



## **Metro North-West Joint Development Assessment Panel Agenda**

**Meeting Date and Time:** 15 October 2015; 11am  
**Meeting Number:** MNWJDAP/103  
**Meeting Venue:** City of Stirling  
25 Cedric Street, Stirling

### **Attendance**

#### **DAP Members**

Ms Karen Hyde (Presiding Member)  
Mr Paul Drechsler (Deputy Presiding Member)  
Mr Fred Zuideveld (Specialist Member)  
Mayor Giovanni Italiano (Local Government Member, City of Stirling)  
Cr David Boothman (Local Government Member, City of Stirling)  
Cr John Chester (Local Government Member, City of Joondalup)  
Cr Liam Gobbert (Local Government Member, City of Joondalup)

#### **Officers in attendance**

Ms Patricia Wojcik (City of Stirling)  
Mr Greg Bowering (City of Stirling)  
Mr Andrew McBride (City of Joondalup)  
Mr John Corbellini (City of Joondalup)

#### **Local Government Minute Secretary**

Ms Regan Clyde

#### **Applicant and Submitters**

Mr Paul Lampropoulos (Arise Developments)  
Mr Adam Lisle (Arise Developments)  
Mr Geoff Loxton (Property Development Solutions)  
Mr Peter Taylor (The Learoyd Development Group)

#### **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.101 held on 24 September 2015 and meeting No. 102 held on 1 October 2015.

**5. 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.

**6. Disclosure of Interests**

Nil

**7. Deputations and Presentations**

Nil

**8. Form 1 - Responsible Authority Reports – DAP Application**

<b>8.1</b>	Property Location:	Lot 964, House Number 204, Walcott Street, Mount Lawley
	Application Details:	Mixed Use Development – 11 Multiple Dwellings, 6 Offices, and 1 Restaurant
	Applicant:	The Learoyd Development Group
	Owner:	Raymond Hunt and Peter Taylor
	Responsible authority:	City of Stirling
	DoP File No:	DAP/15/00736

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

Nil

**10. Appeals to the State Administrative Tribunal**

<b>10.1</b>	Property Location:	Lot 811 (3) Sundew Rise, Joondalup
	Application Details:	Modifications to approved showroom, office and take-away food outlet development
	Applicant:	Geoff Loxton of Property Development Solutions
	Owner:	Arise Joondalup Pty Ltd
	Responsible authority:	City of Joondalup
	DoP File No:	DP/12/00582

**11. General Business / Meeting Closure**





## **Minutes of the Metro North-West Joint Development Assessment Panel**

**Meeting Date and Time:** Thursday 24 September 2015; 2pm  
**Meeting Number:** MNWJDAP/101  
**Meeting Venue:** Department of Planning  
140 William Street, Perth

### **Attendance**

#### **DAP Members**

Ms Karen Hyde (Presiding Member)  
Mr Clayton Higham (A/Deputy Presiding Member)  
Mr Fred Zuideveld (Specialist Member)  
Mayor Giovanni Italiano (Local Government Member, City of Stirling)  
Cr David Boothman (Local Government Member, City of Stirling)

#### **Officers in attendance**

Mr Greg Bowering (City of Stirling)  
Ms Giovanna Lumbaca (City of Stirling)

#### **Department of Planning Minute Secretary**

Ms Jess Leitão

#### **Applicant and Submitters**

Ms Lisa Engelbrecht (MGA Town Planners)  
Ms Margie Tannock (Squire Patton Boggs)  
Ms Deborah Olle (Mount Lawley Society Inc)  
Mr Tony Gooley (Perth College)  
Ms Jenny Ethell (Perth College)

#### **Members of the Public**

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#### **1. Declaration of Opening**

The Presiding Member, Ms Karen Hyde declared the meeting open at 2:00 pm on 24 September 2015 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

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**

Mr Paul Drechsler (Deputy Presiding Member)

## **3. Members on Leave of absence**

Panel member, Mr Paul Drechsler has made an application for a leave of absence from 17 September 2015 to 25 September 2015.

Panel member, Mr Paul Drechsler has been granted leave of absence by the Minister for the period of 17 September 2015 to 25 September 2015 inclusive.

## **4. Noting of minutes**

Minutes of the Metro North-West JDAP meeting no.100 held on 18 September 2015 were not available for noting at the time of meeting.

## **5. Declaration of Due Consideration**

All members declared that they had duly considered the documents.

## **6. Disclosure of interests**

Panel member, Mayor Giovanni Italiano, declared an impartiality interest in item 8.1. Mayor Giovanni Italiano attended a council meeting at which the application was considered.

In accordance with section 4.6.1 and 4.6.2 of the Standing Orders 2012, the Presiding Member determined that the member listed above, who had disclosed an impartiality interest, was permitted to participate in discussion and voting on the items.

## **7. Deputations and presentations**

- 7.1** Ms Deborah Olle (Mount Lawley Society Inc) addressed the DAP against the application at Item 8.1. Ms Deborah Olle answered questions from the panel.
- 7.2** Ms Margie Tannock (Squire Patton Boggs) addressed the DAP for the application at Item 8.1. Ms Margie Tannock answered questions from the panel.
- 7.3** Ms Lisa Engelbrecht (MGA Town Planners) addressed the DAP for the application at Item 8.1. Ms Lisa Engelbrecht answered questions from the panel.
- 7.4** Mr Tony Gooley (Perth College) and Ms Jenny Ethell (Perth College) answered questions from the panel.



## 8. Form 1 - Responsible Authority Reports – DAP Application

8.1 Property Location:	Lot 11, House Number 716, Beaufort Street and Lots 8, 30 & 1191, House Numbers 24, 26 & 28 Lawley Crescent, Mount Lawley
Application Details:	Demolition of Existing Buildings and Addition to Perth College (Senior Learning and Leadership Centre)
Applicant:	MGA Town Planners
Owner:	Perth College Incorporated
Responsible authority:	City of Stirling
DoP File No:	DAP/15/00817

### REPORT RECOMMENDATION / PRIMARY MOTION

**Moved by:** Mr Clayton Higham

**Seconded by:** Mr Fred Zuideveld

That the Metro North-West JDAP resolves to:

**Approve** DAP Application reference DAP/15/00817 and accompanying plans (Attachment 1) for the Demolition of Existing Buildings and Addition to Perth College (Senior Learning and Leadership Centre) in accordance with Clause 10.3 of the City of Stirling's Local Planning Scheme No. 3, subject to the following conditions:

1. Lot 11, House Number 716, Beaufort Street and Lots 8, 30 & 1191, House Numbers 24, 26 & 28 Lawley Crescent, Mount Lawley are to be amalgamated into a single green title lot on the one Certificate of Title prior to the occupation of the development.
2. Works relating to the subject development, required or proposed within the road reserve require separate approval of the City. (Refer Advice Note b)
3. The new side entry pit adjacent to the crossover as indicated on the approved Undercroft Floor Plan (Attachment 1) is required to be connected into the City's drainage system to the satisfaction of the City.
4. The modification to the existing speed hump as indicated on the Demolition Plan dated 27 August 2015 (Attachment 10) should not result in ramp gradient in excess of 1:15.
5. The applicant is to provide a traffic/parking management plan that addresses potential vehicle queuing at the entrance to the underground car park prior to the commencement of construction on site.
6. The submission of an acoustic report from a qualified acoustic (noise) consultant is required to the satisfaction of the City. The report is to identify potential noise impacts and control measures from plant equipment, to minimise impact on the residents in neighbouring properties. All recommended actions contained within that report are to be implemented prior to the commencement of the use.



7. Site Management Plan shall be submitted to the satisfaction of the City of Stirling prior to commencement of works. The Site Management Plan shall 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.
8. The applicant shall provide the sketch plans, including site plan, floor plan, elevations, and photographic recording of the four existing dwellings and surrounding site to the satisfaction of the City, prior to the commencement of demolition works.
9. All stormwater from all roofed and paved areas to be collected and contained on site.
10. All land indicated as landscaped area on the approved plan being developed on practical completion of building works to the satisfaction of the City. All landscaped areas are to be maintained in good condition thereafter.
11. All driveways, parking and manoeuvring areas are to be constructed, drained and maintained to the satisfaction of the City.
12. Air conditioning units, ducts and other services shall be screened from view.
13. Pedestrian pathways providing wheelchair accessibility connecting all entries to buildings with the public footpath and car parking areas to the satisfaction of the City.
14. Adequate lighting being provided to communal pathways and parking areas to the satisfaction of the City.
15. All boundary fencing behind the front setback line is to accord with the provisions of the City's Local Laws pertaining to the provision of a sufficient fence.
16. The proposed crossover shall be designed and constructed in accordance with the City's Crossover Policy to the satisfaction of the City.
17. 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.
18. No walls fences or letterboxes above 0.75 metres in height to be constructed within 1.5 metres of where;
  - a. walls or fences adjoin vehicular access points to the site, or
  - b. a driveway meets a public street, or
  - c. two streets intersect,unless the further approval of Council is obtained.
19. The number of disabled car parking bays and their design and layout are to comply with AS/NZS2890.6:2009 (Off-street Parking for People with Disabilities).



## Advice Notes

The following Advice Notes are also recommended:

- a) The retention of the existing crossing or an alternative design may be considered subject to the approval of the City of Stirling and the Children's Crossings & Road Safety Committee.
- b) The City's Engineering Design Business Unit provides the following advice:
  - The design of the children's crossing is to be approved by the Children's Crossings & Road Safety Committee.
  - The seven angled bays located within the 'No Standing' zone are to be removed at the applicant's expense, to the satisfaction of the City.
  - The existing angled bays that will be removed with the installation of a new crossing shall be reinstated as a kerbed verge with the gap between the footpath and the verge removed to avoid tripping hazards at a location approved by the City, at the Applicant's expense, to the satisfaction of the City.
  - The existing (drop off) parking bays on the southern side of Lawley Crescent are to be removed at the Applicant's expense, to the satisfaction of the City.
  - The installation of a central island at a location approved by the City is required to be provided adjacent to the subject site, at the Applicant's expense. Road widening is required to accommodate the central island and trafficable lanes. A detailed design will need to be provided by the Applicant prior to commencement of construction on site, to the satisfaction of the City.
- c) 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.
- d) Where an approval has so lapsed, no development shall be carried out without further development approval having first been sought and obtained.
- e) 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.
- f) 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.
- g) The development is to comply with the Environmental Protection (Noise) Regulations 1997.



- h) 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.
- i) 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.
- j) The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
- k) Development is to comply in all respects with the attached approved plans which have been stamped accordingly.
- l) The premises to comply with the requirements of the Health Public Building Regulations 1992 and related standards.
- m) The City's Environmental Health Services provides the following advice:

Food premises (borders kitchen) to comply with:

Prior to construction Health services requires 2 sets of scaled floor plans & elevations at 1:100 with all fittings, fixtures and finishes. Plans should also show hot and cold water supply and waste water services, staff toilet facilities, mechanical exhaust ventilation, grease trap (where applicable and in accordance with Water Corporation). The food premises must be designed and constructed to be appropriate for the purposes for which they are used and provide adequate space for food production and equipment.

Public Building

The proposed development is to comply with the Health (Public Buildings) Regulations 1992.

Dust

Site management plan required prior to commencement of development to include consideration of noise & dust control during construction.



## AMENDING MOTION

**Moved by:** Mr Clayton Higham

**Seconded by:** Ms Karen Hyde

To amend Condition 2 as follows –

2. Works relating to the subject development, required or proposed within the road reserve ~~require separate approval of the City. (Refer Advice Note b)~~ be designed and constructed to the satisfaction of the City.

To delete Advice Note b and renumber Advice Notes.

### REASON:

To reflect the ongoing discussions that have been occurring between the City and the applicant about the road reserve.

**The Amending Motion was put and CARRIED (3/2).**

For: Ms Karen Hyde  
Mr Clayton Higham  
Mr Fred Zuideveld

Against: Mayor Giovanni Italiano  
Cr David Boothman

## PRIMARY MOTION (AS AMENDED)

That the Metro North-West JDAP resolves to:

**Approve** DAP Application reference DAP/15/00817 and accompanying plans (Attachment 1) for the Demolition of Existing Buildings and Addition to Perth College (Senior Learning and Leadership Centre) in accordance with Clause 10.3 of the City of Stirling's Local Planning Scheme No. 3, subject to the following conditions:

1. Lot 11, House Number 716, Beaufort Street and Lots 8, 30 & 1191, House Numbers 24, 26 & 28 Lawley Crescent, Mount Lawley are to be amalgamated into a single green title lot on the one Certificate of Title prior to the occupation of the development.
2. Works relating to the subject development, required or proposed within the road reserve be designed and constructed to the satisfaction of the City.
3. The new side entry pit adjacent to the crossover as indicated on the approved Undercroft Floor Plan (Attachment 1) is required to be connected into the City's drainage system to the satisfaction of the City.
4. The modification to the existing speed hump as indicated on the Demolition Plan dated 27 August 2015 (Attachment 10) should not result in ramp gradient in excess of 1:15.
5. The applicant is to provide a traffic/parking management plan that addresses potential vehicle queuing at the entrance to the underground car park prior to the commencement of construction on site.





6. The submission of an acoustic report from a qualified acoustic (noise) consultant is required to the satisfaction of the City. The report is to identify potential noise impacts and control measures from plant equipment, to minimise impact on the residents in neighbouring properties. All recommended actions contained within that report are to be implemented prior to the commencement of the use.
7. Site Management Plan shall be submitted to the satisfaction of the City of Stirling prior to commencement of works. The Site Management Plan shall 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.
8. The applicant shall provide the sketch plans, including site plan, floor plan, elevations, and photographic recording of the four existing dwellings and surrounding site to the satisfaction of the City, prior to the commencement of demolition works.
9. All stormwater from all roofed and paved areas to be collected and contained on site.
10. All land indicated as landscaped area on the approved plan being developed on practical completion of building works to the satisfaction of the City. All landscaped areas are to be maintained in good condition thereafter.
11. All driveways, parking and manoeuvring areas are to be constructed, drained and maintained to the satisfaction of the City.
12. Air conditioning units, ducts and other services shall be screened from view.
13. Pedestrian pathways providing wheelchair accessibility connecting all entries to buildings with the public footpath and car parking areas to the satisfaction of the City.
14. Adequate lighting being provided to communal pathways and parking areas to the satisfaction of the City.
15. All boundary fencing behind the front setback line is to accord with the provisions of the City's Local Laws pertaining to the provision of a sufficient fence.
16. The proposed crossover shall be designed and constructed in accordance with the City's Crossover Policy to the satisfaction of the City.
17. 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.
18. No walls fences or letterboxes above 0.75 metres in height to be constructed within 1.5 metres of where;
  - a. walls or fences adjoin vehicular access points to the site, or
  - b. a driveway meets a public street, or
  - c. two streets intersect,

unless the further approval of Council is obtained.





19. The number of disabled car parking bays and their design and layout are to comply with AS/NZS2890.6:2009 (Off-street Parking for People with Disabilities).

### Advice Notes

The following Advice Notes are also recommended:

- a) The retention of the existing crossing or an alternative design may be considered subject to the approval of the City of Stirling and the Children's Crossings & Road Safety Committee.
- b) 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.
- c) Where an approval has so lapsed, no development shall be carried out without further development approval having first been sought and obtained.
- d) 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.
- e) 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.
- f) The development is to comply with the Environmental Protection (Noise) Regulations 1997.
- g) 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.
- h) 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.
- i) The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
- j) Development is to comply in all respects with the attached approved plans which have been stamped accordingly.



- k) The premises to comply with the requirements of the Health Public Building Regulations 1992 and related standards.
- l) The City's Environmental Health Services provides the following advice:

Food premises (borders kitchen) to comply with:

Prior to construction Health services requires 2 sets of scaled floor plans & elevations at 1:100 with all fittings, fixtures and finishes. Plans should also show hot and cold water supply and waste water services, staff toilet facilities, mechanical exhaust ventilation, grease trap (where applicable and in accordance with Water Corporation). The food premises must be designed and constructed to be appropriate for the purposes for which they are used and provide adequate space for food production and equipment.

Public Building

The proposed development is to comply with the Health (Public Buildings) Regulations 1992.

Dust

Site management plan required prior to commencement of development to include consideration of noise & dust control during construction.

**The Primary Motion (as amended) was put and CARRIED (3/2).**

For:	Ms Karen Hyde	Against:	Mayor Giovanni Italiano
	Mr Clayton Higham		Cr David Boothman
	Mr Fred Zuideveld		

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

Nil

**10. Appeals to the State Administrative Tribunal**

Lot 20 (99) Flora Terrace, North Beach;  
Lot 26 (27) Prisk Street, Karrinyup;  
Lot 300 (45) Alexander Drive, Menora; and  
Lot 600 (967), Lot 14 (969) and Lot 13 (971) Beaufort Street, Inglewood.

**11. General Business / Meeting Close**

There being no further business, the presiding member declared the meeting closed at 2:53 pm.



## **Minutes of the Metro North-West Joint Development Assessment Panel**

**Meeting Date and Time:** 1 October 2015; 2pm  
**Meeting Number:** MNWJDAP/102  
**Meeting Venue:** 90 Boas Avenue, Joondalup

### **Attendance**

#### **DAP Members**

Ms Karen Hyde (Presiding Member)  
Mr Paul Drechsler (Deputy Presiding Member)  
Mr Fred Zuideveld (Specialist Member)  
Cr Liam Gobbert (Local Government Member, City of Joondalup)  
Cr John Chester (Local Government Member, City of Joondalup)

#### **Officers in attendance**

Ms Dale Page (City of Joondalup)  
Mr John Corbellini (City of Joondalup)  
Ms Lydia Dwyer (City of Joondalup)  
Ms Renae Mather (City of Joondalup)  
Mr Tim Reed (City of Joondalup)  
Mr John Byrne (City of Joondalup)

#### **Local Government Minute Secretary**

Mrs Rose Garlick (City of Joondalup)

#### **Observer**

Cr Mike Norman (City of Joondalup)

#### **Applicants and Submitters**

Mr Eddy Krajcar  
Mr Richard (Dick) Gray  
Ms Rosemarie Iglesias  
Mr Giles Harden Jones (Harden Jones Architects)  
Mr Simon Oakley (Oakley Architects)

#### **Members of the Public**

There were eight members of the public and one member of the press in attendance.



## 1. Declaration of Opening

The Presiding Member, Ms Karen Hyde declared the meeting open at 2.00pm on 1 October 2015 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

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 the meeting is being audio recorded 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 Presiding Member granted permission for the minute taker to record proceedings for the purpose of the minutes only.

## 2. Apologies

Nil

## 3. Members on Leave of absence

Nil

## 4. Noting of minutes

Minutes of the Metro North-West JDAP Meeting No.99 held on 17 September 2015 and Meeting No.100 held on 18 September 2015 were noted by DAP members.

The Minutes of the Metro North-West JDAP Meeting No.101 held on 24 September 2015 were not available at time of Agenda preparation.

## 5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

## 6. Disclosure of interests

Panel member, Cr John Chester, declared an impartiality interest in item 10.1. One of the presenters, Mr Richard Gray is known to Cr Chester. Cr Chester has received a phone call from Mr Gray regarding Item 10.1 on the Agenda.

In accordance with section 4.6.1 and 4.6.2 of the Standing Orders 2012, the Presiding Member determined that Cr Chester, who has disclosed an impartiality interest, is permitted to participate in discussion and voting on the items.



## 7. Deputations and presentations

- 7.1 Mr Eddy Krajcar addressed the DAP against the application at Item 10.1.
- 7.2 Mr Richard (Dick) Gray addressed the DAP against the application at Item 10.1.
- 7.3 Ms Rosemarie Iglesias addressed the DAP against the application at Item 10.1.
- 7.4 Mr Giles Harden Jones (Harden Jones Architects) addressed the DAP for the application at Item 10.1.

***The presentations at Item 7.1 through to 7.4 were heard prior to the application at Item No. 10.1.***

## 8. Form 1 - Responsible Authority Reports – DAP Application

- |     |                        |  |
|-----|------------------------|--|
| 8.1 | Property Location:     | Lot 181 (20) St Marks Drive, Hillarys      |
|     | Application Details:   | Proposed three storey educational facility |
|     | Applicant:             | Oakley Architects                          |
|     | Owner:                 | Anglican Schools Commission                |
|     | Responsible authority: | City of Joondalup                          |
|     | DoP File No:           | DAP/15/00867                               |

## REPORT RECOMMENDATION / PRIMARY MOTION

**Moved by:** Cr John Chester

**Seconded by:** Mr Fred Zuideveld

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

**Approve** DAP Application reference DAP/15/00867 and accompanying plans A1.01, A1.02, A1.04, A2.01, A2.03, A3.01, A3.02 and A4.01 in accordance with Clause 6.9 of the City of Joondalup *District Planning Scheme No.2*, subject to the following conditions:

### Conditions

1. This decision constitutes planning approval only and is valid for a period of two years from the date of the decision letter. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect;
2. This approval relates to the Senior Academic Centre, adjoining car park and access only as indicated on the approved plans. It does not relate to the 'proposed new 'standalone' classroom block', 'alterations to end of block', or proposed new addition to existing classroom block' on plan A1.01 or the 'new standalone classrooms' or 'new classroom' on plan A1.02.
3. The eight temporary classrooms approved under DA15/0289 are to be removed and the land made good to the satisfaction of the City, prior to occupation of the Senior Academic Centre.



