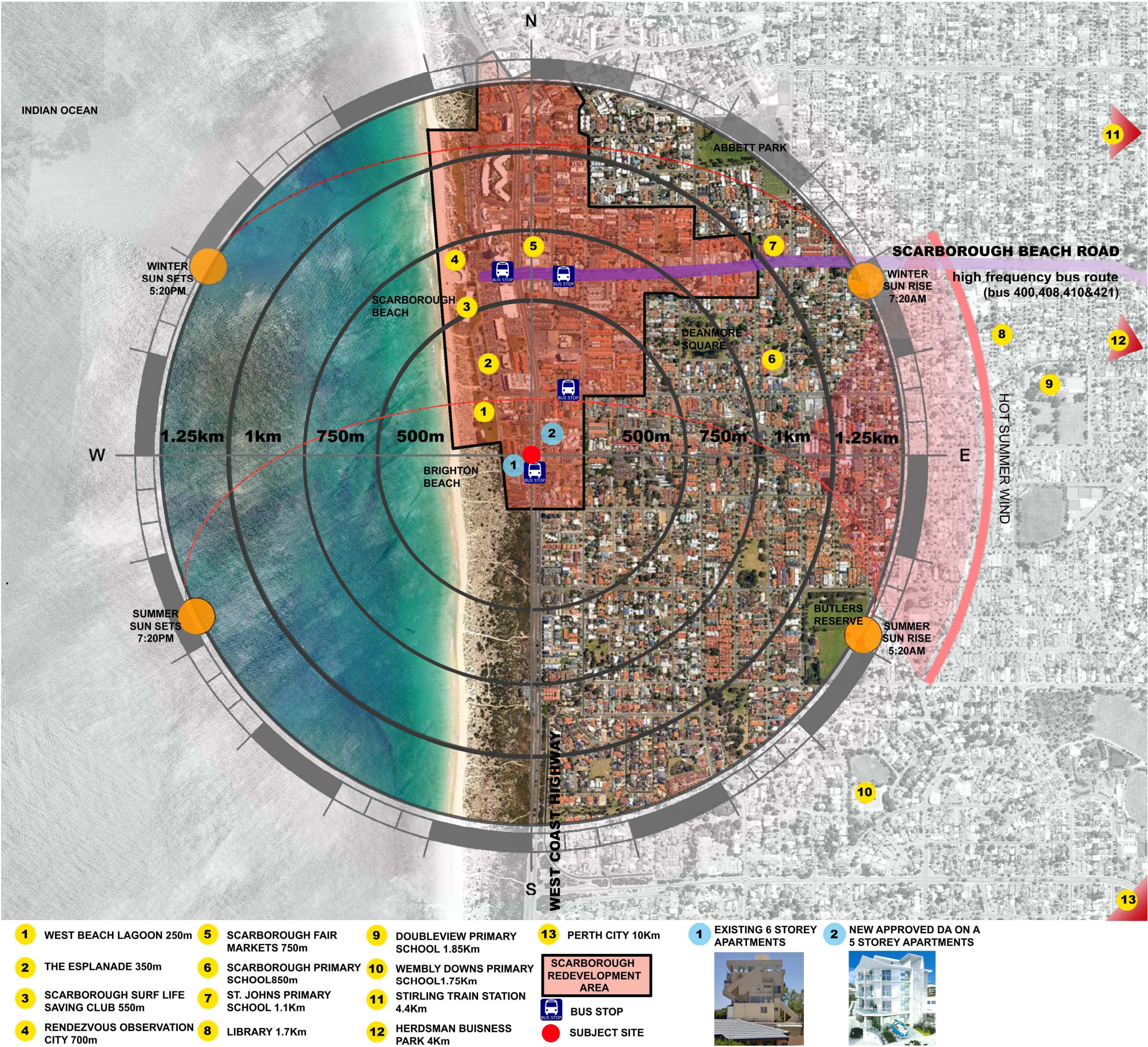


2.0

ANALYSIS

2.1 LOCATION

2.2 SITE



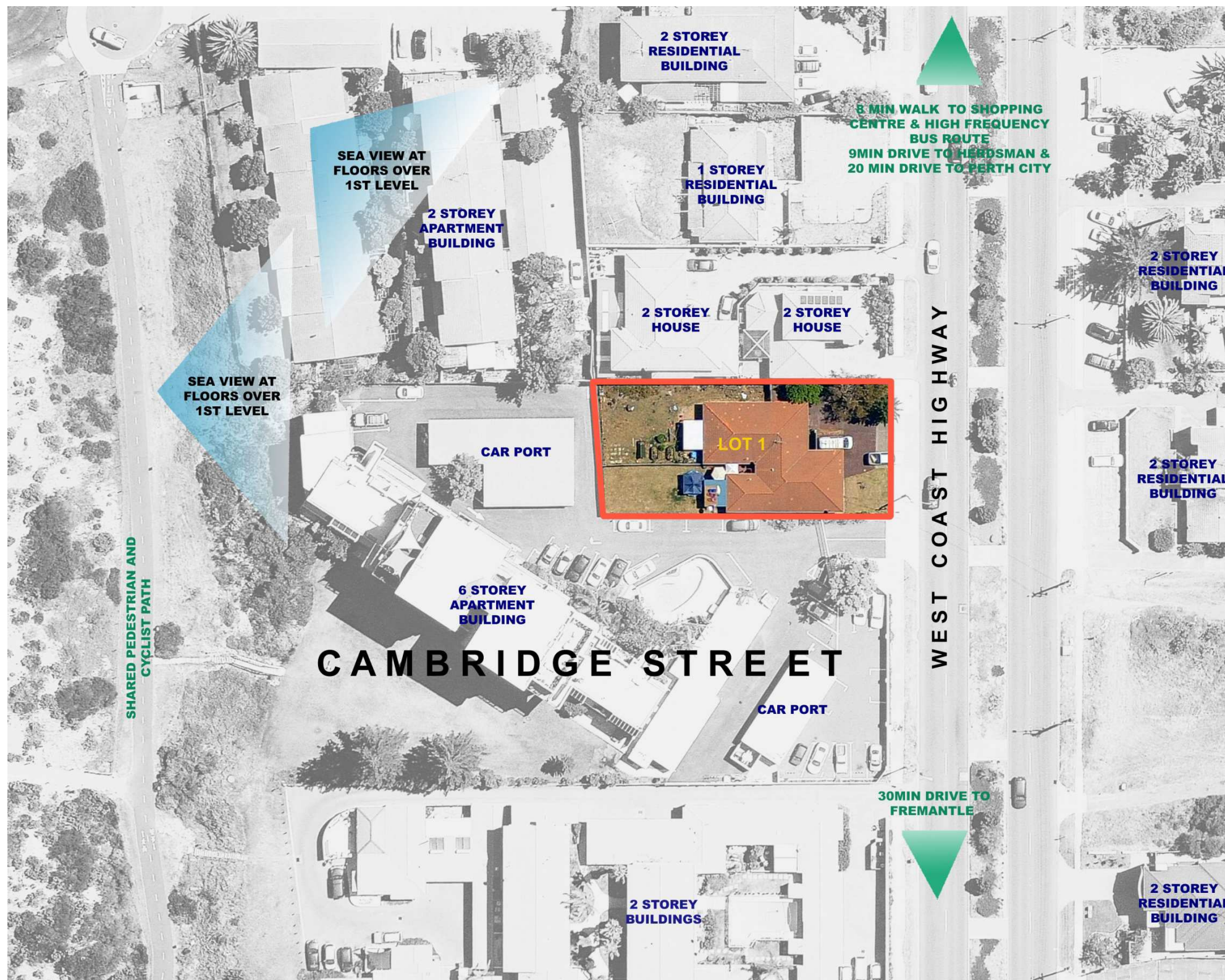
2.1 LOCATION

In seeking to apply practical meaning to the broader principles of the strategic policy context it is necessary to look in detail at the site relative to its location in the wider Scarborough neighbourhood.

The key aspects of the site relevant to its consideration as a medium density housing opportunity are:

- The nearness to the beach
- Its proximate location within the Scarborough activity centre exposes the proposed development to a wide range of retail, services, public transport, recreational and entertainment.

It is clear that the context of the site provides ample amenity that is ideally suited for higher density housing.



2.2 SITE

Investigation at a site level provides a number of key characteristics of the context surrounding the site. This presents opportunities that inform the subsequent design response for the building. Observations are as follow:

- Existing two storey residences to the North and driveway and carport to the southern side of the subject property averts overshadowing concerns. (Refer drawings for shadow diagram)
- Longer property line along the northern axis allows for a broad frontage to the northern winter sun and cooling south westerly summer breezes which favours a single building mass elongated east – west.
- Substantial views to the sea increase the apartment value and purchaser demographic diversity.
- A pedestrian main street environment with large footpaths, avenue planting, commercial centre at walking distance and lots of public amenities nearby that are ideally suited for a higher density apartment.
- Neighbouring building height of 6 storeys and a currently approved development with a building height of 5 storeys nearby the subject site sets precedence for an equal size development

These factors points to an opportunity to provide a higher single building on West Coast Highway.

This contemporary residential development focuses on providing high quality apartment living for a mixture of small families, elderly and single/couple occupants.

It is believed that the Council’s aim is to create a denser and more liveable coastal neighbourhood, which enriches the existing developments.

3.1 SET BACK, SCALE & STREETScape

Emphasis has been placed on maintaining a building that identifies itself within its environs, complies generally with the local scheme and design guidelines and policies as well as providing living diversity to Scarborough town.

The streetscape design follows the design guidelines & policies of minimum 2m setback to the front boundary. The street frontage had been setback 4m to average out for an additional level. The setback on the northern boundary had been averaged to a minimum of 4m. Setback to the south is 3.7m and to the west/ rear of boundary is about 3m to 3.6m. The variation of setback to the south and west are deemed to be very minor taking into account the adjacent area to be an existing car park and driveway to strata titled property.

These setbacks had been thoroughly analysed in the regulation and compliance section 4.2 item 4 & 5 that follows. This should generally be within the local planning policy section 5 requirements.

The subject development has a proposed height less than the required height under LPP and LPS3 of 17m above natural ground level and 47m AHD. (See section 4.1 item 2 & section 4.2 item 3)

In view of the existing 6 storey multiple dwelling on the adjacent property to the south west, the bulk and scale of this subject development are reasonably smaller in comparison.

3.2 DESIGN, MATERIAL & CONSTRUCTION

Choices of façade materials, their specification and solar shading were designed to suit the locality and the prevailing climatic conditions.

The concept of the design came from element of the sea - being an ark like building adorn with bubble facade feature, louvers and glazing.

The construction will be made up of primarily precast concrete walls supported by concrete columns, beams and slabs.

A limited palette of materials had been considered for high quality result. The range of material application and the selection of textures will break down the building bulk as well as create interest along the streetscape.

At street frontage glazing and transparency will be the predominant character as this will help with indirect street surveillance. Aluminium louvered screens on balconies serve as shades and privacy screens for the residence. Additionally the bubbled precast concrete panels serve as a feature wall. The selected materials include:

Glazing - low-E, high performance glass and colourback glazing.

Precast concrete walls - painted

Louvered screens - aluminium, powder coated.

3.3 SUSTAINABILITY

The building has been planned to reflect an environmentally conscious design. The design takes advantage of natural day light where possible, utilizing shading and screening devices to reduce direct heat and glare without compromising views. Selections of materials such as Low-E glazing and insulation will be part of the criteria toward providing thermal comfort within the building, along with deep overhangs on balconies to prevent summer sun penetration.

The project will utilise the most current technology for lighting, water, waste and energy management systems. Solar power and water heating will be considered to ensure efficiency throughout the life of the building.

Carbon footprint reduction opportunities exist for car trips with the building’s locality and proximity to shops, entertainment and services in easy walking distance.

Alternative transport is supported through the inclusion of bicycle parking. The site also has great access to public transport with bus stop about 2min walk from the subject site.



3.0

**DESIGN
PROPOSAL**

**3.1 SCALE, CONTEXT &
STREETScape**

**3.2 MATERIALS &
CONSTRUCTION**

3.3 SUSTAINABILITY

4.0

REGULATION & COMPLIANCE MATRIX

- 4.1 LOCAL PLANNING SCHEME N°3 (LPS 3)
- 4.2 LOCAL PLANNING POLICY SECTION 5
- 4.3 RESIDENTIAL DESIGN CODES – PART 6

4.1 LOCAL PLANNING SCHEME N° 3 (LPS 3) - SCARBOROUGH SPECIAL CONTROL AREA

RESIDENTIAL (OUTER) SUB-AREAS – R80

ITEM	CLAUSE	SCHEME REQUIREMENT	PROPOSED	DISCRETION REQUIRED	VARIATION REQUIRED	COMMENTS
1.	6.9.5 iii)	PLOT RATIO In the case of land within the Residential (Outer) sub-area, the overall plot ratio of development shall not exceed 1.0:1.	The proposed development provides a plot ratio of 1.47 : 1		✓	The proposed development exceeds the maximum plot ratio permitted by 0.47 (408.3m²)
2.	6.9.8 d) ii)	BUILDING HEIGHT In the Residential (Outer) Sub-Area, the maximum building height shall be 17 metres above natural ground level or 4 storeys or 47 metres AHD (whichever is the lesser), except where such a limit would otherwise restrict the height to less than 14 metres above natural ground level or 3 storeys, in which case a 14 metres above natural ground level or 3 storey (whichever is the lesser) height limit shall apply	The proposed development is 5 storeys with maximum height of 16.9m above the natural ground level.		✓	Building height less than 17m. Building height AHD less than 47m AHD. 5 storeys development proposed. Despite being 1 storey over as permitted under the LPS 3, the proposed development sits below the required building height and AHD limit.

4.2 LOCAL PLANNING POLICY (LPP) SECTION 5 - SCARBOROUGH REDEVELOPMENT ZONE DESIGN GUIDELINES 5.6

RESIDENTIAL (OUTER) SUB-AREAS – R80

ITEM	CLAUSE	SCHEME REQUIREMENT	PROPOSED	DISCRETION REQUIRED	VARIATION REQUIRED	COMMENTS
1.		LOCATION OF PUBLIC FACILITIES <ul style="list-style-type: none"> Parking which is provided on-site shall be located so as not to be visible from the street and disrupt the continuity of commercial frontages, or otherwise detract from the amenity of the streetscape, but shall be located so as to facilitate safe and convenient access by users. 	4 visitor car parking bays are proposed within the front setback of the property.	✓		<p>All residential car parking will be located within secured walls and out of immediate public sight.</p> <p>The 4 visitor car bays within the front setback of the property will be partly hidden by matured planting and will facilitate safe and convenient access by users and will not detract from the amenity of the streetscape.</p> <p>Therefore the location of the 4 visitor car parking bays within the front setback of the property is deemed to satisfy this requirement.</p>
2.		PLOT RATIO <ul style="list-style-type: none"> In the case of land within the Residential (Outer) sub-area, the overall plot ratio of development shall not exceed 1.0:1. 	The proposed development provides a plot ratio of 1.47 : 1		✓	<p>The proposed development exceeds the maximum plot ratio permitted by 0.47 (408.3m²)</p> <p>Minor variations are sought.</p>
3.		BUILDING HEIGHT <ul style="list-style-type: none"> In the case of land within the Residential (Outer) sub-area the maximum building height shall be 17 metres above natural ground level or 4 storeys or 47 metres AHD (whichever is the lesser), except where such a limit would otherwise restrict the height to less than 14 metres above natural ground level or 3 storeys, in which case a 14 metres above natural ground level or 3 storey (whichever is the lesser) height limit shall apply. 	The proposed development is 5 storeys with maximum height of 16.9m above the natural ground level.	✓		<p>Building height less than 17m.</p> <p>Building height AHD less than 47m AHD.</p> <p>5 storeys development proposed.</p> <p>Despite being 1 storey over as permitted under the LPP, the proposed development sits below the required building height and AHD limit.</p>
4.		STREET SETBACK <ul style="list-style-type: none"> The setback of buildings from the street alignment (or in the case of streets to be widened, the road widening alignment) shall accord with the requirements of the Residential Design Codes, except for walls above 10 metres (3 storeys) in height, which shall be set back an additional 4 metres from that of the wall immediately below which faces any street. 	The composite wall facing the street is about 16.9m in height from the natural ground level. Total setback from the street boundary is 4m.	✓		<p>The proposed development setback satisfies the minimum setback requirement of 2m in accord with the requirements under the Residential Design Codes.</p> <p>The proposed wall fronting the street is setback at 4m in lieu of 2m + 4m as required for walls over 10m height.</p> <p>This minor variation to the building setback is deemed reasonable in terms of averaging of setbacks.</p>
5.		OTHER SETBACKS <ul style="list-style-type: none"> Side and rear setbacks shall accord with the requirements of the Residential Design Codes. (See Section 4.3 item 3) 	North facade = average of minimum 4m setback East facade = 4m setback South facade = 3.7m setback West / Rear facade = 3m to 3.563m		✓	<p>Minor variations are sought. (See Section 4.3 item 3)</p>
6.		OPEN SPACE & LANDSCAPING <ul style="list-style-type: none"> Each development shall provide one area of communal open space equating to a minimum of 5% of the site area, and not located within the front setback area; and Front setback areas shall be landscaped with mature in-ground planting. 	80m ² of paved shared area provided with bicycle parking and outdoor shower. A small portion within the front setback area will be landscaped with mature in ground planting.	✓		<p>In view of the limited area remained subsequent to provisions for residence requirements, landscaping and communal area has inevitably reduced.</p> <p>It is believed the provision of paved area and bicycle and outdoor shower provision satisfy this requirement.</p>

4.3 RESIDENTIAL DESIGN CODES – PART 6

ITEM	CLAUSE	SCHEME REQUIREMENT	PROPOSED	DISCRETION REQUIRED	VARIATION REQUIRED	COMMENTS
1.	6.1.2 C2	BUILDING HEIGHT Development complies with the maximum height set out in Table 4 (top of external wall = 13m), except where stated otherwise in the scheme, relevant local planning policy, local structure plan or local development plan.	The proposed development has walls over 13m high.			The LPS no 3 and LPP provides further statement on building heights, therefore overwrites this requirement.
2.	6.1.3	STREET SETBACK Minimum primary street setback of 2m for area code R-80	The proposed development has a street setback 4m.			The development conforms to the minimum street setback.
3.	6.1.4	LOT BOUNDARY SETBACKS Minimum lot boundary side setback for sites R-80 – R160 and / or greater and R-AC R-codes >16m width of lot = 4m setback	North facade = average of minimum 4m setback East facade = 4m setback South facade = 3.7m setback West / Rear facade = 3m to 3.563m		✓	Minor variations are sought.
4.	6.2.1 C1.1	STREET SURVEILLANCE • Street elevations of the building to address the street • Facades parallel to street • Clearly definable entry points accessed from street • Habitable room windows or balconies facing street	• Building elevations address the street • Facades are parallel to the street • Clearly definable entry is accessed from the street • Habitable room windows and balconies face street			The development conforms to this requirement.
5.	6.3.2 C2	LANDSCAPING • Street setback areas developed without car parking, except for visitors' bays, and with a maximum of 50% hard stand • Pedestrian paths with wheelchair accessibility to all entry points • Landscaping between 6 consecutive external parking bays to include shade trees • Lighting provided to pathways, communal open space and parking areas • Clear sight lines at pedestrian and vehicle crossing	• Street setback areas are with parking • Pedestrian paths are wheelchair friendly • Shade trees are not provided • Lighting will be provided to pathways, open space and parking areas • unobstructed sight lines provided at pedestrian and vehicle crossing	✓		In view of the limited area subsequent to provisions for residence requirements as well as conforming to the codes, landscaping area has inevitably reduced. A landscape plan has been provided. We believe the amount of landscape proposed satisfies the design principles of clause 6.3.2 (P2)
6.	6.3.3 C3.1	PARKING • Car Parking Small (<75m ² or 1 bedroom) = 1 bay/ dwelling Visitor = 0.25 bay / dwelling • Bicycle Parking 1 space to each 3 dwellings Visitor = 1 space to each 10 dwellings	Calculations for total 20 small dwellings • 12 dwelling at 50m ² • 4 dwelling at 69.2m ² • 4 dwelling at 70.7m ² Required: Car parking bays 20 x 1 = 20 bays Visitors bays 20 x 0.25 = 5 bays Provided: Car parking bays = 20 bays Visitors bays = 4 bays	✓		The proposed development generally complies with the parking requirement. Minor variation is sought. Larger store area of min 4.2m ² proposed to cater for bicycle storage for every dwelling. 6 visitor bicycle parking provided.
7.	6.4.1 P1.1 P1.2	VISUAL PRIVACY • Minimum direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings • Maximum visual privacy to side and rear boundaries	Cone of vision has been drawn on the first floor plan provided.			The development complies with the visual privacy setback in direct line of sight within the cone of vision.
8.	6.4.2 P2.1 P2.2 C2.2	SOLAR ACCESS FOR ADJOINING SITES Effective solar access for the proposed development. Protection of solar access for neighbouring properties, without significant overshadowing on: outdoor living areas and balconies; north facing major openings to habitable rooms; north and west facing roof areas; and existing solar collectors Development shall be so designed that it does not cast a shadow at midday on 21 June over more than 50 per cent of: (a) any existing roof mounted solar collector; and (b) north facing major openings to habitable rooms, within 15 degrees of north in each dire	• Screening will be provided as indicated on the drawings provided • The subject property is located to the south of neighbouring residence. • overshadow diagram at midday on 21 June had been provided.			• The street frontage is located to the east of the subject site. Located immediately north of the site are 2 house dwellings while the south and west side of the site are existing driveways and residence parking of neighbouring property. • Solar access of the residential uses surrounding the subject does not suffer any detrimental impact, on the basis that the residential dwellings are located to the north of the site. • The subject development does not overshadow more than 50% of any habitable rooms at midday on 21 June. Thus are deemed to achieve the design principle required for overshadowing.

The proposed development achieves the following key outcomes:

- provides more housing choice through additional apartments at a wider range of price points and to the benefit of the street life and retail vitality of Scarborough Town Centre.
- generally consistent with the various policies that emphasise the concentration of infill housing opportunities in activity centres where there is walkable access to the full range of daily shopping, employment, recreation, entertainment and public transport opportunities;
- provides a considered response to the surrounding context of the site particularly in relation to its architectural feature, climatic responsive design and available views; and
- encourages further activation of existing activity centre, leverage from the existing high frequency bus routes that service Scarborough beach road and promote a wider provision of housing choice, particularly apartment living options.

The current Town Planning Scheme and Policies of Council allow a degree of discretion and Council has established precedent in its previous decisions pertaining to plot ratios, building height and setbacks, this includes the recently approved development DP 13/00453 across the road.

It is considered that this proposed development is of considerable merit and is generally consistent with the existing development within the Scarborough Redevelopment Zone.

5.0

SUMMARY

6.0

DRAWINGS

DESIGN PRINCIPLES SUBMISSION TABLE

R-CODE DESIGN ELEMENT OR RELEVANT COUNCIL POLICY	PROPOSED VARIATION TO 'DEEMED TO COMPLY REQUIREMENTS'	DESIGN PRINCIPLES JUSTIFICATION
Local Planning Policy No.5.6 entitled Scarborough Redevelopment Zone Design Guidelines – 'New vehicle access ways'.	The application does not provide for a 2.75 metre wide new vehicle access way along the southern portion of the Lot 156 in accordance with 'deemed to comply requirements' of the City's Local Planning Policy No.5.6 entitled 'Scarborough Redevelopment Zone Design Guidelines'.	<ol style="list-style-type: none"> Following a review of the new vehicle access way contained within the City's Policy No.5.6, the following concerns are raised in regards to its design and layout: <ol style="list-style-type: none"> the extent of the land requirements for the new vehicle access way is excessive (i.e. approximately 19% of Lot 156), which will compromise the financial feasibility of any future development of the land; given the width of Lot 156 (i.e. 20.12 metres) the excision of 2.75 metres of land its along the western and southern boundaries will heavily constrain the future development of the land in terms of complying with various development standards (i.e. boundary setbacks etc); the construction of the new vehicle access way from West Coast Highway comprises significant engineering constraints and cost implications due to the differences in levels between adjacent properties. As such it is contended that the current layout of the new access way is costly, resulting in the redevelopment of some properties abutting the new vehicle access way being financially and physically unviable; and the current layout of the new vehicle access way (i.e. access & egress to/from West Coast Highway) will have an adverse impact on traffic movements along West Coast Highway, which is classified as a regional road (refer to the attached Traffic Report prepared by Transcore). The new development on Lot 156 utilizes the existing crossover along its West Coast Highway frontage and does not propose any new access points. The design of the proposed development on Lot 156 makes an allowance for the new vehicle access way along its western boundary in accordance with the City's Policy No.5.6. The design of the proposed on-site car parking and access point (i.e. existing crossover) has been formulated to ensure safe and efficient vehicle access and parking for all future occupants. The design of the proposed car parking area will provide improved security for all future occupants of the development.

		<p>6. The plans prepared in support of the proposed multiple dwelling development on Lot 156 illustrates an alternative new vehicle access way within the 'Residential (Outer) Precinct' of the Scarborough Redevelopment Zone (see attached drawings - Page 1). It is contended that the new alternative vehicle access way will:</p> <ul style="list-style-type: none"> i) facilitate in the feasible development of Lot 156, as less land will be required to accommodate the new vehicle access way; ii) provide a more feasible and cost effective alternative to the new access way contained within the City's Policy No.5.6; and iii) connect the new vehicle access way to The Esplanade in lieu of West Coast Highway resulting in improved and safer traffic movements throughout the precinct (see attached Traffic Report prepared by Transcore). <p>Having regard for all of the above it is contended that the proposed alternative vehicle access way within the 'Residential (Outer) Precinct' of the Scarborough Redevelopment Zone as illustrated on the attached drawings (Page 1) will result in improved vehicle movements within the precinct, will not compromise the objectives of the City's Policy No.5.6 entitled 'Scarborough Redevelopment Zone Design Guidelines' and may therefore be approved by the City and the JDAP.</p>
<p>Local Planning Policy No.5.6 entitled Scarborough Redevelopment Zone Design Guidelines - 'Building height.'</p>	<p>The application proposes that the new development will comprise six (6) storeys in lieu of a maximum of four (4) storeys permitted by the 'deemed to comply requirements' of the City's Local Planning Policy No.5.6 entitled 'Scarborough Redevelopment Zone Design Guidelines.'</p>	<ul style="list-style-type: none"> 1. The proposed variation to the maximum permitted number of storeys for the proposed development is unlikely to have any detrimental impacts upon the local streetscape or the amenity of any adjoining residential properties. 2. The sixth level of the proposed development comprises a small communal area facilitated within the roofing structure of the new building. The facility is considered as a minor storey in context with the overall development and will benefit the future residents of the development. 3. According to the City's Policy No.5.6 a maximum building height of 17 metres from natural ground level (NGL) is permitted for the proposed development on Lot 156. Under the terms of the plans submitted the maximum building height of 17 metres from NGL is proposed which meets maximum permitted overall building height allowable by the policy (see attached drawings - Page 8). 4. According to the City's Policy No.5.6 any new development within the Scarborough Redevelopment Zone is not permitted to exceed an overall height of 47 metres AHD. Under the terms of the plans submitted the overall height of the proposed development is 28.9 metres AHD which is less than maximum permitted building height allowable by the policy within the Scarborough Redevelopment Zone.