4. 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;
  - 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.
5. 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.
6. A Construction Management Plan being submitted and approved by the City prior to the commencement of development. The management plan shall detail how it is proposed to manage:
  - i. all forward works for the site;
  - ii. the delivery of materials and equipment to the site;
  - iii. the storage of materials and equipment on the site;
  - iv. the parking arrangements for the contractors and subcontractors;
  - v. other matters likely to impact on the surrounding properties;
7. 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 development;
8. 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 including being free of vandalism, to the satisfaction of the City;
9. 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;



10. The external surface of the additions, 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.
11. Any bicycle parking facilities provided should be designed in accordance with the Australian Standard for Off-street Car parking – Bicycles (AS2890.3-1993). If the development is to include bicycle parking, details of bicycle parking area(s) shall be provided to, and approved by the City prior to the commencement of development.
12. 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.
13. Detailed traffic management and car park plans shall be submitted and approved by the City prior to commencement of development. This plan shall detail:
  - i. Compliance with AS2890;
  - ii. Directional signage and pavement markings;
  - iii. Demonstrate circulation for a B99 vehicle from entry to exit via the proposed roundabout within the new staff car park; and
  - iv. Give consideration to the installation and provision of boom gates or similar to enable restricted access.

#### Advice Notes

1. Where an approval has so lapsed, no development shall be carried out without the further approval of the City having first been sought and obtained.
2. A certificate of electrical compliance, completed by a suitably qualified person, is required prior to the occupation of the building and in accordance with the *Health (Public Building) Regulations 1992*.
3. Food Notification/Registration under the *Food Act 2008* may be required where food ingredients are being provided to students, or where any person is able to purchase food from the café.

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

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

Nil





## 10. Appeals to the State Administrative Tribunal

10.1	Property Location:	Lot 28 (46) Angove Drive, Hillarys
	Application Details:	Mixed Use Development with Basement Parking
	Applicant:	Harden Jones Architects
	Owner:	Paltara Pty Ltd
	Responsible authority:	City of Joondalup
	DoP File No:	DAP/15/00754

### REPORT RECOMMENDATION / PRIMARY MOTION

**Moved by:** Cr Liam Gobbert

**Seconded by:** Mr Fred Zuideveld

That the Metro North-West Joint Development Assessment Panel, pursuant to section 31 of the *State Administrative Tribunal Act 2004* in respect of SAT application DR 217/2015, resolves to:

**Set aside** its decision dated 6 July 2015 and **approves** DAP application reference DAP/15/00754 and amended plans as set out in Attachment 2 in accordance with Clause 6.9 of the *City of Joondalup District 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 stormwater drainage system are to be submitted to the City for approval, prior to the commencement of development.

5. The off-street 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. The on-street car parking bays and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for On-street Car Parking (AS/NZS2890.5 1993) and other applicable Australian Standards and Austroads guidelines to the satisfaction of the City, prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City.
7. The construction of the pedestrian footpaths within the Angove Drive and Mallorca Avenue road reserves is required prior to the development first being occupied.
8. Further to conditions 6 and 7 above, detailed plans showing the proposed works in the road reserve, including construction of the pedestrian footpaths and on-street car bays, are to be submitted to and approved by the City prior to commencement of development. All costs associated with the proposed construction of the pedestrian footpath and car bays within the Angove Drive and Mallorca Avenue road reserves shall be at the expense of the applicant. All works are to be completed to the satisfaction of the City prior to the development first being occupied.
9. 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.
10. All external walls of the proposed buildings 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.
11. All development shall be contained within the property boundaries.
12. 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.
13. 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.
  14. 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.
  15. 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. Refuse management for the development shall be undertaken in accordance with the approved Refuse Management Plan, to the satisfaction of the City.
  16. Lighting shall be installed along all car parking areas, communal open space areas, pedestrian pathways and in all common service areas prior to the development first being occupied, to the satisfaction of the City. A lighting plan shall be submitted to the City for approval prior to the commencement of development.
  17. Visitor car parking spaces shall be marked and clearly signposted as dedicated for visitor use only, to the satisfaction of the City.

#### Advice Notes

1. Where an approval has lapsed, no development shall be carried out without further approval having first being sought and obtained.
2. The tenancy indicated as 'Office' on the approved plans is 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 tenancy indicated as 'Shop' on the approved plans is 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 tenancy indicated as 'Cafe' on the approved plans is approved as a 'Restaurant' as defined by the City of Joondalup District Planning Scheme No. 2.

The City of Joondalup District Planning Scheme No. 2 defines 'Restaurant' as *"premises where the predominant use is the preparation of food for sale and consumption within the building or portion thereof. The expression may include the sale of food for consumption off the premises, where Council is of the opinion that it is incidental to the business. The term may include an outdoor eating area which shall be treated as being within the building of the Restaurant. The expression excludes Drive Through Food Outlets."*

7. The units on the ground and first floor of the development are approved as 'Multiple Dwellings' as defined by the Residential Design Codes of WA.
8. 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."*
9. Food business premises to comply with the requirements of the *Food Act 2008*.
10. Laundry facilities to be provided in residential units, in accordance with the City of Joondalup *Health Local Law 1999*.
11. The use of conventional dryers within laundry areas should be prohibited. Condensation dryers should instead be provided to reduce the risk of mould growths, which are commonly associated with multi-residential developments.
12. Applicant to comply with the *Health (Aquatic Facilities) Regulations 2007*.

## AMENDING MOTION

**Moved by:** Mr Fred Zuideveld

**Seconded by:** Cr Liam Gobbert

In Condition 11 after the word "boundaries" insert the following words:

"with the exception of canopies to the commercial tenancies and entrance to the satisfaction of the City"

**REASON:** To allow for the canopy that extends over the boundary onto the street reserve.

**The Amending Motion was put and CARRIED UNANIMOUSLY.**



### AMENDING MOTION

**Moved by:** Mr Fred Zuideveld

**Seconded by:** Mr Paul Drechsler

Add a Condition 18 to read as follows:

“A solid screening to 1.6 metres in height above the pool deck shall be provided to the south boundary to the satisfaction of the City.”

**REASON:** To allow for privacy.

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

### AMENDING MOTION

**Moved by:** Mr Fred Zuideveld

**Seconded by:** Nil

That the basement car park shall be accessible to the public till 9.00pm each evening.

**The Amending Motion LAPSED for want of a seconder.**

### AMENDING MOTION

**Moved by:** Ms Karen Hyde

**Seconded by:** Cr John Chester

Add a Condition 19 to read as follows:

“Utility areas and common services shall not abut the common boundary with adjoining residential properties, with the future swimming pool equipment to be located north of grid line E shown on the approved plans and contained within a sound reduction enclosure. Plans showing the location of the future swimming pool equipment and the other utility areas and common services shall be submitted to and approved by the City prior to commencement of development. All utility areas and common services shall be developed in accordance with the approved plans.”

**REASON:** To cover the matter of swimming pool equipment..

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

### PRIMARY MOTION (AS AMENDED)

That the Metro North-West Joint Development Assessment Panel, pursuant to section 31 of the *State Administrative Tribunal Act 2004* in respect of SAT application DR 217/2015, resolves to:

**Set aside** its decision dated 6 July 2015 and **approves** DAP application reference DAP/15/00754 and amended plans as set out in Attachment 2 in accordance with Clause 6.9 of the *City of Joondalup District 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 stormwater drainage system are to be submitted to the City for approval, prior to the commencement of development.
5. The off-street 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. The on-street car parking bays and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for On-street Car Parking (AS/NZS2890.5 1993) and other applicable Australian Standards and Austroads guidelines to the satisfaction of the City, prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City.
7. The construction of the pedestrian footpaths within the Angove Drive and Mallorca Avenue road reserves is required prior to the development first being occupied.
8. Further to conditions 6 and 7 above, detailed plans showing the proposed works in the road reserve, including construction of the pedestrian footpaths and on-street car bays, are to be submitted to and approved by the City prior to commencement of development. All costs associated with the proposed construction of the pedestrian footpath and car bays within the Angove Drive and Mallorca Avenue



- road reserves shall be at the expense of the applicant. All works are to be completed to the satisfaction of the City prior to the development first being occupied.
9. 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.
  10. All external walls of the proposed buildings 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.
  11. All development shall be contained within the property boundaries with the exception of canopies to the commercial tenancies and entrance to the satisfaction of the City.
  12. 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.
  13. 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.
  14. 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.
  15. 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. Refuse management for the development shall be undertaken in accordance with the approved Refuse Management Plan, to the satisfaction of the City.
  16. Lighting shall be installed along all car parking areas, communal open space areas, pedestrian pathways and in all common service areas prior to the development first being occupied, to the satisfaction of the City. A lighting plan shall be submitted to the City for approval prior to the commencement of development.





17. Visitor car parking spaces shall be marked and clearly signposted as dedicated for visitor use only, to the satisfaction of the City.
18. A solid screening to 1.6 metres in height above the pool deck shall be provided to the south boundary to the satisfaction of the City.
19. Utility areas and common services shall not abut the common boundary with adjoining residential properties, with the future swimming pool equipment to be located north of grid line E shown on the approved plans and contained within a sound reduction enclosure. Plans showing the location of the future swimming pool equipment and the other utility areas and common services shall be submitted to and approved by the City prior to commencement of development. All utility areas and common services shall be developed in accordance with the approved plans.

### Advice Notes

1. Where an approval has lapsed, no development shall be carried out without further approval having first being sought and obtained.
2. The tenancy indicated as 'Office' on the approved plans is 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 tenancy indicated as 'Shop' on the approved plans is 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 tenancy indicated as 'Cafe' on the approved plans is approved as a 'Restaurant' as defined by the City of Joondalup District Planning Scheme No. 2.
7. The City of Joondalup District Planning Scheme No. 2 defines 'Restaurant' as *"premises where the predominant use is the preparation of food for sale and consumption within the building or portion thereof. The expression may include the sale of food for consumption off the premises, where Council is of the opinion that it is incidental to the business. The term may include an outdoor eating area which shall be treated as being within the building of the Restaurant. The expression excludes Drive Through Food Outlets."*
8. The units on the ground and first floor of the development are approved as 'Multiple Dwellings' as defined by the Residential Design Codes of WA.



9. 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.*"
10. Food business premises to comply with the requirements of the *Food Act 2008*.
11. Laundry facilities to be provided in residential units, in accordance with the City of Joondalup *Health Local Law 1999*.
12. The use of conventional dryers within laundry areas should be prohibited. Condensation dryers should instead be provided to reduce the risk of mould growths, which are commonly associated with multi-residential developments.
13. Applicant to comply with the *Health (Aquatic Facilities) Regulations 2007*.

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

#### **11. General Business / Meeting Close**

The Presiding Member reminded the meeting that in accordance with Standing Order 7.3 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

There being no further business, the Presiding Member declared the meeting closed at 3.05pm.





## Form 1 - Responsible Authority Report

(Regulation 12)

<b>Property Location:</b>	Lot 964, House Number 204, Walcott Street, Mount Lawley
<b>Application Details:</b>	Mixed Use Development – 11 Multiple Dwellings, 6 Offices, and 1 Restaurant
<b>DAP Name:</b>	Metro North-West JDAP
<b>Applicant:</b>	The Learoyd Development Group
<b>Owner:</b>	Raymond Hunt and Peter Taylor
<b>LG Reference:</b>	DA15/0362
<b>Responsible Authority:</b>	City of Stirling
<b>Authorising Officer:</b>	Ross Povey Director Planning and Development
<b>Department of Planning File No:</b>	DAP/15/00736
<b>Report Date:</b>	1 October 2015
<b>Application Receipt Date:</b>	26 February 2015
<b>Application Process Days:</b>	217 Days
<b>Attachment(s):</b>	<b>Attachment 1</b> Development Application Plans, all date stamped 09 September 2015: <ul style="list-style-type: none"><li>a) Cover DA-01 Rev E</li><li>b) The Site DA-02 Rev E</li><li>c) Design Reference Study DA-03 Rev E</li><li>d) The Building DA-04 Rev E</li><li>e) Levels 1 and 2 DA-05 Rev E</li><li>f) Levels 3 and 4 DA-06 Rev E</li><li>g) Roof Plan, Elevations and Sections DA-07 Rev E</li><li>h) Built Form and Design – Height DA-08 Rev E</li><li>i) Built Form and Design – Streetscape/Landscaping DA-09 Rev E</li><li>j) Built Form and Design – Access and Parking DA-10 Rev E</li><li>k) Built Form and Design – Setbacks DA-11 Rev E</li><li>l) Built Form and Design – Setbacks (additional) DA-11B Rev E</li><li>m) Plot Ratio, Open Space Calculations DA-12 Rev E</li><li>n) Development Considerations - Acoustic Performance DA-13 Rev B</li><li>o) Development Considerations – Waste Management DA-14 Rev E</li><li>p) Development Considerations – Transport Report DA-15 Rev E</li><li>q) Development Considerations – Heritage Report DA-16 Rev E</li><li>r) Additional Views DA-17 Rev E</li></ul>

	<p>s) Additional Views 2 DA-18 Rev E  t) Additional Views 3 DA-19 Rev E  u) Selection Schedule DA-20 Rev E</p> <p><b>Attachment 2</b>  Aerial Location Plan</p> <p><b>Attachment 3</b>  Metropolitan Regional Scheme (MRS)  Zoning Map</p> <p><b>Attachment 4</b>  City of Stirling Local Planning Scheme No. 3  (LPS 3) Zoning Map</p> <p><b>Attachment 5</b>  Heritage Assessment dated 16 March 2015</p> <p><b>Attachment 6</b>  Department of Planning transport comments  dated 28 April 2015</p> <p><b>Attachment 7</b>  Applicant's justification</p> <p><b>Attachment 8</b>  Responsible Authority Report considered by  the Metro North-West JDAP on 25 June 2015</p>
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**Officer Recommendation:**

That the Metro North-West JDAP resolves to:

**Approve** DAP Application reference DAP/15/00736 and accompanying plans (Attachment 1) for 11 Multiple Dwellings, 6 Offices, and 1 Restaurant in accordance with Clause 10.3 of the City of Stirling Local Planning Scheme No. 3, subject to the following conditions:

**Conditions**

1. No permanent structures (existing or proposed) are to be located within the road reserve.
2. The land owner agrees to remove the encroaching parts of the development at such time as the reserved land is required for the upgrading of Walcott Street at their own expense if required.
3. The land owner agrees that any improvements made to, or loss of amenity will not be taken into consideration in determining any land acquisition cost or compensation which may be payable by Council or the WAPC at such time as the land is required.

4. The land owner is to enter into a deed of agreement with the WAPC that the presence of the development on the road reserve shall not be taken into consideration in determining any land acquisition cost or compensation that may be payable by Council or the WAPC, and the land owner also agrees to remove the development on the road reserve at their own cost at the time the reserved land is required for the upgrading of Walcott Street. The agreement is to be notified on the Certificate of Title.
5. Where the satisfaction of any condition requires the preparation of a notification, such notification shall be prepared by the City or WAPC's nominated legal representatives.
6. Unless otherwise specified all costs of and incidental to the satisfaction of these conditions must be paid by the owner including, without limitation, the City's legal costs and all registration fees and stamp duty (if any).
7. At no time is there to be a balcony or awning located above the constructed carriageway for Walcott Street.
8. A Site Management Plan shall be submitted to the satisfaction of the City of Stirling prior to commencement of works. The Site Management Plan shall 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.
9. A Noise Management Plan from a qualified acoustic (noise) consultant is required to the satisfaction of the City's Health and Compliance Business Unit prior to the issue of a building permit. The report is to identify potential noise impacts and control measures from plant equipment, essential services, air conditioning units, noise from people's activities from balconies, vehicle noise, operation of the café, to minimise impact on the residents in the development/neighbouring properties.
10. Servicing of all waste bins is to be to the satisfaction of the City's Waste Services Business Unit, or as otherwise agreed in the Waste Management Plan.
11. Parking bays within Learoyd Street verge are to be designed and constructed to the satisfaction of the City of Stirling at the applicant's expense. Full detailed design plans to be submitted for approval prior to commencement of development.
12. The proposed crossover/s shall be designed and constructed in accordance with the City's Crossover Policy.
13. Redundant crossovers are to be removed and the verge and footpath are to be reinstated to the satisfaction of the City prior to the completion of development.
14. The levels of the proposed parking areas are to comply with AS/NZS2890.1:2004, and match the existing verge levels, to the satisfaction of the City.
15. No walls, letterboxes or fences above 0.75 metres in height to be constructed

- within the 1.5 metres of where;
- I. walls, letterboxes or fences adjoin vehicular access points to the site, or
  - II. a driveway meets a public street,
16. All off street parking to be available during business hours for all customers and staff.
  17. Vehicular parking, maneuvering and circulation areas indicated on the approved plan being sealed and drained to the satisfaction of the City and the parking spaces being marked out and maintained in good repair.
  18. All driveways, parking and maneuvering areas are to be constructed of brick paving, drained and maintained to the City's satisfaction. Alternative finishes such as concrete or bitumen are acceptable if it has a decorative type finish to the satisfaction of the City.
  19. All bicycle parking facilities are to comply with AS2890.3 Part 3.
  20. Awnings to have minimum clearance of 2.7m above the finished footpath level, and are to extend the whole length of the Walcott Street frontage.
  21. Each residential unit is to have at least one outdoor living area with a minimum floor area of 10.0m<sup>2</sup> and a minimum dimension of 2.4m.
  22. No goods or materials being stored, either temporarily or permanently, in the parking or landscape areas or within access driveways. All goods and materials are to be stored within the buildings or storage yards, where provided.
  23. The surface of a boundary wall facing a neighbour shall be to the satisfaction of the City and be of a finished standard such as face brick, rendered and painted masonry or the like.
  24. All boundary fencing behind the front setback line is to accord with the provisions of the City's Local Laws pertaining to the provision of a sufficient fence.
  25. Stormwater from all roofed and paved areas to be collected and contained on site.
  26. Landscaping within the road reserve, and specifically the provision of street trees where appropriate, is to be undertaken at the applicants expense to the satisfaction of the City's Engineering Design and Parks & Reserves Business Units prior to the completion of the development.
  27. Signage shown on the submitted plans does not form of this approval. A separate development application will be required prior to the erection of any signs.
  28. Mechanical clothes dryers shall be provided within all multiple dwellings.

29. A schedule of all external colours and materials is to be submitted to the satisfaction of the City of Stirling Approvals Business Unit prior to the commencement of works.

### Advice Notes

1. The applicants are advised to contact the WAPC Land Dealings Coordinator at the Department for Planning should they wish to discuss the formulation of a deed of agreement for the temporary use of the road reserve.

### Background:

Insert Property Address:	Lot 964, House Number 204, Walcott Street, Mount Lawley
Insert Zoning MRS:	Urban
TPS:	Local Centre
Insert Use Class:	Office Restaurant Multiple Dwelling
Insert Strategy Policy:	Not Applicable
Insert Development Scheme:	Not Applicable
Insert Lot Size:	776m <sup>2</sup>
Insert Existing Land Use:	Convenience Store
Value of Development:	\$4.9 million

The subject site is zoned 'Urban' under the Metropolitan Region Scheme (MRS) (Attachment 3) and 'Local Centre' under the City of Stirling Local Planning Scheme No.3 (LPS3) (Attachment 4). The site abuts Walcott Street on the south-western boundary, Learoyd Street on the eastern boundary and residential lots on the north and north-western boundaries.

The subject property abuts Walcott Street, which is reserved Other Regional Road (ORR) in the Metropolitan Region Scheme (MRS), and is listed as a Category 2 ORR in WAPC Plan No. SP 694/3. The property is subject to a 1.4m road widening as per Western Australian Planning Commission (WAPC) Land Requirement Plan Number 1.3154.

There is an existing single house and shop on the site which was the subject of a development application (DA14/1106) for demolition as the site is within the City's Heritage Protection Area. At its meeting on 16 September 2014 Council resolved:

*That pursuant to Clause 10.3.1 of Local Planning Scheme No.3, the application for the partial demolition of shops and demolition of a dwelling at Lot 964, House Number 204, Walcott Street, Mount Lawley be APPROVED subject to the following conditions:-*

- a. *In accordance with Clause 10.8.1 of Local Planning Scheme No.3 no demolition works are to commence until a further approval for redevelopment of the site has been granted;*

- b. *The existing shop front along Walcott and Learoyd Streets is to be retained to a minimum depth of 1.4m measured from the front façade;*
- c. *A practicing structural engineer's report shall be submitted demonstrating how the structural integrity of the existing structure is to be maintained during demolition and building works. This report shall be to the satisfaction of the City and approved in writing prior to the commencement of works;*
- d. *Materials used in the construction of the original dwelling and shop are to be recycled and reused in any future development on site. Details of the reclaimed materials are to be submitted to the City at the completion of demolition works; and*
- e. *The applicant shall provide the sketch plans, including a site plan, floor plan, elevations, and photographic recording of the existing residence and surrounding site to the satisfaction of the Manager Approvals prior to the commencement of demolition works.*

### **Original Proposal**

A development application for 11 Multiple Dwellings, 6 Offices, and 1 Restaurant was received by the City on 23 February 2015 that required determination by the Metro North West Joint Development Assessment Panel (Metro North West JDAP).

### **Metro North-West JDAP Meeting on 25 June 2015**

The City provided a Responsible Authority Report to the Metro North West JDAP which considered the application at its meeting on 25 June 2015. Following consideration of the application, the following procedural motion was carried:

*That the item be deferred to a future meeting for further consideration, and to permit the applicant to address issues raised and resubmit amended plans.*

The applicant subsequently provided amended plans and supporting documentation to the City on 9 September 2015. The amended plans have addressed the City's concerns regarding Local Planning Policy 6.7 - Parking & Access, Local Planning Policy 4.2 – Mixed Use and Commercial Centre Design Guidelines relating to Activity and Uses, Levels and Crossovers. The height of the boundary wall has been amended to meet the deemed to comply requirements of Clause 6.1.4 Lot boundary setbacks of the R-Codes and outdoor living areas now meet the deemed to comply requirements of Clause 6.3.1 Outdoor living areas of the R-Codes.

### **Details: Outline of development application**

The application proposes development of Lot 964, House Number 240 Walcott Street, Mount Lawley into a Mixed Use Development comprising:

- 11 Multiple Dwellings;
- 1 Restaurant and 4 Office tenancies on the ground floor fronting Walcott Street and a further 2 Office tenancies fronting Learoyd Street;
- 15 car parking bays on site and a further 9 car parking bays within Learoyd Street road reserve.

## Legislation & policy:

### Legislation

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

### State Government Policies

- Residential Design Codes of Western Australia

### Local Policies

The following Local Planning Policies are applicable to the development:-

- Local Planning Policy 3.1 – Heritage Protection Area Character Retention Guidelines Mt Lawley, Menora and Inglewood
- Local Planning Policy 4.2 – Mixed Use and Commercial Centre Design Guidelines
- Local Planning Policy 6.3 – Bin Storage
- Local Planning Policy 6.6 – Landscaping
- Local Planning Policy 6.7 – Parking & Access

### Local Planning Scheme No. 3

Clause 4.2.7 of Local Planning Scheme No. 3 – Objectives of the Local Centre Zone  
LPS3 provides the following objectives for the Local Centre zone:

- To provide for a limited range of small-scale retail, commercial and community facilities to meet the day-to-day needs of the immediate neighbourhood.*
- To ensure safe and convenient access to facilities, in an environment which is conducive to pedestrian movement.*
- To ensure development is sited and designed so as to reinforce a sense of place and attractive streetscapes.*

### Clause 5.3.2 of LPS3 - Special Application of Residential Design Codes

The subject site is zoned Local Centre, hence Clause 5.3.2 of LPS3 applies, which states:

*Except as otherwise required in the Scheme or a Local Planning Policy, residential development not in the Residential Zone is to comply with the requirements of multiple dwellings under the R80 R-Code.*

Residential development on the subject lots is therefore to be in accordance with the R80 standards of Part 6 of the R-Codes, unless otherwise varied by a Local Planning Policy.

### Clause 6.6 of Local Planning Scheme No. 3 – Heritage Protection Area Special Control Area

LPS3 provides the following objectives for the Heritage Protection Area:

- To ensure the conservation and retention of buildings within the Heritage Protection Area Special Control Area dating from the early 1900s to the 1950s where the architectural style of the building is generally intact;*
- To ensure the retention of existing buildings referred to in (a) above to maintain the existing character of the streetscape;*
- To ensure that new buildings (where permitted), alterations, additions to existing buildings, carports, garages and front fences are in keeping with the*

- heritage character of the area, respect the scale and proportions of surrounding buildings, and are designed to fit into the existing streetscape;*
- d) To maintain and improve existing street trees, grass verges and front gardens; and*
  - e) To retain mature trees wherever possible.*

### Local Planning Policies

#### Local Planning Policy 3.1 – Character Retention Guidelines Mt Lawley, Menora and Inglewood

Local Planning Policy 3.1 (the Guidelines) applies to the subject site, the overall objectives of the policy are:

- a) Ensure the retention of buildings within the Heritage Protection Areas dating from the early 1900s to the 1950s where the architectural style of the building is generally intact;*
- b) Ensure that new buildings, alterations and additions to existing buildings, carports, garages and front fences are in keeping with the heritage character of the area, respects the scale and proportions of surrounding buildings, and are designed to fit into the existing streetscape;*
- c) Maintain and improve existing street trees, grass verges and front gardens;*
- d) Retain mature trees wherever possible; and*
- e) Provide a framework for the assessment of development applications in line with the above points.*

The specific objectives relating to commercial and mixed use development are:

- a) Ensure the conservation and retention of traditional buildings, particularly traditional shops and commercial buildings, including those described in Part 5;*
- b) Ensure new commercial and mixed-use development consistent with ‘main street’, mixed-use design principles, and consistent with the heritage character of the locality; and*
- c) Ensure refurbishment of more recent development in a manner in keeping with traditional commercial buildings.*

#### Local Planning Policy 4.2 – Mixed Use & Commercial Centre Design Guidelines

Local Planning Policy 4.2 (LPP 4.2) applies to the subject site, the objectives of which are:

- a) To create vibrant and active mixed use centres by locating facilities such as housing, employment places and retail activities together;*
- b) To create main street frontages to existing box style developments;*
- c) To create a high level of pedestrian amenity through the provision of continuous streetscapes, interactive frontages and weather shelter;*
- d) To promote a high quality built form that creates a distinctive urban form and enables safety and security through passive surveillance; and*
- e) To create public and private spaces that are safe, attractive and surrounded by active vibrant uses that will become the focal / meeting point of the centres.*

#### Local Planning Policy 6.3 – Bin Storage Areas

Local Planning Policy 6.3 (LPP 6.3) contains the following 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.*

#### Local Planning Policy 6.6 – Landscaping

Local Planning Policy 6.6 (LPP 6.6) contains the following 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.*

#### Local Planning Policy 6.7 – Parking & Access

Local Planning Policy 6.7 (LPP 6.7) contains the following objectives:-

- *To facilitate the development of adequate parking facilities;*
- *To ensure safe, convenient and efficient access for pedestrians, cyclists and motorists;*
- *To ensure that a major parking problem is unlikely to occur;*
- *To ensure that car parking does not have a detrimental impact on the character and amenity of a residential area; and*
- *To ensure that an oversupply of parking does not occur that discourages alternative forms of transport and is detrimental to urban design and character of the locality.*

#### **Consultation:**

##### Public Consultation

The original plans proposed as part of this application were advertised for a period of 28 days, in accordance with Clause 9.4 of LPS3 and the City's Planning Consultation Procedure. Letters were sent to owners and occupiers of properties within a 100m radius of the subject site and to the City of Vincent so they could consult with properties on the western side of Walcott Street. A notice was placed on the City's website and signs were erected on the subject lot by the applicant.

Further consultation with respect to the amended plans (Attachment 1) was not deemed necessary as the proposal has reduced the impact of the development to the adjoining property with respect to the variations being sought. The overall proposal has not substantially changed from that originally advertised.

At the conclusion of the public consultation period 20 submissions were received, the majority of which objected to the proposed development. The relative location of submitters is tabled below:

<b>Submissions Received</b>	<b>Within 100m of site</b>	<b>More than 100m from subject site</b>	<b>All Submissions</b>
<b>SUPPORT</b>	5%	5%	10%
<b>OBJECT</b>	45%	40%	85%
<b>OTHER</b> (Not stated/ no opinion/ 'conditional')	0%	5%	5%

A summary of the comments received and the officer's response to these comments is contained within Attachment 7.

Additionally, a 53 signature petition was also submitted objecting to the proposed development. It is noted that nine of the people who signed the petition also made submissions on the proposal. The petition contained the following statement:

*This petition is from local residents in the Mount Lawley area and is a formal objection to the approval of the DA 204 Walcott Street.*

*Key reasons for this objection from the community are as follows;*

- *Impact on parking / traffic around the area.*
- *Size and scale of the building (776sqm lot, with neighbouring properties being single level heritage properties) and setback.*
- *Streetscape impact within the Mount Lawley Heritage area.*

#### Consultation with other Agencies or Consultants

The application was referred to the Department of Planning (DoP) as the site abuts Walcott Street which is Reserved under the Metropolitan Region Scheme as a Category 2 Other Regional Road. The property is subject to a 1.4m road widening as per Western Australian Planning Commission (WAPC) Land Requirement Plan Number 1.3154.

The DoP originally provided comment on 10th March 2015, and was unable to support the proposal as part of the development (the retention of the existing shop front) was to be located within the reserve.

Amended plans were subsequently provided which indicated that the proposed awning and balcony extensions over the future road reserve were designed to be removable, and the façades and existing awnings from the existing building would be removed upon resumption of land. The DoP have since advised that they would be prepared to support the use of the reserved land on a temporary basis only, and on condition that:

- No permanent structures (existing or proposed) are to be located within the road reserve;
- The land owner agrees to remove the encroaching parts of the development at such time as the reserved land is required for the upgrading of Walcott St at their own expense if required; and
- The land owner agrees that any improvements made to, or loss of amenity will not be taken into consideration in determining any land acquisition cost or compensation which may be payable by Council or the WAPC at such time as the land is required;
- The land owner is to enter into a deed of agreement with the WAPC that the presence of the development on the road reserve shall not be taken into consideration in determining any land acquisition cost or compensation that may be payable by Council or the WAPC, and the land owner also agrees to remove the development on the road reserve at their own cost at the time the reserved land is required for the upgrading of Walcott St;
- This agreement is to be notified on the Certificate of Title. The applicants should be advised to contact the WAPC Land Dealings Coordinator at the Department for Planning should they wish to discuss the formulation of a deed of agreement for the temporary use of the road reserve;

- At no time is there to be a balcony or awning located above the constructed carriageway for Walcott St.

The Department for Planning comments can be found at Attachment 6.

### **Planning assessment:**

The development has been assessed against the R-Codes, the City's LPS3 and the applicable Local Planning Policies. Given the number of Scheme elements and Local Planning Policies that are applicable to the proposed development, the planning assessment part of this report has been broken down into the following sub sections:

1. Proposed Land Uses
2. Local Planning Policy 3.1 – Character Retention Guidelines of Mt Lawley, Menora and Inglewood
3. Local Planning Policy 4.2 – Mixed Use and Commercial Centre Design Guidelines
4. Residential Design Codes Multiple Dwellings Assessment
5. Local Planning Policy 6.3 – Bin Storage
6. Local Planning Policy 6.6 – Landscaping
7. Local Planning Policy 6.7 – Parking & Access

### **1. Proposed Land Uses**

The table below summarises the zoning permissibility of the proposed uses in the Local Centre Zone as stated in Table 1 of LPS3.

#### Local Centre zoned land

USE	LPS3 ZONING PERMISSIBILITY	
Office	P	'P' means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme.
Restaurant	P	'P' means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme.
Multiple Dwelling	D <sup>2</sup>	The use is not permitted unless Council has exercised its discretion by granting planning approval. Note 2 states that Multiple Dwellings are not permitted on the ground floor fronting a road reserve greater than 10m in width.

In accordance with the above details and LPS3, the Offices and Restaurant are permitted land uses. However, the proposed Multiple Dwellings require a discretionary decision from the Development Assessment Panel, and are therefore discussed in further detail below.

#### Multiple Dwellings

Multiple dwellings in the Local Centre zone are a Discretionary use. By virtue of the permissibility designation D<sup>2</sup>, multiple dwellings in the Local Centre zone are not permitted unless the decision maker exercises its discretion by granting approval, subject to qualification of superscript '2', being that multiple dwellings are not permitted on a ground floor fronting a road reserve greater than 10m in width. The

subject application does not propose multiple dwellings at the ground level fronting a street. The provision of multiple dwellings within the Local Centre zone is supported by the objectives of the Local Centre Zone, which encourages uses that meet the day to day needs of the immediate neighbourhood and reinforce a sense of place.

The provision of multiple dwellings is also supported by the applicable local planning policies, including the Mixed Use & Commercial Centre Design Guidelines, which seek *“to create vibrant and active mixed use centre by locating facilities such as housing, employment places and retain activities together”*.

Therefore, notwithstanding that multiple dwellings are a discretionary use within the Local Centre zone, it is clear that one of the fundamental land uses within this zone is intended to be multiple dwellings.

## **2. Local Planning Policy 3.1 – Character Retention Guidelines Mt Lawley, Menora and Inglewood**

As previously discussed the subject site has approval for partial demolition of the shop and dwelling conditional on the shop front being retained and incorporated into the new design.

However, following referral of the application to the DoP (who are responsible for road widening of Walcott Street) advice has been received that the DoP does not support the retention of the existing buildings within the future road widening. Consequently, the applicant has provided amended drawings removing the existing buildings and demountable awnings and balconies from the road widening area.

Although the City has previously required the facade of the existing building to be retained as a condition of a previous approval, it is now clear following advice from the DoP that the retention of the façade prohibits the development of the site, therefore it is considered there is no other option to enable development of the site than the demolition of the existing building in its entirety.

The amended plans (refer Attachment 1) have been reconsidered by the City's Heritage Consultant, who has provided the following comment:

*We consider that removal of the shop in its entirety is a negative impact on the heritage protection area. Despite this, we accept the position of the City and the Department of Planning. The development is generally in keeping with a mixed-use commercial development within the HPA and the Mixed-Use & Commercial Centre Design Guidelines. It appears that the Mixed-Use & Commercial Centre Design Guidelines have been well considered including height, parapets, sloping sites, parking and activity & use.*

*Simplification of the colour palette has been achieved, although the colours are not reflective of the interwar or art deco stylistic paradigm. The Design Reference Study shown on sheet DA-03 reflects the colour and materials palette that would be suitable.*

The City's officers concur with these comments, and accordingly the design and materials proposed are supported. The Heritage Assessment can be found at Attachment 5.

### 3. Local Planning Policy 4.2 Mixed Use & Commercial Centre Design Guidelines

LPP4.2 applies to all properties within the City zoned Local Centre. The proposed development is considered to satisfy LPP4.2 with the exception of the following elements, which are required to be assessed against the objectives of the relevant sections of the Policy.

LPP4.2 REQUIREMENT	OFFICER COMMENT
<p><u>Heights</u>  <u>Objective</u>  <i>To ensure that building height and scale is appropriate to its site and context.</i></p>	<p>The lot is a corner site at the intersection of Walcott and Learoyd Streets and therefore qualifies for additional building height under the policy.</p> <p>This section of Walcott Street contains examples of buildings of 3-4 storeys in height while this development proposes one additional storey in the form of a rotunda at the corner of the site.</p> <p>Given the orientation and topography of the site the additional height will not affect access to sunlight or present adverse building bulk to residential properties.</p> <p>Given the above, the proposed building height is considered to be appropriate to its site and context and is not considered to affect the amenity of the adjacent residences.</p>
<p><u>Corner Sites</u>  <u>Objective</u>  <i>To ensure that buildings give additional prominence to the street corner by using landmark features.</i>  <i>Buildings located on corner sites shall include:</i></p> <ul style="list-style-type: none"> <li>• <i>Architectural roof features that protrude above the normal roof line;</i></li> <li>• <i>Increased parapet heights with additional detail, colour and textures; and</i></li> <li>• <i>Increase the number of storeys at the street corner.</i></li> </ul>	<p>The proposed development is generally between three and four storeys high with an architectural roof feature (rotunda) on the corner providing a fifth storey which protrudes above the normal roof line.</p> <p>The design has incorporated increased parapet heights and includes changes in colour and detailing.</p> <p>The number of storeys has been increased at the street corner utilising the natural contours of the site.</p> <p>The development is considered to comply with the objective for corner sites outlined in the policy since the proposed design provides a building which is prominent to the street corner and includes the specific provisions.</p>

LPP4.2 REQUIREMENT	OFFICER COMMENT
<p><b>Activity &amp; Uses</b></p> <p><i>Objective</i>  <i>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.</i>  <i>Active and lively street fronts shall be provided that encourage pedestrian activity and vitality of the centre by:</i></p> <ul style="list-style-type: none"> <li>• <i>Locating retail and other active commercial uses on the ground floor level; and</i></li> <li>• <i>Locating office and other non-active uses (residential) on upper levels.</i></li> </ul>	<p>The proposed development proposes a Restaurant on the ground floor however the remainder of the ground floor is proposed as office. The site was operating as a corner store however has been closed down for some time due to a lack trade.</p> <p>The proposed restaurant will promote a lively street front which encourages pedestrian participation and help to create an active and vibrant space. Therefore the proposed office use on the ground floor street frontage is supported.</p>

#### 4. Residential Design Codes Multiple Dwellings Assessment

Clause 5.3.2 of LPS3 states that “*Except as otherwise required in the Scheme or a Local Planning Policy, residential development not in the Residential Zone is to comply with the requirements of multiple dwellings under the R80 R-Code*”.

The development complies with Part 6 of the Residential Design Codes with the exception of the items listed in the table which require a Design Principles assessment to be undertaken.

Design Element	'Deemed-to-Comply' / N/A	OR	'Design Principles' Assessment	Comment
<b>6.1 Context</b>				
6.1.1	Building size		✓	A plot ratio of 1.17 in lieu of 1 is proposed.
6.1.4	Lot Boundary Setbacks		✓	<p>The following setbacks do not comply with the deemed-to-comply standards:</p> <ul style="list-style-type: none"> <li>• Setback of 1.3m and 1.4m in lieu of 4m to the north-western boundary.</li> </ul>

##### Building Size

In accordance with the R-Codes table 4, a plot ratio of 1.0 is permitted for R80 coded sites. The application proposes a plot ratio of 1.17 in lieu of 1.0, and is therefore required to be assessed in light of the relevant design principles of the R-Codes which state:

*P1: Development of the building is at a bulk and scale indicated in the local planning framework and is consistent with the existing or future desired built form of the locality.*

The development has been shown to be consistent with the Local Planning Policy 4.2 Mixed Use & Commercial Centre Guidelines for building height and corner sites. Consequently the proposed development aligns with the future desired built form of the locality.

The immediate locality is characterised by a mix of dwelling types including single houses, grouped and multiple dwellings ranging from single storey dwellings to four storey multiple dwellings and therefore is consistent with the existing built form.

The proposal satisfies the applicable design principles in relation to buildings size.

#### Lot Boundary Setbacks

The first and second floors of the residential component are setback 1.3m and 1.4m in-lieu of 4m from the boundary (abutting 206 Walcott St).

The proposed variations are required to be assessed against the relevant design principles of the R-Codes which state:

##### *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.*

##### *P4.2 In mixed use development, in addition to the above:*

- *side boundary setbacks to retail/commercial component of the development is in accordance with the existing street context, subject to relevant scheme provisions.*
- *retail/commercial development adjoining residential is designed to minimise the potential impacts between the two uses.*

The reduced setbacks are to the north western boundary and therefore, due to the orientation of the site, will not restrict access to sunlight for the adjoining building.

The proposed setback is not considered to result in excessive building bulk for the adjacent properties as the proposed building faces a blank wall on the adjoining property and therefore does not affect access to daylight or direct sun. Further there are no privacy implications of the proposed setback.

The proposed setbacks are supported as they meet the above design principles.

## **5. Local Planning Policy 6.3 – Bin Storage**

The applicant has provided a Waste Management Plan which was referred to the City's Waste Services Business Unit. The proposal is generally in accordance with the City's requirements.

## **6. Local Planning Policy 6.6 – Landscaping**

The application was referred to the City's Parks and Reserves Business Unit and amended plans submitted with an acceptable number and species of street trees

proposed. The proposal does not include a minimum of 10% landscaping of the site area as 1% is proposed. This has been assessed against the objectives of the policy which states:

- *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.*

The application meets the objectives of the policy listed above as the provision of additional street trees and landscaping along Learoyd Street improves the visual appeal of the development, provides shade and 'green relief'.