		<p>5. In addition to the above two points, the 'view of significance' enjoyed by Lot 156 and all adjoining residential properties is the Indian Ocean to the west. Despite the proposed variation to the maximum permitted number of storeys for the new development on Lot 156, the variation is considered minor in scale and therefore unlikely to compromise or in any way diminish the 'view of significance' currently enjoyed by any adjoining residential properties, especially given that the existing residential development on adjoining Lot 11 (No.287) West Coast Highway comprises a seven (7) building.</p> <p>6. Notwithstanding the above points, the City's Policy No.5.6 could enable the construction of a four (4) storey building with a maximum height of 17 metres from NGL. As such, the overall impact of a four (4) storey or a six (6) storey building comprising an overall height of 17 metres from NGL is identical. Given compliance with the maximum permitted building height for the property (i.e. 17 metres), the construction of a six (6) storey building could not reasonably be expected to have any adverse impacts upon the local streetscape or amenity of any adjoining residential properties.</p> <p>7. The proposed development meets the 'deemed to comply requirements' of Element 6.4.2 C2.1 ('Solar access for adjoining sites') of the R-Codes and will not overshadow or detrimentally impact access to light and ventilation for the existing dwellings on any adjoining properties.</p> <p>8. The overall building height of the proposed development will not have any adverse impacts on the local streetscape in terms of its bulk and scale.</p> <p>9. The proposed number of storeys for the new development on Lot 156 is generally consistent with other similar residential developments approved by the City in the immediate locality, specifically the existing seven (7) residential development on adjoining Lot 11.</p> <p>Having regard for all of the above it is contended that the proposed variation to the maximum number of storeys permitted for the new multiple dwelling development on Lot 156 will not have any adverse impacts on the surrounding locality, will not compromise the objectives of the City's Policy No.5.6 entitled 'Scarborough Redevelopment Zone Design Guidelines' and may therefore be approved by the City and the JDAP.</p>
Local Planning Policy No.5.6 entitled Scarborough Redevelopment Zone Design Guidelines – 'Plot Ratio'.	The application proposes a plot ratio of 1.133 (i.e. 1,166.28m ²) in lieu of a maximum allowable plot ratio of 1.0 (i.e. 875m ²) permitted by the 'deemed to comply requirements' of the City's Local Planning Policy No.5.6 entitled	<p>1. The proposed variation to the maximum allowable plot ratio for any future development on Lot 156 will not have an adverse impact on the adjoining residential properties.</p> <p>2. The proposed development will not have an adverse impact on the West Coast Highway streetscape in terms of its overall bulk and scale.</p> <p>3. The proposed development will provide an attractive and safe residential environment</p>

	<p>'Scarborough Redevelopment Zone Design Guidelines.'</p>	<p>comprising modern, affordable, high quality housing within a well established urban area.</p> <ol style="list-style-type: none"> The proposed development will provide a diversity of housing stock and therefore greater choice for future potential residents in the Scarborough locality. The proposed development will help satisfy current and future anticipated demand for housing in the Scarborough locality and the Perth Metropolitan area generally. The proposed development meets the 'deemed to comply requirements' of Element 6.4.2 C2.1 ('Solar access for adjoining sites') of the R-Codes and will not overshadow or detrimentally impact access to light and ventilation for the existing dwellings on any adjoining properties. The design of the proposed development is consistent in terms of its bulk and scale with other multiple dwelling developments previously approved in the Scarborough locality, in particular the seven (7) storey residential development on adjoining Lot 11 (No.287) West Coast Highway. The proposed development will make a positive and worthwhile contribution to the local streetscape in terms of its visual appearance and improved levels of passive surveillance over West Coast Highway. The proposed development provides for the effective use of all available space and the creation of adequate internal and external living areas which will benefit future occupants. <p>Having regard for all of the above it is contended that the proposed variation to the maximum permitted plot ratio for the new multiple dwelling development on Lot 156 will not have any adverse impacts on the surrounding locality, will not compromise the objectives of the City's Policy No.5.6 entitled 'Scarborough Redevelopment Zone Design Guidelines' and may therefore be approved by the City and the JDAP.</p>
<p>Local Planning Policy No.5.6 entitled Scarborough Redevelopment Zone Design Guidelines – 'Street setbacks.'</p>	<p>The application proposes that the levels above the third storey comprise a nil setback from the lower levels in lieu of a minimum required setback of 4 metres from the lower levels in accordance with the 'deemed to comply requirements' of the City's Local Planning Policy No.5.6 entitled 'Scarborough Redevelopment Zone Design Guidelines.'</p>	<ol style="list-style-type: none"> The proposed new development on Lot 156 has been designed with varying materials and 'architectural features' that will provide a positive contribution to the West Coast Highway streetscape and result in an 'iconic' building within the Scarborough Redevelopment Zone. The design of the proposed new development on Lot 156 will not have any adverse impacts on the West Coast Highway streetscape in terms of its overall bulk and scale and is generally consistent with other similar residential developments approved by the City in the immediate locality. The proposed setback of the new development from the front boundary meets the 'deemed to comply requirements' of Element 6.1.3 C3.1 ('Street setback') of the R-Codes. The overall proposed front setback of the new development is less in terms of potential bulk and

		<p>scale impacts on the streetscape than the minimum front setbacks allowed by the City's Policy No.5.6 (see attached drawings – Page 10).</p> <ol style="list-style-type: none"> 5. The proposed development has been designed with a variable setback along its West Coast Highway frontage to help provide an interesting and articulated facade. 6. The verge area abutting Lot 156 along its West Coast Highway frontage is approximately 4.5 metres wide and provides an increased setback between the proposed development and the road pavement. As such the proposed development is unlikely to have a negative impact on the West Coast Highway streetscape in terms of its overall bulk and scale. 7. The proposed variation to the upper floor setbacks (i.e. levels 4 & 5) from the lower levels will not have any adverse impacts on any major openings to habitable rooms or any outdoor living areas associated with the existing dwellings on any adjoining properties. 8. The proposed development has been designed to make a positive contribution to the local streetscape, with balconies and major opening to habitable rooms for various apartments providing an 'active frontage' to West Coast Highway. 9. In light of the above point, it is contended that the proposed development on Lot 156 will significantly improve current levels of passive surveillance over West Coast Highway. 10. West Coast Highway, within the Scarborough Redevelopment Zone, contains an eclectic mix of residential and commercial developments comprising varying front setbacks ranging from nil to in excess of 6 metres. Furthermore numerous properties within the zone have varying building height and bulk. Given the diversity of the current built form along West Coast Highway it is contended that the proposed variations to the upper level front setbacks (i.e. level 4 & 5) will not set an undesirable precedent for future development within Scarborough or compromise the local streetscape character. 11. Sufficient space is available within the front setback area on the ground floor to accommodate gardens and landscaping, all of which will be designed and constructed to ensure that the development is visually attractive and makes a positive contribution to the local streetscape. 12. There is sufficient space available to accommodate various existing essential service easements on Lot 156. <p>Having regard for all of the above it is contended that the proposed variation to the front setback of the new multiple dwelling development on Lot 156 will not have any adverse impacts on the streetscape, will not compromise the objectives of the City's Policy No.5.6 entitled 'Scarborough Redevelopment Zone Design Guidelines' and may therefore be approved by the City and the JDAP.</p>
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<p>Element 6.1.4 C4.2 – Lot boundary setbacks'</p>	<p>The application proposes that:</p> <ul style="list-style-type: none"> i) a portion of the new multiple dwelling development will have a setback from the southern side boundary of 3.7 metres in lieu of 4 metres as required by the 'deemed to comply requirements' of the R-Codes; and ii) a portion of the new multiple dwelling development (i.e. balconies) will have a setback from the northern side boundary of 3.3 metres in lieu of 4 metres as required by the 'deemed to comply requirements' of the R-Codes. 	<ol style="list-style-type: none"> 1. The proposed upper floor setback variation to the southern and northern side boundaries (i.e. 300mm & 700mm) are considered minor and therefore unlikely to have any adverse impacts on the local streetscape or any adjoining properties in terms of bulk and scale. 2. Other than the balcony intrusions, the proposed upper floor setback for the new development from the northern side boundary meets the 'deemed to comply requirements' of Element 6.1.4 C4.1 ('Lot boundary setbacks') of the R-Codes. 3. The proposed development meets the 'deemed to comply requirements' of Element 6.4.2 C2.1 of the R-Codes ('Solar access for adjoining sites') as it does not overshadow or detrimentally impact access to light and ventilation for the existing dwellings on any adjoining properties. 4. The proposed development makes effective use of all available space and provides for the creation of adequate internal and external living areas which will benefit all future occupants. 5. Those portions of the proposed development with a reduced setback to the side boundaries will not have any adverse impacts on the local streetscape in terms of their bulk and scale. 6. It is considered that the portion of the new development proposing a reduced setback from the side boundaries is consistent in terms of their design, bulk and scale with other similar residential developments recently approved by the City in the immediate locality. 7. The proposed setbacks from the side boundaries for the new development on Lot 156 have been designed with due regard for the 'visual permeability' provisions of the City's Policy No.5.6 (see attached drawings – Page 10). Given this fact, it is contended that the proposed development provides view corridors to enable properties east of West Coast Highway to enjoy views of the Indian Ocean. 8. With respect to any potential impacts the new development on Lot 156 may have on the amenity of adjoining Lot 11 (No.287) West Coast Highway, the following points are submitted in support of the proposal: <ul style="list-style-type: none"> i) That portion of the proposed development with a reduced setback from the southern side boundary abuts the car parking and vehicle access driveway areas of the existing grouped dwelling development on adjoining Lot 11 (see attached drawings – Page 1). Given this fact it is contended that the proposed development on Lot 156 will not have any adverse impacts on any major openings to habitable rooms or any outdoor living areas associated with the existing grouped dwelling development on the adjoining Lot 11; and ii) The proposed development has been designed with 'architectural features' and the use of varying materials along its southern elevation to help provide an interesting and attractive
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		<p>façade (see attached drawings – Page 9).</p> <p>9. With respect to any potential impacts the new development on Lot 156 may have on the amenity of adjoining Strata Lots 1 & 2 (No.283) West Coast Highway, the following points are submitted in support of the proposal:</p> <ul style="list-style-type: none"> I) That portion of the proposed development with a reduced setback from the northern side boundary abuts the side setback area of the existing grouped dwelling development on adjoining Strata Lots 1 & 2. Given this fact it is contended that the proposed development on Lot 156 will not have any adverse impacts on the existing grouped dwellings on the adjoining Strata Lots 1 & 2; II) Those portions of the proposed development intruding into the northern side boundary setback area include open balconies with glass balustrade. Given this fact, it is contended that the reduced setback to the northern boundary will not have any adverse impacts on the adjoining Strata Lots 1 & 2 in terms of bulk and scale; III) The proposed development will not cast a shadow over adjoining Strata Lots 1 & 2; and IV) The proposed development has been designed with a variable setback along its northern elevation to help provide an interesting and articulated façade (see attached drawings – Page 9). <p>Having regard for all of the above it is contended that the portion of the proposed new multiple dwelling development on Lot 156 with a reduced upper floor setback from the side boundaries satisfy the ‘design principles criteria’ of Element 6.1.4 of the R-Codes, will not compromise the objectives of the City’s Policy No.5.6 entitled ‘Scarborough Redevelopment Zone Design Guidelines and may therefore be approved by the City and the JDAP.</p>
Element 6.1.4 C4.2(i)(ii) – ‘Lot boundary setbacks’ (buildings on boundary)	<p>The application proposes that:</p> <ul style="list-style-type: none"> i) a portion of the new multiple dwelling development (i.e. undercroft car parking & storerooms) will be built up to two (2) lot boundaries (i.e. southern & northern) in lieu of one (1) lot boundary as required by the ‘deemed to comply requirements’ of the R-Codes; and 	<ul style="list-style-type: none"> 1. The proposed development meets the ‘deemed to comply requirements’ of Element 6.4.2 C2.1 (i.e. ‘Solar access for adjoining sites’) of the R-Codes. 2. The proposed development makes effective use of all available space and provides for the creation of adequate internal and external living areas which will benefit all future occupants. 3. Those portions of the proposed development to be built up to the side boundaries are consistent in terms of their design, bulk and scale with other similar residential developments recently approved by the City in the immediate locality. 4. The maximum permitted height of those portions of the proposed development to be built up to the side boundaries meet the ‘deemed to comply requirements’ of Element 6.1.4 C4.2 (‘Lot

	<p>ii) that the length of those portions of the new multiple dwelling development to be built up to the side boundaries is greater than one-third of the lot boundary allowable by the 'deemed to comply requirements' of the R-Codes.</p>	<p>boundary setbacks') of the R-Codes.</p> <p>5. With respect to any potential impacts the new development on Lot 156 may have on the amenity of adjoining Lot 11 (No.287) West Coast Highway, the following points are submitted in support of the proposal:</p> <p>i) That portion of the proposed development to be built up to the southern side boundary abuts the car parking and vehicle access driveway areas of the existing grouped dwelling development on adjoining Lot 11 (see attached drawings – Page 1). Given this fact it is contended that the proposed development on Lot 156 will not have any adverse impacts on any major openings to habitable rooms or any outdoor living areas associated with the existing grouped dwelling development on the adjoining Lot 11.</p> <p>6. With respect to any potential impacts the new development on Lot 156 may have on the amenity of adjoining Strata Lots 1 & 2 (No.283) West coast Highway, the following points are submitted in support of the proposal:</p> <p>i) That portion of the proposed development to be built up to the northern side boundary abuts the side setback area of the existing grouped dwelling development on adjoining Strata Lots 1 & 2. Given this fact it is contended that the proposed development on Lot 156 will not have any adverse impacts on the existing grouped dwellings on the adjoining Strata Lots 1 & 2;</p> <p>ii) Given the differences in finished floor levels between Lot 156 and adjoining Strata Lots 1 & 2, that portion of the proposed development to be built up to the northern side boundary will be lower than the dividing fence height along the common boundary. Given this fact, it is contended that the portion of the proposed development to be built up to the northern side boundary will not be visible from adjoining Strata Lots 1 & 2 (see attached drawings – Page 10); and</p> <p>iii) The proposed development will not cast a shadow over adjoining Strata Lots 1 & 2.</p> <p>Having regard for all of the above it is contended that those portions of the proposed new multiple dwelling development on Lot 156 to be built up to the side boundaries satisfies the 'design principles criteria' of Element 6.1.4 of the R-Codes and may therefore be approved by the City and the JDAP.</p>
<p>Element 6.2.3 C2(i) – 'Landscaping' ('Hard stand') & Local Planning Policy No.5.6 entitled Scarborough Redevelopment Zone Design</p>	<p>The application proposes that the new multiple dwelling development on Lot 156 will comprise 74.55% of the front setback area being hardstand in lieu of 50% hardstand allowable by the</p>	<p>1. The proposed variation to the total hardstand (i.e. 11.7% or 14.1m²) within the street setback area of the new development is considered minor and therefore unlikely to have a detrimental impact on the amenity of the local streetscape or any adjoining properties.</p> <p>2. The West Coast Highway verge area adjoining Lot 156 comprises a width of approximately 4.5</p>

Guidelines – ‘Landscaping’.	'deemed to comply requirements' of the of the R-Codes.	<p>metres which will be comprehensively landscaped and maintained to help soften any potential negative visual impacts that the hardstand may have on the local streetscape.</p> <ol style="list-style-type: none"> 3. The proposed development has been designed to incorporate 'green walls' within the front elevation to help soften any potential negative visual impacts the hardstand area may have on the local streetscape (see attached drawings – Page 8). 4. All proposed car parking bays and crossovers for the new development have been designed to ensure safe and convenient vehicle access on Lot 156. 5. The proposed development has been designed to ensure safe and convenient access for pedestrians. 6. The design, width and scale of the proposed hardstand for the new development is consistent with other similar residential developments approved by the City in the immediate locality. <p>Having regard for all of the above it is contended that the proposed extent of hardstand within the front setback area of the new multiple dwelling development on Lot 156 will not have any adverse impacts on the streetscape, satisfies the 'design principles criteria' of Element 6.3.2 of the R-Codes, will not compromise the objectives of the City's Policy No.5.6 entitled 'Scarborough Redevelopment Zone Design Guidelines' and may therefore be approved by the City and the JDAP.</p>
Element 6.4.1 C1.1– ‘Visual privacy’	The application proposes that a portion of the 7.5 metre 'cone of vision' from the apartments will extend over the adjoining property to the north (i.e. Strata Lots 1 & 2).	<ol style="list-style-type: none"> 1. The proposed development has been designed to effectively locate all major openings to habitable rooms in a manner which avoids overlooking and maintains the visual privacy of all adjoining residential properties. 2. With the exception of the balconies, the proposed development on Lot 156 meets the 'deemed to comply requirements' of Element 6.4.1 C1.1 ('Visual privacy') of the R-Codes. 3. The proposed development has been designed to locate a blank wall on each level adjacent the outdoor living area of the existing grouped dwelling on adjoining Strata Lot 1 (No.283) West Coast Highway to avoid direct overlooking of the outdoor living associated with the existing dwelling on the adjoining property (see attached drawings – Pages 4 & 5). 4. In addition to the above point, it is significant to note that the outdoor living area for the existing grouped dwelling on adjoining Strata Lot 1 comprises a solid roofing structure (see attached drawings – Page 1). As such, it is contended that the extent of roof covering over the outdoor living area of Strata Lot 1 will provide adequate screening from any overlooking from the proposed development on Lot 156. 5. Given the proposed building height and angles of vision from the balconies, it is contended that the extent of overlooking from the proposed development on Lot 156 is minor and will not

		<p>adversely impact the occupants of the existing grouped dwellings on adjoining Strata Lots 1 & 2 (see attached drawings – Page 7).</p> <p>6. Other than the outdoor living area for adjoining Strata Lot 1, those portions of the ‘cones of vision’ from the balconies will extend over the side setback areas of the existing grouped dwellings on adjoining Lots 1 & 2 to the north and will not therefore have any adverse privacy impacts on any major openings to habitable rooms of the existing grouped dwellings on the adjoining property.</p> <p>7. Those portions of the ‘cones of vision’ extending over all immediately adjoining property are not considered to be excessive or detrimental in terms of visual privacy impacts and are generally consistent with other similar residential developments approved by the City in the immediate locality.</p> <p>Having regard for all of the above it is contended that those portions of the ‘cones of vision’ extending from the proposed multiple dwelling development on Lot 156 over the adjoining northern property satisfies the ‘design principles criteria’ of Element 6.4.1 of the R-Codes and may therefore be approved by the City and the JDAP.</p>
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5 May 2014

Lakecrest Nominees Pty Ltd
C/- Meyer Shircore & Associates
PO Box 1294
SUBIACO WA 6904

Attention: Doreen Ding

Dear Doreen,

**RE: Proposed Residential Development - 285 West Coast Highway,
Scarborough – ACCESS TO WEST COAST HIGHWAY**

INTRODUCTION & BACKGROUND

This letter is prepared with regards to the Development Application for the proposed residential development comprising 20 unit apartments at 285 West Coast Highway, Scarborough in the City of Stirling.

As shown in Figure 1, the subject site is within the Scarborough Redevelopment Zone in accordance with Scarborough Design Guidelines document (SDG) which makes provision for a Right of Way (ROW) running along the western (rear) boundary of the subject site and three adjoining properties north of the site. The ROW shown in Figure 1 connects at two points on West Coast Highway.

It is Transcore's understanding that City of Stirling with the support of Main Roads WA is seeking to rationalize crossovers to West Coast Highway in accordance with the SDG. The proponents of the development have proposed an alternate access strategy for rationalizing the number of crossovers on West Coast Highway in consideration of a number of site constraints and traffic operational matters which are discussed in this report.

Transcore has been commissioned by Lakecrest Nominees Pty Ltd to provide commentary on the implementation of the rationalised crossover strategy as set out in the SDG and the proposed alternate access strategy with consideration given to traffic operations, practicality of implementation, engineering constraints and land impact.

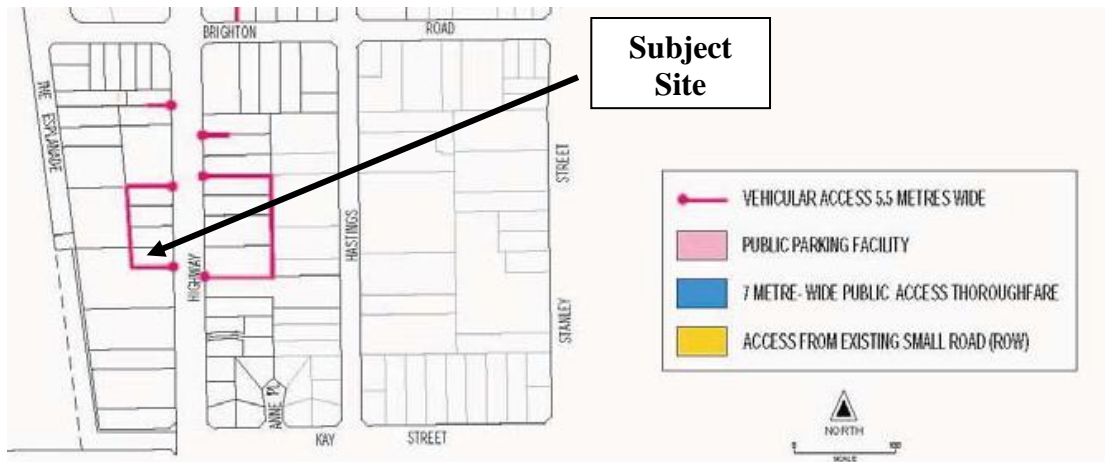


Figure 1: Extract from the Scarborough Design Guideline Area Access and Parking Map

ASSESSMENT & INVESTIGATION

The City of Stirling and Main Roads WA are seeking to rationalize crossovers to West Coast Highway in accordance with the SDG. As detailed in Figure 1, this would entail provision for a Right of Way (ROW) running along the western (rear) boundary of the subject site and three adjoining properties north of the site, and two connections to West Coast Highway. All existing access points between these two connections will be closed.

The proponents of the development have proposed an alternate access strategy for rationalizing the number of crossovers on West Coast Highway. The proposed access strategy as shown in Figure 2 entails a ROW connecting to the end of the Esplanade cul-de-sac, running east, then south along the rear of the three adjacent properties north of the site and the subject site.

The proposed development will set aside 2.75m of land along the rear of the site for the future construction of the proposed ROW. As construction of the ROW requires the cooperation, agreement and redevelopment / implementation of other properties and property owners, it is proposed to maintain direct access to West Coast Highway in the interim until such a time as the rear ROW is constructed. The proposed development car park will be constructed in a way which enables simple reconfiguration of the car park so that access can be transferred from West Coast Highway to the rear ROW in the future.

Plans of the proposed ROW and development car park layout are provided in Appendix A.

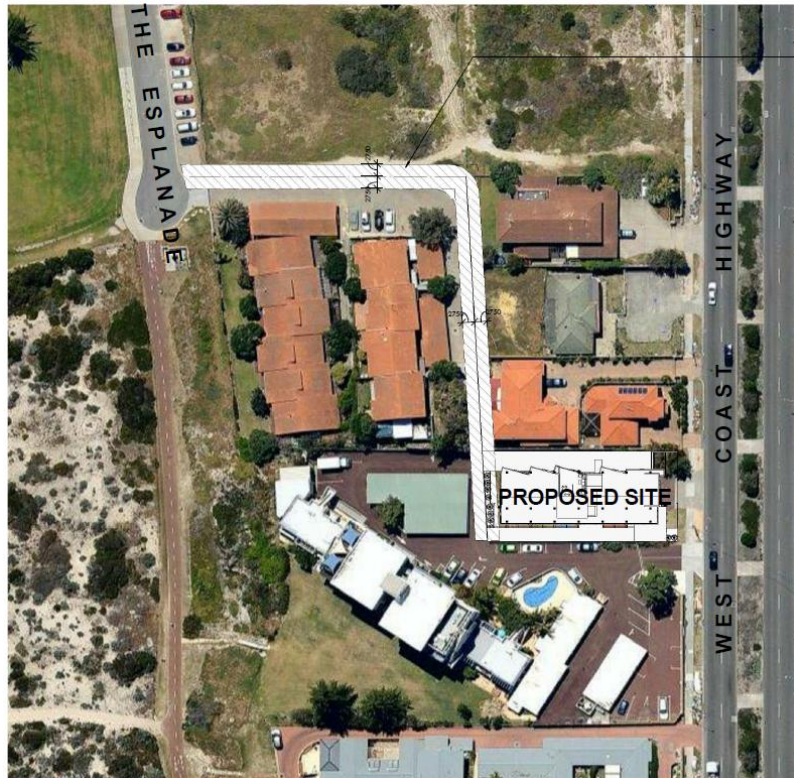


Figure 2: Proposed access rationalisation

A strategic level assessment has been made of both the SDG access ROW arrangement and the proposed alternate access ROW arrangement. The findings of the assessment are presented separately under the following headings.

Traffic Operations

The SDG access arrangement is likely to result in negative impact on the traffic operations along this section of West Coast Highway. As seen in Figure 1, the SDG ROW connects to West Coast Highway at two locations and will serve at least four properties fronting West Coast Highway.

In the best case scenario, the SDG ROW will result in no change in traffic volumes on this section of West Coast Highway, as the same traffic will be generated by the properties regardless of access arrangements. However a reduction in the number of access points on West Coast Highway will result in a greater concentration of traffic at the ROW intersections on West Coast Highway which may result in more congestion, greater potential for rear end collisions and traffic impact on West Coast Highway.

If the proposed access system for the subject site as outlined in Figure 2 is implemented it will result in the eventual removal of all access points on West Coast Highway associated with the subject site and the adjacent three properties. This access arrangement results in a better traffic operations and road safety outcome as there will be no direct traffic movements to and from West Coast Highway in the vicinity of the site.

The existing and SDG access arrangements at the four properties allow for left-in / left-out movements in the northbound direction of traffic on West Coast Highway. Southbound traffic entering the subject site and adjoining properties will need to perform a u-turn at a facility in the median located 200m south of the subject site, and then turn left into the site. Drivers who wish to exit the properties and travel in the southbound direction will need to first turn left and head north, before finding an alternative route or location to turn around and head south on West Coast Highway.

The proposed access ROW connecting to the Esplanade will provide full movement access to and from West Coast Highway via the signalised intersection of Brighton Road and West Coast Highway. Therefore traffic operations are controlled better under the proposed ROW access arrangement as there will be no u-turns performed on West Coast Highway and all traffic movements associated with the properties will be rationalised at the signalised intersection, with no traffic movements in and out of access points along West Coast Highway. Traffic associated with the subject site and other properties will also be able to perform right turns to and from West Coast Highway safely at a signalised intersection which is a significant improvement to the accessibility of the properties.

No significant traffic impact at the signalised intersection of Brighton Road and West Coast Highway would result from the proposed access ROW because most traffic to and from the subject properties would pass through the intersection anyway under the SDG ROW arrangement (with exception to the left-in movement from south along West Coast Highway).

Practicality

As evident from Figure 1, the SDG ROW is to serve four adjacent properties which front onto West Coast Highway. The successful implementation of the ROW will entirely depend on the timing for the redevelopment of each one of these properties and agreement from all parties. If each one of these properties is redeveloped at the same time, then the ROW can be implemented, notwithstanding land impact, engineering and cost implications. However, if each of the properties is redeveloped at different times, which is what is occurring then it will be almost impossible to construct the ROW.

The successful implementation of the SDG ROW is further complicated by the fact that the properties are most likely under different ownership and would require cooperation and agreement from all parties.

These issues are also relevant to the successful implementation of the proposed alternative access ROW. However, individual properties will have less land take under this scenario and will receive a direct benefit with improved vehicular accessibility to and from the properties especially for southbound traffic.

Engineering Consideration

The construction of the SDG ROW entails significant engineering constraints and cost implications. As a result of the difference in levels between adjacent properties, the construction of the SDG ROW may involve significant earthworks along the northern segment of the ROW, which could result in significant cost implications which may render the redevelopment of some properties unviable.

In addition to the difference in levels, observations made on site indicate that there is also thick vegetation along some Lot boundaries and solid masonry walls or fences between the properties. An example photograph showing a masonry wall and vegetation is shown in Figure 3.

Construction of the proposed alternate ROW also entails some engineering constraints, however it is considered that less earthworks and expense will be required for implementation.



Figure 3: Example of thick vegetation and masonry wall along a Lot boundary

Land Impact

The proposed SDG ROW will take 2.75m along the side boundaries of four properties (resulting in 5.5m ROW between each property) and 2.75m at the rear of six properties (resulting in 5.5m ROW between each property) refer to Figure 4 for details. This situation will result in a significant land impact on properties which are relatively small in area and may render the development of the smaller Lots (including the subject site) unviable.

The proposed alternate ROW will take 2.75m along the side boundaries of only two properties and 2.75m at the rear of the same six properties. In addition to less land take from side boundaries, the land take from the side boundaries in this scenario would be from larger Lots for both properties. The smaller properties would still require 2.75m land take along the rear boundaries but no land take would be required along the side boundaries of the smaller Lots. Refer to Figure 5 for details.

This is a more equitable distribution of land take for the subject site as under the SDG ROW arrangement, the subject site would be required to provide 2.75m of land along the rear and side boundaries of the site in comparison to other properties which would only be required to contribute land along a single boundary.

Under the proposed ROW arrangement, smaller properties would require less land take and therefore there would be less impact on the viability of redeveloping the smaller properties.



Side Boundary ———

Rear Boundary ———

Figure 4: Land take required for SDG ROW



Side Boundary

Rear Boundary

Figure 5: Land take required for proposed ROW

CONCLUSIONS

Based on the information available to the writer as presented in this document, it is considered that the implementation of the SDG ROW for the four properties as shown in Figure 1 will not necessarily result in improvement in traffic operations or safety along West Coast Highway. The ROW and its intersections with West Coast Highway will potentially result in additional congestion and increase risk of rear end crashes. The proposed ROW arrangement documented in this letter will rationalise access points on West Coast Highway in a controlled, practical and safe manner.

The SDG ROW is problematic to construct, will involve significant costs and land take and is impractical to a point that may render the redevelopment of some of the smaller Lots unviable.

The proposed alternate ROW arrangement presented by the project proponents results in no future direct crossovers to West Coast Highway, improved traffic operations with right turns to and from West Coast Highway at the nearby signalised intersection of Brighton Road and West Coast Highway and less land take for smaller properties impacted by the ROW.