## 7. Local Planning Policy 6.7 – Parking & Access

### Car Parking

Table 1 of Local Planning Policy 6.7 - Parking & Access Policy (LPP 6.7) provides the relevant development standards for the number of car parking bays required for the proposed non-residential uses. Additionally, Clause 6.3.3 of the R-Codes outlines the car parking requirements for the residential component of the development.

In relation to the uses proposed as part of this development, the following ratios are applicable:

- Office – 1 bay per 30m<sup>2</sup> of gross floor area (GFA)
- Restaurant – 1 bay per 7m<sup>2</sup> of gross floor area (GFA)
- Alfresco – 1 bay per 14m<sup>2</sup> of alfresco area

Parking requirements for the non-residential component are summarised in the table below:

USE	POLICY PROVISION	VARIABLE (m <sup>2</sup> )	BAYS REQUIRED
Restaurant	1 bay per 7m <sup>2</sup> of GFA	30m <sup>2</sup>	4.2
Alfresco	1 bay per 14m <sup>2</sup> of alfresco area	13m <sup>2</sup>	1
Office	1 bay per 30m <sup>2</sup> of gross floor area (GFA)	135.2m <sup>2</sup>	4.5
Sub-total			9.7
Parking concessions: <ul style="list-style-type: none"> <li>• Local Centre zoning - 10%</li> </ul>			-10%
Bays required for non-residential uses in local centre			9
Bays Provided			See total bays provided below



Parking requirements for the residential component are indicated below:

Type of Dwelling	Number Dwellings proposed	Location A	
		Required Parking bay/s per dwelling	Total Required parking
Small dwelling (1 bedroom or less 75m <sup>2</sup> )	7	0.75	6
Medium	4	1	4
Visitor Parking	11	0.25	3
Total parking bays required for residential element		13	
Total parking bays provided for overall development		15 bays provided on site including one Acrod bay, 9 bays provided within the road reserve, 24 in total.	

The applicant has proposed 15 bays on site which is a 7 bay shortfall of the overall number of bays required. The existing shop utilises a number of car parking spaces within the road reserve however these are not delineated and are in disrepair. The application seeks to provide an additional 9 car parking bays within the road reserve which would bring the total number of car parking bays to 24, therefore providing an additional 2 bays than is required. Consequently the variation to the number of onsite parking bays is supported.

The amended plans have been reviewed by the City's Engineering Design Business Unit and are supported.

### **Conclusion:**

The revised proposal has been assessed against the applicable statutory planning framework and is now considered to meet the relevant objectives. In view of the above, the application is recommended for approval subject to conditions.



11 APARTMENTS, 6 OFFICES, 1 CAFE  
For Ray Hunt and Peter Taylor



CONTENT

THE BUILDING

DA-01	COVER
DA-02	THE SITE
DA-03	DESIGN REFERENCE STUDY
DA-04	THE BUILDING
DA-05	LEVELS 1 AND 2
DA-06	LEVELS 3 AND 4
DA-07	ROOF PLAN, ELEVATIONS & SECTION

THE PLANNING

In Reference to:  
Policy Manual - 4.2 Mixed Use & Commercial Centre Design Guidelines

DA-08	Built Form and Design - <b>HEIGHT</b>
DA-09	Built Form and Design - <b>STREETSCAPE / LANDSCAPING</b>
DA-10	Built Form and Design - <b>ACCESS AND PARKING</b>
DA-11	Built Form and Design - <b>SETBACKS</b>
DA-11B	Built Form and Design - <b>SETBACKS (additional)</b>
DA-12	Plot Ratio, Open Space Calculations
DA-13	Development Considerations - <b>ACOUSTIC PERFORMANCE</b>
DA-14	Development Considerations - <b>WASTE MANAGEMENT PLAN</b>
DA-15	Development Considerations - <b>TRANSPORT REPORT</b>
DA-15B	Development Considerations - <b>ACCROD BAY</b>
DA-16	Development Considerations - <b>HERITAGE REPORT</b>
DA-17-19	Additional Views - Colour Schedules
DA-20	Selection Schedule



4.2 MIXED USE & COMMERCIAL CENTRE DESIGN GUIDELINES

- Objectives**
- To create vibrant and active mixed use centres by locating facilities such as housing, employment places and retail activities together;
  - To create main street frontages to existing box style developments;
  - To create a high level of pedestrian amenity through the provision of continuous streetscapes, interactive frontages and weather shelter;
  - To promote a high quality built form that creates a distinctive urban form and enables safety and security through passive surveillance; and
  - To create public and private spaces that are safe, attractive and surrounded by active vibrant uses that will become the focal / meeting point of the centres.

REV-B 2-04-2015 - adjusted to CITY of STIRLING (CoS) officer feedback

- As per Main Roads advice any reference to the facade retention is deleted;
- Tone of Elevational Colour Pallet softened "Pastel";
- Verge Parking and crossovers amend to CoS Engineering notes; Offices 6,7 Unit 11 raised 200mm to match new crossover height.
- Corner balconies brought back inside boundary line.  
The balconies overhanging the MRS reserve cut back upper levels.  
The Balconies within the facade over the MRS reserve to be detailed so that they may easily be demounted should the MRS resume the reserve.  
These Sections will not be included within the strata title area.
- Rotundas amended
- Bike Storage Highlighted, additional end of journey wc facilities added
- Awning entry statements added to Learoyd street entries.
- Additional Western elevation provided.
- Chinese Tallow added to street landscaping

REV-C 2-07-2015 - adjusted to CITY of STIRLING /DAP report

- Colours - Alternate colour schemes provided for review
- Parking and Access - Accrod bay added, Carbays allocated within the development, Visual truncation improved, parking levels clarified.
- Activity ,Uses, Levels and Crossovers - Commercial units lowered, Walcott paving levels clarified. Crossover and paving levels clarified.
- Building Bulk on Boundary - Unit 11 redesigned off boundary to reduce impact of boundary wall.
- Bicycle /storage - 6 Bicycle storage places added.
- Outdoor Living Areas - Balconies units 1-6 increased to min of 10sqm
- Bin Allocation Clarified, Commercial bins Clarified

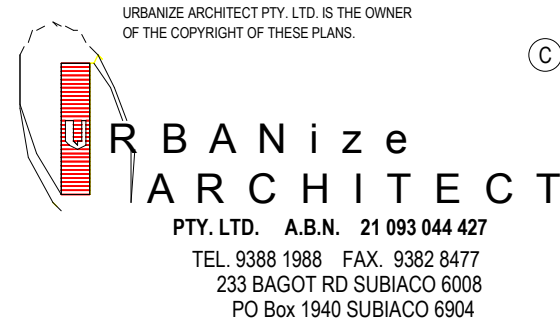
REV-D / E 09-09-2015 - adjusted to AGREED OUTCOMES - CoS and Applicant 08-09-2015

- ACCROD BAY located within building.
- Setout and setback of Street Parking finalized..

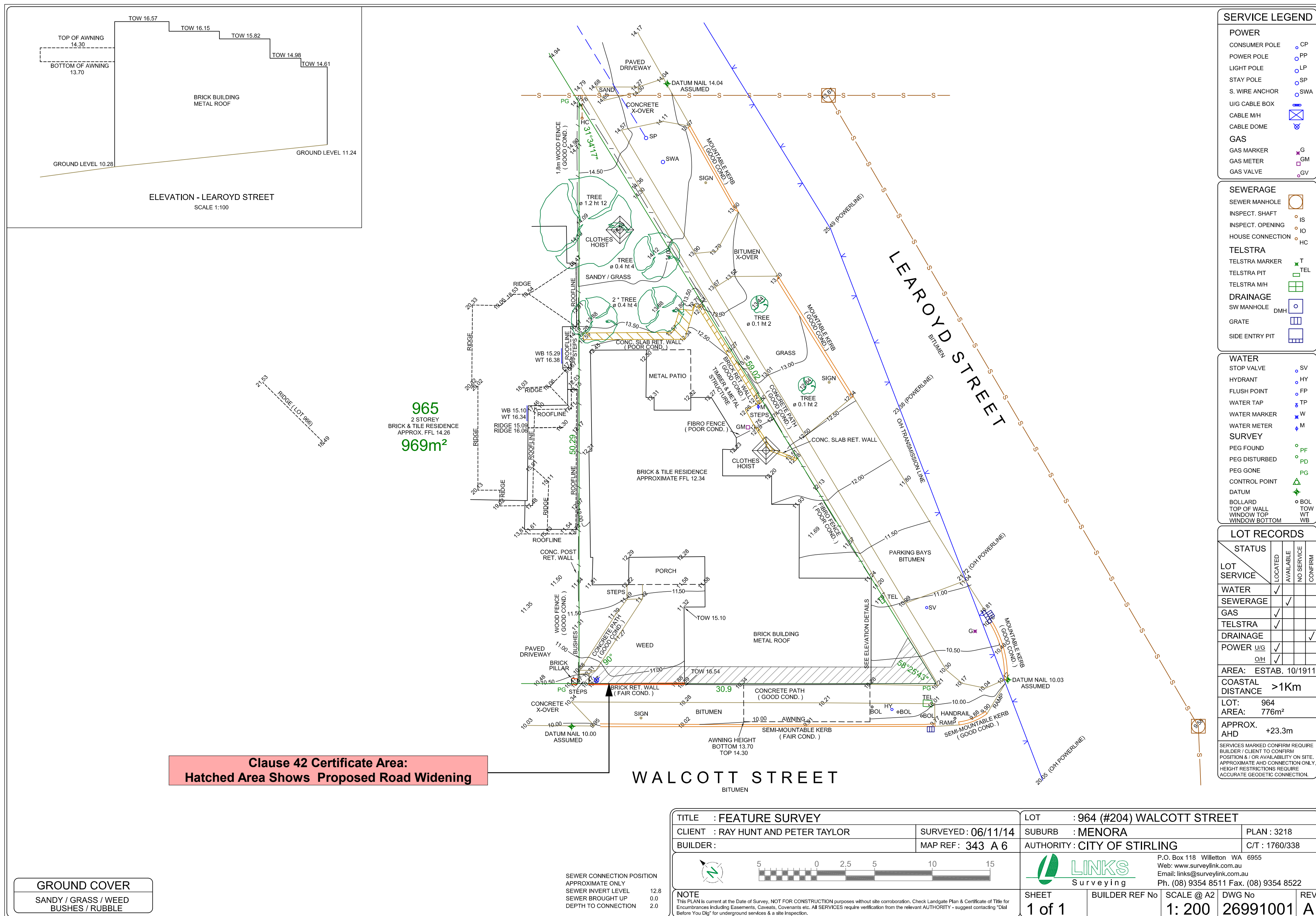
REV E - agreed PARKING, ACCROD C of S - 09-09-2015  
REV C - adjusted to CITY of STIRLING /DAP report - 02-07-2015  
REV B - ADJUSTED CoS OFFICER FEEDBACK - 02-04-2015  
REV A - SUBMITTED FOR PLANNING APPLICATION - 18-02-2015

PROPOSED MIXED USE DEVELOPMENT - 204 (Lot 17) Walcott St. Mount Lawley

Plot date: 9/09/2015





**The Land**

We refer to the Certificate of Title search you have provided. The land comprises Lot 964 on Plan 3218, being depicted on Vol 1760, Folio 338 with an area of 776 sq m.

The land has a frontage of 30.9 m to Walcott Street and 59.02 m to Learoyd Street.

The land is situated at the north west corner of Walcott Street and Learoyd Street.

**Zoning**

The land is zoned 'Local Centre' under Scheme 3 as depicted on the city's zoning map 15.

**Zone Objectives**

Part 4 of the Scheme deals with zones and the use of land. Clause 4.2 sets out the objectives of the zones. Clause 4.2.7 contains the objectives of the 'Local Centre' zone:

a) to provide for a limited range of small scale retail, commercial and community facilities to meet the day today needs of the immediate neighbourhood.

b) to ensure safe and convenient access to facilities, in an environment which is conducive to pedestrian movement.

c) to ensure development excited and designed so is to reinforce a sense of place and attractive streetscapes."

**R80 Code**

There is no R Code superimposed on the subject 'Local Centre' zone on the City's zoning map. Hence, the R Coding of the land must be found in the Scheme.

Clause 5.3.2 of the scheme provides that residential development not in the residential zone must comply with the requirements of **multiple dwellings** under the **R80 Code**, unless otherwise provided for in Scheme 3 or in a Local Planning Policy.

**Metropolitan Region Scheme**  
Form 5**Scheme Certificate**

[ In accordance with the provisions of clause 42 of the Metropolitan Region Scheme text ]

The following information is furnished in respect of:

Lot: 964 Street: Walcott

Plan: 3218 Locality: Menora

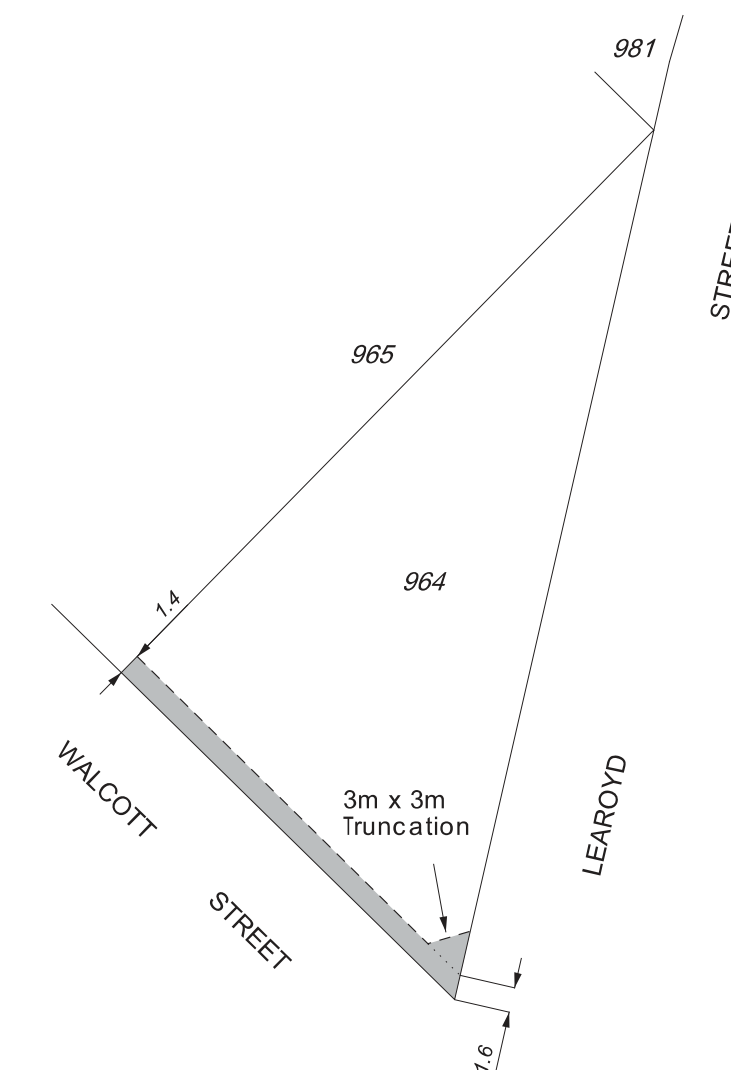
Certificate of title Vol: 1760 Folio: 338

The land shaded on the sketch below is reserved

other regional roads (Walcott Street)

The remainder of the land is zoned urban

Request  
46790849  
Receipt  
Date  
9/02/2015



This certificate relates only to the provisions of the approved Metropolitan Region Scheme and does not purport to indicate the land use allocation under any local government provision.

Produced by:  
GeoSpatial Planning Support,  
Department of Planning, Perth WA  
Base information supplied by:  
Western Australian Land Information Authority  
LI 646-2014-3

Scale 1:500  
All dimensions are in metres  
Subject to survey

Tim Hillyard  
Secretary  
Western Australian Planning Commission

**Clause 42 Certificate: Dated 09-02-2015**  
Scale 1:1

**REV E - agreed PARKING, ACCROD C of S - 09-09-2015**  
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**PROPOSED MIXED USE DEVELOPMENT - 204 (Lot 17) Walcott St. Mount Lawley**

Plot date: 9/09/2015

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TEL 9388 1989 FAX 9382 2477  
233 BAGOT RD SUBIACO 6008  
PO Box 1940 SUBIACO 6904





**83 Walcott St**  
Scale 1:3.84

### WHAT IS ART DECO?

The term Art Deco (an abbreviation of "Arts Decoratif") was coined in the 1960s to define a style that evolved at the 1925 International Exposition of Modern Decorative Arts and spread to the rest of the world over the following fifteen years.

Exhibiting international artists, designers and craftsmen inspired a decorative style that culminated in a streamlined design spreading to the applied arts including jewelry, fashion, appliances, automobiles and ocean liners. However the most obvious manifestation of the style in Western Australia can be seen in its architecture. In the City of Perth examples of the genre can be found in cinemas, hotels, apartments, commercial buildings, hospitals and schools.

The style mirrored current progress and was evidenced in symbolism of the love of speed, the power of machines, the emancipation of women and the overthrow of old conventions.

ARIS-1925  
INTERNATIONAL EXPOSITION OF MODERN DECORATIVE ARTS AND INDUSTRIES IN PARIS

Many of the visual components of this complicated style, ranging from the early Egyptian influences through to the geometric stages and later streamlined characteristics are represented within the City of Perth. Below is a guide to help you identify and distinguish the international and local architectural elements and motifs of Art Deco design that you may discover along the walk.

Vertical towers  
Sculpted decorations & geometric designs  
Angular outlines  
Stepped piers  
Tapered pylons  
Metal casement windows

### ART DECO STYLE INDICATORS

(+denotes characteristics particular to the style)

- Stepped skyline
- Feature tower or finial
- Emphatic vertical piers or fins
- Ornament concentrated on upper section
- Monumental entrances
- Stylized & distinctive bold lettering
- Low relief ornament/figures
- Zigzag or chevron motif
- Polished granite, marble or terrazzo
- Vitrolite glass & glazed terracotta tiling
- Patterned brickwork

The Art Deco built style is characterised by simplified geometric massing, crisp angles and undulating curves, often coupled with restrained, stylized columns, distinctive bold lettering and decorative panels. These can be seen to advantage in a number of Perth's buildings.

Sandblasted decorative panels which adorned the tea room in the basement of the Gledden building which can no longer be accessed by the public. The designs featured local animals and their surrounding environments. Possums, lorries and black swans appear alongside several depictions of aborigines and native flora.

The Gledden Building lantern tower

### ART DECO IN PERTH

Key metaphors utilised in decorative panels found on art deco buildings in Perth include uplifting motifs that reflect dramatic and exotic influences embracing the optimistic outlook of the time. The style represented all that was new and modern and was seen to express the hopes and aspirations of a new generation, changed forever by the First World War and the Great Depression.

Perth demonstrates two broad stages of Art Deco architecture through the 1930s. First there were a variety of more conservative styles that incorporated early Deco elements. Then, from the mid 1930s, the gold-based wave of affluence funded a fully modern Art Deco architecture in both new and refurbished buildings. The style extended to the interior decor. Hollywood-inspired cinemas, auto service stations and shop fronts were amongst the most fully developed examples of the style.

This unprecedented period of development came to an end with the onset of the Second World War. Many of the Art Deco buildings have been demolished as the city developed, but this guide features those that remain. The walks will also note other buildings of the 1930s to demonstrate other styles of that time.

More information on all the buildings featured can be obtained from the society.

Art Deco Society of Western Australia  
PO Box 366 Kalamunda  
Western Australia 6971

phone/fax: +61 8 9385 6155  
email: [artdeco@mtwa.com.au](mailto:artdeco@mtwa.com.au)  
web: [www.artdecowa.org.au](http://www.artdecowa.org.au)

Research and photography by the  
Art Deco Society of Western Australia  
Illustrations by Ron Focius  
Design by Shaun Passmore

Australia's Founding Art Deco Society

Supported by:

ART DECO  
DISCOVERY WALK  
THROUGH  
PERTH  
CITY CENTRE

**ART DECO STUDY**  
Scale 1:0.85



**walcott Beauforta**  
Scale 1:3.84



**283 Walcott St**  
Scale 1:1.14

**City of Stirling**  
CITY OF STIRLING

**Policy Manual**

### 4.2 MIXED USE & COMMERCIAL CENTRE DESIGN GUIDELINES

#### Objectives

- To create vibrant and active mixed use centres by locating facilities such as housing, employment places and retail activities together;
- To create main street frontages to existing box style developments;
- To create a high level of pedestrian amenity through the provision of continuous streetscapes, interactive frontages and weather shelter;
- To promote a high quality built form that creates a distinctive urban form and enables safety and security through passive surveillance; and
- To create public and private spaces that are safe, attractive and surrounded by active vibrant uses that will become the focal / meeting point of the centres.



**Mt Lawley Bowling Club**  
Scale 1:1.14



**275 Walcott St**  
Scale 1:3.54



**Beaufort Grosvenor**  
Scale 1:3.54

**URBANize**

### DEVELOPMENT CONCEPT

This mixed use project falls within the Mt. Lawley heritage precinct and has been designed to sympathize with and relate to the art deco style of the Beaufort Street commercial precinct and other nearby civic buildings such as the Mt. Lawley Bowling club.

An Architectural roof feature ("Rotunda") protrudes above the roof line to give the street corner additional prominence.

The project features prominent parapets in keeping with Art Deco ethos, and has an additional storey on the corner.

An awning is proposed along Walcott Street which turns the corner providing continuous weather protection all the way to the primary building entrance, from where a colonnade continues inside the boundary up Learoyd Street.

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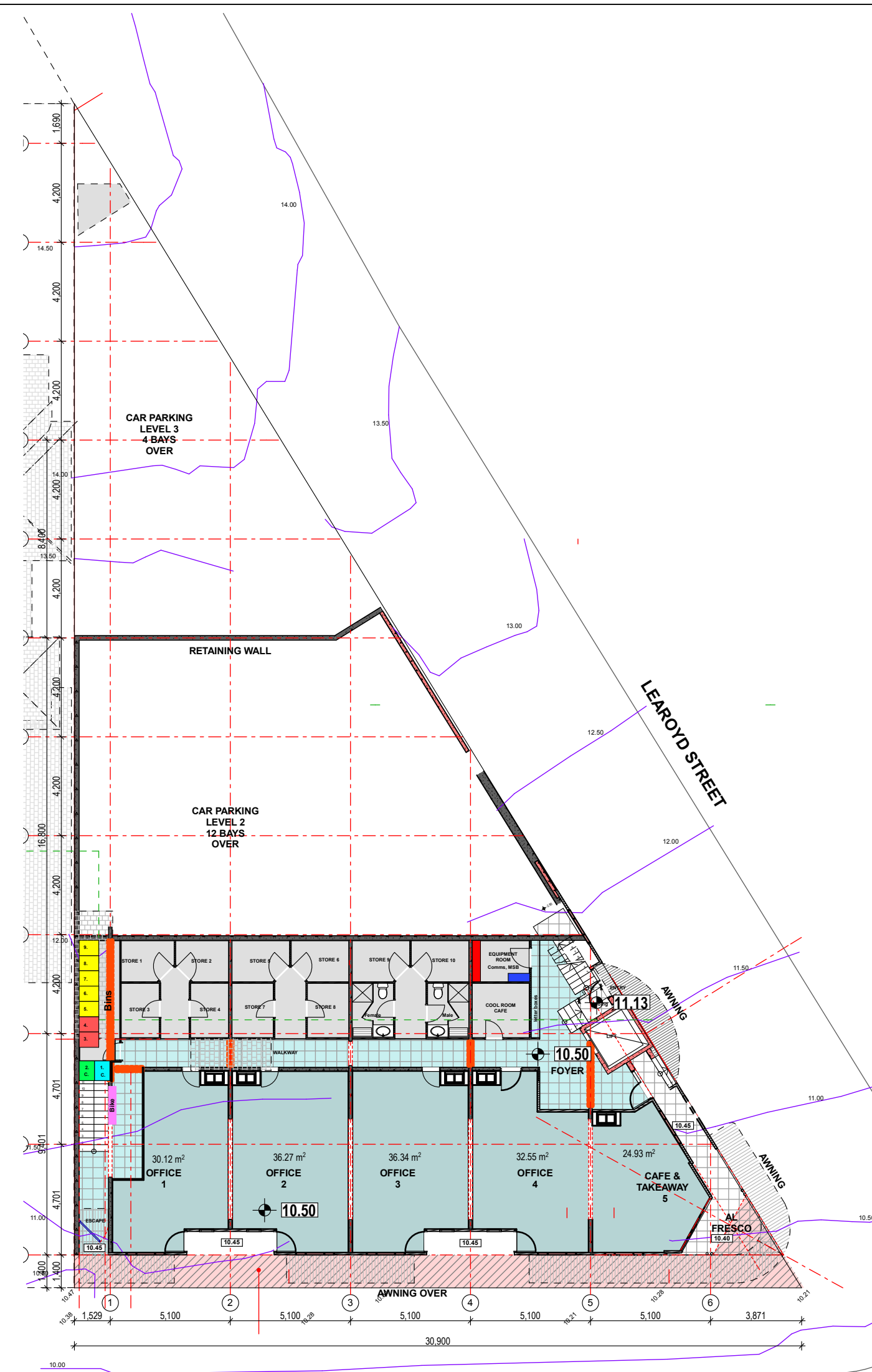
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233 BAGOT RD SUBIACO 6008  
PO Box 1940 SUBIACO 6004

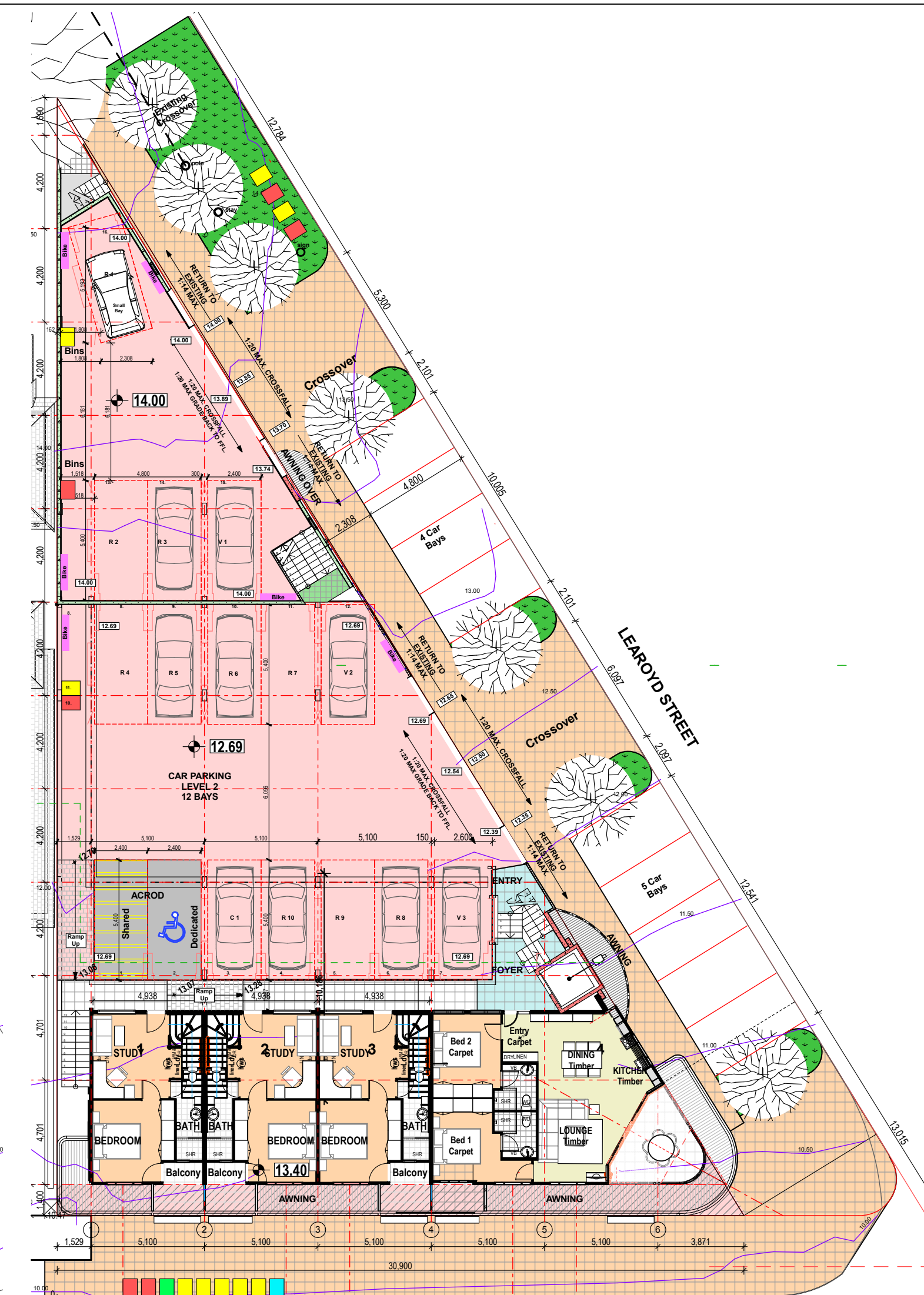
# PROPOSED MIXED USE DEVELOPMENT - 204 (Lot 17) Walcott St. Mount Lawley

Plot date: 9/09/2015





**LEVEL 1 - WALCOTT STREET**  
Scale 1:200



**LEVEL 2 - LEAROYD STREET LOWER**  
Scale 1:200



**LEVEL 3 - LEAROYD STREET**  
Scale 1:200



**LEVEL 4 - LEAROYD STREET UPPER**  
Scale 1:200



**Walcott St. Elevation :**  
Scale 1:200



**Learoyd Streetcape Elevation :**  
Scale 1:200



**Walcott St View**



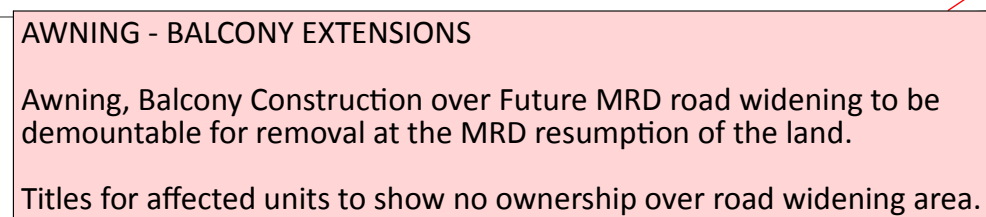
**Learoyd St Corner View**

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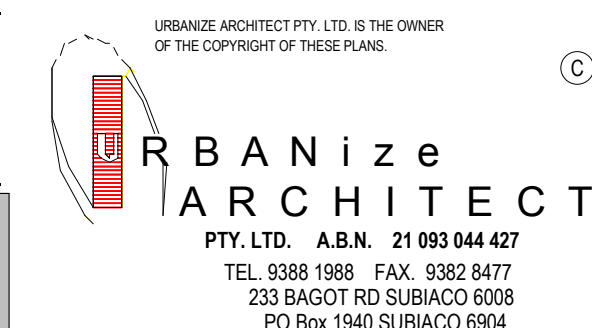
**PROPOSED MIXED USE DEVELOPMENT - 204 (Lot 17) Walcott St. Mount Lawley**

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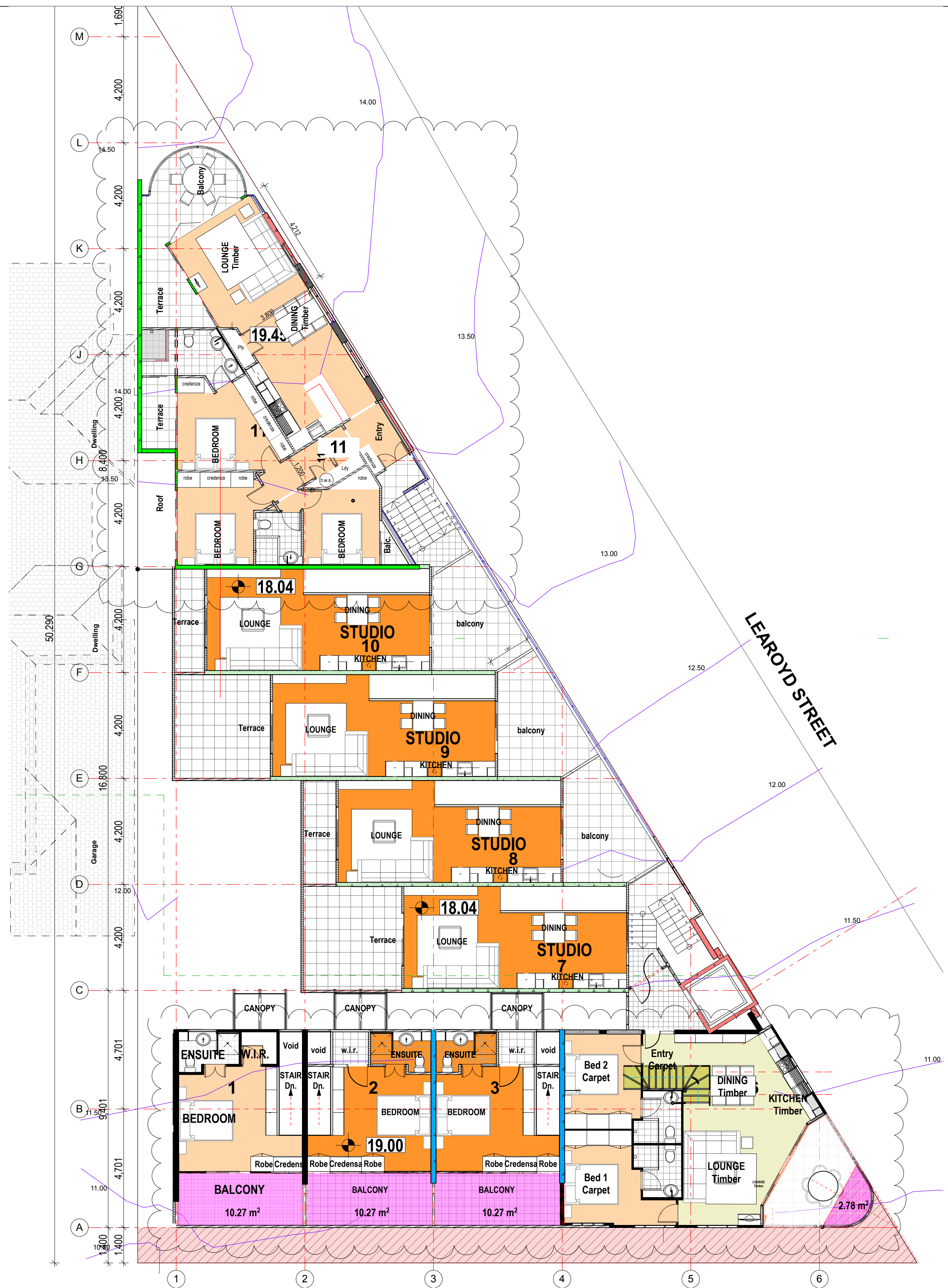


**WALCOTT STREET**



# PROPOSED MIXED USE DEVELOPMENT - 204 (Lot 17) Walcott St. Mount Lawley



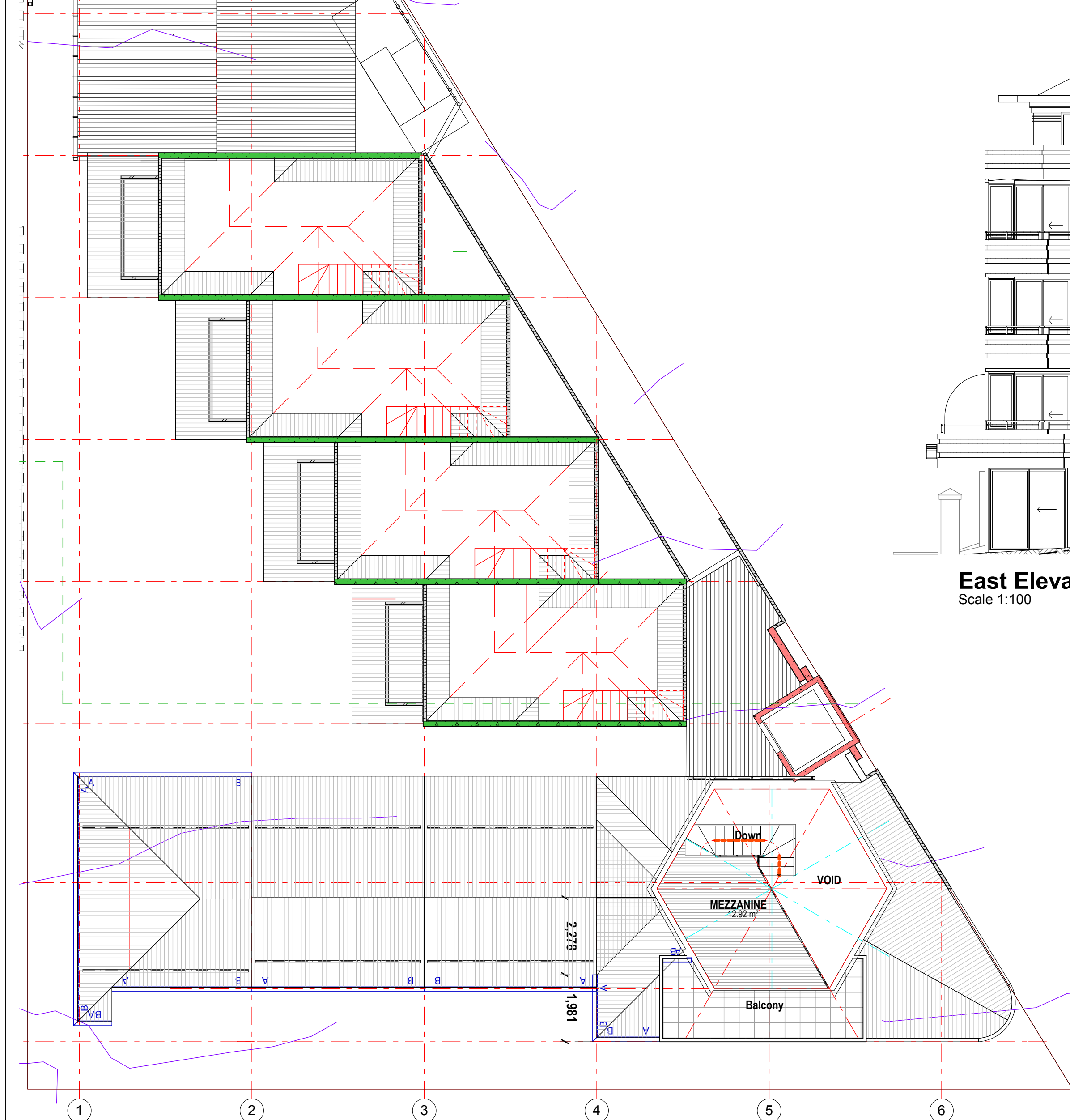
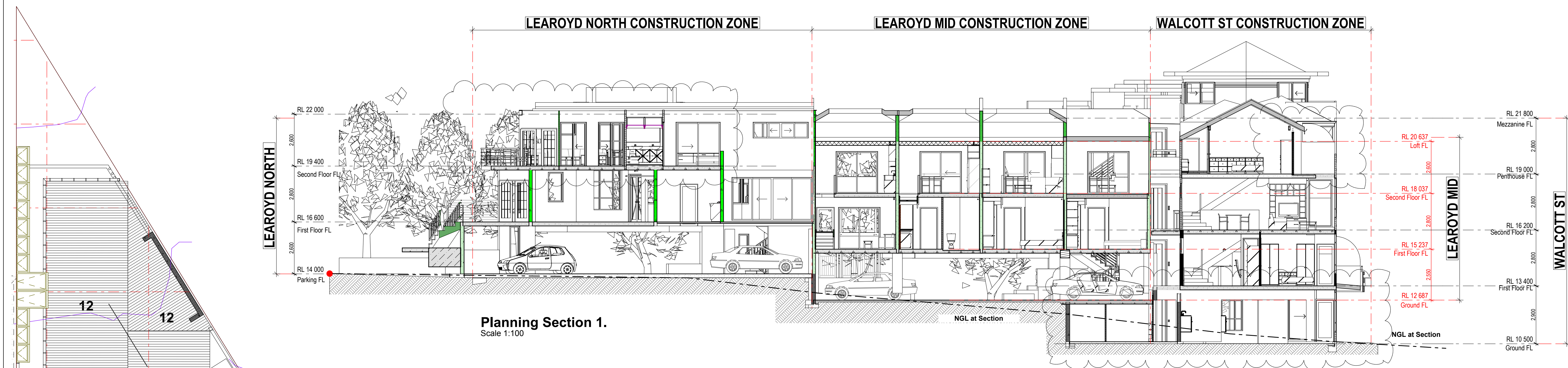


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PROPOSED MIXED USE DEVELOPMENT - 204 (Lot 17) Walcott St. Mount Lawley

Plot date: 9/09/2015





**ROOF PLAN**  
Scale 1:100



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**PROPOSED MIXED USE DEVELOPMENT - 204 (Lot 17) Walcott St. Mount Lawley**

Plot date: 9/09/2015



HEIGHT



DESIGN GUIDELINES  
Built Form & Design

Heights  
Objective  
To ensure that building height and scale is appropriate to its site and context.