Yours truly,



Paul Ghantous

Traffic & Transport Engineer

APPENDIX A – PROPOSED ROW AND DEVELOPMENT PLANS



LOCATION PLAN
(PROPOSED FUTURE ACCESS BASEMENT)



LOCATION PLAN
(SCARBOROUGH DESIGN GUIDELINE - FUTURE VEHICULAR ACCESS)

PROPOSED RESIDENTIAL DEVELOPMENT
LOCATION: 125 WEST COAST HIGHWAY, SCARBOROUGH

SK005
APRIL 2014
1 of 10
1: 500 @ A1

7613

mev shircore 50

100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1226-1227-1228-1229-1230-1231-1232-1233-1234-1235-1236-1237-1238-1239-1240-1241-1242-1243-1244-1245-1246-1247-1248-1249-1250-1251-1252-1253-1254-1255-1256-1257-1258-1259-1260-1261-1262-1263-1264-1265-1266-1267-1268-1269-1270-1271-1272-1273-1274-1275-1276-1277-1278-1279-1280-1281-1282-1283-1284-1285-1286-1287-1288-1289-1290-1291-1292-1293-1294-1295-1296-1297-1298-1299-1300-1301-1302-1303-1304-1305-1306-1307-1308-1309-1310-1311-1312-1313-1314-1315-1316-1317-1318-1319-1320-1321-1322-1323-1324-1325-1326-1327-1328-1329-1330-1331-1332-1333-1334-1335-1336-1337-1338-1339-1340-1341-1342-1343-1344-1345-1346-1347-1348-1349-1350-1351-1352-1353-1354-1355-1356-1357-1358-1359-1360-1361-1362-1363-1364-1365-1366-1367-1368-1369-1370-1371-1372-1373-1374-1375-1376-1377-1378-1379-1380-1381-1382-1383-1384-1385-1386-1387-1388-1389-1390-1391-1392-1393-1394-1395-1396-1397-1398-1399-1400-1401-1402-1403-1404-1405-1406-1407-1408-1409-1410-1411-1412-1413-1414-1415-1416-1417-1418-1419-1420-1421-1422-1423-1424-1425-1426-1427-1428-1429-1430-1431-1432-1433-1434-1435-1436-1437-1438-1439-1440-1441-1442-1443-1444-1445-1446-1447-1448-1449-1450-1451-1452-1453-1454-1455-1456-1457-1458-1459-1460-1461-1462-1463-1464-1465-1466-1467-1468-1469-1470-1471-1472-1473-1474-1475-1476-1477-1478-1479-1480-1481-1482-1483-1484-1485-1486-1487-1488-1489-1490-1491-1492-1493-1494-1495-1496-1497-1498-1499-1500-1501-1502-1503-1504-1505-1506-1507-1508-1509-1510-1511-1512-1513-1514-1515-1516-1517-1518-1519-1520-1521-1522-1523-1524-1525-1526-1527-1528-1529-1530-1531-1532-1533-1534-1535-1536-1537-1538-1539-1540-1541-1542-1543-1544-1545-1546-1547-1548-1549-1550-1551-1552-1553-1554-1555-1556-1557-1558-1559-1560-1561-1562-1563-1564-1565-1566-1567-1568-1569-1570-1571-1572-1573-1574-1575-1576-1577-1578-1579-1580-1581-1582-1583-1584-1585-1586-1587-1588-1589-1590-1591-1592-1593-1594-1595-1596-1597-1598-1599-1600-1601-1602-1603-1604-1605-1606-1607-1608-1609-1610-1611-1612-1613-1614-1615-1616-1617-1618-1619-1620-1621-1622-1623-1624-1625-1626-1627-1628-1629-1630-1631-1632-1633-1634-1635-1636-1637-1638-1639-1640-1641-1642-1643-1644-1645-1646-1647-1648-1649-1650-1651-1652-1653-1654-1655-1656-1657-1658-1659-1660-1661-1662-1663-1664-1665-1666-1667-1668-1669-1670-1671-1672-1673-1674-1675-1676-1677-1678-1679-1680-1681-1682-1683-1684-1685-1686-1687-1688-1689-1690-1691-1692-1693-1694-1695-1696-1697-1698-1699-1700-1701-1702-1703-1704-1705-1706-1707-1708-1709-1710-1711-1712-1713-1714-1715-1716-1717-1718-1719-1720-1721-1722-1723-1724-1725-1726-1727-1728-1729-1730-1731-1732-1733-1734-1735-1736-1737-1738-1739-1740-1741-1742-1743-1744-1745-1746-1747-1748-1749-1750-1751-1752-1753-1754-1755-1756-1757-1758-1759-1760-1761-1762-1763-1764-1765-1766-1767-1768-1769-1770-1771-1772-1773-1774-1775-1776-1777-1778-1779-1780-1781-1782-1783-1784-1785-1786-1787-1788-1789-1790-1791-1792-1793-1794-1795-1796-1797-1798-1799-1800-1801-1802-1803-1804-1805-1806-1807-1808-1809-1810-1811-1812-1813-1814-1815-1816-1817-1818-1819-1820-1821-1822-1823-1824-1825-1826-1827-1828-1829-1830-1831-1832-1833-1834-1835-1836-1837-1838-1839-1840-1841-1842-1843-1844-1845-1846-1847-1848-1849-1850-1851-1852-1853-1854-1855-1856-1857-1858-1859-1860-1861-1862-1863-1864-1865-1866-1867-1868-1869-1870-1871-1872-1873-1874-1875-1876-1877-1878-1879-1880-1881-1882-1883-1884-1885-1886-1887-1888-1889-1890-1891-1892-1893-1894-1895-1896-1897-1898-1899-1900-1901-1902-1903-1904-1905-1906-1907-1908-1909-1910-1911-1912-1913-1914-1915-1916-1917-1918-1919-1920-1921-1922-1923-1924-1925-1926-1927-1928-1929-1930-1931-1932-1933-1934-1935-1936-1937-1938-1939-1940-1941-1942-1943-1944-1945-1946-1947-1948-1949-1950-1951-1952-1953-1954-1955-1956-1957-1958-1959-1960-1961-1962-1963-1964-1965-1966-1967-1968-1969-1970-1971-1972-1973-1974-1975-1976-1977-1978-1979-1980-1981-1982-1983-1984-1985-1986-1987-1988-1989-1990-1991-1992-1993-1994-1995-1996-1997-1998-1999-2000-2001-2002-2003-2004-2005-2006-2007-2008-2009-2010-2011-2012-2013-2014-2015-2016-2017-2018-2019-2020-2021-2022-2023-2024-2025-2026-2027-2028-2029-2030-2031-2032-2033-2034-2035-2036-2037-2038-2039-2040-2041-2042-2043-2044-2045-2046-2047-2048-2049-2050-2051-2052-2053-2054-2055-2056-2057-2058-2059-2060-2061-2062-2063-2064-2065-2066-2067-2068-2069-2070-2071-2072-2073-2074-2075-2076-2077-2078-2079-2080-2081-2082-2083-2084-2085-2086-2087-2088-2089-2090-2091-2092-2093-2094-2095-2096-2097-2098-2099-2100-2101-2102-2103-2104-2105-2106-2107-2108-2109-2110-2111-2112-2113-2114-2115-2116-2117-2118-2119-2120-2121-2122-2123-2124-2125-2126-2127-2128-2129-2130-2131-2132-2133-2134-2135-2136-2137-2138-2139-2140-2141-2142-2143-2144-2145-2146-2147-2148-2149-2150-2151-2152-2153-2154-2155-2156-2157-2158-2159-2160-2161-2162-2163-2164-2165-2166-2167-2168-2169-2170-2171-2172-2173-2174-2175-2176-2177-2178-2179-2180-2181-2182-2183-2184-2185-2186-2187-2188-2189-2190-2191-2192-2193-2194-2195-2196-2197-2198-2199-2200-2201-2202-2203-2204-2205-2206-2207-2208-2209-2210-2211-2212-2213-2214-2215-2216-2217-2218-2219-2220-2221-2222-2223-2224-2225-2226-2227-2228-2229-2230-2231-2232-2233-2234-2235-2236-2237-2238-2239-2240-2241-2242-2243-2244-2245-2246-2247-2248-2249-2250-2251-2252-2253-2254-2255-2256-2257-2258-2259-2260-2261-2262-2263-2264-2265-2266-2267-2268-2269-2270-2271-2272-2273-2274-2275-2276-2277-2278-2279-2280-2281-2282-2283-2284-2285-2286-2287-2288-2289-2290-2291-2292-2293-2294-2295-2296-2297-2298-2299-2300-2301-2302-2303-2304-2305-2306-2307-2308-2309-2310-2311-2312-2313-2314-2315-2316-2317-2318-2319-2320-2321-2322-2323-2324-2325-2326-2327-2328-2329-2330-2331-2332-2333-2334-2335-2336-2337-2338-2339-2340-2341-2342-2343-2344-2345-2346-2347-2348-2349-2350-2351-2352-2353-2354-2355-2356-2357-2358-2359-2360-2361-2362-2363-2364-2365-2366-2367-2368-2369-2370-2371-2372-2373-2374-2375-2376-2377-2378-2379-2380-2381-2382-2383-2384-2385-2386-2387-2388-2389-2390-2391-2392-2393-2394-2395-2396-2397-2398-2399-2400-2401-2402-2403-2404-2405-2406-2407-2408-2409-2410-2411-2412-2413-2414-2415-2416-2417-2418-2419-2420-2421-2422-2423-2424-2425-2426-2427-2428-2429-2430-2431-2432-2433-2434-2435-2436-2437-2438-2439-2440-2441-2442-2443-2444-2445-2446-2447-2448-2449-2450-2451-2452-2453-2454-2455-2456-2457-2458-2459-2460-2461-2462-2463-2464-2465-2466-2467-2468-2469-2470-2471-2472-2473-2474-2475-2476-2477-2478-2479-2480-2481-2482-2483-2484-2485-2486-2487-2488-2489-2490-2491-2492-2493-2494-2495-2496-2497-2498-2499-2500-2501-2502-2503-2504-2505-2506-2507-2508-2509-2510-2511-2512-2513-2514-2515-2516-2517-2518-2519-2520-2521-2522-2523-2524-2525-2526-2527-2528-2529-2530-2531-2532-2533-2534-2535-2536-2537-2538-2539-2540-2541-2542-2543-2544-2545-2546-2547-2548-2549-2550-2551-2552-2553-2554-2555-2556-2557-2558-2559-2560-2561-2562-2563-2564-2565-2566-2567-2568-2569-2570-2571-2572-2573-2574-2575-2576-2577-2578-2579-2580-2581-2582-2583-2584-2585-2586-2587-2588-2589-2590-2591-2592-2593-2594-2595-2596-2597-2598-2599-2600-2601-2602-2603-2604-2605-2606-2607-2608-2609-2610-2611-2612-2613-2614-2615-2616-2617-2618-2619-2620-2621-2622-2623-2624-2625-2626-2627-2628-2629-2630-2631-2632-2633-2634-2635-2636-2



Form 2 - Responsible Authority Report

(Regulation 17)

Property Location:	Lot 302, House Number 22, Wheatcroft Street, Scarborough
Application Details:	Nursing Home
DAP Name:	Metropolitan North-West JDAP
Applicant:	Allerding & Associates
Owner:	Regents Garden Scarborough Pty Ltd
LG Reference:	DA13/1057.01
Responsible Authority:	City of Stirling
Authorising Officer:	Ross Povey Director Planning and Development
Department of Planning File No:	DP/13/00425
Report Date:	27 May 2014
Application Receipt Date:	8 April 2014
Application Process Days:	50 days
Attachment(s):	<p>Attachment 1 Development Application Plans</p> <ul style="list-style-type: none"> a. Block Plan (Sheet A-01), date stamped 8 April 2014 b. Level 01 Floor Plan (Sheet A-02), date stamped 23 May 2014 c. Level 02 Floor Plan (Sheet A-03 (1)), date stamped 8 April 2014 d. Level 03 Floor Plan (Sheet A-04 (1)), date stamped 8 April 2014 e. Level 04 Floor Plan (Sheet A-05(1)), date stamped 8 April 2014 f. Level 05 Floor Plan (Sheet A-06 (1)), date stamped 8 April 2014 g. Level 06 Floor Plan / Lower Roof Plan (Sheet A-07) date stamped A-07) h. Upper Roof Plan (Sheet A-08), date stamped 8 April 2014 i. Elevations (Sheet A-09 (1)), date stamped 8 April 2014 j. Elevations (Sheet A-10), date stamped 8 April 2014 k. Sections (Sheet A-11 (1)), date stamped 8 April 2014 l. Sections (Sheet A-12), date stamped 8 April 2014 m. Section Through Under Croft (Sheet SK01), date stamped 23 May 2014 <p>Attachment 2 Aerial Location Plan</p> <p>Attachment 3 Metropolitan Region Scheme (MRS) Zoning Map</p>

	<p>Attachment 4 City of Stirling Local Planning Scheme No. 3 (LPS3) Zoning Map</p> <p>Attachment 5 Applicant Submission dated 2 April 2014</p>
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Recommendation:

That the Metropolitan North-West JDAP resolves to:

1. Accept that the DAP Application reference DP/13/00425 as detailed on the DAP Form 2 dated 8 April 2014 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. Approve the DAP Application reference DP/13/00425 as detailed on the DAP Form 2 date 8 April 2014 and accompanying plans received 8 April 2014 (Attachment 1 refers) in accordance with the provisions of the Local Planning Scheme No. 3, for the proposed minor amendment to the approved Nursing Home at Lot 302, House Number 22 Wheatcroft Street, subject to:

Amended Conditions

1. Parking bays 12 and 13 are to be provided with a modified manoeuvring area to enable vehicles to turn and exit the premises in forward gear, as required by Australian Standard AS 2890.1.
2. The retaining to the rear boundary is to be limited to a maximum top of wall height of 7.30.
3. All conditions and requirements detailed on the previous approval dated 7 August 2013 (DA13/1057 refers) shall remain unless altered by this application.

Amended Advice Notes

4. The applicant is advised that the requirements of condition (d) of the previous approval dated 7 August 2013 (DA13/1057) requires modification to the plans and will need to be compliant prior to the issue of a building permit.

Background:

Insert Property Address:	Lot 302, House Number 22, Wheatcroft Street, Scarborough
Insert Zoning MRS:	Urban
TPS:	Residential R40 (Additional Use - Nursing Home)
Insert Use Class:	Not Applicable
Insert Strategy Policy:	Not Applicable

Insert Development Scheme:	Not Applicable
Insert Lot Size:	4,185m ²
Insert Existing Land Use:	Vacant
Value of Development:	\$12.6 million

The subject site is located in the local municipality of Stirling, and is approximately 12.5km northwest of the Perth CBD. The subject site is bordered by Wheatcroft Street to the west, with Scarborough Beach Road being the nearest cross street, approximately 60m to the south. The surrounding land uses of the abutting properties are predominantly residential; however a Western Power lot zoned Utility abuts most of the eastern boundary of the subject site. Those properties adjacent to Scarborough Beach Road in the immediate locality are zoned Mixed Use and are predominantly developed for a variety of non-residential uses. The intersection of Scarborough Beach Road and West Coast Highway is approximately 500 metres west. (ATTACHMENT 2)

The subject lot is zoned 'Urban' under the Metropolitan Region Scheme (MRS) (ATTACHMENT 3) and 'Residential R40 (Additional Use – Nursing Home)' under the City of Stirling's Local Planning Scheme No. 3 (LPS3) (ATTACHMENT 4).

The land use approved as part of the original application is a Nursing Home. Under LPS3 Nursing Home is defined as:-

"Means premises used for the care and maintenance of the aged or infirm or persons with physical or intellectual disabilities."

By virtue of the site being zoned to allow for a Nursing Home as an Additional Use, clause 4.5 of LPS3 allows this land use "as of right". The Additional Use element of the zoning is conditional on the following (refer Schedule 2 of LPS3):

"Notwithstanding clause 5.3.1 of the City's Local Planning Scheme No. 3, any nursing home is to be developed generally in accordance with the concept plan submitted."

It is understood that this condition was imposed to enable the Nursing Home to develop to a density consistent with the concept plan submitted with the Scheme Amendment No. 11, rather than the R40 density. It essentially overrides clause 5.3.1 of LPS3, which states as follows:

"Except as otherwise required in the Scheme or a Local Planning Policy, non-residential development within the Residential Zone is to comply with the requirements of the relevant R-Codes of the Residential Design Codes."

The concept plan endorsed as part of Scheme Amendment No. 11 proposed a nursing home development with a minimum front setback of 3.375m, a building height of four (4) storeys plus undercroft level, and a plot ratio of 0.76. The plans were in keeping with the provisions for an R80 residential development which permits a plot ratio of 1:1, a front setback of 2m and a maximum height of 12m to the external walls (up to four (4) storeys). The reports presented to Council at the time dated 30 August 2011 and 21 February 2012 (ATTACHMENT 12 refers) acknowledged that there are currently no nursing homes within Scarborough and that the land use would therefore be a welcome addition to the locality.

Conditional approval for a Nursing Home on the subject site was issued by the North-West JDAP on 7 August 2013. The development application (DA13/1057 refers) proposed the construction of a Nursing Home. The works approved as part of the North-West JDAP's original approval are summarised as follows:

- 105 residential care units spread over 2 wings on four different levels;
- Incidental services for nursing home residents are located on the First Level including a cinema, gymnasium, banquet hall, spa / massage, and hair salon;
- Communal areas for nursing home residents are located on all levels and comprise dining rooms, lounges, craft and hobby rooms, library / computer rooms, and sun rooms / balconies;
- A communal outdoor garden is located on the first level, as well as a conservatory and decked landscaped garden on the roof level;
- Essential operational facilities for nursing home staff, including the kitchen, laundry, staff rooms, offices and meeting rooms; &
- Parking for 42 vehicles is provided across two levels.

Details: outline of development application

The subject development application seeks consideration of amendments to the previously approved development. The amendments are outlined in detail in the Comments section of this report, however can be summarised as follows:

- Ceiling height of the basement level has been increased by 390mm to achieve adequate clearance height for ambulances;
- Finished floor levels for all storeys have been increased by 390mm due to the additional ambulance clearance height to the basement level;
- As a result, modifications to the previously approved building height are proposed;
- Modification to the internal vehicular accessways, including deletion of the internal driveway connection between the central crossover and the northern crossover;
- Modifications to retaining levels; and
- Various modifications to the setback of the building across all levels.

A detailed analysis of all changes is outlined in the Comments section of this report.

Legislation & policy:

Legislation

- Planning and Development Act 2005
- Metropolitan Region Scheme (MRS)
- Local Planning Scheme No. 3 (LPS3)

State Government Policies

- State Planning Policy 3.1 – Residential Design Codes 2013

Local Policies

The following Local Planning Policies are applicable to the subject site and were relevant in the Development Assessment Panel's consideration of the approved development:

- Local Planning Policy 2.6 – Residential Building Heights
- Local Planning Policy 2.7 – Streetscapes
- Local Planning Policy 6.2 – Bicycle Parking
- Local Planning Policy 6.7 – Parking & Access
- Street Trees Policy

Consultation:

Public Consultation

Public consultation was undertaken as part of the original application. Further consultation was not deemed necessary as part of the Form 2 application.

Consultation with other Agencies or Consultants

Consultation with other external Agencies or Consultants was not undertaken as part of the assessment.

The original application was reviewed by the City's Health & Compliance, City Planning, and Engineering Design Business Units, however due to the minor nature of the amendments referral of the modified proposal was not necessary.

Planning assessment:

The development has been assessed against the City of Stirling's Local Planning Scheme No. 3 (LPS3) and relevant local planning policies. It should be noted that LPS3 provides guidance in respect to zoning and objectives of zones, however, more specific development standards are provided in relevant local planning policies.

The granting of the existing approval required the Metro North-West JDAP to exercise its discretion in respect to a number of matters, including:

- Street Tree Removal
- Bicycle Parking
- Building Height
- Street Fencing
- Residential Design Codes:
 - Building Size
 - Street Setbacks
 - Side & Rear Setbacks
 - Site Works
 - Visual Privacy

The proposed modifications are considered minor and not expected to exacerbate the extent of the discretionary decision that has previously been made in any substantive way. The amendments are generally minor in nature and intended to enhance the functionality of the development rather than intensify the land use or modify the built form as viewed from the exterior.

The table below outlines the proposed modifications.

PROPOSED CHANGE	OFFICER COMMENT	COMPLIES?
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PROPOSED CHANGE	OFFICER COMMENT	COMPLIES?
<p>Finished floor levels modified to allow for an addition 390mm clearance to the Level 1 ceiling, as follows:</p> <ul style="list-style-type: none"> Level 2 (ground floor) was 7.30, now 7.69; Level 3 was 10.90, now 11.29; Level 4 was 14.50, now 14.89; Level 5 was 18.10, now 18.49; and Rooftop level was 21.65 / 21.70, now 22.04 / 22.17 / 22.27. 	The FFL changes have resulted in the overall height of the building being modified. The building height implications are discussed in further detail below.	No
Overall building height has been increased by up to 800mm due to the finished floor level changes.	Building height is discussed in further detail below.	No
Front setback increased slightly.	The proposed modification has no adverse planning implications as the front setback is greater than previously approved, having the effect of bringing the development closer to compliance compared to the previous approval.	Yes
Setbacks to all adjoining lot boundaries have been modified.	Setbacks are discussed in further detail below.	No
Top of wall levels of retaining to the rear boundary have been modified. Relative levels to the rear have also been modified to suit.	Retaining to the rear boundary is discussed in further detail below.	No
Internal driveway has been deleted, with a children's playground provided instead.	The proposed modification has no adverse planning implications. The deletion of the internal driveway and provision of a greater extent of landscaping and a larger playground will contribute to an improved amenity for the occupants of the development and the streetscape.	Yes
Relative levels of northern driveway have been increased.	The proposed modification has no adverse planning implications. The modifications to the driveway levels are considered to be an improvement as they more appropriately reflect the natural ground level at the property frontage.	Yes
Basement services area increased in size to accommodate 2 x water tanks, a garden store, comms room, workshop, and increased lobby area to the lifts.	No planning implications.	Yes
Level 2 plant room relocated – was to the east of Staircase 2, now is	No planning implications.	Yes

PROPOSED CHANGE	OFFICER COMMENT	COMPLIES?
attached to the west of the main building.		
Level 3 balconies to the northern boundary have been slightly increased in size due to the removal of the indented portions.	The minimum setback of the proposed balconies is consistent with that approved as part of the original application.	Yes
Booster location changed - relocated a little further north.	No planning implications.	Yes
Solar hot water units added to rooftop.	No planning implications as solar systems are exempt from requiring development approval under LPS3.	Yes
Retaining wall on the western elevation on the northern side of the southern driveway has been setback to the building line.	This modification was required to satisfy condition (r) of the original planning approval. No planning implications.	Yes
Modified manoeuvring area for parking bays 12 and 13.	The manoeuvring area is not in accordance with Australian Standard AS 2890.1. A reversing area width of only 4.4m has been provided, which prevents vehicles from exiting the car park in forward gear. It is recommended this be resolved by imposing a condition requiring a compliant manoeuvring area being provided as part of the building permit plans. It is acknowledged that this condition may result in modifications being required to other structures on the undercroft level, however such modifications are not expected to have any planning implications.	Yes, subject to condition.
Modifications to the level of excavation at the rear of the site.	No planning implications.	Yes
Various minor modifications to the internal layout of the development.	No planning implications.	Yes
Minor changes to window sizes and locations.	No planning implications.	Yes

Building Height

Although the proposed development remains a 4 storey (plus undercroft) proposal, the overall height of the building has been modified. The overall building height was previously approved with a maximum relative level of 25.60, however that has increased by 650mm, to a maximum of relative level of 26.40.

The application has provided the following comments in relation to the building height:-

The proposed modification to the undercroft level has been designed to limit the resulting overall increase in building height by varying roof design and presentation.

The concept plans endorsed by Council as part of the scheme amendment formed the basis for the future design and scale of the development which included a five storey building with undercroft. The concept plans included a "U" shaped building surrounding a central pick-up/drop-off driveway consistent with the approved plans, but included a pitched roof design with gable feature. The overall building height of the endorsed concept plans was 22.4m. (refer note below)

The approved plans employed a similar building footprint and floor layout, however the roof design was modified to include two skillion roof structures angled to achieve greater northern sunlight penetration. The roof design also incorporated other ancillary structures including conservatory room and outdoor deck. The result of the updated design was a contemporary built form presentation which maintained the overall form and scale of the building. The approved plans did however result in an overall lower maximum height to the concept plans endorsed by Council.

The modified plans, as proposed, have maintained the maximum building height of 21.9m by lowering the height of the skillion roof. The lowering of the roof structure will address any increase in building bulk as a result of the increased undercroft level. Visually, the skillion roof structure and ancillary structures form a significant element of the building design and therefore the proposed reduction in roof height would be visually equivalent to any reduction in height of the top floor level. With the exception of the undercroft level, all floor height levels either remain the same or have been reduced.

(Note: It is unclear from which point the building heights referenced in the applicants submission have been measured from, hence why the City will only reference height as it relates to relative level to ensure consistency. This explains any inconsistency between the heights referenced by the applicants and the heights provided by the City in this report.)

As part of the rezoning of the subject site, Council endorsed a building height consistent with that approved as part of the original application. An extract from the Council report states the following:

"The concept plans indicates that the northern most portion of the building proposes a height of four (4) storeys, with southern most portion of the building proposing five (5) storeys including an undercroft carport. The proposed height is considered acceptable as the existing drainage site which lies to the south and to the east of the site will aid to minimise the impact that the proposed nursing home may have upon nearby residential properties in terms of building height and overshadowing. The recommendation that a condition be placed upon the additional use component of the zoning require that any nursing home is to be developed in accordance with the concept plan submitted will ensure that the height of the building does not exceed that indicated in the concept plan."

It is clear that through the process of the rezoning, Council supported a building height of four (4) storeys (five (5) including undercroft) as being suitable on the

subject site when developed consistent with the concept plan. When they did so, it is reasonable to suggest that the building height was at that time deemed to be consistent with the objectives of the Policy.

The proposed building modifications are minor and do not change the nature of the development, in that it is still four (4) storeys plus undercroft. The proponents have endeavoured to integrate the raised floor level by reducing the height of the skillion roof features and ancillary structures to the roof level. The proponents suggest that the building height has been reduced to compensate for the increased finished floor level, however this was not entirely evident in the plans submitted. Whilst the height of much of the building is still within the previously approved relative level of 25.60, there are parts that do protrude higher than this, up to a maximum of 26.40.

Notwithstanding this additional height, it is considered that the difference in height between the approved and proposed plans is negligible and likely to be of no external impact. Where the height does exceed the previously approved relative level of 25.60, it is only for a small section located central to the development. It is therefore argued that the proposal continues to conform with the objectives of the Residential Building Heights Policy under which the previously approved height was considered, as follows:-

- *“To ensure that the height of buildings are consistent with the desired scale in a given locality; and*
- *To ensure that the height of a building does not overly impact on the streetscape or on neighbouring properties.”*

As outlined in the original Responsible Authority Report, it is noted that the subject site is in close to a Mixed Use precinct located along Scarborough Beach Road, approximately 60m to the south. Clause 5.3.2 of LPS3 specifies that a coding of R80 applies to residential components of developments within a Mixed Use precinct, which would afford development of a comparable building height (12m, which is the equivalent of 4 storeys) to occur on those nearby properties. The development is therefore considered to be consistent with the expected building height of those properties to the south whilst still allowing for an appropriate transition between that Mixed Use land and the Residential R40 land to the north.

In view of the above, the proposed building height modifications are considered to meet the objectives of the Policy as well as the condition of the zoning.

Setbacks

The subject application seeks to modify the following setbacks, as compared to the original approval:

- Eastern Boundary:
 - On the level 2 eastern façade there was previously a section of wall 5.4m in length setback 2.485m from the boundary. The extent of the length of wall setback 2.485m has now been increased to 12.3m. The remaining wall length of approx. 13.5m has been provided with an increased setback of 3.49m (previously 3.285m).
 - The southernmost lift shaft has been provided with a reduced setback on all levels. Was previously 6.05m, now 5.515m.
 - Levels 2, 3, 4 and 5 were previously provided the south-eastern common lounge and dining area wall with a setback of 1.755m /

- 2.355m to the eastern boundary. These setbacks have now been reduced to 1.65m for the entirety of this wall.
 - The southernmost “Landscaping Green Roof Garden” on the rooftop level was previously provided with a setback of 7m to the eastern boundary. This setback has now been reduced to 6.5m.
- Northern Boundary:
 - The level 2 northern boundary setback of the Kitchen wall has been increased from 4.915m to 5.75m
 - The face of the wall (i.e. excluding the balcony) to Levels 3, 4 and 5 were previously provided with a setback of 6.215m to the northern boundary. These setbacks have now been reduced to 6.045m.
 - The balconies to Levels 3, 4 and 5 were previously provided with a minimum setback of 5.15m to the northern boundary. These setbacks have now been reduced to 4.965m.
- Southern Boundary:
 - A small portion of wall on Levels 2, 3, 4 and 5 which previously approved with a setback of 10.21m has been reduced to 10.035m.

The application has provided the following comments in relation to the setback modification of the lift shaft on the eastern elevation:-

The building design includes an elevator shaft tower on the eastern elevation containing two elevator wells and other ancillary rooms associated with the eastern lounge areas on each floor of the building. The approved plans, date stamped 7 August 2013, show the southern portion of the elevator shaft tower partially set in approximately 0.6m from the eastern façade. It is understood that the rationale for this design was to accommodate two elevators, each of different configuration. It is noted that at the time the approved plans were prepared, an elevator contractor had not been appointed. It is understood that the modified plans incorporate elevators which have been designed in accordance with the elevator contractor’s design and therefore the location and configuration has been partially adjusted. It is also noted that the size of the two elevators have been significantly rationalised which provides for a more convenient and efficient design outcome.

The proposed modification seeks to vary the Deemed-to-comply provisions of Part 6.1.4 of the Residential Design Codes for lot boundary setbacks. It is noted however that the JDAP Form 1 – Responsible Authority Report dated 26 July 2013 did not provide reference to that section of lift shaft wall set in from the eastern elevation. The report quoted a setback of 5.515m setback from the lift shaft wall to the eastern property boundary. It is noted that while the boundary setback of the approved lift shaft wall does not meet the Deemed-to-comply provisions of the Codes, the proposed modification does not seek any further reductions to the 5.515m setback as considered in the 26 July 2013 report and approved. It simply modifies the wall so that the entire lift shaft wall is setback 5.515m from the eastern elevation.