- New buildings shall generally be between 2 and 3 storeys;
- Higher buildings may be permitted where adjoining buildings are taller; and
- Higher buildings on landmark sites / corner sites and sites larger than 5000m² may be permitted subject to the following:
  - Not have a significant detrimental impact on the amenity of the area; and
  - Living areas on the affected site are afforded at least three hours of solar access between the hours of 9 am and 3 pm on the shortest day of the year.

Buildings located on corner sites shall include:

- Architectural roof features that protrude above the normal roof line;
- Increased parapet heights with additional detail, colour and textures; and
- Increase the number of storeys at the street corner.

New Buildings shall generally be between 2 and 3 stories	The proposal is generally 2 to 3 stories, except for the Walcott / Learoyd Street corner. Note: this site rises steeply up Learoyd Street.
Higher Buildings permitted on Land mark / corner sites: Not have a significant detrimental impact on the amenity of the area; Living Areas at least 3 hours solar access	This project is on a Landmark /Corner site. As such, this proposal has 4 stories.
Higher buildings may be permitted where adjoining buildings are taller	The proposed project's height is only marginally higher than the ridge height of the neighbouring building.

CORNER SITES

Corner Sites  
Objective  
To ensure that buildings give additional prominence to the street corner by using landmark features.

Buildings located on corner sites shall include:

- Architectural roof features that protrude above the normal roof line;
- Increased parapet heights with additional detail, colour and textures; and
- Increase the number of storeys at the street corner.

Corner Sites  
Objective  
To ensure that buildings give additional prominence to the street corner by using landmark features.

Buildings located on corner sites shall include:

- Architectural roof features that protrude above the normal roof line;
- Increased parapet heights with additional detail, colour and textures; and
- Increase the number of storeys at the street corner.



Walcott St. Elevation :  
Scale 1:200



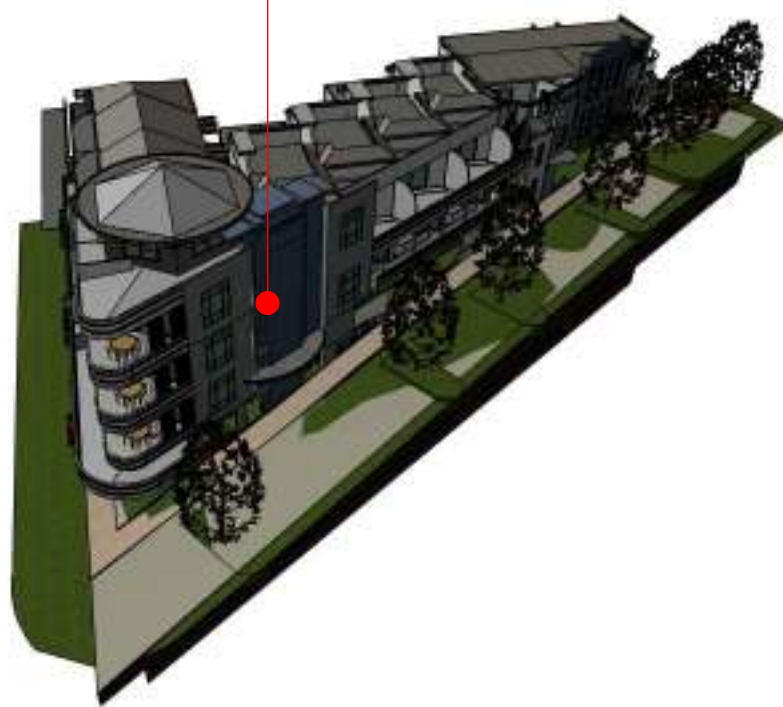
Learoyd Streetcape Elevation :  
Scale 1:200



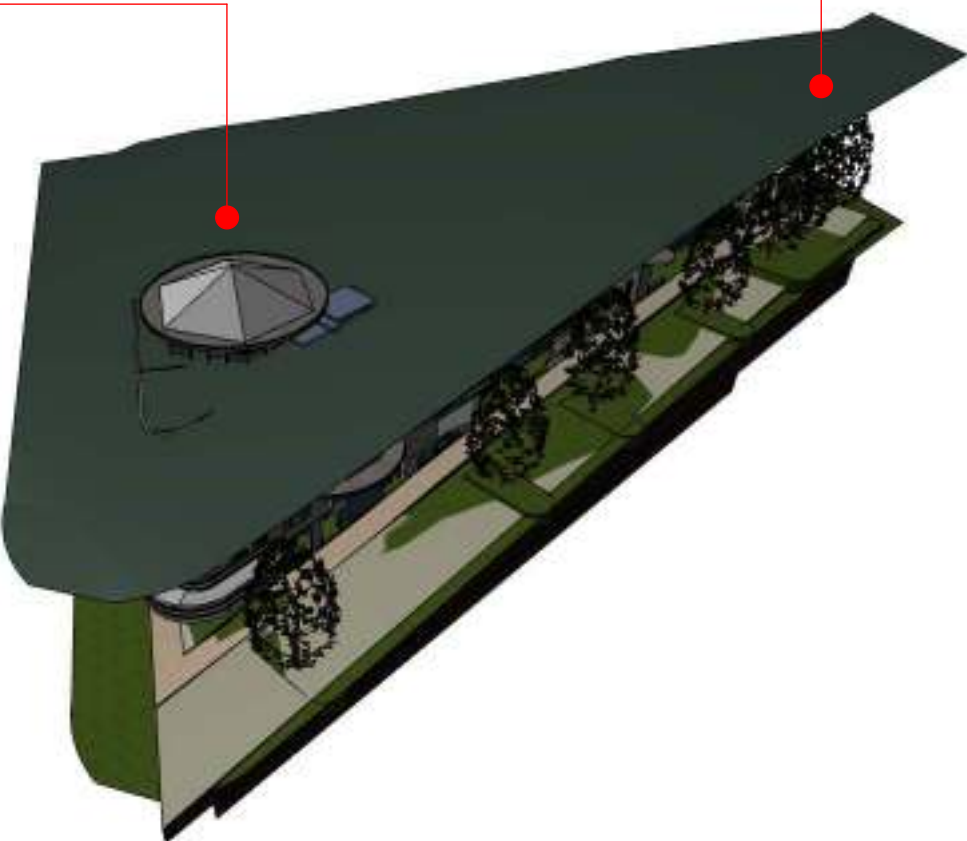
Walcott St View



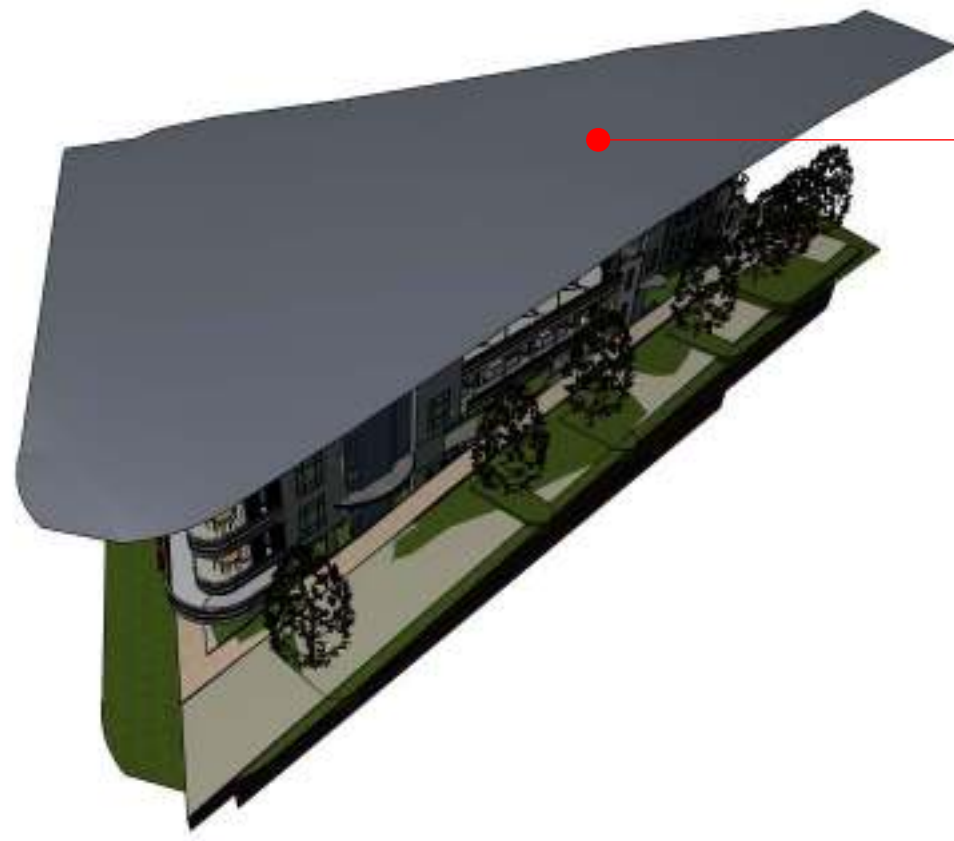
Learoyd St Corner View



Natural Ground Level  
Scale 1:200



Indicates 12 meters Above Natural Ground Level  
Scale 1:200



Indicates 15 meters Above Natural Ground Level  
Scale 1:200

Notwithstanding the Feature corner element. -  
The entire building is below the ' R Code ' Deemed to comply heights for both:  
Top of wall (12m) and  
Top of pitched roof (15m)

Comments

Facades  
Objective – to ensure that building facades are architecturally interesting.  
The proposed building is carefully articulated and well supplied with openings, balconies, awnings, colours and indentations.  
Parapets  
Objective – to ensure that parapets are visually interesting and not monotonous.  
Although Art deco tends to emphasise fast horizontality, this project has indentations, modulation and variations to parapet heights.  
Balconies  
Objective – to ensure the bulk of the building is reduced  
Balconies are provided to the upper floors residences, with the balustrades in keeping with Art deco style.  
Roof features  
Objective – to ensure that taller buildings provide Landmark features  
A Rotunda is proposed on the roof turning the corner and providing a visual Landmark. A smaller Rotunda is proposed at the top end of Learoyd Street as a visual termination to the development.

This mixed use project falls within the Mt. Lawley heritage precinct and has been designed to sympathize with and relate to the art deco style of the Beaufort Street commercial precinct and other nearby civic buildings such as the Mt. Lawley Bowling club.  
An Architectural roof feature ("Rotunda") protrudes above the roof line to give the street corner additional prominence.  
The project features prominent parapets in keeping with Art Deco ethos, and has an additional storey on the corner.  
An awning is proposed along Walcott Street which turns the corner providing continuous weather protection all the way to the primary building entrance, from where a colonnade continues inside the boundary up Learoyd Street.

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## Streetscape



### Streetscape Relationship

#### Ground Floor Frontage

##### Objective

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

- Being predominantly clear glazed with a mixture of openings, display windows and shopfronts that allows passive surveillance of the street and the tenancies;
- Minimising the amount of signage on individual windows to no more than 20%; and
- In traditional shopping areas the area of glazing being reduced by using small areas of masonry to give a more vertical emphasis to the tenancies;
- In traditional shopping areas and to assist in defining the street edge and to aid orientation for partially sighted pedestrians, all windows shall have a sill no less than 0.5 metres high.

#### Entry Points

##### Objective

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

Entry points shall directly face the street and 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 4.0m 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.

- Active and lively street fronts shall be provided that encourage pedestrian activity and vitality of the centre by:
  - Locating retail and other active commercial uses on the ground floor level; and
  - Locating office and other non-active uses (residential) on upper levels.

#### Weather Protection

##### Objective

To support a comfortable external environment for pedestrians.

- 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 (no glass);
- New awnings shall line up with existing awnings (where present);
- New awnings shall protrude from the face of the building by a minimum width of 2.0m (where possible);
- Awnings shall be parallel to the footpath; 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 and that excessive differences will not have a negative impact on the amenity of the area.

- On sloping sites new developments shall be stepped so as to avoid large differences between the footpath level and the finished level of the shop front;
- There shall be no difference between the ground floor level and the footpath level of a building to ensure pedestrian access; and
- Filling up to 500mm shall be permitted to enable flat level sites.

#### Fencing & Gates

##### Objective

To provide an open, accessible and attractive urban environment.

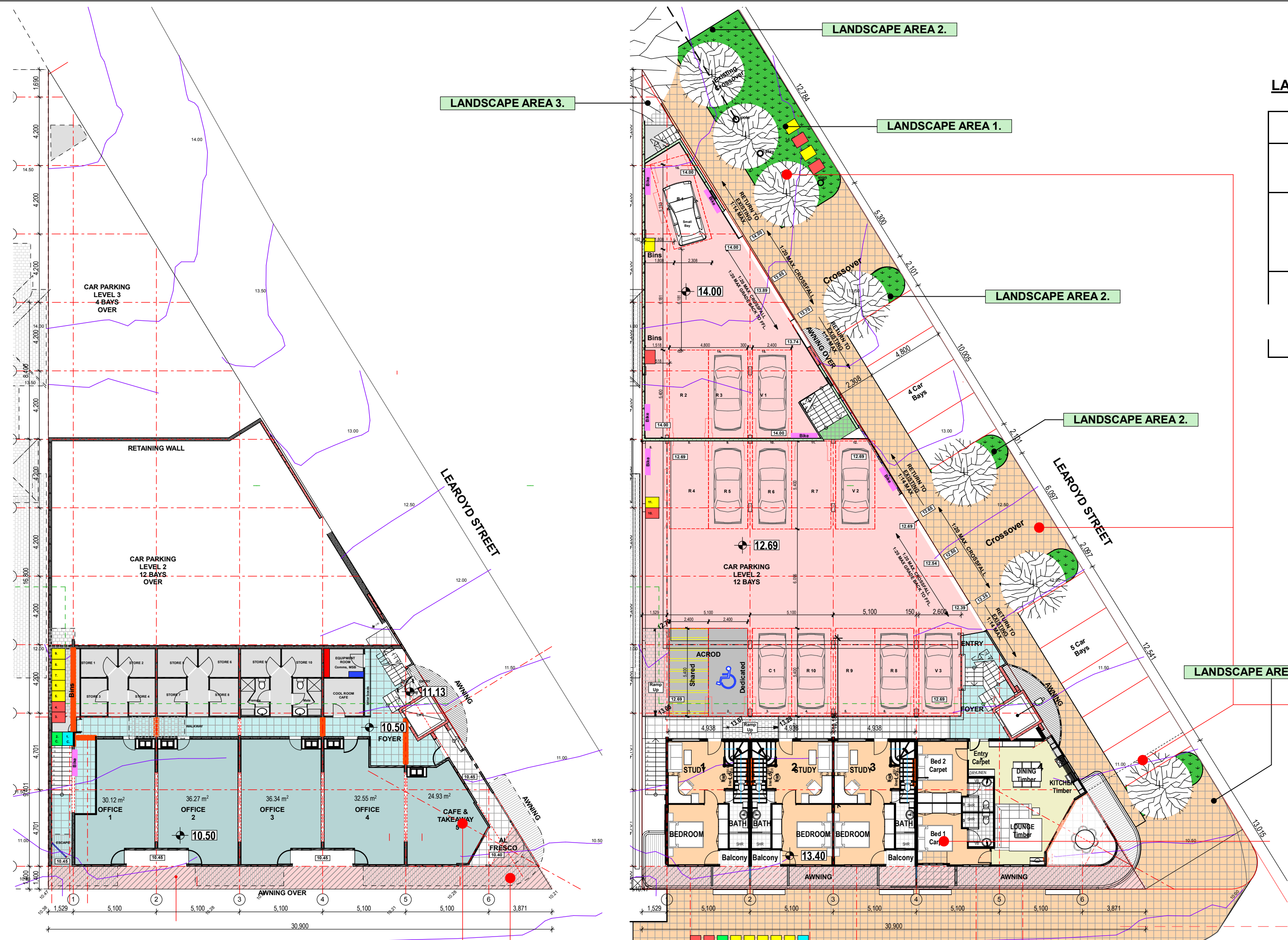
- Fencing between the building and the front and secondary boundary shall not be permitted;
- Fencing behind the building line shall generally not be permitted where it obstructs access to public parking areas;
- Where required, gates & fences shall be open style to 1.8m; and
- No barbed wire or electric fencing shall be permitted.

#### 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 development applications and be in accordance with the City's Landscaping Policy.
- Planters and window boxes are acceptable where the footpath is sufficiently wide enough to accommodate such features; and

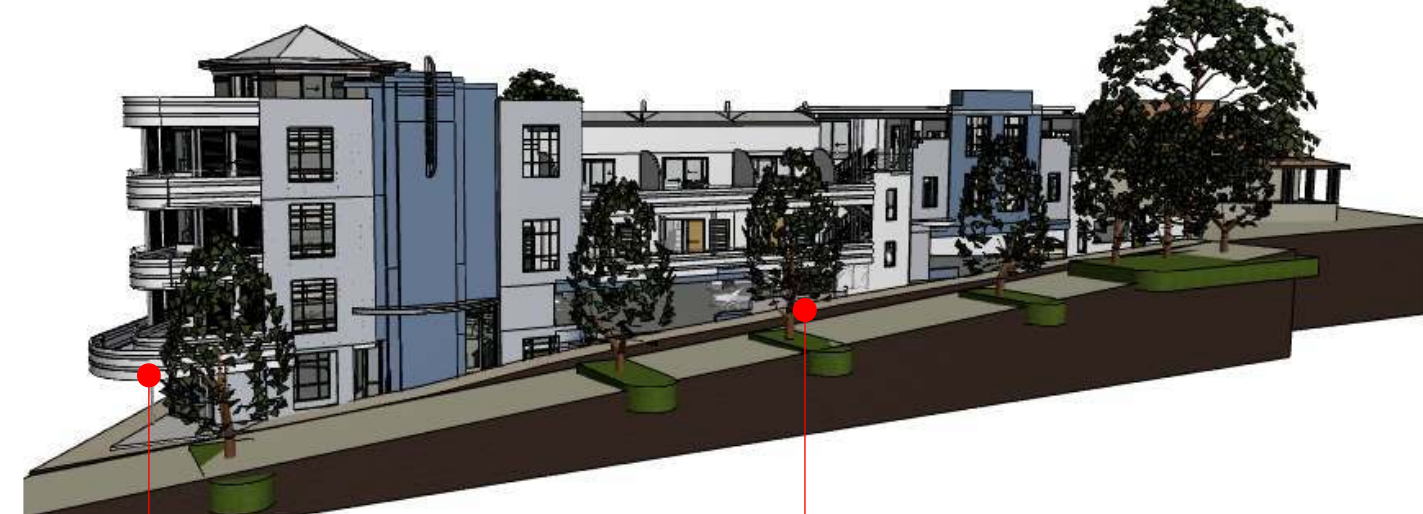


LEVEL 1 - WALCOTT STREET  
Scale 1:200

LEVEL 2 - LEAROYD STREET LOWER  
Scale 1:200



Walcott St View



Learoyd St Corner View

Shopfront Facade and Awning unless otherwise recommended for removal by WAPC

## Landscaping

### LANDSCAPE SCHEDULE 204 (Lot 17) Walcott Street Mt Lawley

LOCATION	SCOPE	PLANTING
ROAD RESERVE Area 1.	1. Make good existing crossover 2. Existing trees to remain 3. Balance to be reticulated waterwise lawn.	Sir Walter'
ROAD RESERVE Area 2.	1. Mulched and reticulated bed 2. Ground covers 3. Low shrubs 4. New Medium tree	Dryandra Lindleyana - Lippia Hibbertia Racemosa, Anigozanthos Manglesii Chinese Tallow
Northern site Area 3	1. Mulched and reticulated bed 2. Ground covers 3. Low shrubs	Dryandra Lindleyana - Lippia Hibbertia Racemosa, Anigozanthos Manglesii

## Comments

### STREETSCAPE RELATIONSHIP

#### Ground floor frontage

Objective – to ensure that tenancies facing the street portray an attractive and inviting frontage

The shopfront has been modulated to respond to the positive and negative spaces on the floors above. The entrance is set back and the shop front windows have a sill of 500mm.

#### Entry Points

Objective – to ensure entrances are designed to enable safe and comfortable access and that building entrances are clearly defined

The entries are indented, are highlighted and have an awning above. Signage shall be above the door.

#### Weather protection

Objective – to support a comfortable external environment for pedestrians

Awnings are provided along Walcott Street and turn the corner leading to the main building entrance, thereafter a colonnade along the Learoyd Street facade.

#### Levels

Objective – to ensure that the development follows the topography and to ensure there is equitable access without excessive differences that might have a negative impact of the amenity of the area.

The building is stepped and follows the slope of Learoyd Street, without trip hazards.

#### Landscaping

Objective – to improve the visual appeal of development, provide shade and green relief.

There is a wide existing median strip on Learoyd Street which will be landscaped and have shady trees planted. The corner will have protective planting. Walcott Street is a busy urban street that is south facing. Where practical, planting or potted plants will be introduced to soften the shopfronts.

### STREETSCAPE RELATIONSHIP

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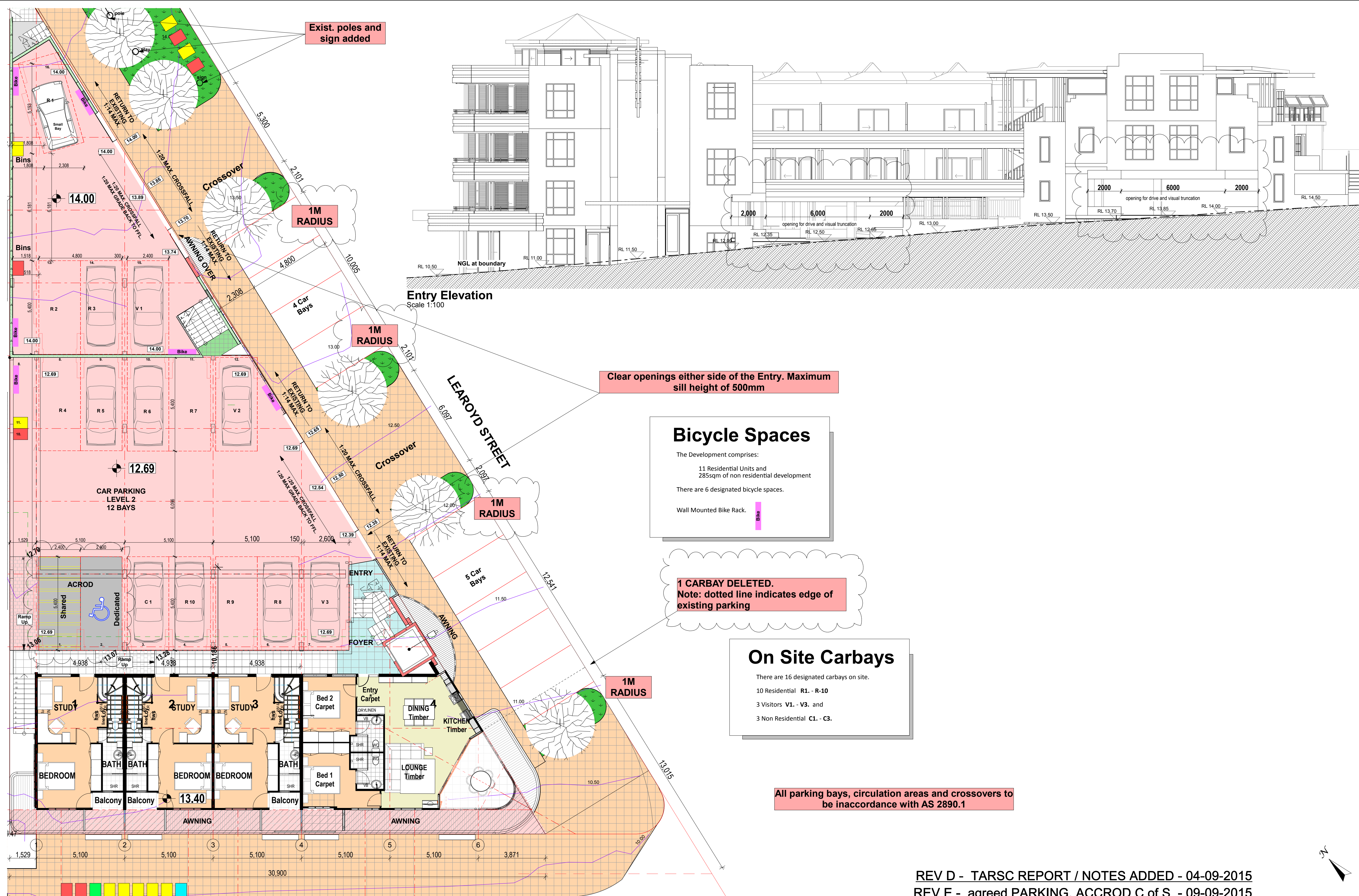
REV B - ADJUSTED CoS OFFICER FEEDBACK - 02-04-2015

REV A - SUBMITTED FOR PLANNING APPLICATION - 18-02-2015

PROPOSED MIXED USE DEVELOPMENT - 204 (Lot 17) Walcott St. Mount Lawley

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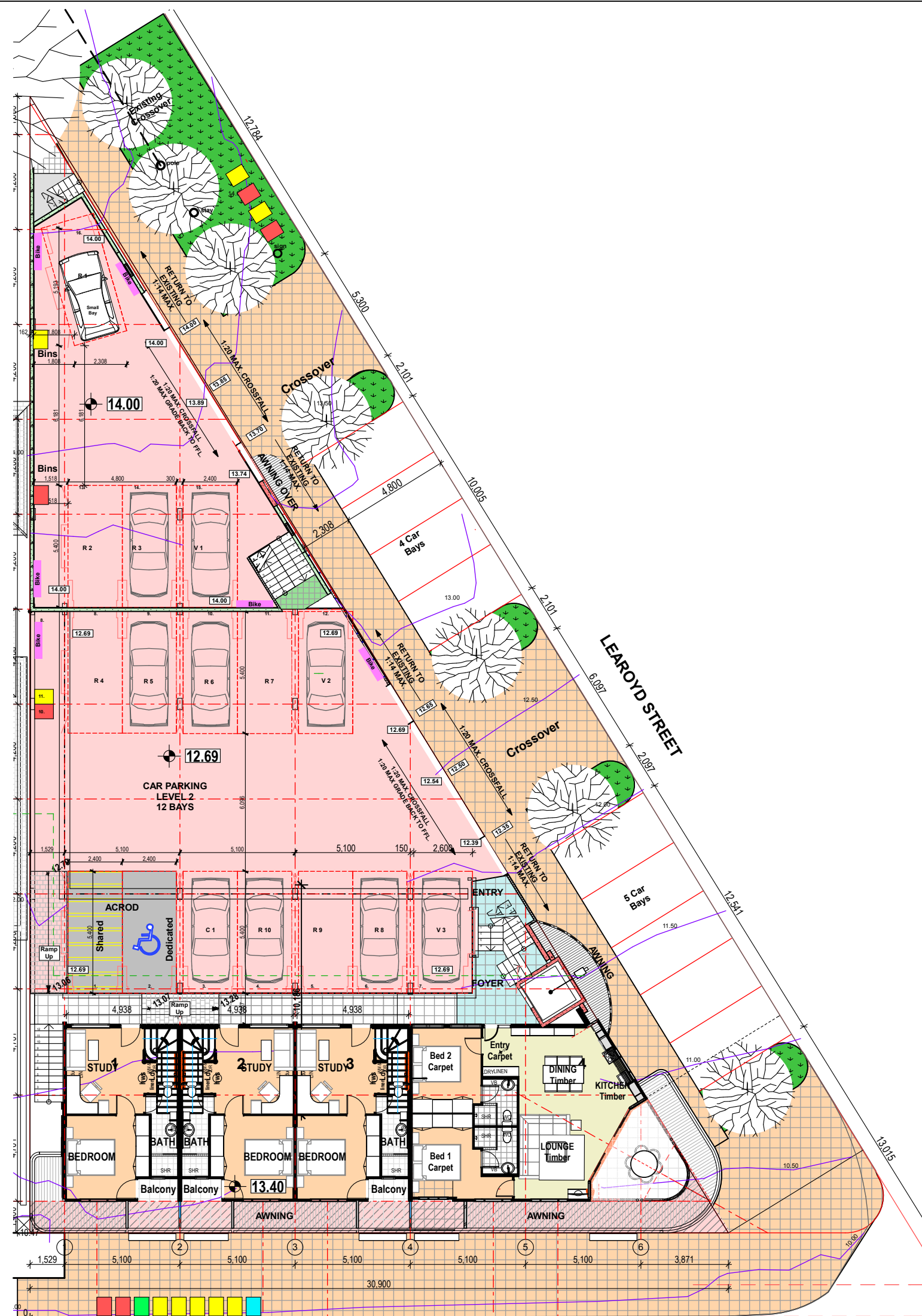
LEVEL 2 - LEAROYD STREET LOWER  
Scale 1:100

# PROPOSED MIXED USE DEVELOPMENT - 204 (Lot 17) Walcott St. Mount Lawley

Plot date: 9/09/2015

REV D - TARSC REPORT / NOTES ADDED - 04-09-2015  
REV E - agreed PARKING, ACCROD C of S - 09-09-2015  
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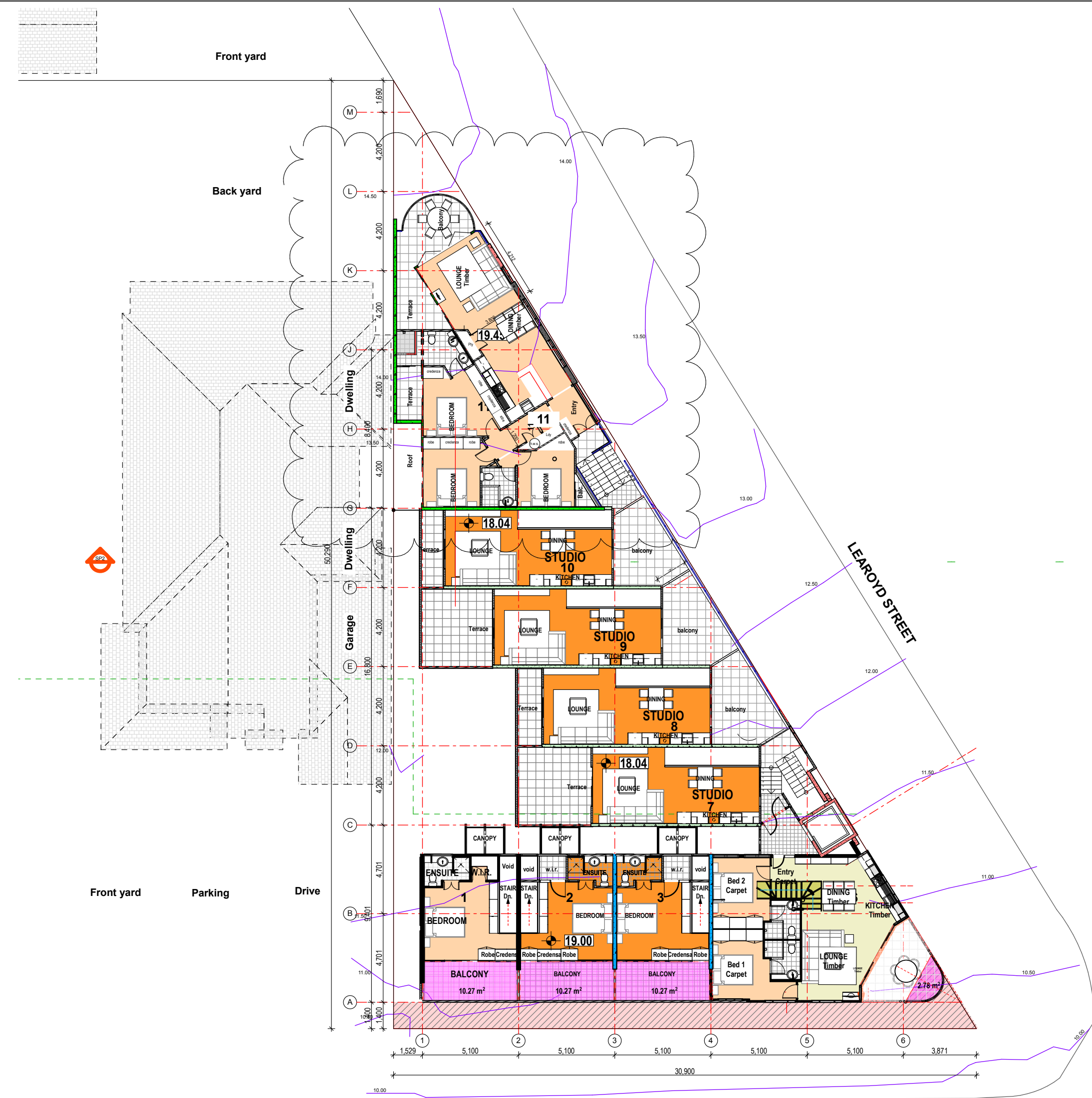




**LEVEL 2 - LEAROYD STREET LOWER**  
Scale 1:200



**LEVEL 3 - LEAROYD STREET**  
Scale 1:200



**LEVEL 4 - LEAROYD STREET UPPER**  
Scale 1:200

## SETBACKS

### Setbacks

#### Objective

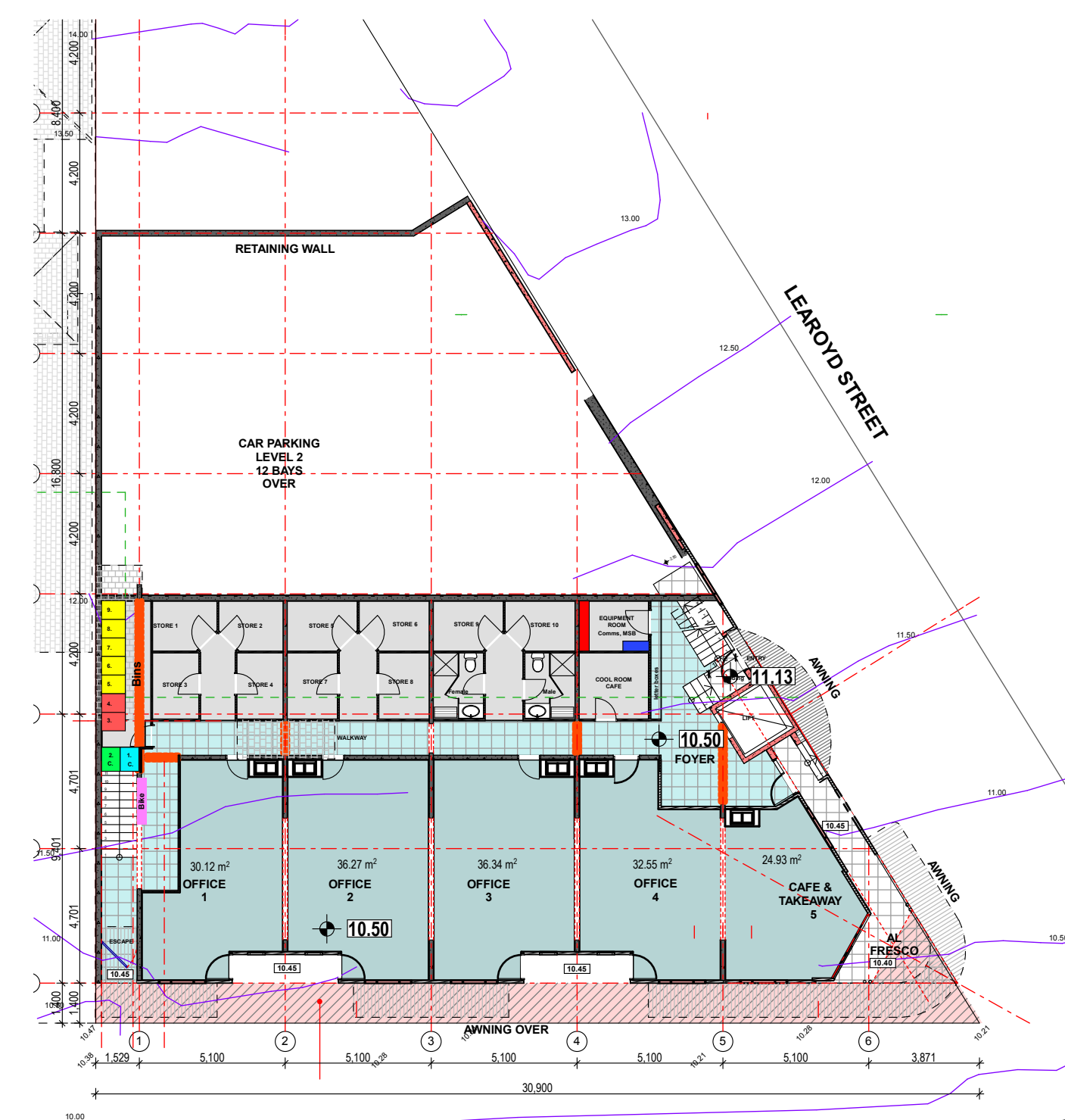
To strengthen the continuity of the streetscapes and provide continual weather protection for pedestrians

#### Street Setbacks

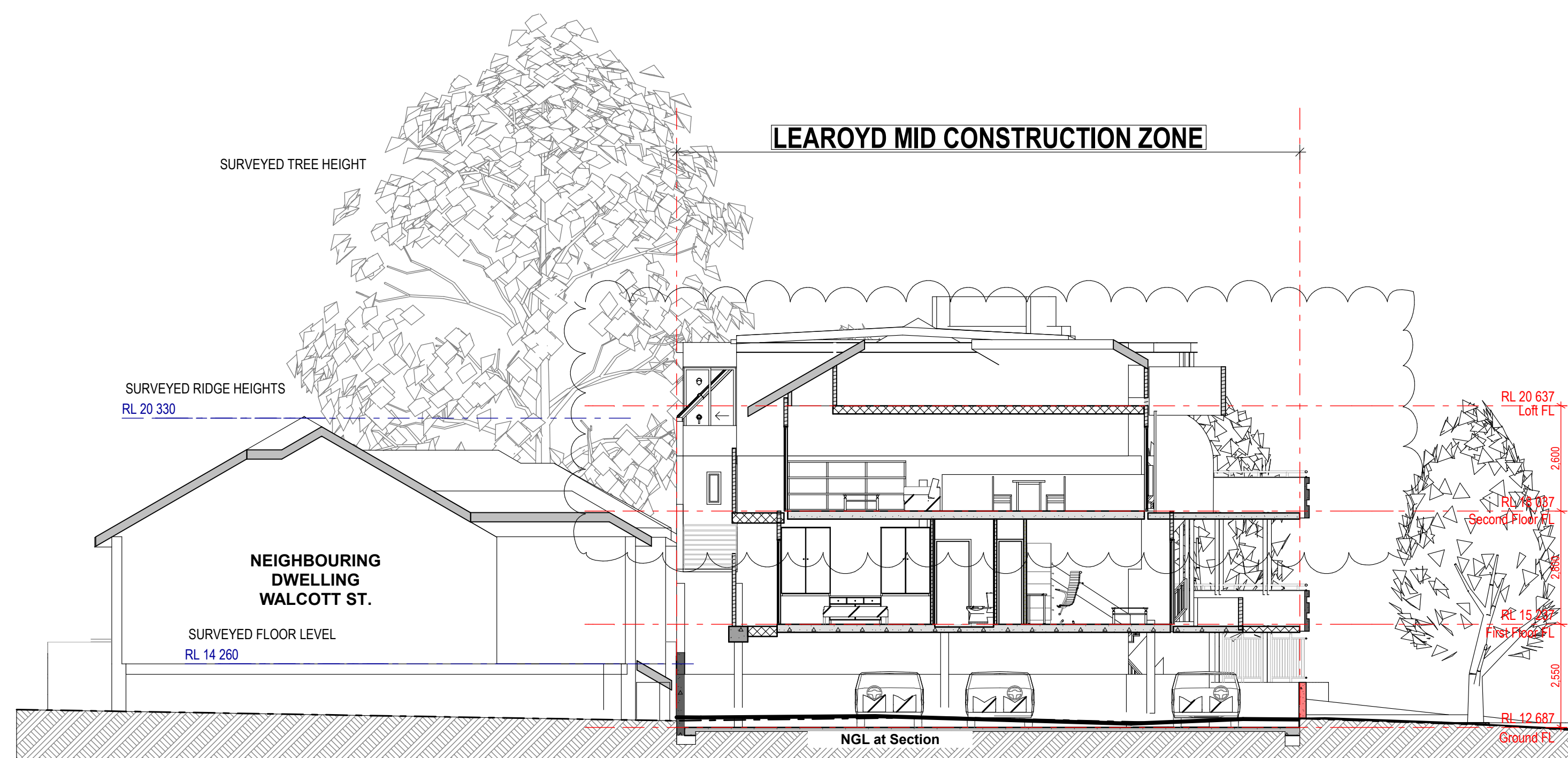
- Buildings shall have a nil setback to both primary and secondary streets;
- Where adjoining sites are zoned residential, street setbacks shall be stepped back from the residential site to match the setback of the residential building;
- Where adjoining buildings have greater street setbacks a stepping back of the building may be appropriate; and
- Existing "Box Style" developments shall have at least one nil setback to a 'Main Street' frontage.