As the approved plans and proposed modification do not meet the Deemed-to-comply provisions of the Codes, the following Design principles must be considered:

- P4.1 Buildings set back from boundaries or adjacent buildings so as to:
 - Ensure adequate daylight, direct sun and ventilation for buildings and the open space associated with them;

- *Moderate the visual impact of building bulk on a neighbouring property;*
- *Ensure access to daylight and direct sun for adjoining properties; and*
- *Assist with the protection of privacy between adjoining properties.*

The rationalised elevator design has resulted in the eastern elevation now presenting as a flat wall which will improve the aesthetic appearance of this component of the building. In some instances articulation of a façade can improve the visual appearance of a building and reduce visual bulk. However in this case the complete eastern elevation of the building is highly articulated and the proposed elevator shaft wall will therefore present as a clean façade to complement this elevation.

With regard to the bulk and scale of the building and the visual impact from neighbouring properties to the east, it is noted that the elevator shaft tower is located directly adjacent to the Water Corporation compensating basin. Notwithstanding the abutting non-residential land use, the structure will still be visible from the neighbouring residential properties. However, from a visual perspective it is considered that the proposed 0.6m reduction in setback will have no significant impact of the visual bulk of the building from neighbouring properties, when considered against the overall scale of the approved building. It is not considered that the proposed modification will have any impact on access to daylight or direct sun on adjoining properties.

The proposal does predominantly seek to increase the extent of the setback variations approved as part of the Metro North-West JDAP's previous decision. Further consideration of how the proposal satisfies the design principles of clause 6.4.1 of the R-Codes, as outlined above, is therefore necessary.

The major changes to the setbacks of the development from the eastern and southern boundaries have been contained to where the development abuts the adjoining Water Corporation lot, which is currently used as a drainage sump. Based on the existing statutory planning framework, the setbacks as proposed therefore have no potential to affect any private habitable spaces. Therefore, notwithstanding the unfavourable orientation, the setbacks abutting these sites are not expected to have an adverse impact in relation to direct sun access, ventilation, building bulk, or privacy.

At their northernmost extent, it is acknowledged that the setbacks to the eastern boundary abut an adjoining residential property (Lot 190 Joyce Street). This property contains two grouped dwellings, and consideration of the potential impact of the setback variations upon the rear dwelling, known as House Number 35A Joyce Street, needs to occur. A review of the plans of that dwelling (B88/1771 refers) indicates the dwelling has a setback of 3m from the subject boundary. By virtue of its narrowness, as well as the fact that this setback area is not directly accessible from any habitable spaces, this space is unlikely to be used for any outdoor living purpose. It is noted that the rear elevation of the dwelling does contain one major opening, being a kitchen window. However given the single storey nature of the dwelling and the wide eave overhang, the setback variations of the proposed development are unlikely to be visible from within the dwelling. Furthermore given the favourable orientation, the development is unlikely to impact upon direct sun access until late in

the afternoon – even so, a compliant development would be expected to have a comparable impact. Neighbour comments from the owners of Lot 190 were sought by the City as part of the original application, however no comments were received. Given the minor nature of the proposed setback modifications as they relate to this particular adjoining property, further consultation was not considered necessary as part of the Form 2 assessment process.

The setback modifications to the northern boundary are minor, and unlikely to be evident in comparison to the current approval once constructed. By virtue of the favourable orientation, the development will have no impact in relation to direct sun access. The setbacks from the adjoining dwellings to the north are substantial enough to allow for adequate ventilation between the sites, particularly as the natural ground level and proposed finished levels of the subject site are considerably lower than the level of the adjoining property to the north (Lot 221). The northern façade is highly articulated so is not expected to have an adverse impact in relation to building bulk. Neighbour comments from the owners of Lot 221 were sought by the City as part of the original application, however no comments were received. Given the minor nature of the proposed setback modifications as they relate to this particular adjoining property, further consultation was not considered necessary as part of the Form 2 assessment process.

Retaining

The subject application seeks to modify the following elements of retaining, as compared to the original approval:

- The retaining to the eastern (rear) boundary was approved with a Top of Wall (TOW) height of 7.30 and ground level of 7.20. The development now proposes a TOW level of up to 7.65.

The applicant has provided the following comments in relation to the retaining wall modifications:-

The approved plans provide a 30m long retaining wall along the eastern boundary of the subject site which terminates at the northern boundary. The retaining wall is located on the common boundary of Lot 190 (No. 35) Joyce Street, Scarborough which is currently occupied by a residential dwelling.

The proposed modification to the height of the undercroft level has resulted in the requirement to increase a portion of the retaining wall on the common boundary of Lot 190. The modification will result in an increase of 0.35m of retaining wall which will occur in the south-western corner of the neighbouring property at Lot 190. Lot 190 current contains two dwelling, one being situation in the rear portion of the site near the western (rear) lot boundary. The position of the modified retaining wall has been off-set from the location of the dwelling. It is considered that the proposed modification will have limited impact on the visual amenity of Lot 190 in the context of the overall visual presentation of the building.

The original application approved retaining to the rear with a TOW of 7.30, which equated to fill of up to 2.1m where it abuts the Water Corporation lot, and 1.7m where it abuts the adjoining residential lot. This was previously deemed to meet the design principles of clause 6.3.6 of the R-Codes, as follows:

P6.1 Development that considers and responds to the natural features of the site and requires minimal excavation/fill.

P6.2 Where excavation/fill is necessary, all finished levels respecting the natural ground level at the boundary of the site and the adjoining properties and as viewed from the street.

The development proposes an additional 350mm of fill, which equates to 2.45m abutting the Water Corporation lot and 2.05m abutting the adjoining residential lot.

The proposed modification is, in the City's opinion, an unreasonable impact upon the adjoining residential property. It is considered that design solutions do exist which can ensure retaining is limited to the extent approved as part of the original application. The 350mm level difference can be built into the development. The rear setback area is only associated with an adjacent kitchen and laundry, and regular access is not required between these indoor spaces and the corresponding outdoor space. Reducing the extent of fill so that it is consistent with that previously approved is therefore not expected to have an adverse impact on the functionality of these adjoining spaces.

It is noted that the fence on top of the retaining wall is still shown as 1.5m, whereas condition (d) of the original approval included a condition requiring this to be a minimum of 1.6m for visual privacy reasons, as follows:

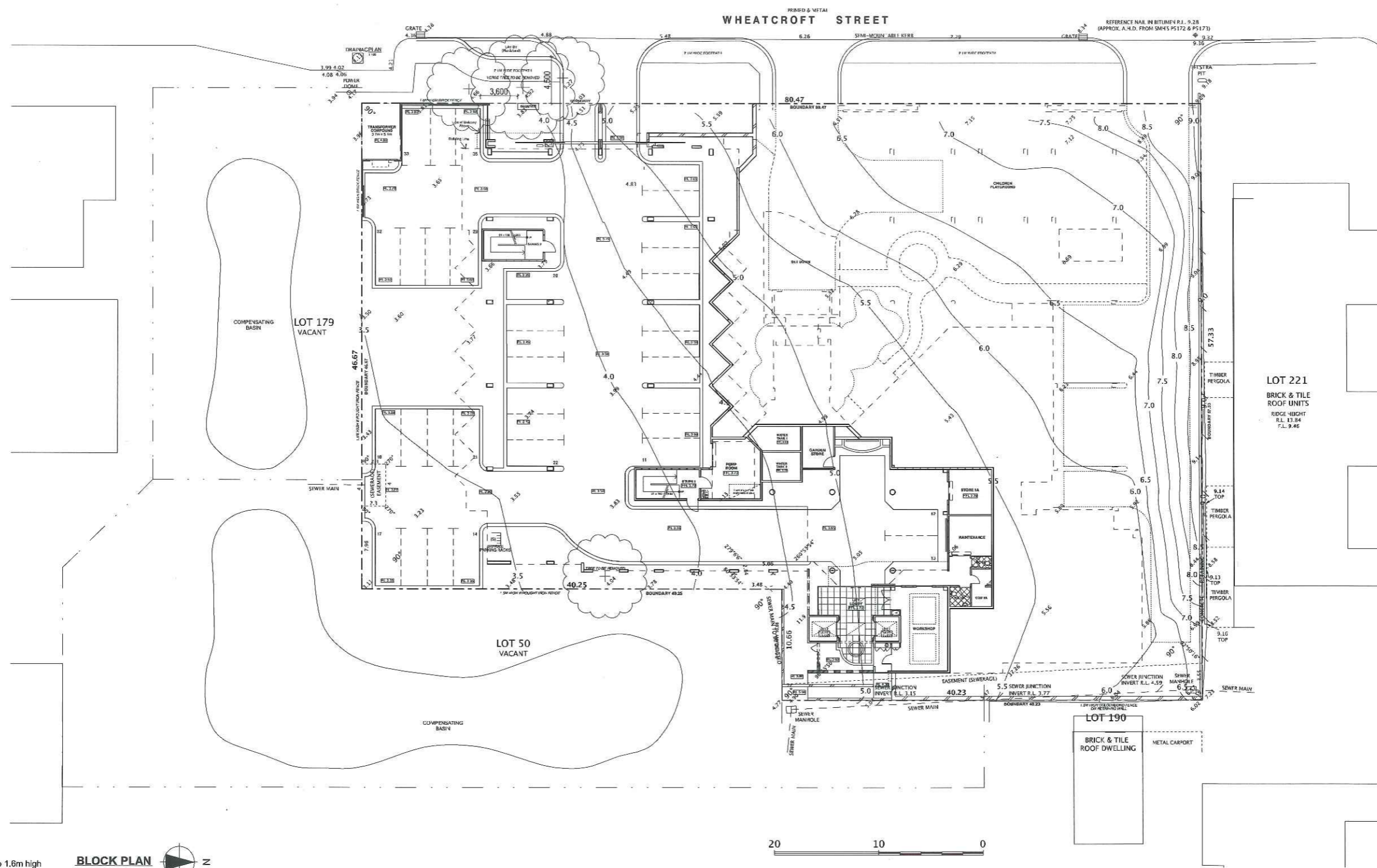
The proposed colorbond fencing to be erected on the eastern boundary abutting adjoining Lot 190, House Number 35, Joyce Street, is to be a minimum height of the 1.6m from the top of the proposed retaining wall.

It is recommended that an advice note be imposed reminding the applicant of their obligations to comply with this condition and incorporate the change as part of the building permit plans to ensure compliance.

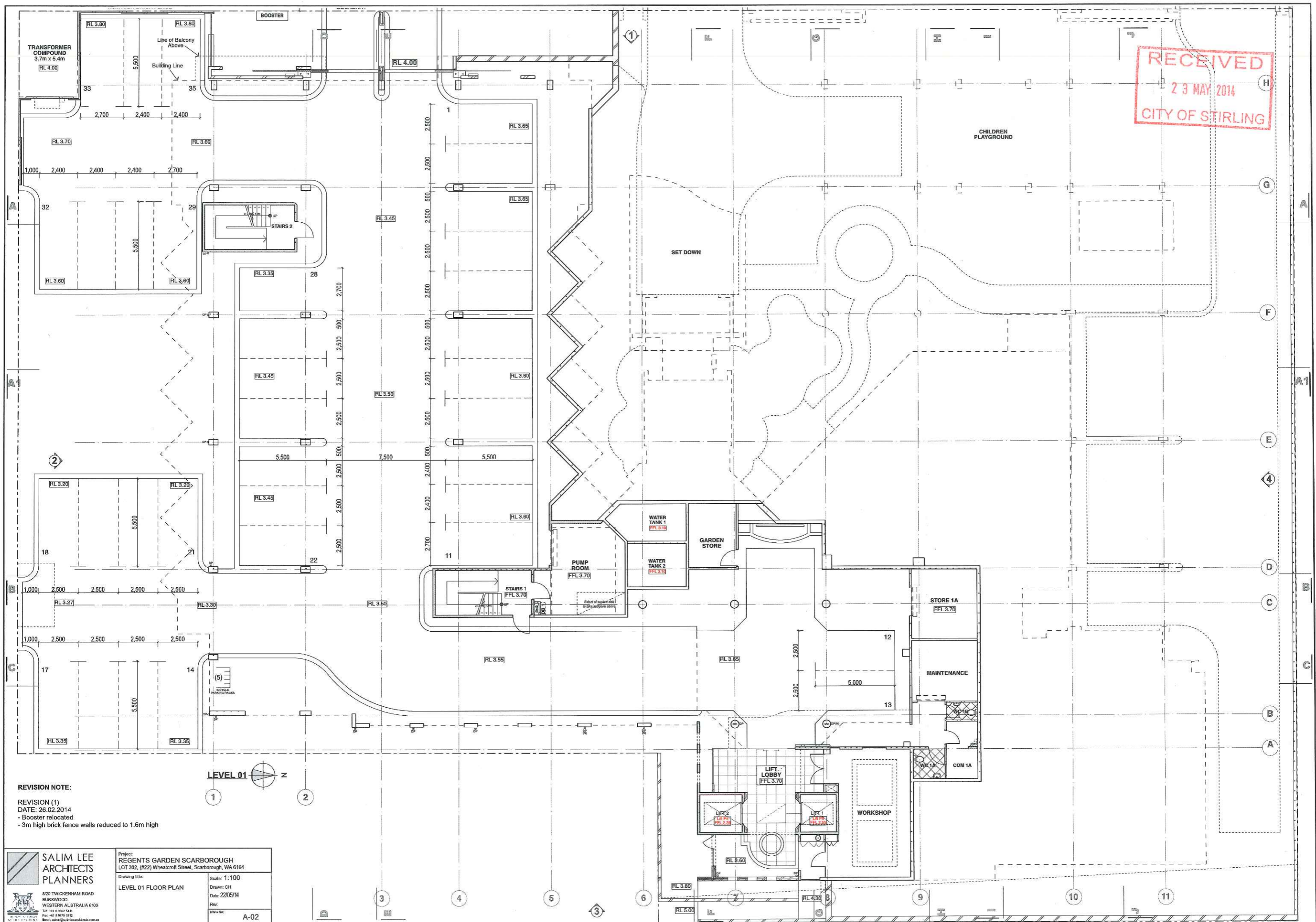
Conclusion:

The proposed amendments to the original development approval are generally consistent with the relevant statutory planning provisions and original approval. Those elements that are not acceptable to the City can be conditioned to achieve a satisfactory outcome. Accordingly the development application is recommended for approval subject to the proposed amended conditions and advice notes.

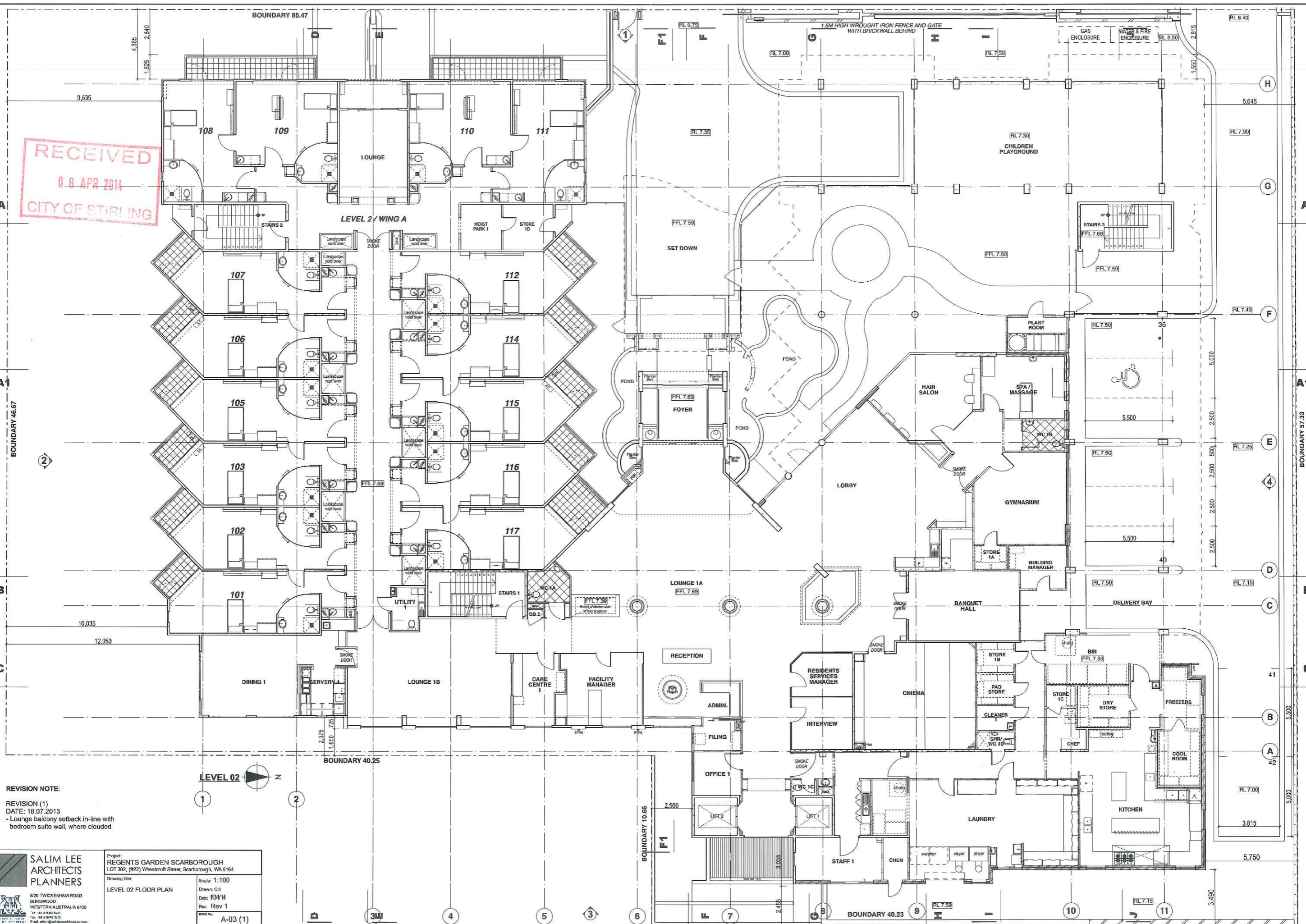
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08 APR 2014
CITY OF STIRLING



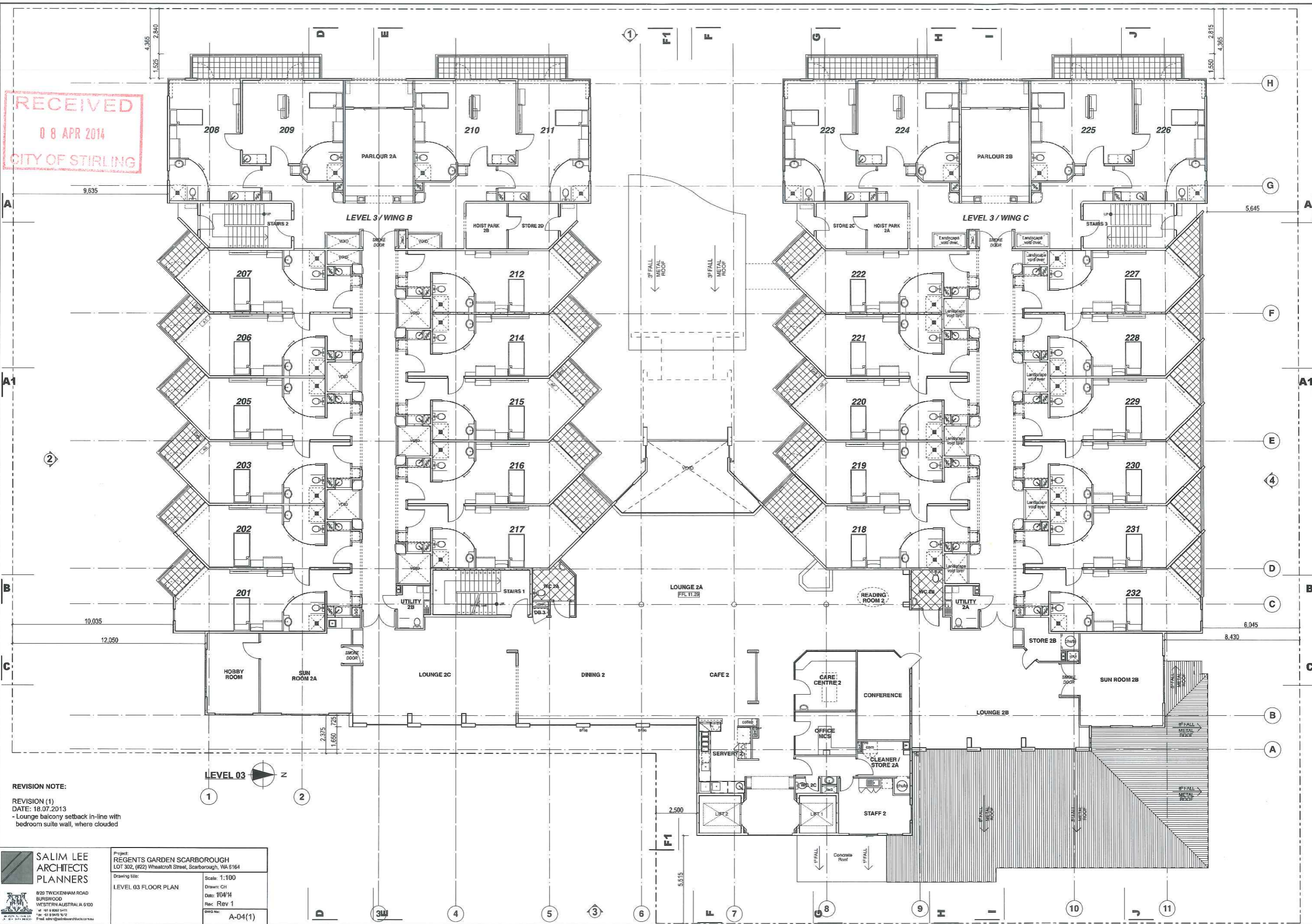
RECEIVED
23 MAY 2014
CITY OF STIRLING



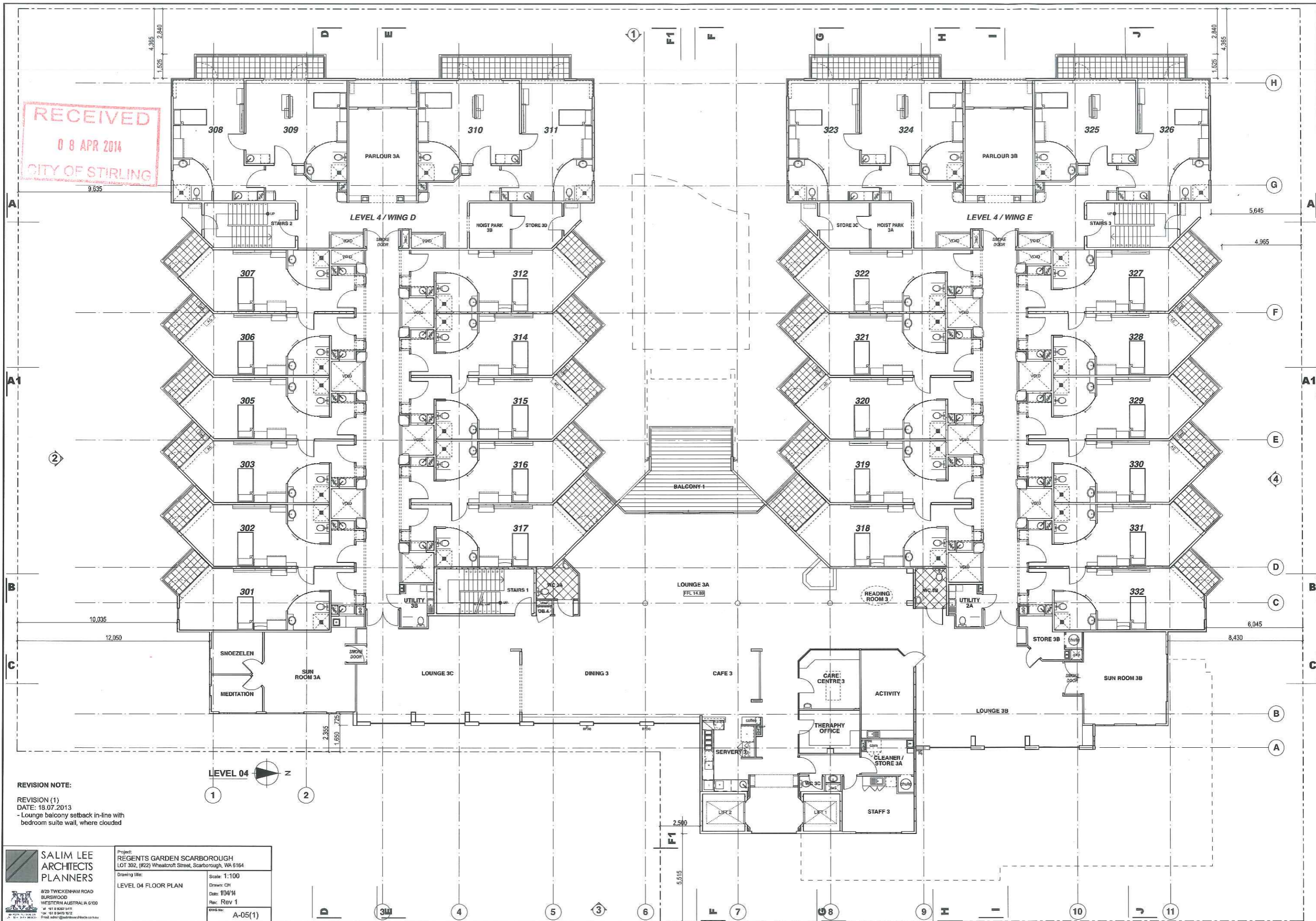
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CITY OF STIRLING



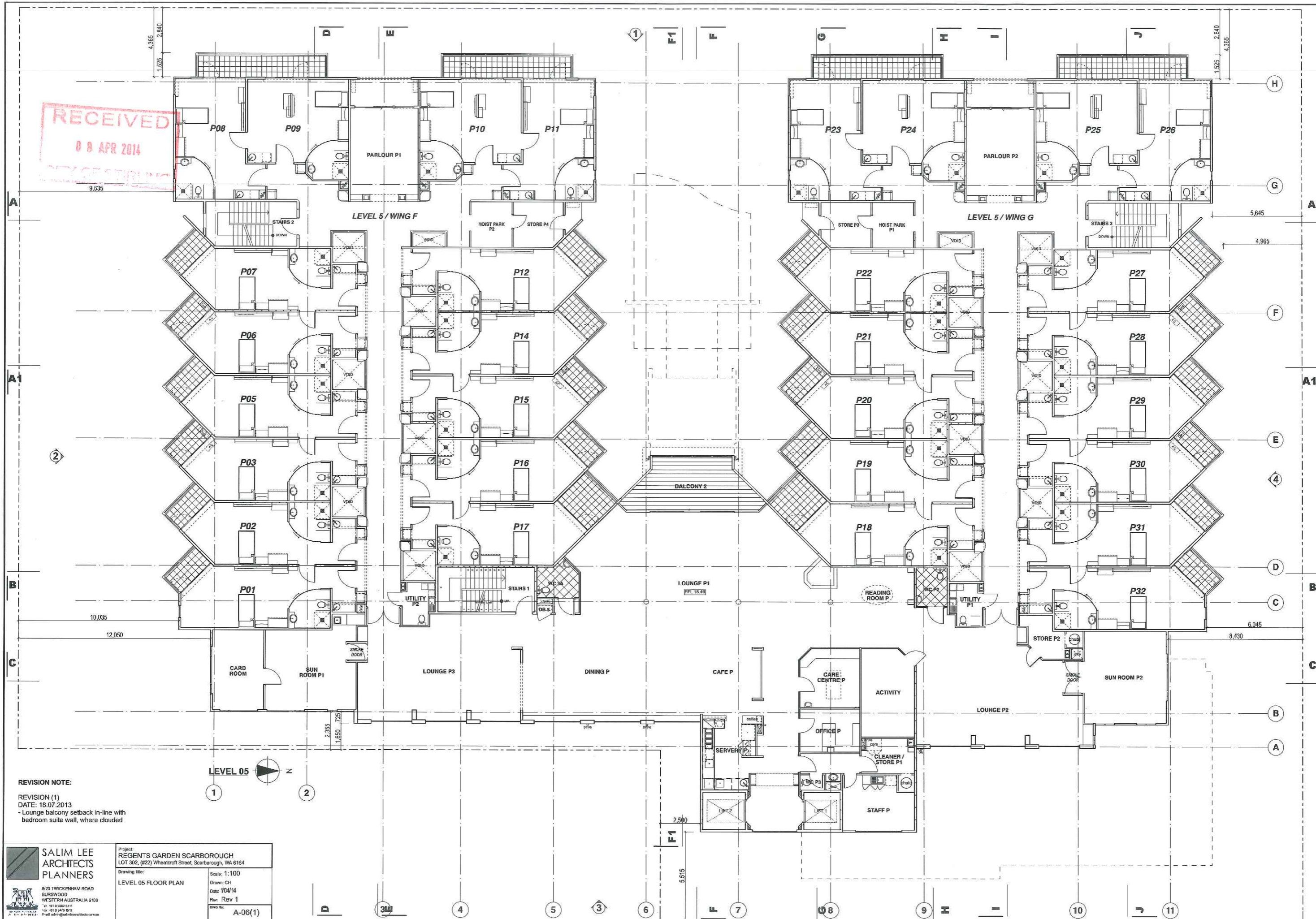
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REVISION NOTE:

REVISION (1)
DATE: 18.07.2013
- Lounge balcony setback in-line with
bedroom suite wall, where clouded

	Project: REGENTS GARDEN SCARBOROUGH LOT 302, (R22) Wheatcroft Street, Scarborough, WA 6164	
	Drawing title: LEVEL 05 FLOOR PLAN	Scale: 1:100
		Drawn: CH Date: 10/4/14 Rev: Rev 1
	DWG No: A-06(1)	

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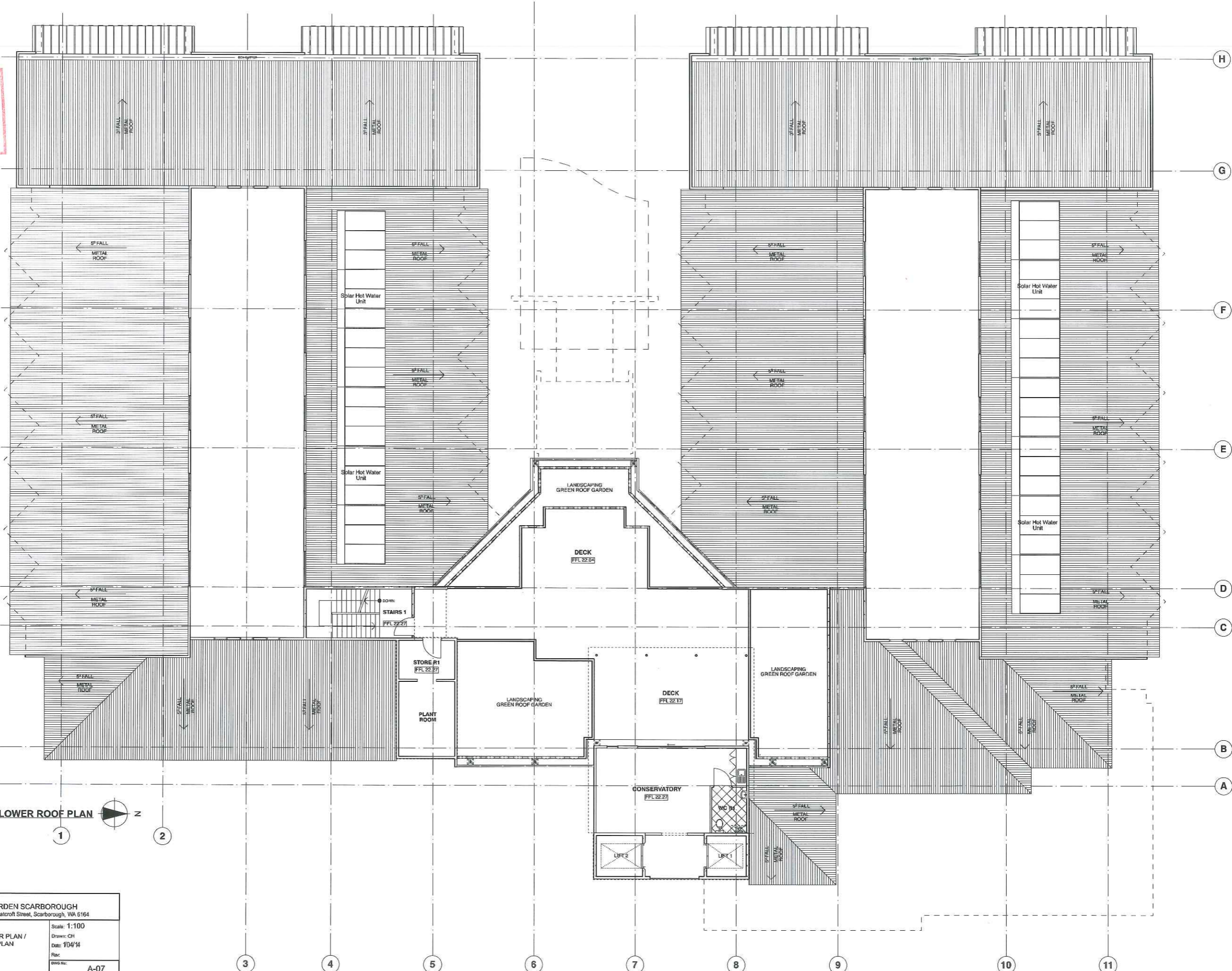
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08 APR 2014
CITY OF STIRLING

LEVEL 06 / LOWER ROOF PLAN

**SALIM LEE
ARCHITECTS
PLANNERS**

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Email: admin@salimleearchitects.com.au

Project:
REGENTS GARDEN SCARBOROUGH
LOT 302, (122) Wheatcroft Street, Scarborough, WA 6164
Drawing title:
LEVEL 06 FLOOR PLAN /
LOWER ROOF PLAN
Scale: 1:100
Drawn: CH
Date: 10/4/14
Rev:
DWG No: A-07



RECEIVED
08 APR 2014
CITY OF STIRLING

UPPER ROOF PLAN

10 5 4 3 2 1 0

**SALIM LEE
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Project:
REGENTS GARDEN SCARBOROUGH
LOT 302, (#22) Wheelcroft Street, Scarborough, WA 6164

Drawing title:
UPPER ROOF PLAN

Scale: 1:100

Drawn: CH

Date: 10/4/14

Rev:

Drawn by:

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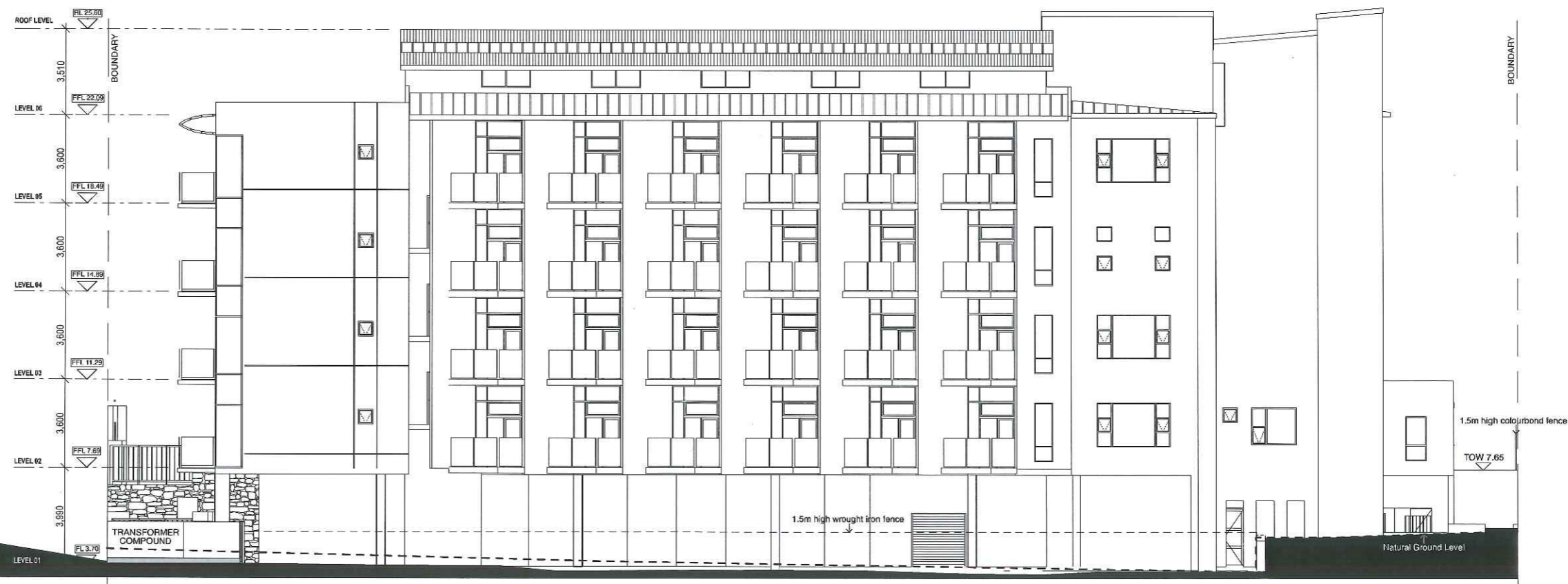
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08 APR 2014

CITY OF STIRLING



WEST ELEVATION (WHEATCROFT STREET)



REVISION NOTE:

REVISION (1)
DATE: 18.07.2013
- Lounge balcony setback in-line with
bedroom suite wall, where clouded



SALIM LEE
ARCHITECTS
PLANNERS

8/20 TWICKENHAM ROAD
BURSWOOD
WESTERN AUSTRALIA 6100
P: +61 8 9350 5411
F: +61 8 9419 1512
E: admin@salimlee.com.au

Project:
REGENTS GARDEN SCARBOROUGH
LOT 302, (#22) Wheatcroft Street, Scarborough, WA 6164

Drawing title:
ELEVATIONS

Scale: 1:100

Drawn: CH

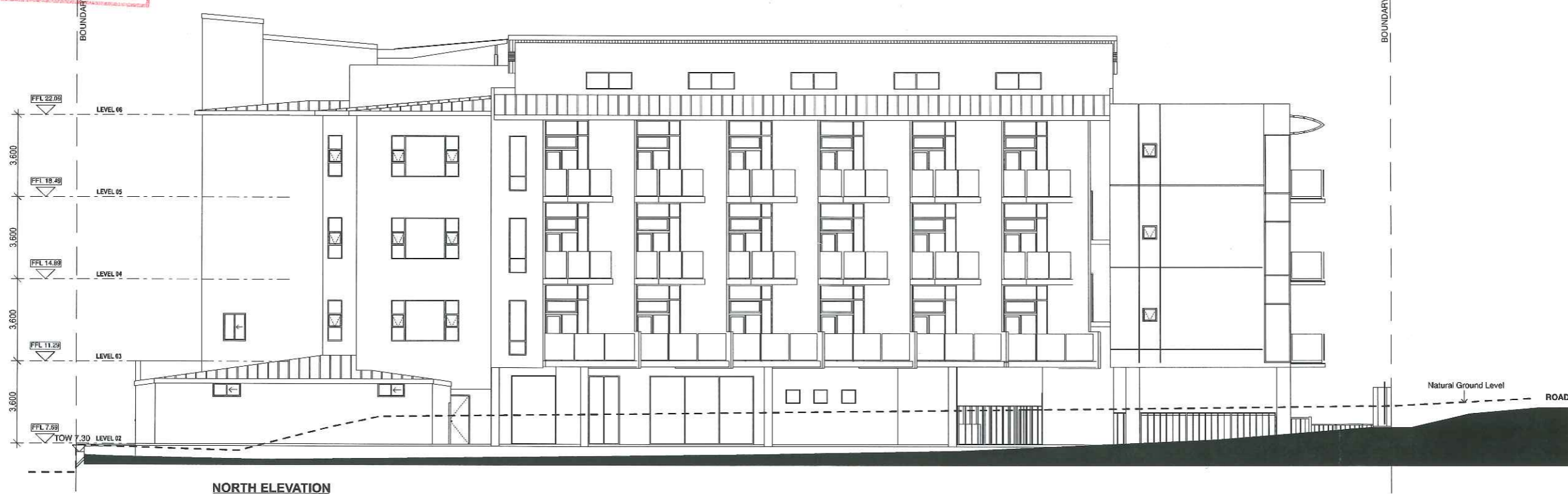
Date: 10/4/14

Rev: Rev 1

DWG No: A-09(1)



EAST ELEVATION



NORTH ELEVATION

**SALIM LEE
ARCHITECTS
PLANNERS**

8/20 TWICKENHAM ROAD
BURSWOOD
WESTERN AUSTRALIA 6100
Tel: +61 8 9430 5411
Fax: +61 8 9473 1012
Email: admin@salimlee.com.au

Project: REGENTS GARDEN SCARBOROUGH
LOT 302, (#22) Wheatcroft Street, Scarborough, WA 6164

Drawing title:
ELEVATIONS

Scale: 1:100

Drawn: CH

Date: 10/04/14

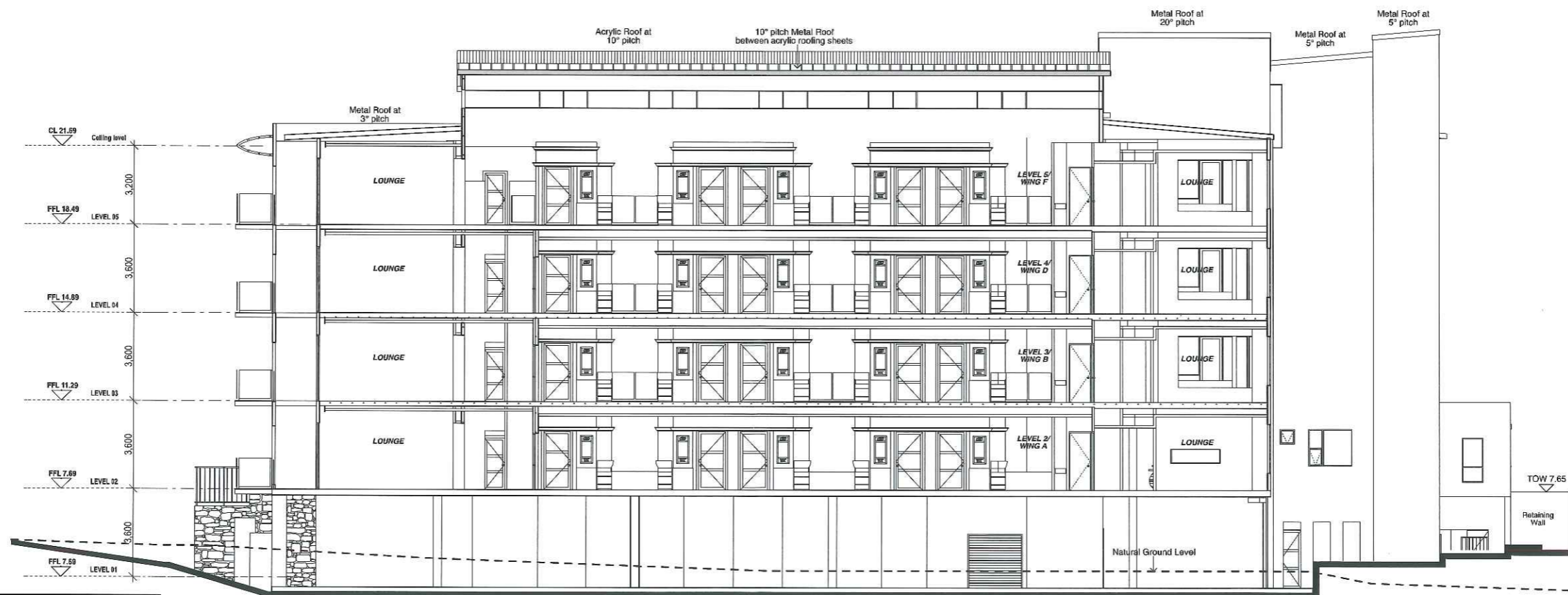
Rev:

Drawn No: A-10

RECEIVED

8 APR 2014

CITY OF STIRLING



SALIM LEE ARCHITECTS PLANNERS

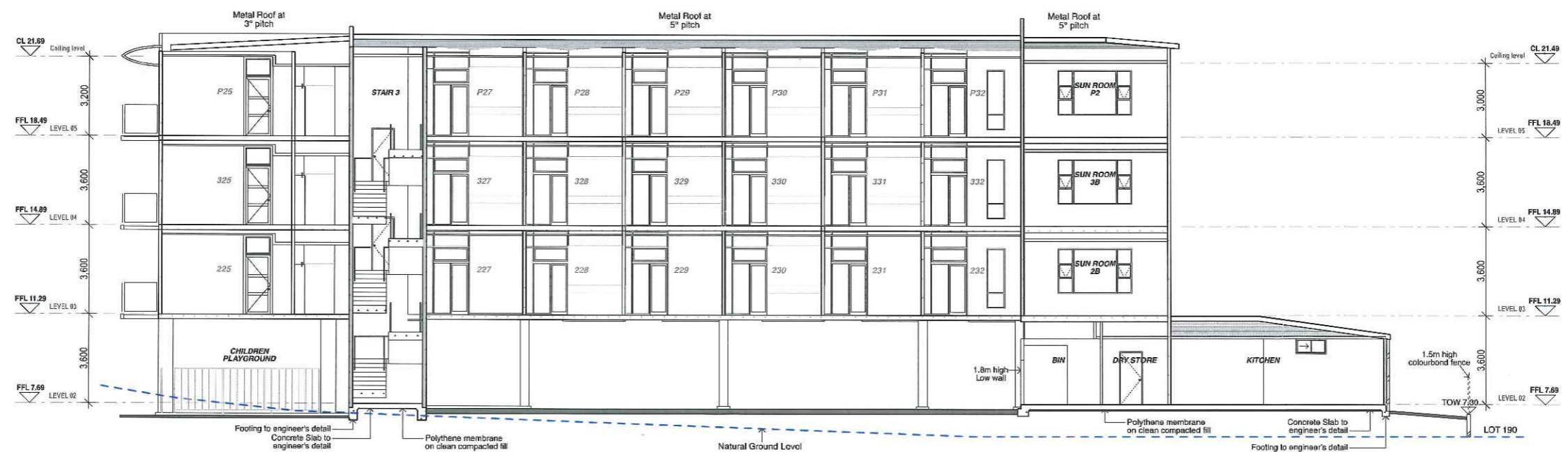
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BURSWOOD
WESTERN AUSTRALIA 6100
Tel: 9478 5471
Fax: 9478 5472
Email: info@salimlee.com.au

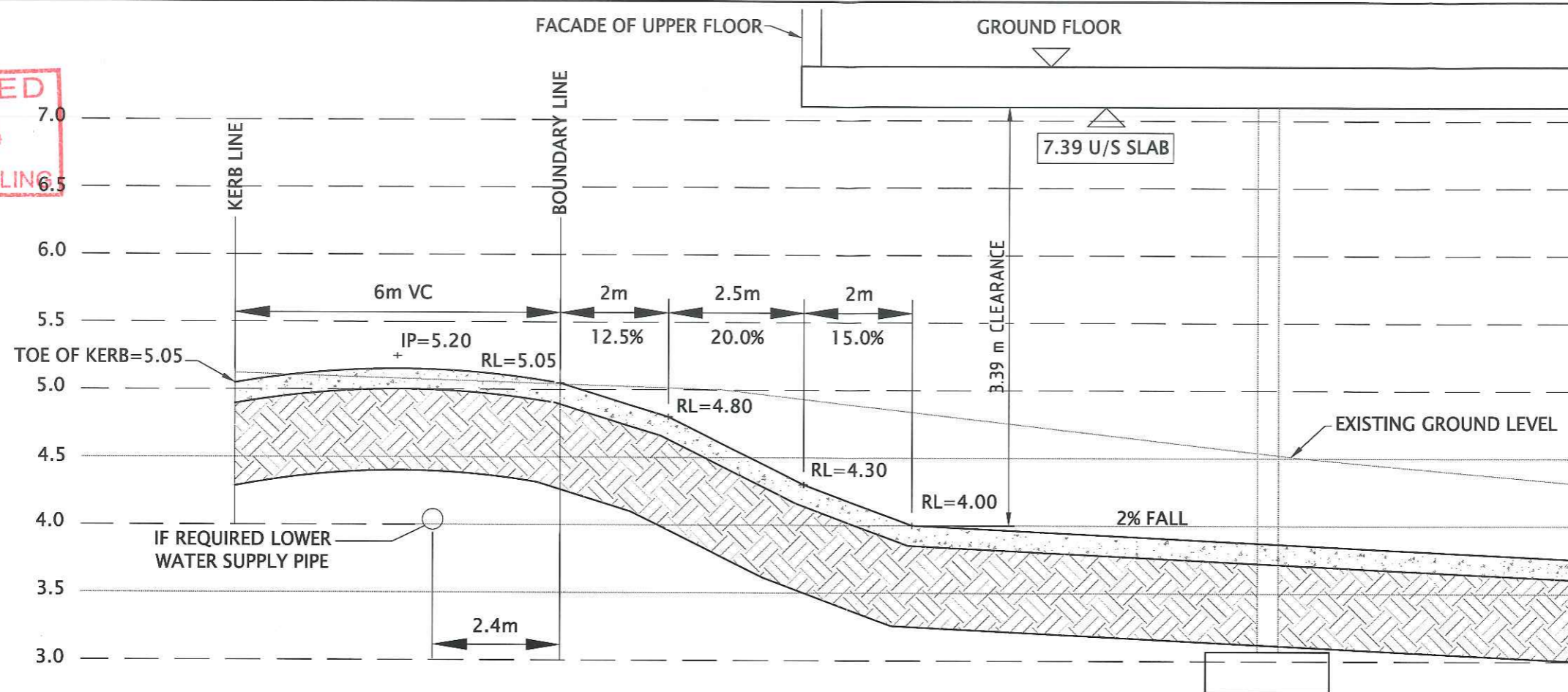
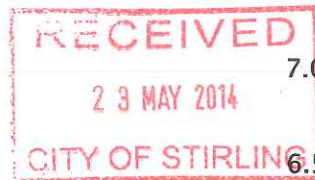
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Drawing title: SECTIONS
Scale: 1:100
Drawn: CH
Date: 10/4/14
Rev: Rev 1
DWG No: A-11(1)

REVISION NOTE:
REVISION (1)
DATE: 18.07.2013
- Lounge balcony setback in-line with bedroom suite wall, where clouded

SECTION E-E

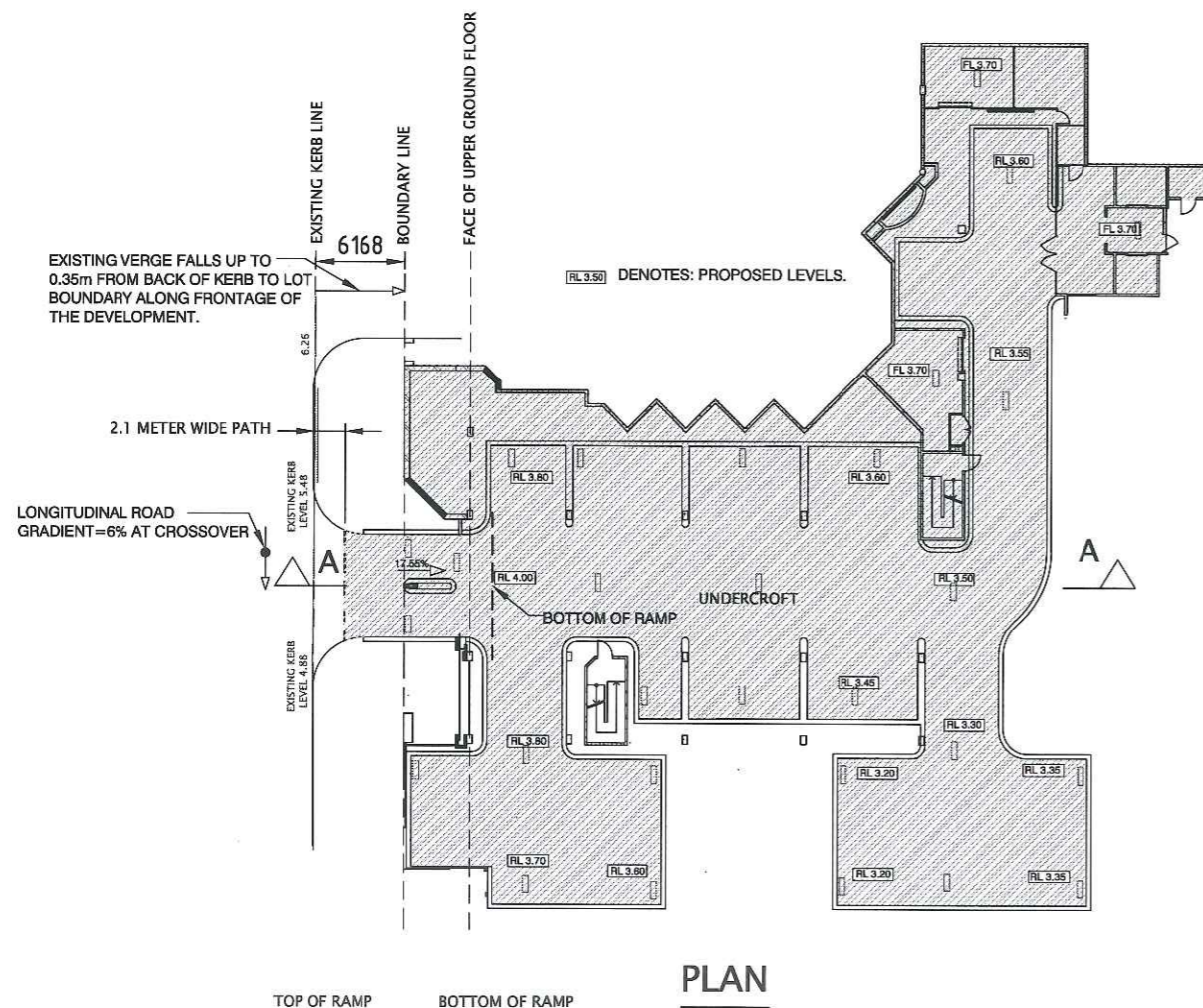
RECEIVED
08 APR 2014
CITY OF STIRLING





SECTION A-A

HORIZONTAL SCALE 1:100
VERTICAL SCALE 1:50



PLAN
SCALE (1:500)

LEGEND:

VC VERTICAL CURVE

REV	DATE	DESCRIPTION
F	22/05/2014	LEVELS REVISED
E	24/07/2013	PLAN VIEW LEVELS REVISED
D	23/07/2013	AMENDED BY COUNCIL REQUIREMENTS
C	23/07/2013	REDUCED HEAD ROOM
B	23/07/2013	SECTIONS AND LEVELS REVISED

DWA
Office:
Unit 1/9 Shields Crescent
BOORAGOON WA 6154
Mail:
PO Box 3064
MYAREE LPO WA 6154
phone (08) 9330 3033
fax (08) 9330 3133
e-mail dwa@dwaconsulting.com.au
ABN 34 900 498 130

David Wills and Associates
Consulting Engineers

CLIENT:
SALIM LEE ARCHITECTS PLANNERS

PROJECT:
REGENTS GARDEN SCARBOROUGH

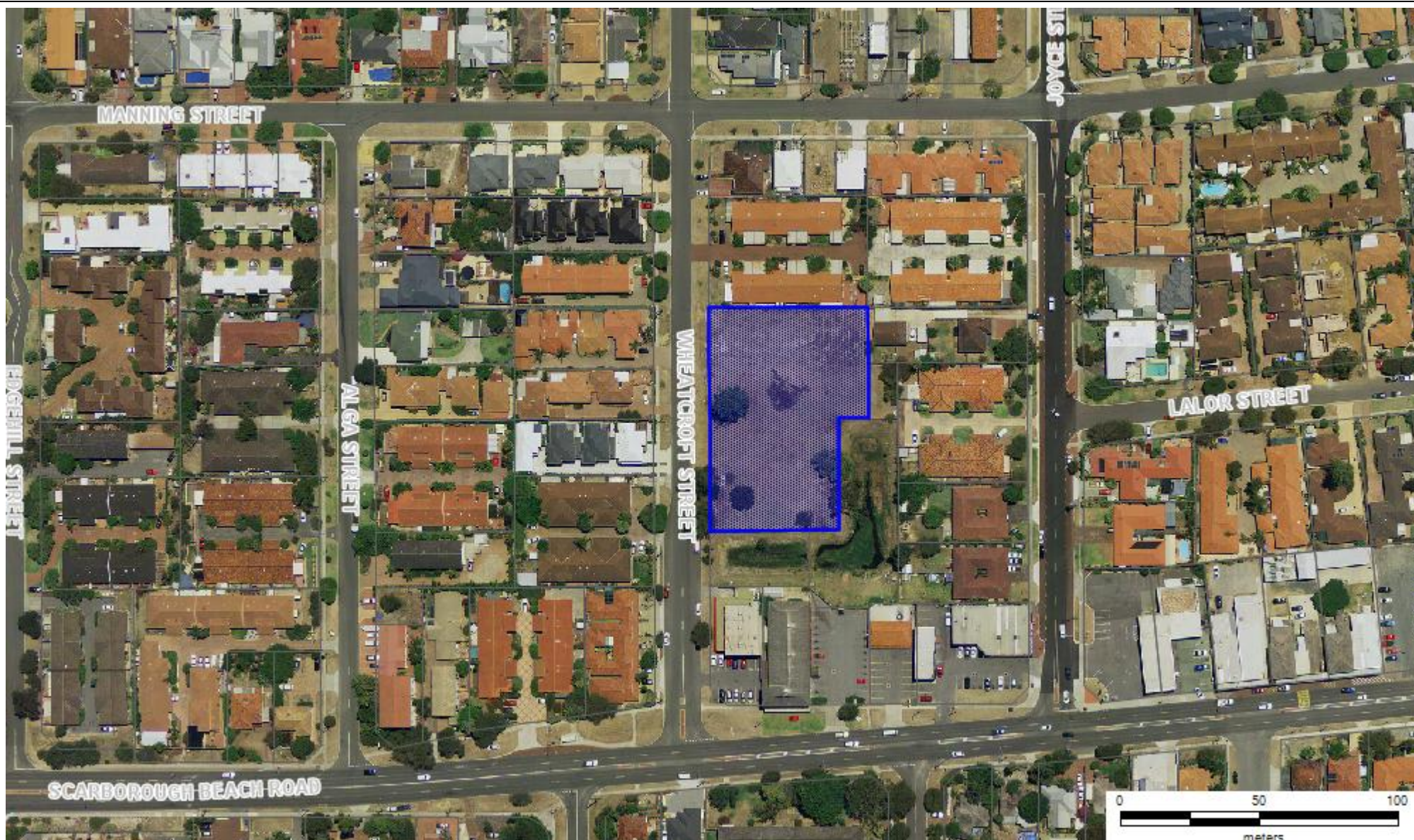
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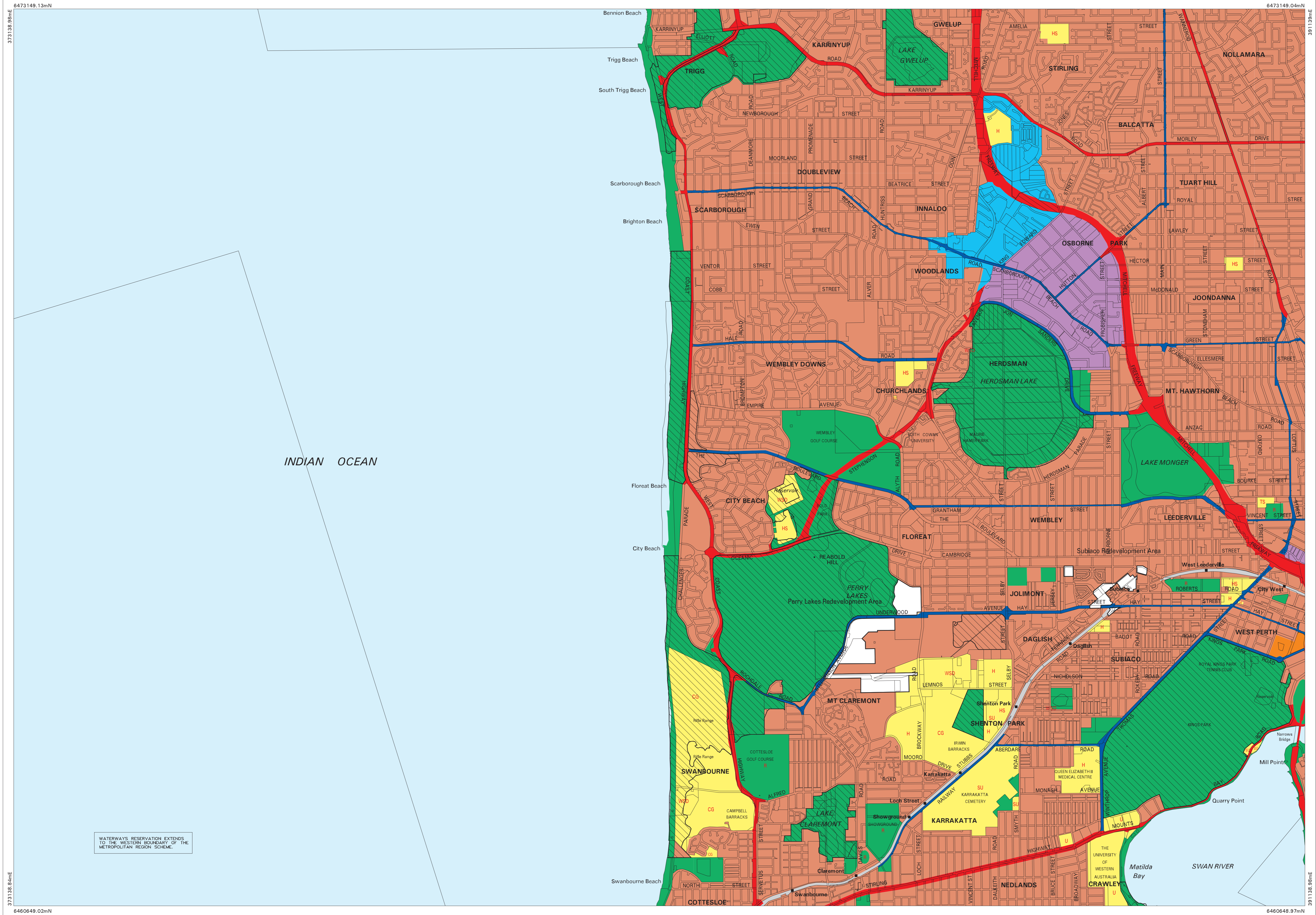
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AS SHOWN ORIGINAL DRAWING SIZE **A3**

DESIGNED: JMC	DATE: 16/07/2013	AUTHORISED D. Wills	DATE: 16/07/2013
DRAWN: JMC	DATE: 16/07/2013	David Wills A1(Civil) GradDipB MIEAust CPEng	

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JOB NUMBER: **12147** DWG No: **SK01** REV No: **F**





Legend

Reserved lands

parks and recreation

restricted public access

railways

port installations

State forests

water catchments

civic and cultural

waterways

primary regional roads

other regional roads

public purposes - denoted as follows:
H hospital
HS high school
TS technical school
CP car park
U university
CG Commonwealth Government
SEC State Energy Commission
SU special uses
WSD Water Authority of WA
P prison

Zones

urban

urban deferred

central city area

industrial

special industrial

rural

rural - water protection

private recreation

Notice of delegation

bush forever area

Redevelopment schemes

redevelopment scheme/act area

METROPOLITAN REGION SCHEME

This map has been derived from an electronic version of the scheme held and maintained by the Department of Planning, on behalf of the Western Australian Planning Commission.

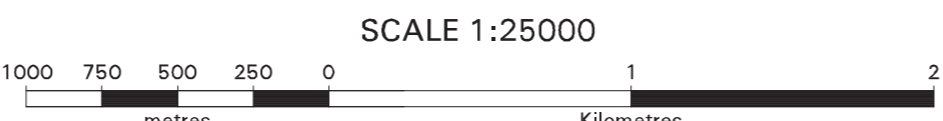
This map is one of a set of 38 which depicts the zones and reservations of the Metropolitan Region Scheme as adopted on 30 October 1963. The information shown is correct up to the date shown below as far as the Department and the Commission are aware.

The scheme does not purport to indicate the land use allocation under any local government provision.

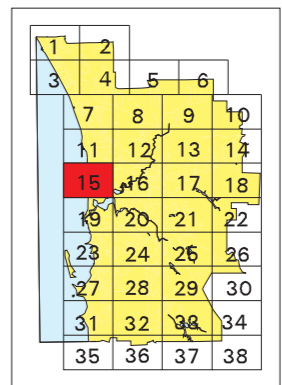
Amended to: 23 March 2012

METROPOLITAN REGION SCHEME MAP
1:25000 MAP SERIES
MAP SHEET 15

METROPOLITAN REGION SCHEME MAP



INDEX TO
ADJOINING
1:25000
MAP SHEETS



PRODUCED.....Under the direction of the Manager, Mapping and Geospatial Data Branch, Department of Planning, Perth, Western Australia

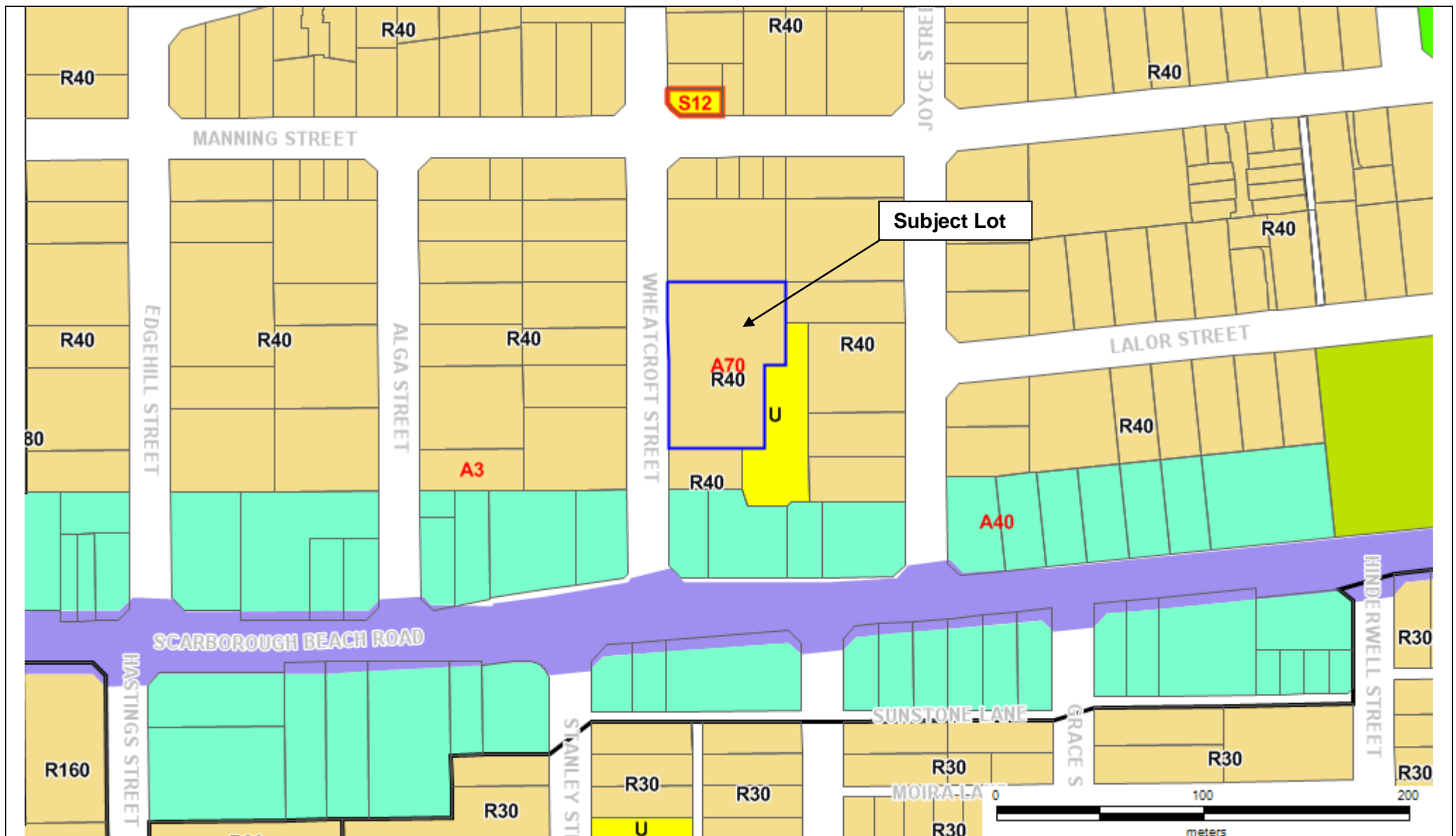
CADASTRAL.....Generated from Landgate Spatial Cadastral Data (ISCd)

PROJECTION.....Universal Transverse Mercator

HORIZONTAL DATUM.....Geocentric Datum of Australia 1994

GRID VALUES.....Shown in full for map sheet corners only (map sheets do not conform to standard MGA (GDA) map series)

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**Allerding
& Associates**

Town Planners, Advocates
& Subdivision Designers

ABN 24 044 036 646

2nd April 2014

Our Ref: REG SCA RZ/140402 LLGA

Your Ref: DA13/1057

DAP/JDAP Ref: DP/13/00425

The Chief Executive Officer
City of Stirling
PO Box 1533
OSBORNE PARK WA 6916

**ATTN: Kimberley Masuku – Senior Development Assessment Officer, Approvals
Planning**

Dear Kimberley,

**RE: PROPOSED MODIFICATIONS TO APPROVED PLANS – REGENTS GARDEN
SCARBOROUGH RESIDENTIAL CARE – LOT 302 (No. 22) WHEATCROFT STREET,
SCARBOROUGH**

We refer to our recent discussions in relation to the proposed modifications as outlined in our recent correspondence dated 19 December 2013. In addition to the modifications outlined within that correspondence, we note that two additional modifications are sought in relation to the setback of the building from the eastern boundary and the location of the fire booster within the street setback.

In order to provide the City of Stirling (**the City**) with an opportunity to assess the extent of the proposed modifications, in accordance with Regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011* we submit a Form 2 to amend a Development Assessment Panel determination.

In accordance with the requirements of the City and the Joint Development Assessment Panel (**JDAP**), please find attached for your attention the following documentation for the above mentioned matter:

- Completed and signed DAP Form 2 (Application for amendment or cancellation of a Development Assessment Panel determination) as **Annexure 1** and a completed and signed City of Stirling Credit Card Payment Request Form for the amount of \$150.00.
- Completed and signed City of Stirling Local Planning Scheme No. 3 Application for Planning Approval as **Annexure 2** and a completed and signed City of Stirling Credit Card Payment Request Form for the amount of \$100.00.
- Two (2) copies of scaled plans included as **Annexure 3**.
- Two (2) copies of the design perspective drawings of the proposed modifications included as **Annexure 4**.

- Supporting documentation comprising the written submission outlining the proposal (below).
- An electronic copy of the application will be forwarded to the City separately via email.

In order to provide the City and the JDAP with background for the modifications as proposed, a written description of the key design elements is provided for your consideration below.

Northern Vehicular Access and Crossover

The key issue identified as part of the plan review was the functionality of the crossover and access ramp into the service area and parking bays adjacent to the northern property boundary. The gradient of the access ramp directly east of the crossover from Wheatcroft Street would not have allowed for a safe and functional egress point from the site. This is significant in this instance given that the service area will accommodate larger delivery vehicles which will not be able to exit the site in forward gear and would therefore reverse onto Wheatcroft Street.

The revised plans have reduced the gradient directly east of the crossover which will enable the safer movement of larger delivery vehicles from the site onto Wheatcroft Street. The consequence of this gradient reduction is the deletion of the internal driveway which previously connected the access ramp to the central pick-up/drop-off driveway. The increase in height of the internal driveway to reflect the revised height of the northern access ramp could not be accommodated beneath the overhanging floors of the building and the driveway was therefore deleted. It is intended that the area previously occupied by the internal driveway will be converted into an extension of the children's playground and landscaping.

It is considered that the deletion of the internal driveway is acceptable given that the central pick-up/drop-off driveway will remain functional as outlined below.

Central Vehicular Access and Crossover

The primary modification to the central crossover and pick-up/drop-off driveway is the removal of the internal driveway connection to the access ramp to the north. Although the deletion of the internal driveway will prevent through vehicle movements, there is sufficient manoeuvring space for vehicles to enter the site in forward gear, reverse into the reversing bay, then exit the site in forward gear.

The deletion of the internal driveway between the central and northern crossovers may also be beneficial to the overall design as it will reduce the likelihood of traffic conflict between visitor vehicles and delivery vehicles occurring at the connection point with the northern access ramp and crossover.

Height of Basement Level and Southern Vehicular Access and Crossover

The primary ambulance access point to the site is via the southern crossover. The plan review identified a design implication with regard to the minimum ceiling height within the undercroft car parking area to accommodate the height of an ambulance. The St John of God guideline for bariatric vehicle design indicates a minimum clearance height of 3.5m. The approved plans indicated a total separation distance between the undercroft floor level (level 1) and the ground floor level (level 2) of 3.6m. It has been calculated that an additional 0.39m in height is required to accommodate the ambulance within the undercroft car parking level, as well as ensuring sufficient space is provided to allow for vehicle ingress and egress to street level. The total separation distance between the undercroft floor level (level 1) and the ground floor level (level 2) has been modified to 3.99m.

Overall Building Height

The proposed modification to the undercroft level has been designed to limit the resulting overall increase in building height by varying the roof design and presentation.

The concept plans endorsed by Council as part of the scheme amendment formed the basis for the future design and scale of the development which included a five storey building with undercroft. The concept plans included a "U" shaped building surrounding a central pick-up/drop-off driveway consistent with the approved plans, but included a pitched roof design with gable feature. The overall building height of the endorsed concept plans was 22.4m.

The approved plans employed a similar building footprint and floor layout, however the roof design was modified to include two skillion roof structures angled to achieve greater northern sunlight penetration. The roof design also incorporated other ancillary structures including a conservatory room and outdoor deck. The result of the updated design was a contemporary built form presentation which maintained the overall form and scale of the building. The approved plans did however result in an overall lower maximum height to the concept plans endorsed by Council. The maximum building height of the approved plans was 21.9m.

The modified plans, as proposed, have maintained the maximum building height of 21.9m by lowering the height of the skillion roof. The lowering of the roof structure will address any increase in building bulk as a result of the increased undercroft level. Visually, the skillion roof structure and ancillary structures form a significant element of the building design and therefore the proposed reduction in roof height would be visually equivalent to any reduction in height of the top floor level. With the exception of the undercroft level, all floor height levels either remain the same or have been reduced.

Design of Retaining Wall

The approved plans provide a 30m long retaining wall along the eastern boundary of the subject site which terminates at the northern boundary. The retaining wall is located on the common boundary of Lot 190 (No. 35) Joyce Street, Scarborough which is currently occupied by a residential dwelling.

The proposed modification to the height of the undercroft level has resulted in the requirement to increase a portion of the retaining wall on the common boundary of Lot 190. The modification will result in an increase of 0.35m of retaining wall which will occur in the south-western corner of the neighbouring property at Lot 190. Lot 190 currently contains two dwellings, one being situated in the rear portion of the site near the western (rear) lot boundary. The position of the modified retaining wall has been off-set from the location of the dwelling. It is considered that the proposed modification will have limited impact on the visual amenity of Lot 190 in the context of the overall visual presentation of the building.

Elevator Shaft

The building design includes an elevator shaft tower on the eastern elevation containing two elevator wells and other ancillary rooms associated with the eastern lounge areas on each floor of the building. The approved plans, date stamped 7 August 2013, show the southern portion of the elevator shaft tower partially set in by approximately 0.6m from the eastern facade. It is understood that the rationale for this design was to accommodate two elevators, each of different configuration. It is noted that at the time the approved plans were prepared, an elevator contractor had not been appointed. It is understood that the modified plans incorporate elevators which have been designed in accordance with the elevator contractor's design and therefore the location and configuration has been partially adjusted. It is also noted that the size of the two elevators have been significantly rationalised which provides for a more convenient and efficient design outcome.

The proposed modification seeks to vary the Deemed-to-comply provisions of Part 6.1.4 of the Residential Design Codes (**the Codes**) for lot boundary setbacks. It is noted however that the JDAP Form 1 – Responsible Authority Report dated 26 July 2013 did not provide reference to the section of lift shaft wall set in from the eastern elevation. The report quoted a setback of 5.515m setback from the lift shaft wall to the eastern property boundary. It is noted that while the boundary setback of the approved lift shaft wall does not meet the Deemed-to-comply provisions of the Codes, the proposed modification does not seek any further reductions to the 5.515m setback as considered in the 26 July 2013 report and approved. It simply modifies the wall so that the entire lift shaft wall is set back 5.515m from the eastern elevation.

As the approved plans and proposed modification do not meet the Deemed-to-comply provisions of the Codes, the following Design principles must be considered:

P4.1 Buildings set back from boundaries or adjacent buildings so as to:

- *ensure adequate daylight, direct sun and ventilation for buildings and the open space associated with them;*
- *moderate the visual impact of building bulk on a neighbouring property;*
- *ensure access to daylight and direct sun for adjoining properties; and*

- *assist with the protection of privacy between adjoining properties*

The rationalised elevator design has resulted in the eastern elevation now presenting as a flat wall which will improve the aesthetic appearance of this component of the building. In some instances articulation of a facade can improve the visual appearance of a building and reduce visual bulk. However in this case the complete eastern elevation of the building is highly articulated and the proposed elevator shaft wall will therefore present as a clean facade to complement this elevation.

With regard to the bulk and scale of the building and the visual impact from neighbouring properties to the east, it is noted that the elevator shaft tower is located directly adjacent to the Water Corporation compensating basing. Notwithstanding the abutting non-residential land use, the structure will still be visible from neighbouring residential properties. However, from a visual perspective it is considered that the proposed 0.6m reduction in setback will have no significant impact of the visual bulk of the building from neighbouring properties, when considered against the overall scale of the approved building.

It is not considered that the proposed modification will have any impact on access to daylight or direct sun on adjoining properties.

Location of Booster Cabinet

The approved plans date stamped 7 August 2013 show the booster cabinet located on the front property boundary directly north of the 1.6m high brick fence. The only proposed change will be the physical relocation of the booster slightly northwards which has no planning consequences.

Overall, it is considered that the modifications proposed to the approved plans are minor and are capable of approval.

We trust the above changes are to the satisfaction of the Council in order to provide us with confirmation of no objection. In the meantime, if you have any queries in relation to the above, please do not hesitate to contact our office on 9382 3000.

Yours sincerely

ALLERDING AND ASSOCIATES



TOM HOCKLEY
SENIOR TOWN PLANNER

encl 2x (A3 size) Modified Development Plans (dated 1 April 2014)

2 x Design Perspective Drawings.

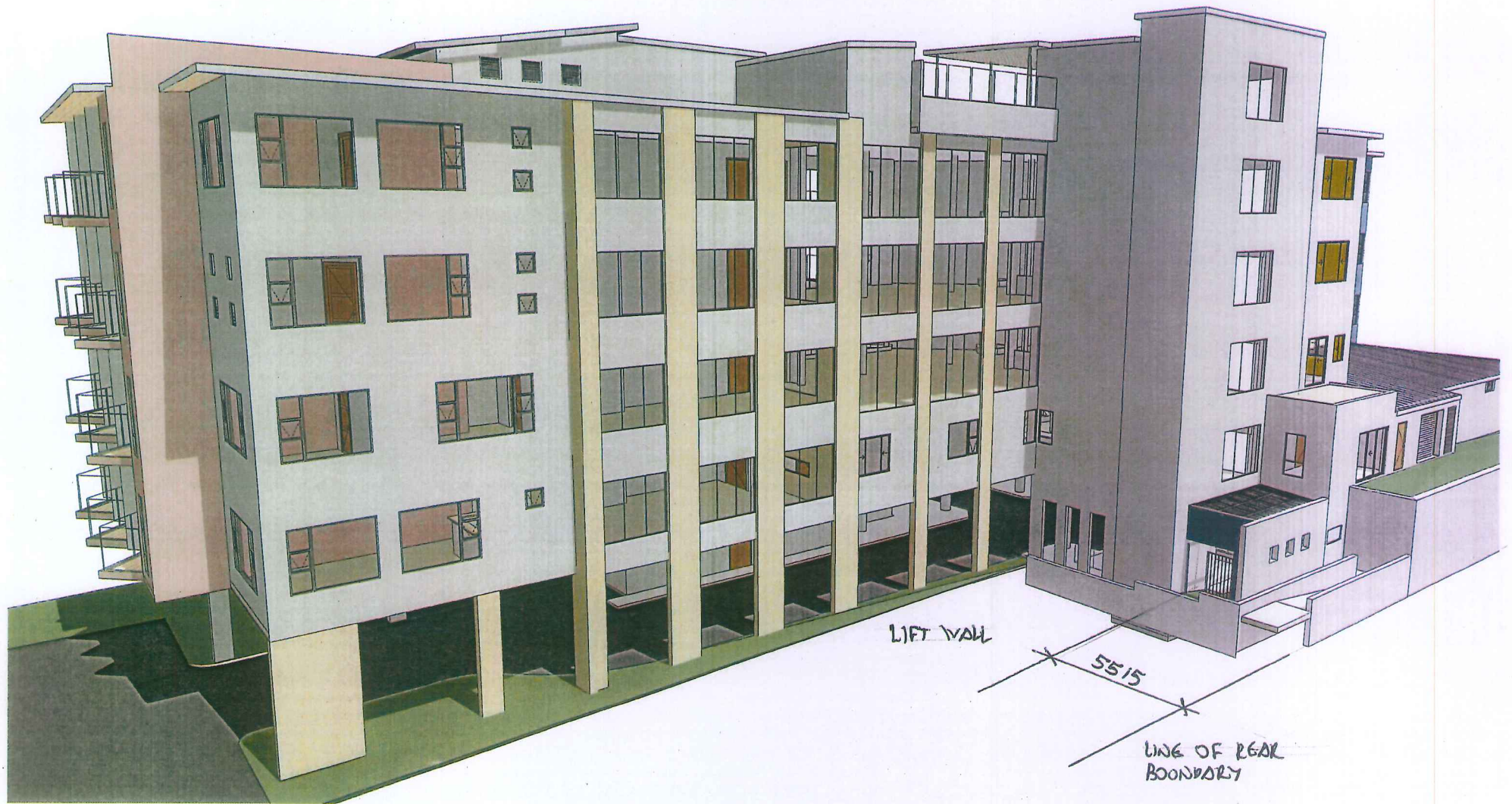
cc client

LIFT SHAFTS ALIGN
STILL MAINTAINING
5.515 REAR SETBACK



WATER AUTHORITY
PROPERTY.

LIFT SHAFTS ALIGNED
SETBACK 5.515 STILL
MAINTAINED.





Planning and Development Act 2005

City of Stirling Local Planning Scheme No. 3

Metro North-West Joint Development Assessment Panel

Determination on Development Assessment Panel Application for Planning Approval

Location: Lot 302, House Number 22, Wheatcroft Street, Scarborough

Description of proposed Development: Nursing Home

In accordance with Regulation 8 of the *Development Assessment Panels Regulations 2011*, the above application for planning approval was **granted** on 7 August 2013, subject to the following resolution and conditions:

Approve DAP Application reference DP/13/00425 and accompanying plans (ATTACHMENT 1) in accordance with Clause 10.3.1 of the City of Stirling Local Planning Scheme No. 3, subject to the following conditions:

Conditions

- a) The removal of the northernmost street tree, which conflicts with the proposed basement level crossover, is to be undertaken by the City of Stirling Parks and Reserves Business Unit at the applicant's expense. A total of six (6) new street trees are to be planted on the verge by the City at the applicant's expense. A total fee of \$3137.55 for the tree removal and new plantings is payable prior to the issue of a building permit. The new trees are also to be provided with underground reticulation to the satisfaction of the City of Stirling Manager Parks and Reserves Business Unit.
- b) All remaining street trees located in verge areas adjoining the subject lot are to be retained and protected. (See Advice Note (I))
- c) All driveway gradients and associated carpark levels are to be demonstrated as being in accordance with the City's requirements to the satisfaction of the City's Development Assessment Engineer prior to the issue of a building permit.
- d) The proposed colorbond fencing to be erected on the eastern boundary abutting adjoining Lot 190, House Number 35, Joyce Street, is to be a minimum height of the 1.6m from the top of the proposed retaining wall.
- e) A 2.1m wide footpath is required to be constructed within the road reserve to link with City's footpath at Scarborough Beach Road and follow the perimeter of the site along the subject site. The footpath is to be constructed at the applicants expense to the satisfaction of the City's Manager Engineering Operations Business Unit prior to the completion of the development.
- f) A Noise Management Plan is to be submitted to the satisfaction of the City of Stirling Health & Compliance Business Unit prior to the issue of a building



permit. The Plan should address all functions of this facility including deliveries, mechanical services and all other activities.

- g) A Waste Management Plan is to be submitted to the satisfaction of the City of Stirling Health and Compliance Business Unit prior to the issue of a building permit.
- h) The submission of a signage strategy to the satisfaction of the City of Stirling Manager Approvals prior to the erection of any signs.
- i) The dimensions of all parking bays and manoeuvring areas to be in accordance with AS2890.1.
- j) Vehicular parking, manoeuvring and circulation areas indicated on the approved plan being sealed and drained to the satisfaction of the City, the 42 parking spaces being marked out and maintained in good repair.
- k) Any existing crossovers not included as part of the proposed development on the approved plan are to be removed. New kerbing and verge to be reinstated to the satisfaction of the City of Stirling Manager Engineering Operations Business Unit.
- l) All off street parking to be available onsite during business hours for all customers and staff to the satisfaction of the City of Stirling Manager Approvals.
- m) A Site Management Plan to be submitted to the satisfaction of the City of Stirling Manager Approvals prior to the issue of a building permit. The Site Management Plan to address dust, noise, waste management, storage of materials, traffic and site safety/security. The Site Management Plan is to be complied with for the duration of the construction of the development.
- n) All land indicated as landscaped area on the approved plan being developed on practical completion of the building to the satisfaction of the City and in accordance with the submitted landscaping plan. All landscaped areas are to be maintained in good condition thereafter.
- o) Any on site floodlights not being positioned or operated in such a manner so as to cause annoyance to surrounding uses or passing traffic.
- p) No goods or materials being stored, either temporarily or permanently, in the car parking or landscaped areas or within access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided.
- q) The solid fencing proposed within the street setback area is to be treated with an anti-graffiti coating upon completion.
- r) To move the retaining wall on the Western elevation on the Northern side of the Southern driveway back to building line for the purpose of additional landscaping in front of the relocated wall.

Advice Notes:



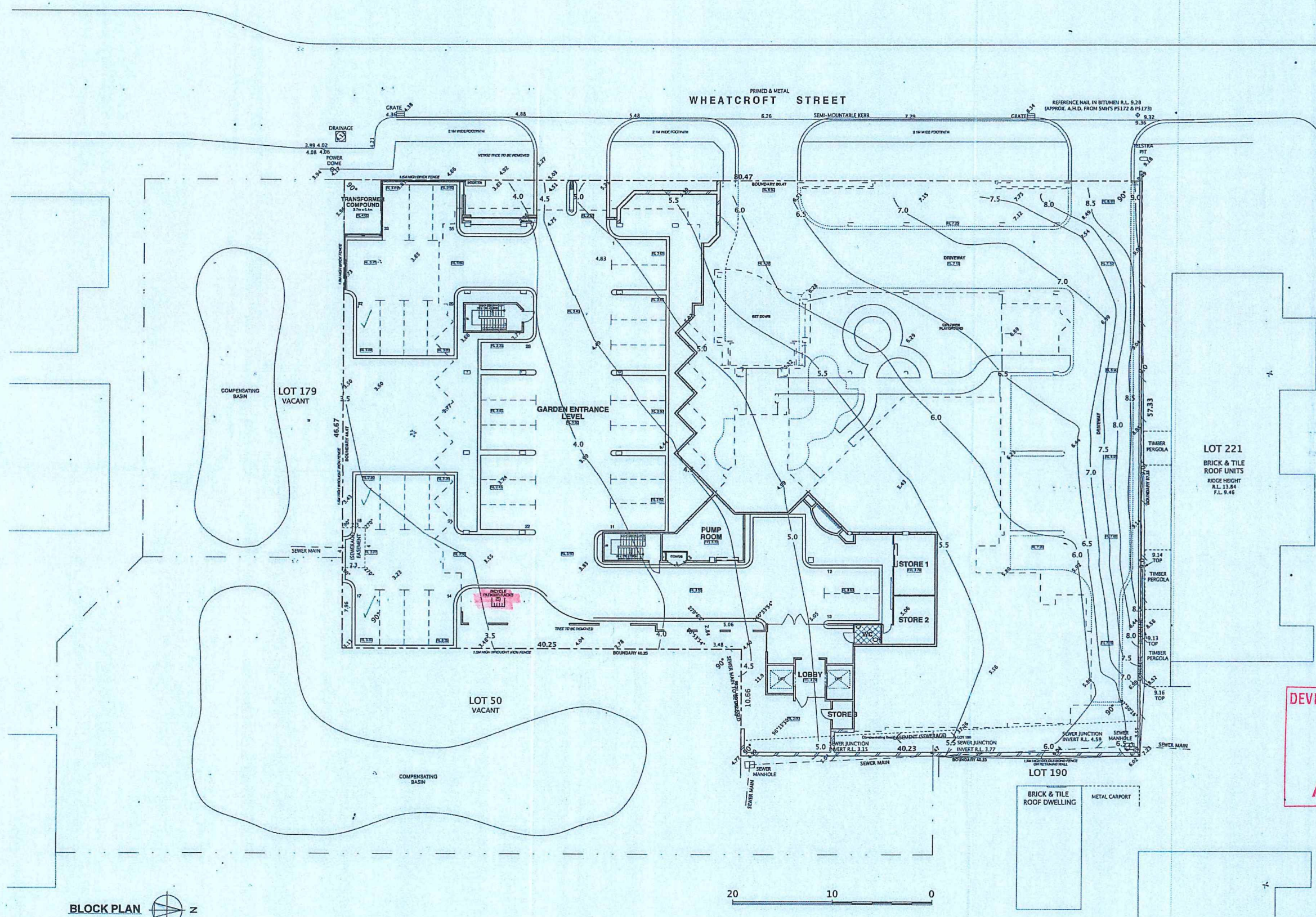
- a) The Building Permit will require compliance with the provisions of the Building Code of Australia.
- b) Submission of plans showing the details of paving, stormwater drainage and disposal with the Building Permit application.
- c) Development is to comply in all respects with the approved plans.
- d) The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
- e) If the development the subject of this approval is not substantially commenced within a period of two years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.
- f) Where an approval has so lapsed, no development shall be carried out without the further approval under the City of Stirling Local Planning Scheme No. 3 having first been sought and obtained.
- g) If an applicant is aggrieved by this determination there is a right of appeal under Part V of the *Planning and Development Act 2005*. An appeal must be lodged within 28 days of the determination with the State Administrative Tribunal.
- h) This is a Development Approval under the City of Stirling Local Planning Scheme No. 3 and related policies. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant to obtain any other necessary approvals, consents and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
- i) This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.
- j) Noisy Construction Work outside the period 7.00 am to 7.00 pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued.
- k) The development will require connection to deep sewerage in the locality in accordance with Water Corporation requirements.
- l) The vehicular access shown in this application has been assessed and determined based upon the location of street trees as shown on the submitted plans. It is the responsibility of the applicant to ensure that this information is correct as any inaccuracy of the plans will not be considered justification for removal of the trees in the event that their positions are incorrectly shown.



Removal of street trees without the written approval of the City is an offence.

- m) Premises are to comply with the requirements of the Health (Public Buildings) Regulations.
- n) Applicant is to design the food premises in accordance with the Food Standards Code and Comply with the Food Act 2008.

Where an approval has so lapsed, no development shall be carried out without further approval having first been sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under regulation 17(1)(a) of the *Development Assessment Panel Regulations 2011*.

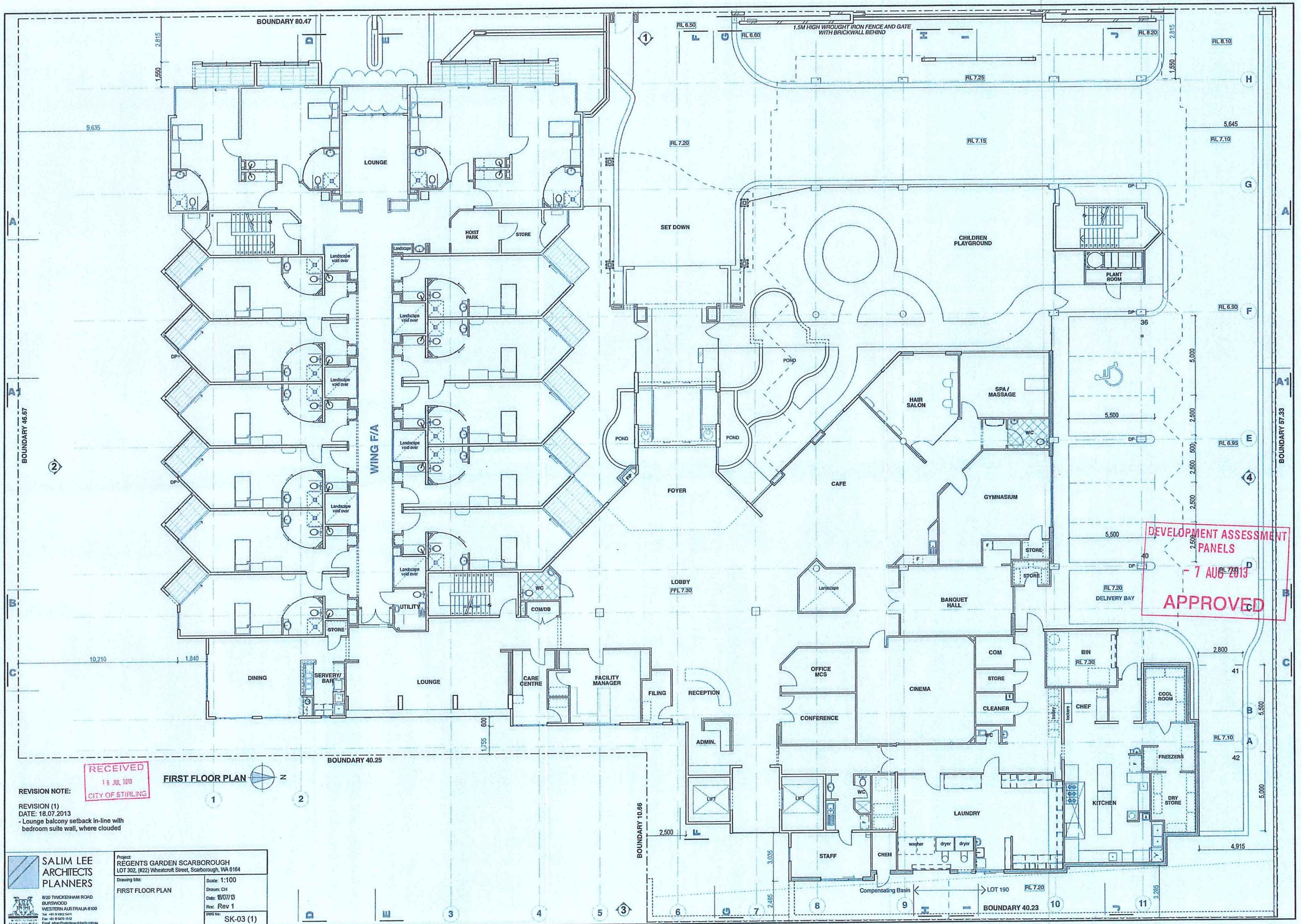


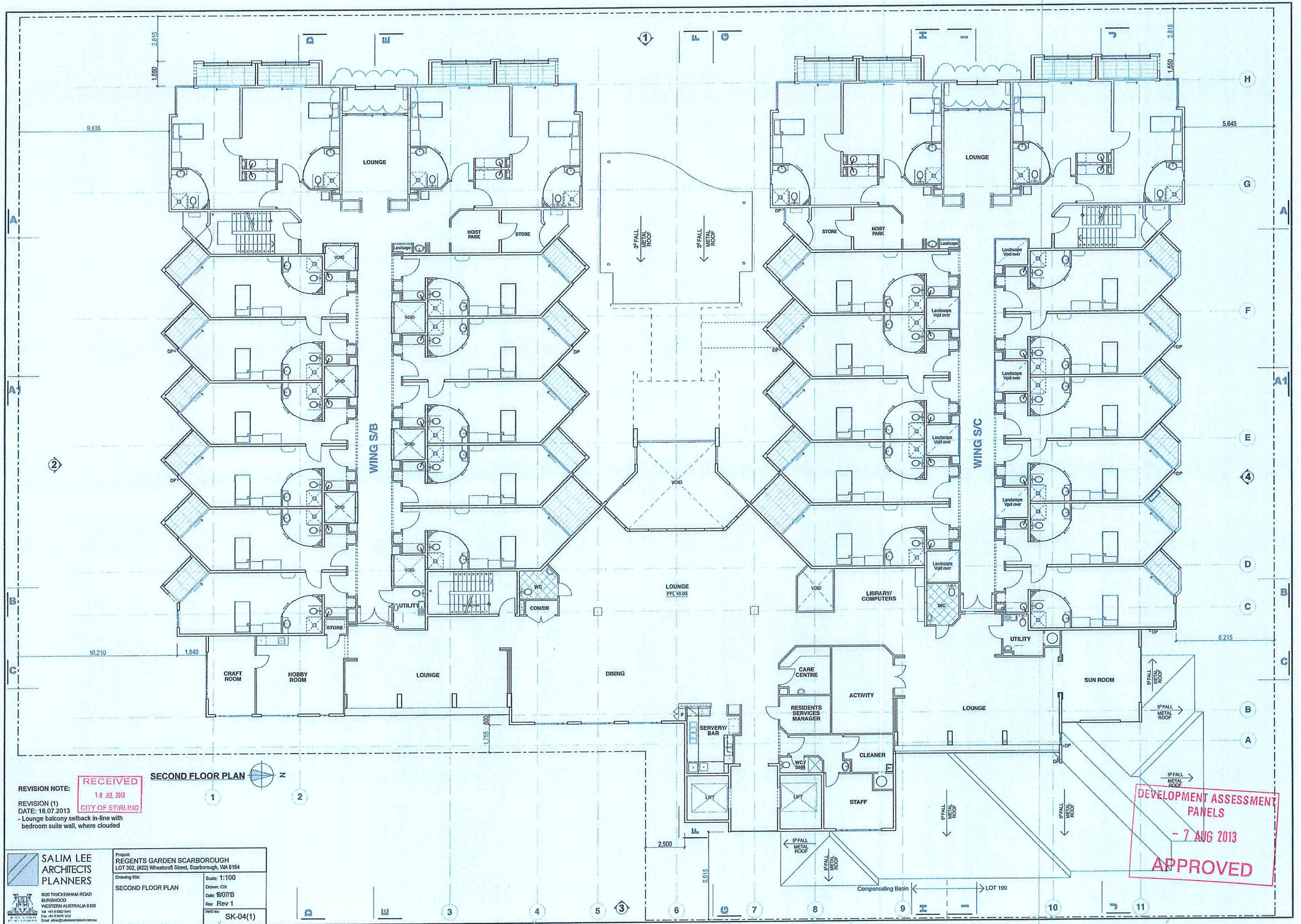
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PANELS
- 7 AUG 2013
APPROVED

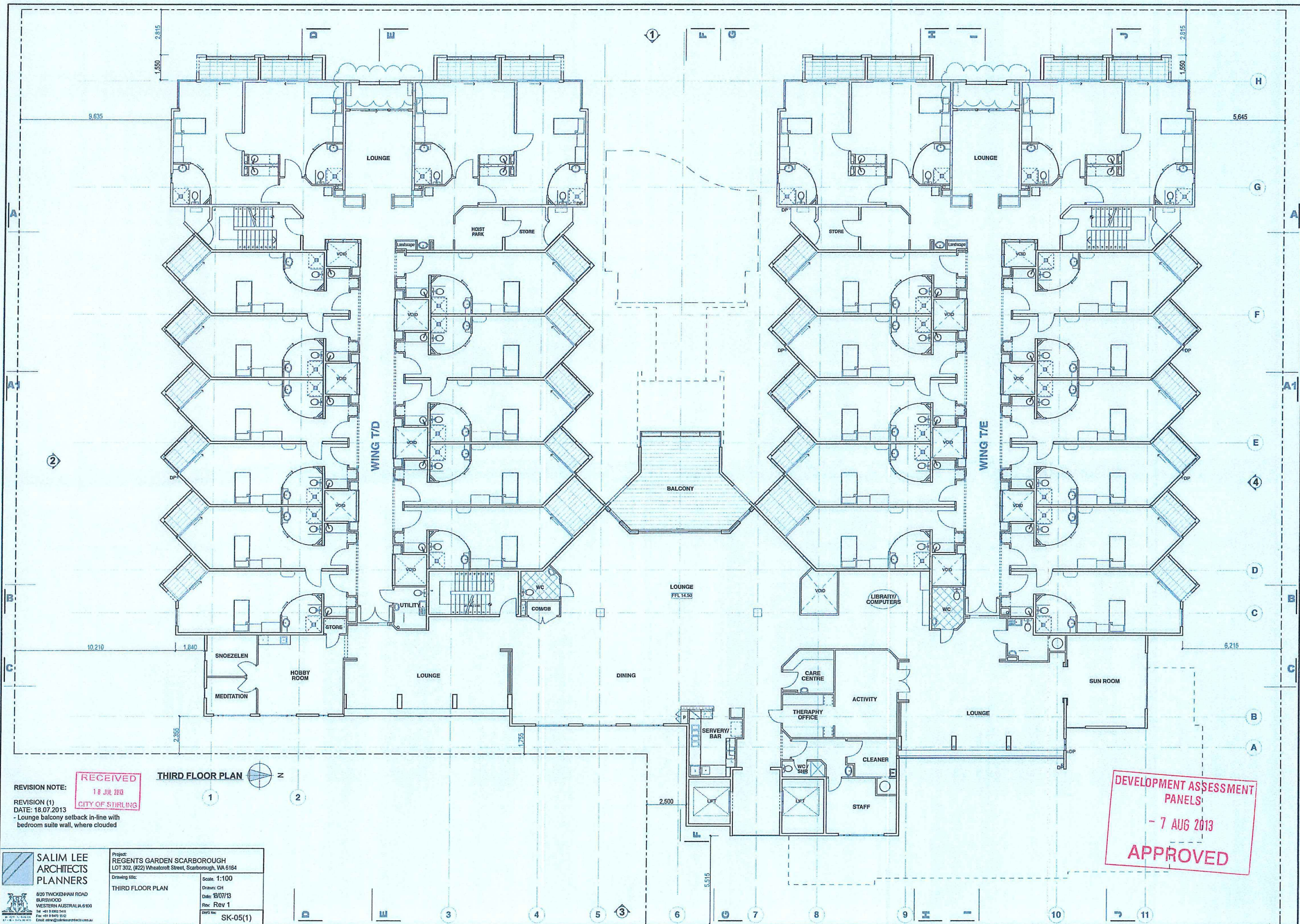
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CITY OF STIRLING

 SALIM LEE ARCHITECTS PLANNERS 6/20 TWICKENHAM ROAD BURSWOOD WESTERN AUSTRALIA 6100 Tel: +61 8 9352 5411 Fax: +61 8 9352 5412 Email: salim@salimlee.com.au	Project: REGENTS GARDEN SCARBOROUGH LOT 302, (#22) Wheatcroft Street, Scarborough, WA 6164
	Drawing title: BLOCK PLAN
	Scale: 1:200 Drawn: CH Date: 12/06/13 Rev:
	DWG No: SK-01

CONTOUR AND FEATURE SURVEY LOT 302 (#22) WHEATCROFT STREET, SCARBOROUGH
CARLTON SURVEYS Licensed Surveyors SUITE 4, 140 BURSWOOD ROAD, BURSWOOD, WA, 6100. TEL: 9361 5355 FAX: 9361 5457 E-mail: carlton@carlton-surveys.com.au







APPROVED
- 7 AUG 2013
DEVELOPMENT ASSESSMENT
PANELS

GREEN ROOF GARDEN PLAN



**SALIM LEE
ARCHITECTS
PLANNERS**

6/20 TWICKENHAM ROAD
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Project: REGENTS GARDEN SCARBOROUGH
LOT 302, (#22) Wheatcroft Street, Scarborough, WA 6184
Drawing title: GREEN ROOF GARDEN PLAN

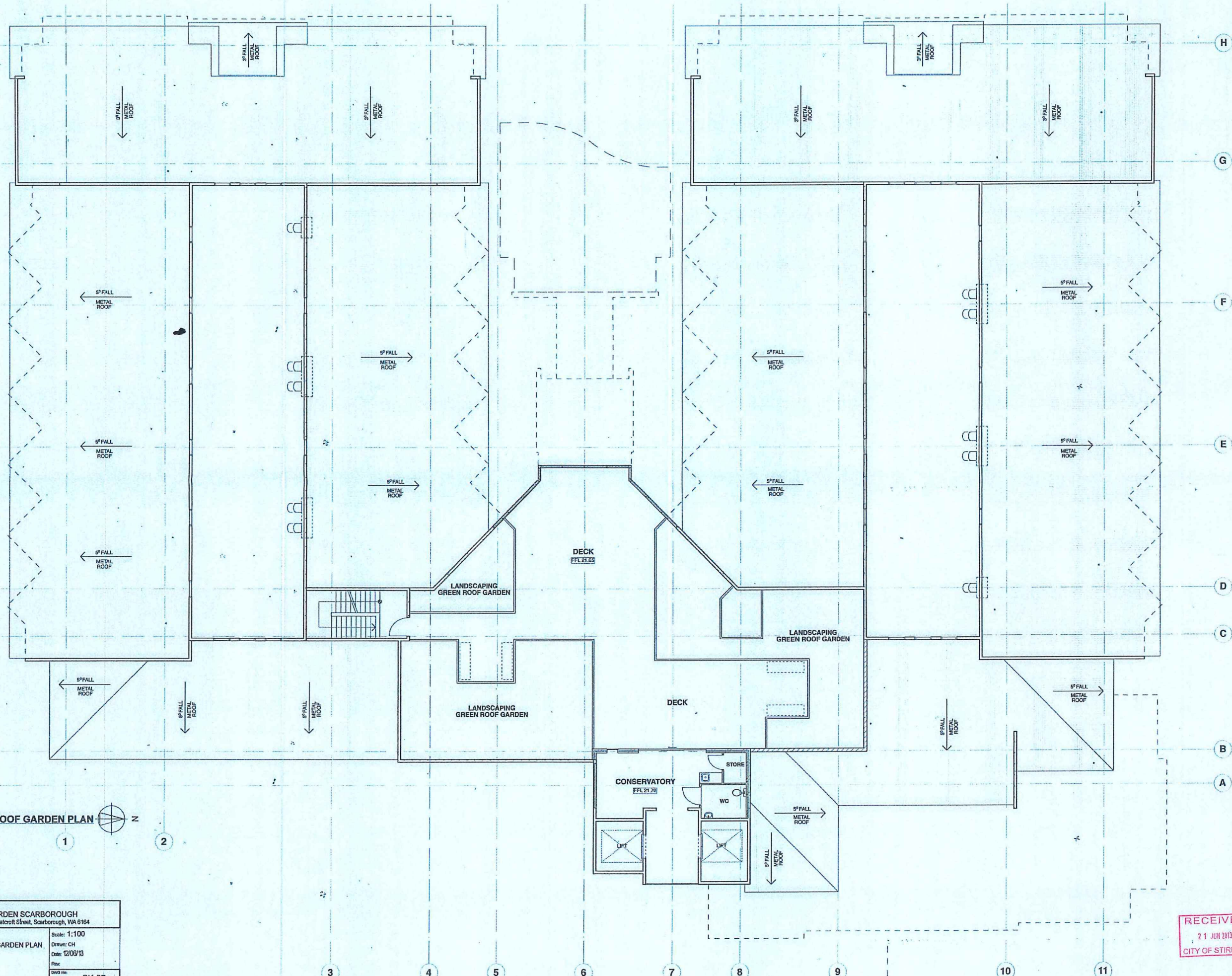
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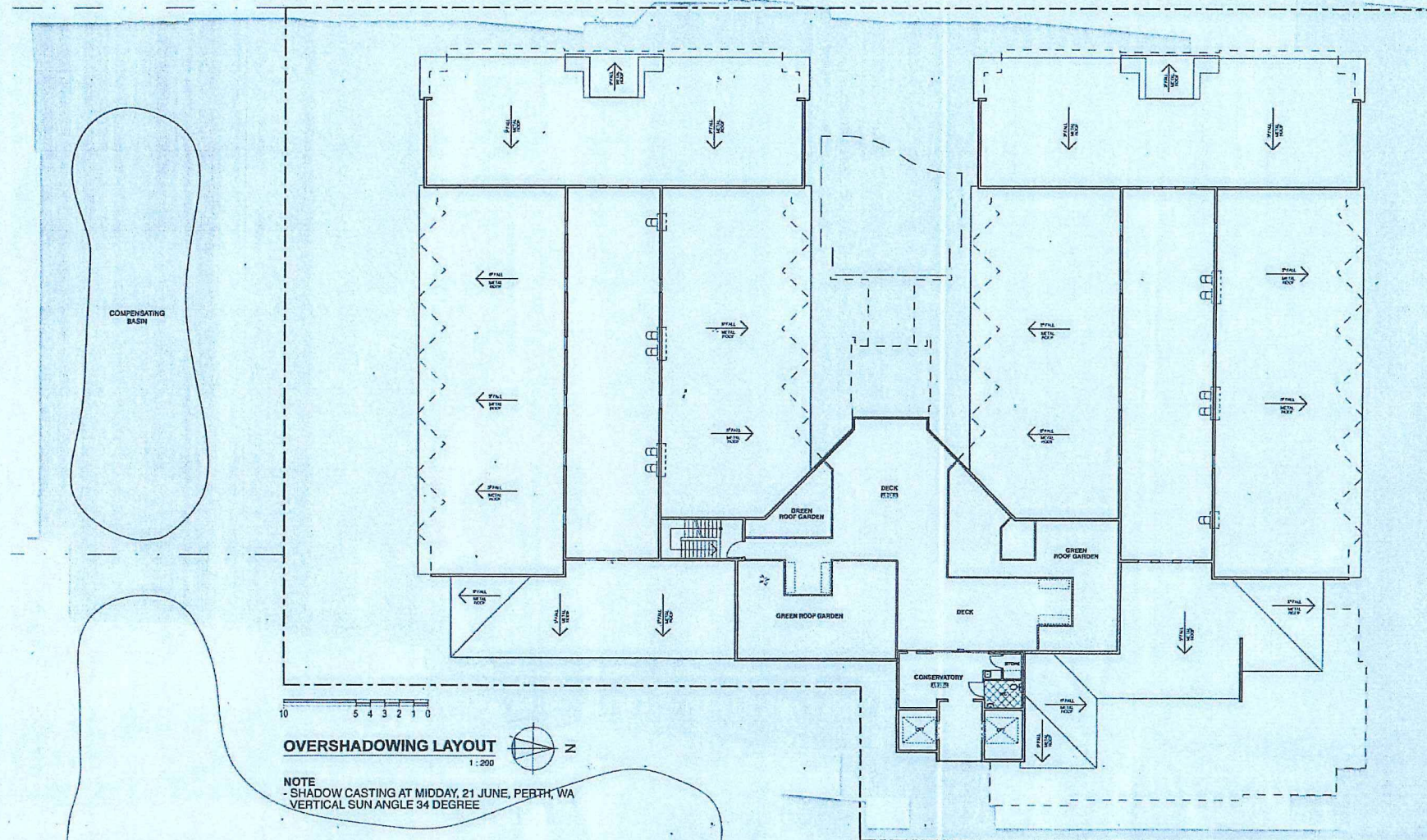
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Rev:

SK-07



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OVERSHADOWING LAYOUT
1:200

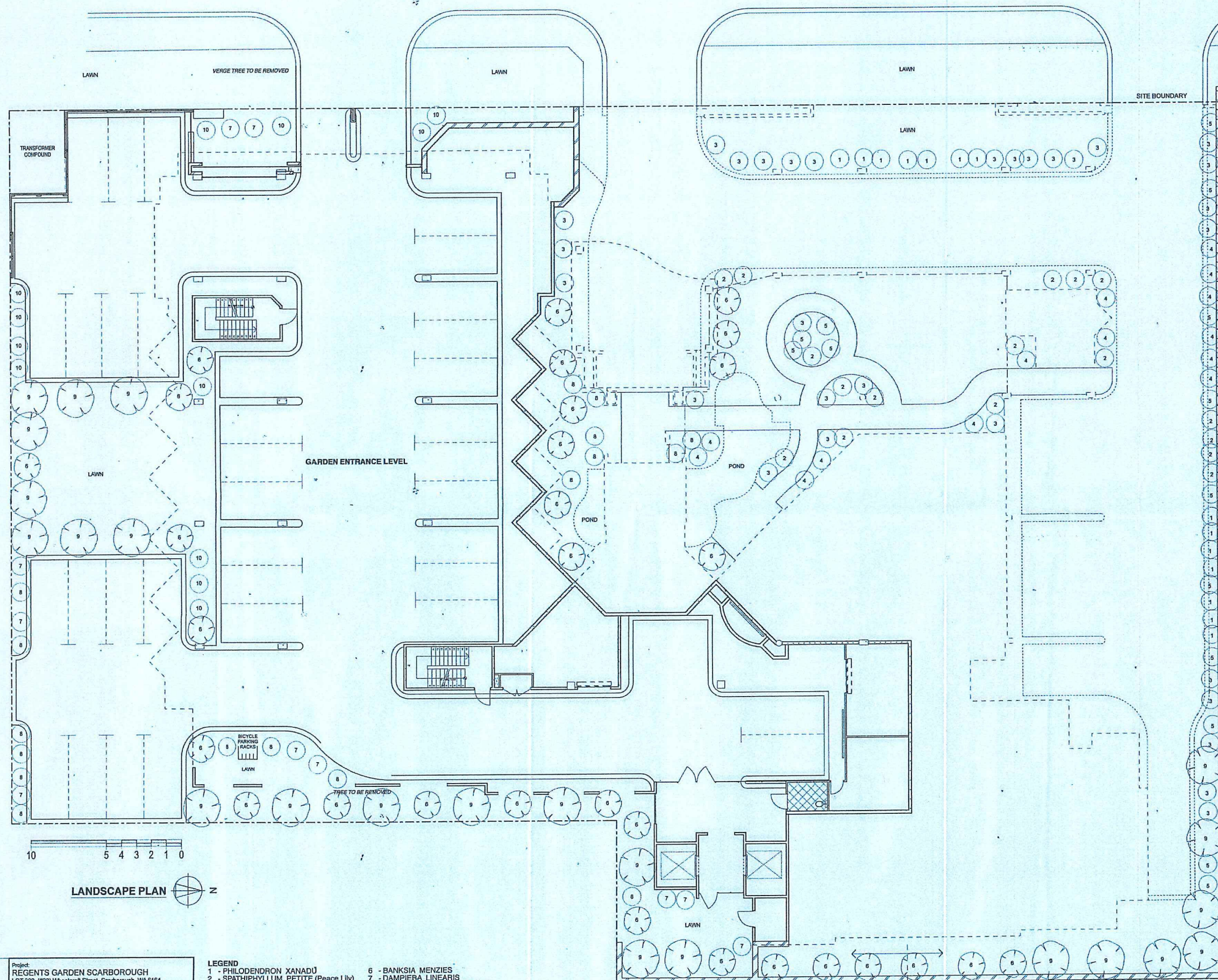
NOTE
SHADOW CASTING AT MIDDAY, 21 JUNE, PERTH, WA
VERTICAL SUN ANGLE 34 DEGREE

DEVELOPMENT ASSESSMENT
PANELS
- 7 AUG 2013
APPROVED

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21 JUN 2013
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 SALIM LEE ARCHITECTS PLANNERS 8/20 THACKERHAM ROAD BLUESWOOD WESTERN AUSTRALIA 6100 Tel: +61 8 9392 5411 Fax: +61 8 9470 1512 Email: admin@salim-lee.com.au	Project: REGENTS GARDEN SCARBOROUGH LOT 302, (#22) Wheatcroft Street, Scarborough, WA 6164	
	Drawing title: OVERSHADOWING LAYOUT	
	Scale: 1:200 Drawn: CH Date: 12/06/13 Rev:	DWG No: SK-14

WHEATCROFT STREET



LANDSCAPE PLAN

SALIM LEE ARCHITECTS PLANNERS

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BURSWOOD
WESTERN AUSTRALIA 6100
Tel: +61 8 9470 5411
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Email: admin@salimlee.com.au

Project:
REGENTS GARDEN SCARBOROUGH
LOT 302, (#22) Wheatcroft Street, Scarborough, WA 6164

Drawing title:
LANDSCAPE PLAN

Scale: NTS
Drawn: CH
Date: 12/06/13
Rev:
Drawn by:

SK-13

LEGEND

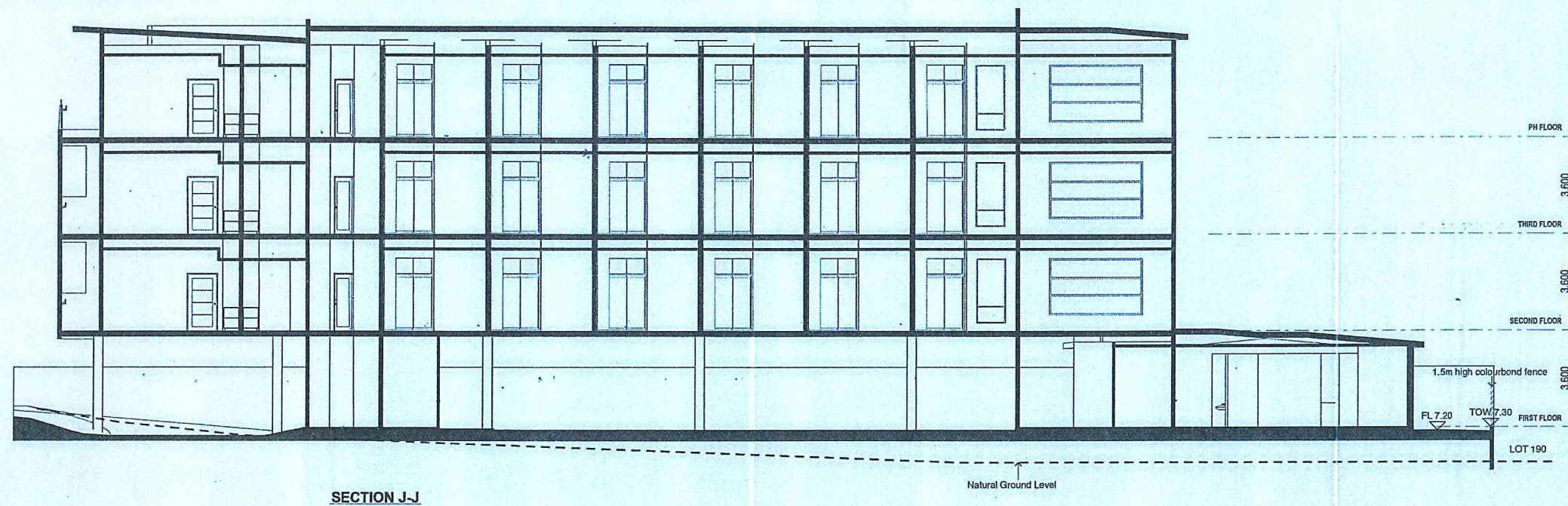
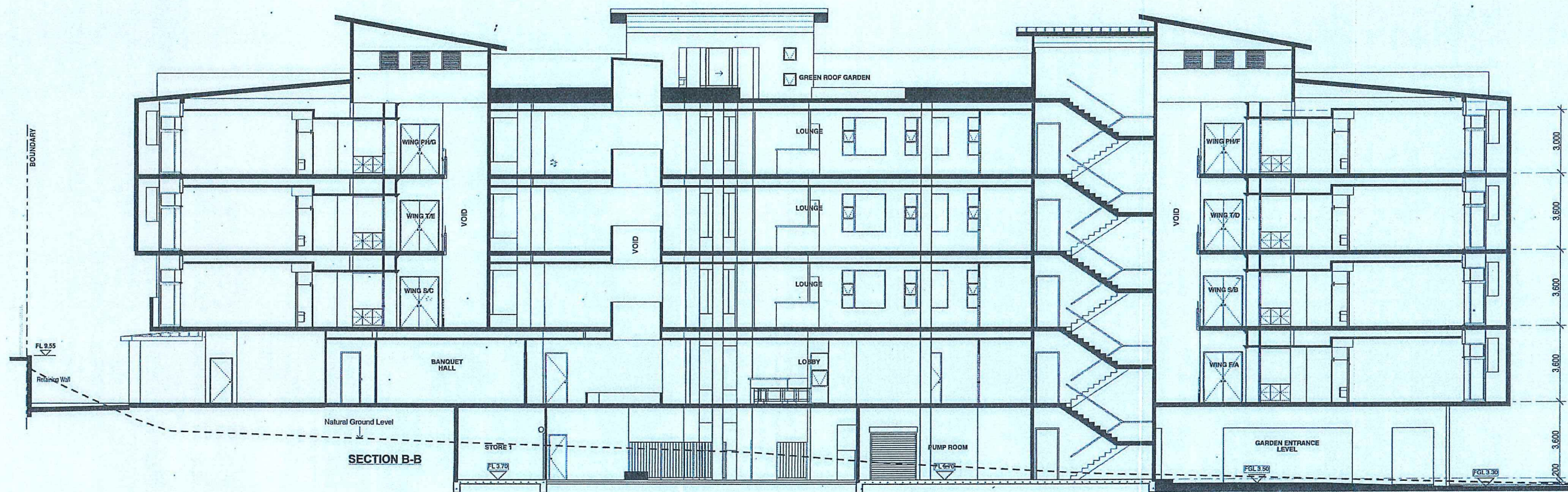
- | | |
|---------------------------------------|---------------------------|
| 1 - PHILODENDRON XANADU | 6 - BANKSIA MENZIES |
| 2 - SPATHIPHILLUM PETITE (Peace Lily) | 7 - DAMPIERA LINEARIS |
| 3 - SPATHIPHILLUM | 8 - HYPOCALYMYMA ROBUSTUM |
| 4 - CYCLAMEN (Laser Mix) | 9 - ADERANTHOS CYGNORUM |
| 5 - ALCANTAREA IMPERINILIS RUBRA | 10 - ADERANTHOS OBOVATUS |

NOTE

- Soil to be free of all deleterious matter
- Garden beds to be mulched to a minimum depth of 75mm

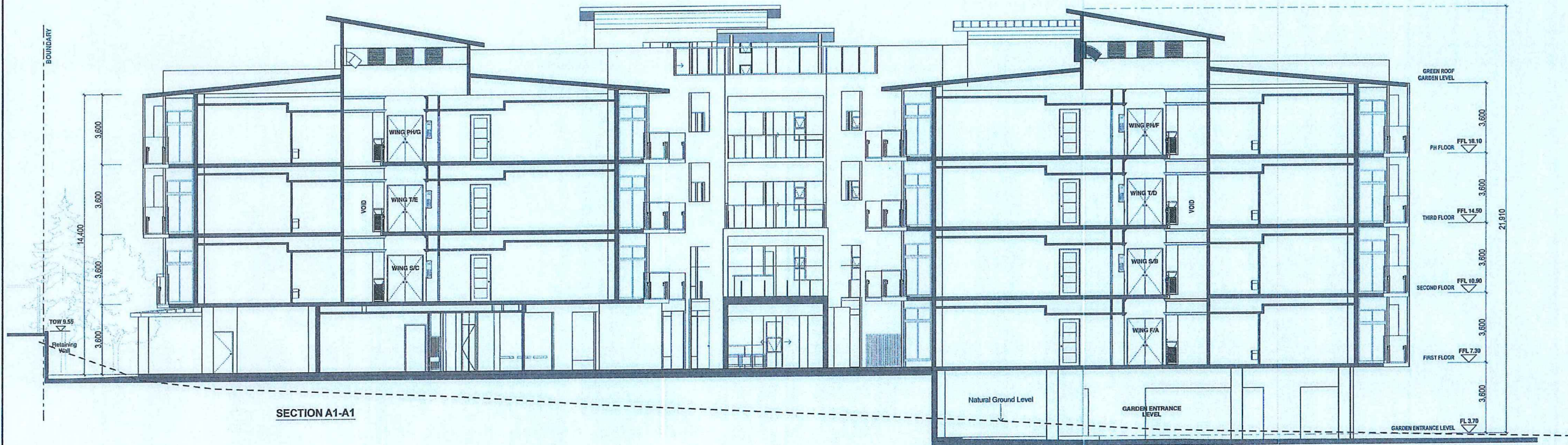
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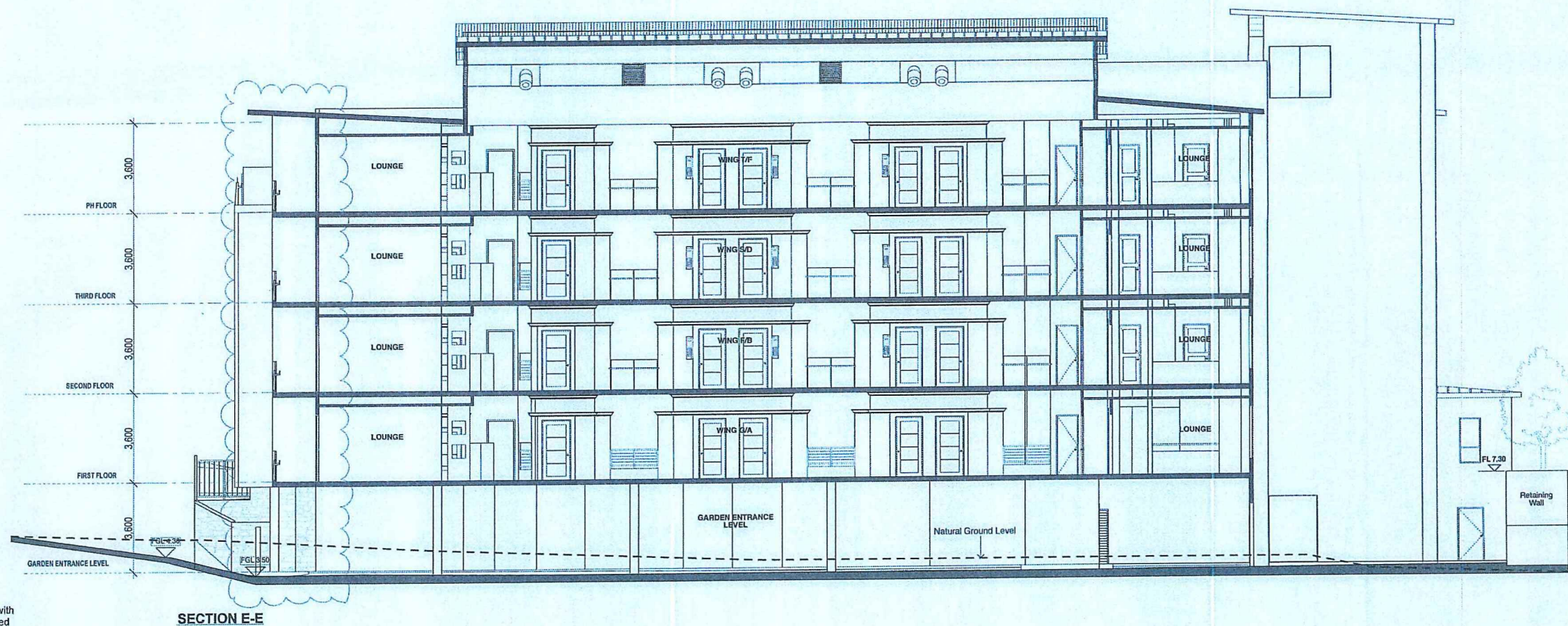


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SECTION A1-A1



SECTION E-E

RECEIVED
19 JUL 2013
CITY OF STIRLING

REVISION NOTE:

REVISION (1)
DATE: 18.07.2013
- Lounge balcony setback in-line with
bedroom suite wall, where clouded

DEVELOPMENT ASSESSMENT
PANELS
- 7 AUG 2013
APPROVED

**SALIM LEE
ARCHITECTS
PLANNERS**

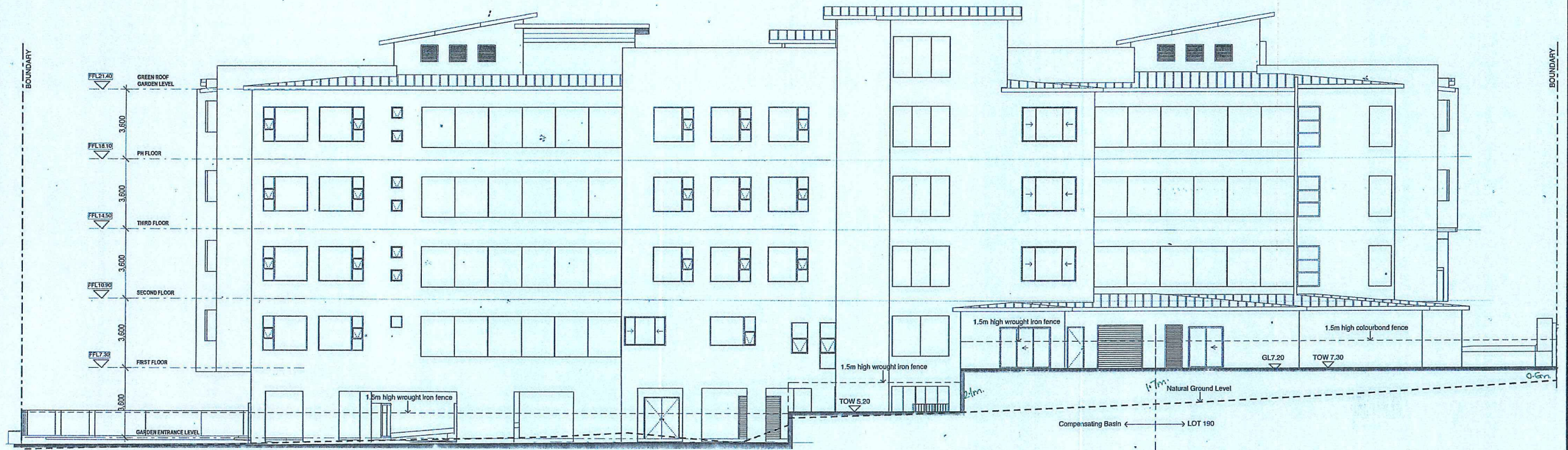
8/20 TWICKENHAM ROAD
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WESTERN AUSTRALIA 6100
Tel: +61 8 9450 5411
Fax: +61 8 9450 5512
Email: admin@salimleeandplanners.com.au

Project:
REGENTS GARDEN SCARBOROUGH
LOT 302, (#22) Wheatcroft Street, Scarborough, WA 6164

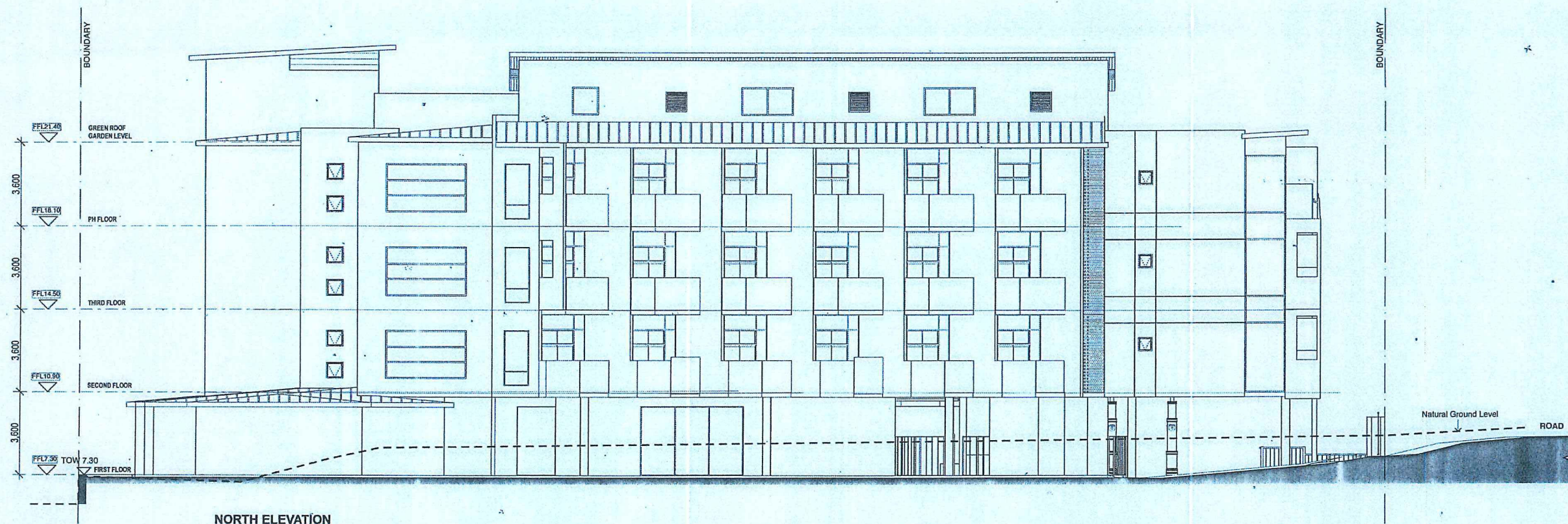
Drawing title:
SECTIONS

Scale: 1:100
Drawn: CH
Date: 18/07/13
Rev: Rev 1

DWG No: SK-11(1)



EAST ELEVATION



NORTH ELEVATION

SALIM LEE ARCHITECTS PLANNERS



Project:
REGENTS GARDEN SCARBOROUGH
LOT 302, (#22) Wheatcroft Street, Scarborough, WA 6164

Drawing title:
ELEVATIONS

Scale: 1:100
Drawn: CH
Date: 12/06/13
Rev:

DWG No: SK-10

DEVELOPMENT ASSESSMENT
PANELS
- 7 AUG 2013
APPROVED

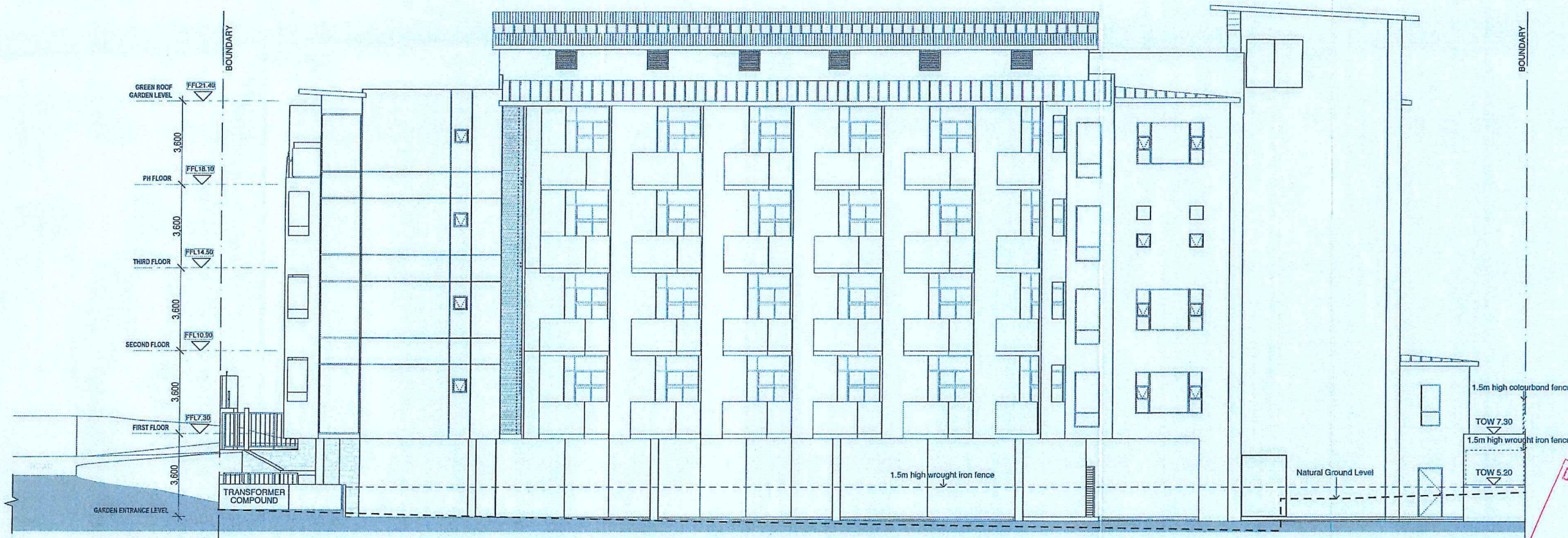
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BOUNDARY

BOUNDARY



WEST ELEVATION (WHEATCROFT STREET)



SOUTH ELEVATION

REVISION NOTE: 18 JUL 2013
 REVISION (1)
 DATE: 18.07.2013
 - Lounge balcony setback in-line with bedroom suite wall, where clouded

SALIM LEE ARCHITECTS PLANNERS
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 Tel: +61 8 9478 1512
 Email: salim@salimlee.com.au

Project: REGENTS GARDEN SCARBOROUGH
 LOT 302, (#22) Wheatcroft Street, Scarborough, WA 6164
 Drawing title: ELEVATIONS
 Scale: 1:100
 Drawn: CH
 Date: 8/07/13
 Rev: Rev 1
 DWG No: SK-09(1)

DEVELOPMENT ASSESSMENT
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 - 7 AUG 2013
 APPROVED

UPPER ROOF PLAN

SALIM LEE ARCHITECTS PLANNERS

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Project:
REGENTS GARDEN SCARBOROUGH
LOT 302, (#22) Wheatcroft Street, Scarborough, WA 6164

Drawing title:
UPPER ROOF PLAN

Scale: 1:100

Drawn: CH

Date: 12/08/13

Rev:

DWG No: SK-08

DEVELOPMENT ASSESSMENT
PANELS

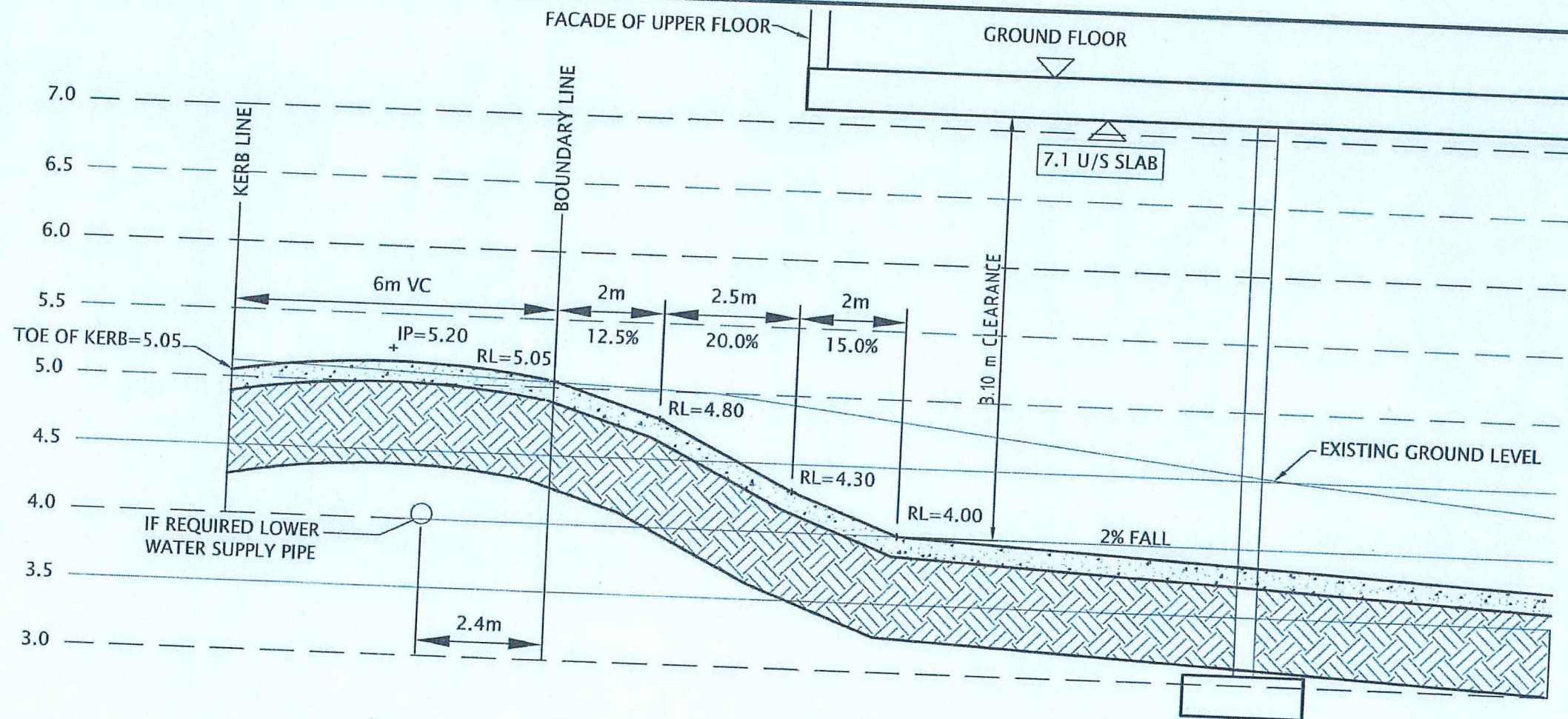
- 7 AUG 2013

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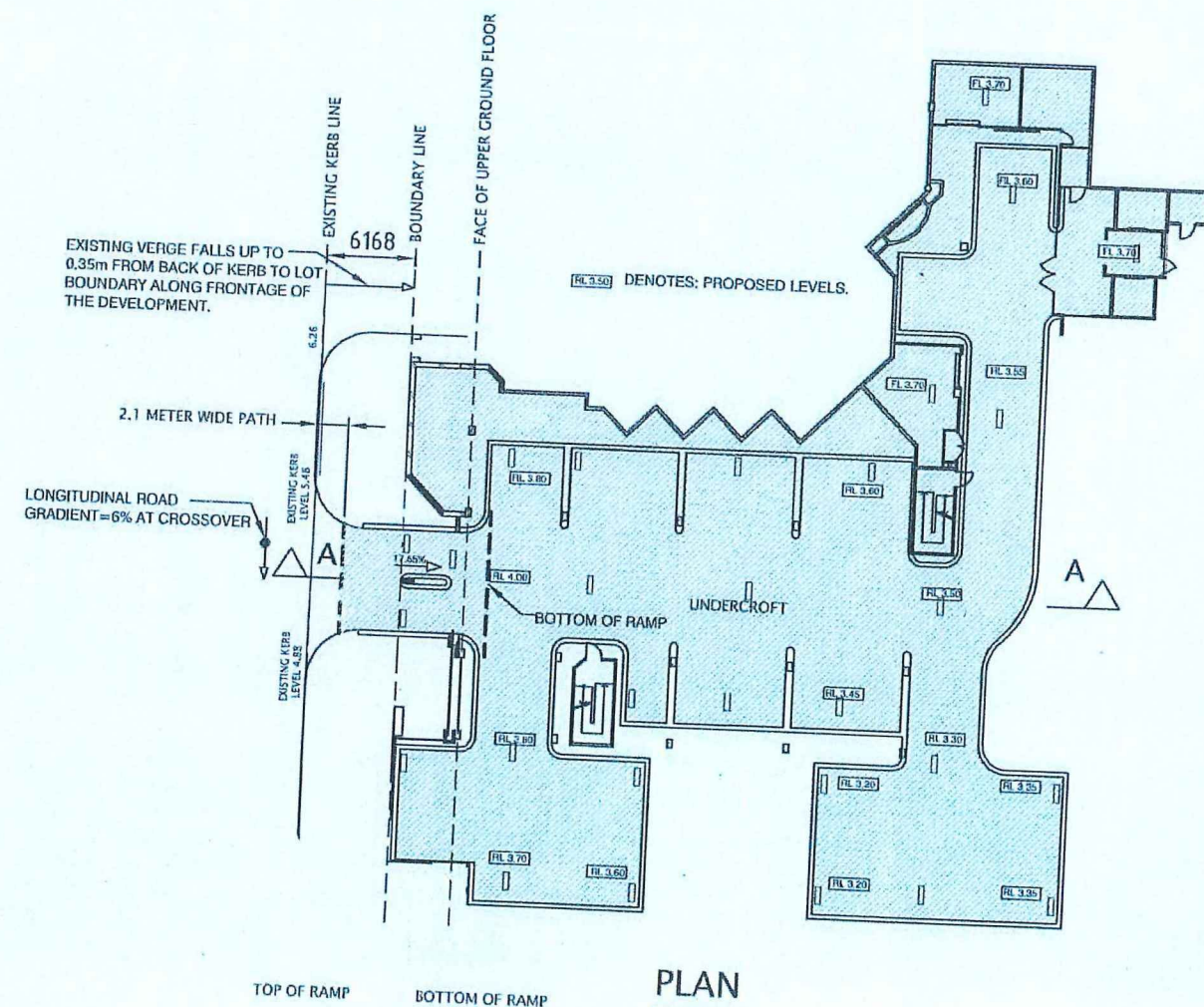
21 JUN 2013

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CITY OF STIRLING

SECTION A-A
HORIZONTAL SCALE 1:100
VERTICAL SCALE 1:50



PLAN

LEGEND:

VC VERTICAL CURVE

REV	DATE	DESCRIPTION
E	24/07/2013	PLAN VIEW LEVELS REVISED
D	23/07/2013	AMENDED BY COUNCIL REQUIREMENTS
C	23/07/2013	REDUCED HEAD ROOM
B	23/07/2013	SECTIONS AND LEVELS REVISED

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e-mail dwa@dwacntrading.com.au
ABN 34 601 486 130

CLIENT:
SALIM LEE ARCHITECTS PLANNERS

PROJECT:
REGENTS GARDEN SCARBOROUGH

DRAWING TITLE:
SECTION THROUGH UNDER CROFT

SCALE:
AS SHOWN ORIGINAL DRAWING SIZE **A3**

DESIGNED: JMC	DATE: 16/07/2013	AUTHORISED: D. Wills	DATE: 16/07/2013
DRAWN: JMC	DATE: 16/07/2013	David Wills AT(Civil) Grad Dip B MEE Aust CP Eng	

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JOB NUMBER: DWG No: REV No:

DEVELOPMENT ASSESSMENT
PANELS
- 7 AUG 2013
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