#### Side and Rear Setbacks

- Buildings shall be built from side boundary to side boundary;
- Where adjoining sites are zoned residential, side/rear setbacks shall be calculated as per the Residential Design Codes of Western Australia; and
- For mixed use buildings setbacks for the residential component shall be calculated as per the Residential Design Codes of Western Australia.



**LEVEL 1 - WALCOTT STREET**  
Scale 1:200



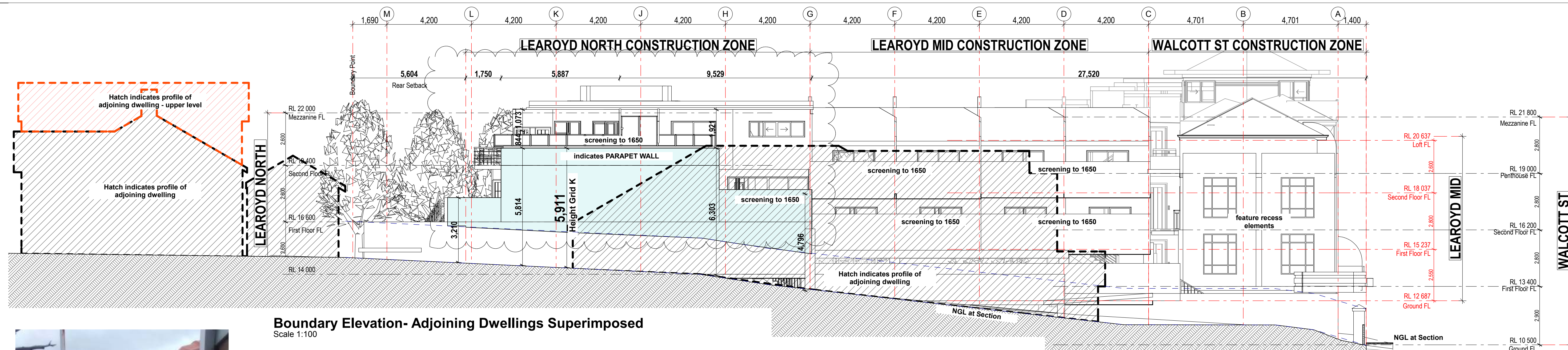
**Planning Section 2**  
Scale 1:100

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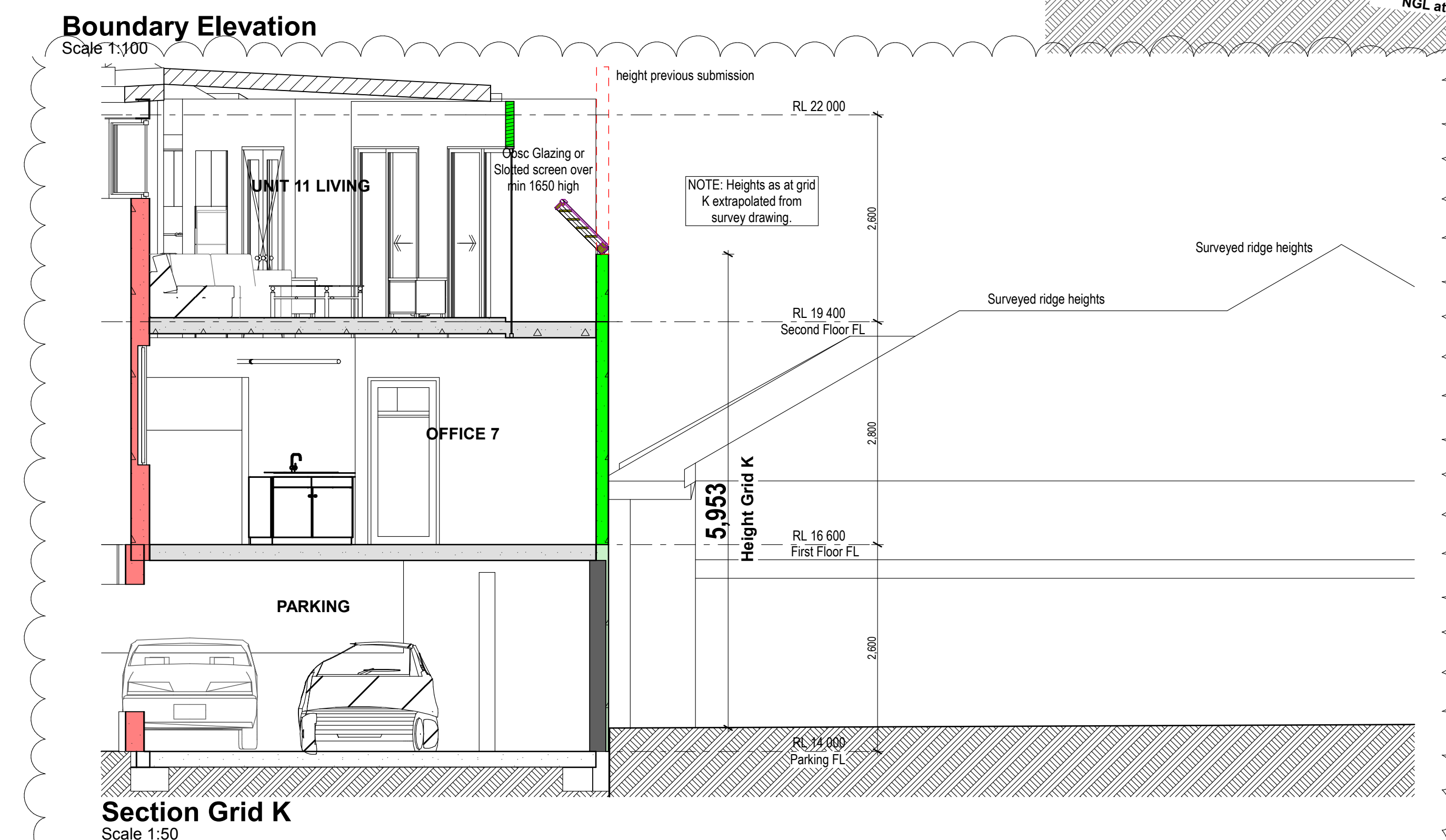
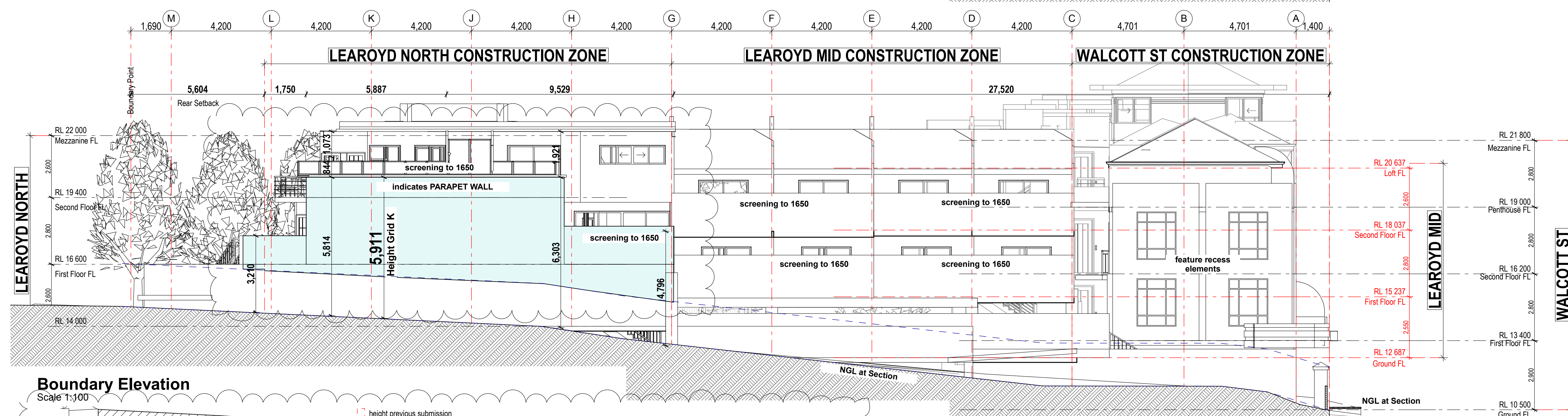
**PROPOSED MIXED USE DEVELOPMENT - 204 (Lot 17) Walcott St. Mount Lawley**

Plot date: 9/09/2015





**VIEW ALONG COMMON BOUNDARY**  
Image Facing South

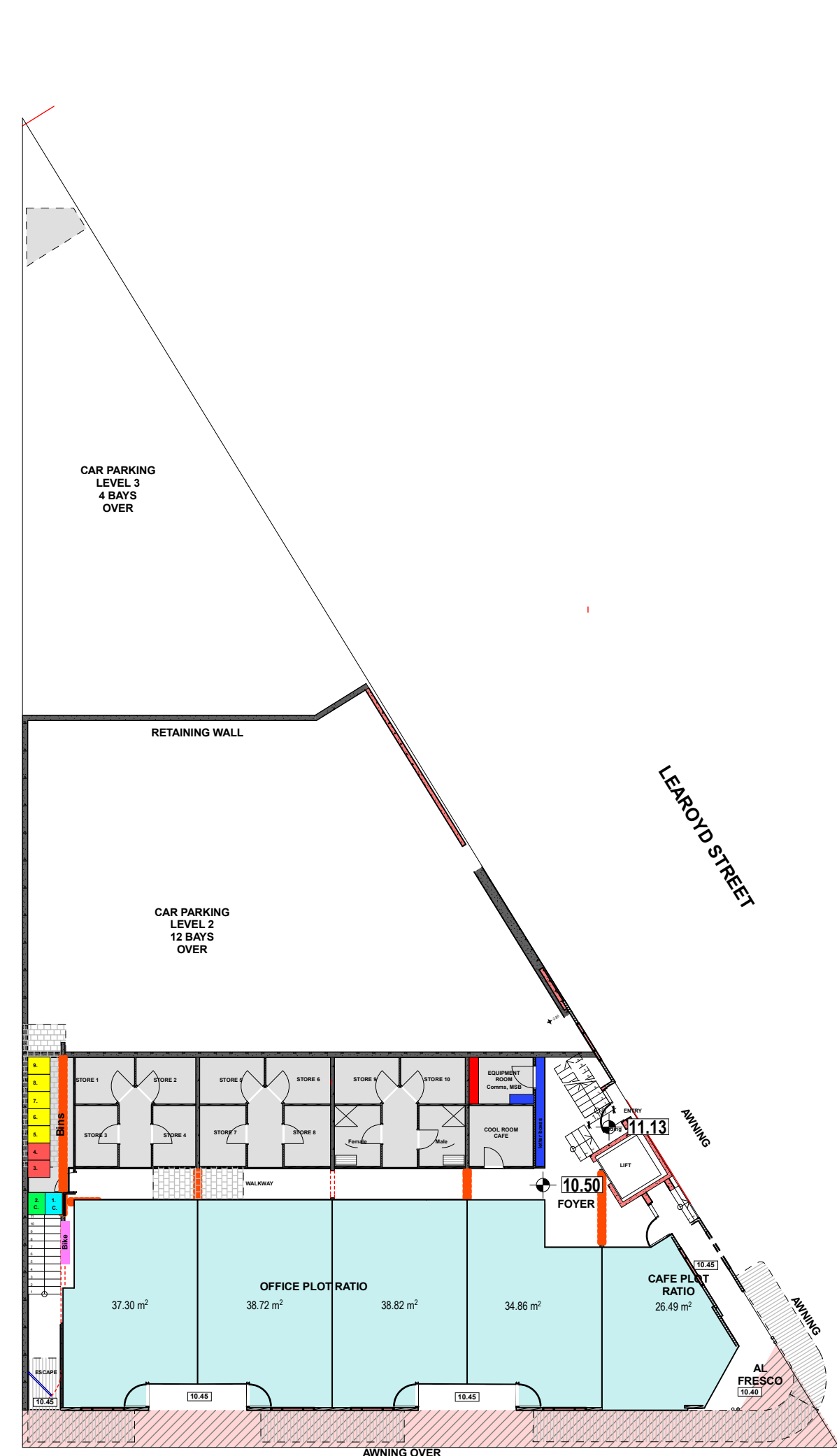


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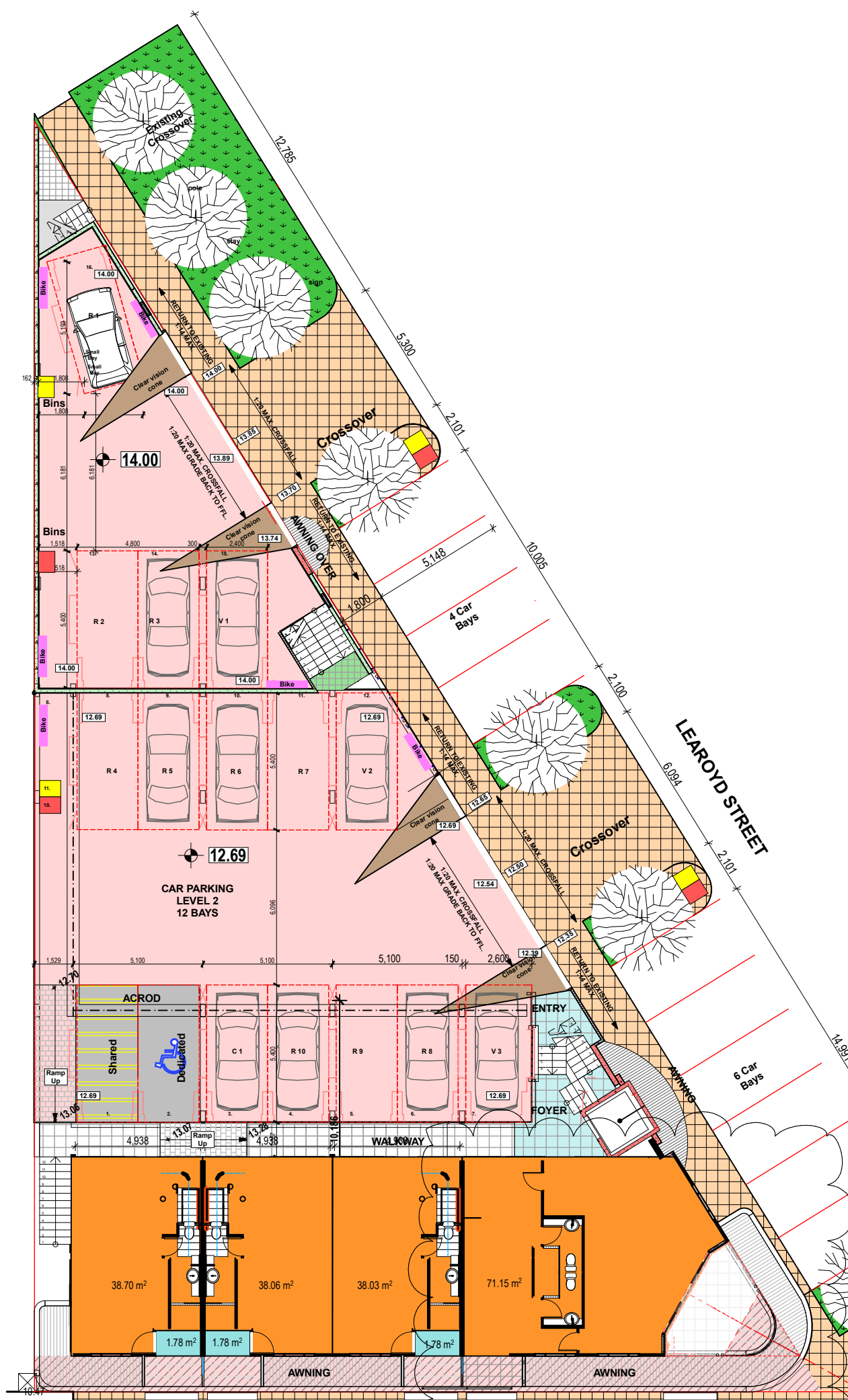
PROPOSED MIXED USE DEVELOPMENT - 204 (Lot 17) Walcott St. Mount Lawley

Plot date: 9/09/2015





Plot Ratio Areas - Walcott St  
Scale 1:200



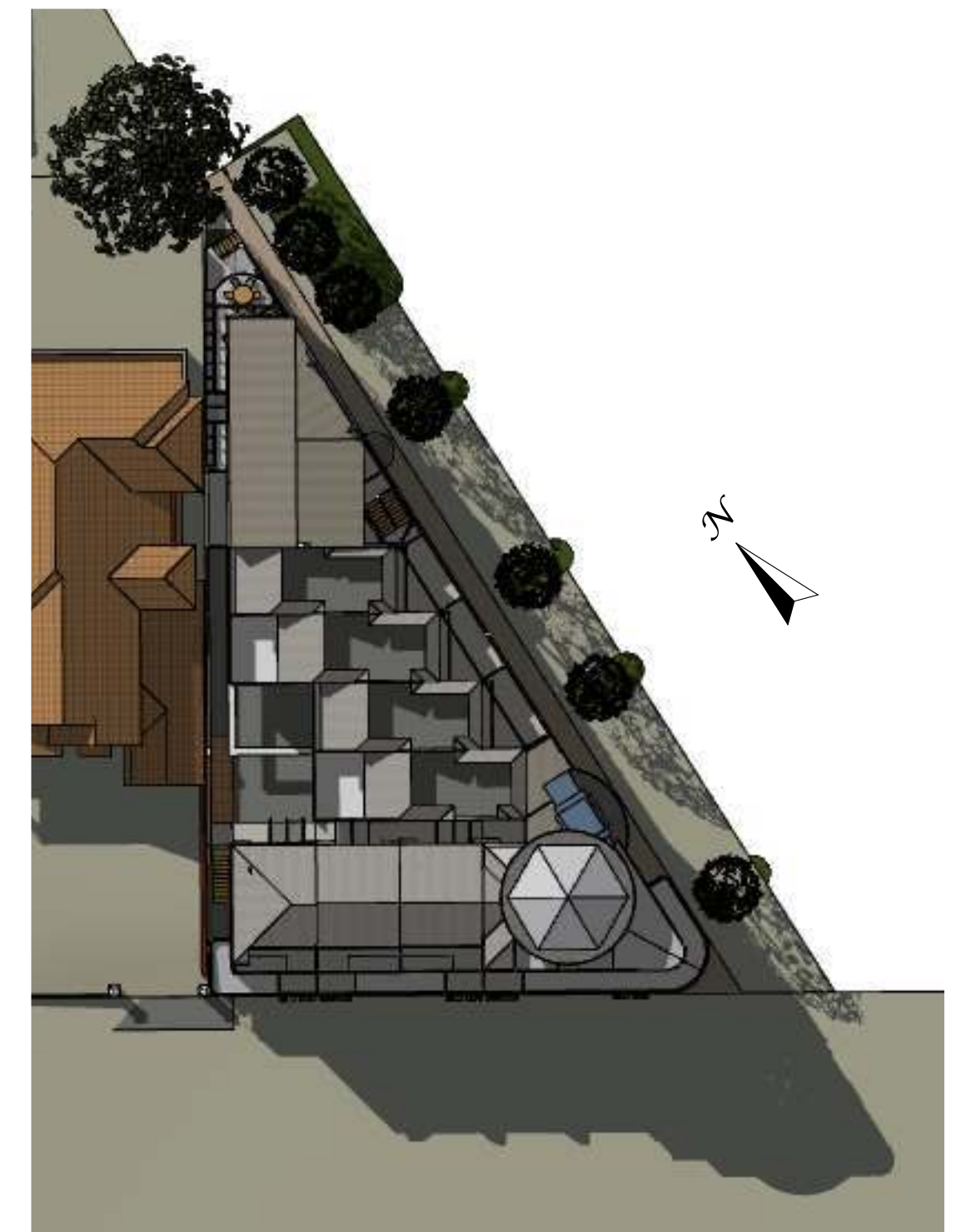
Plot Ratio Areas - Learoyd St Lower  
Scale 1:200



Plot Ratio Areas - Learoyd St  
Scale 1:200



Plot Ratio Areas - Learoyd St Upper  
Scale 1:200



**OVERSHADOWING DIAGRAM**  
Due to the orientation of the site. Building shadows cast as per 5.4.2 of the 'R' Codes fall entirely within the proposal site and upon the Walcott St road reserve.

#### Plot Ratio Areas- NON - RESIDENTIAL

6 Office Units	37.3 sqm
1 Walcott St.	38.72 sqm
2 Walcott St.	38.82 sqm
3 Walcott St.	34.86 sqm
4 Walcott St.	46.56 sqm
6 Learoyd	37.07 sqm

**TOTAL OFFICE AREA** 233.33 sqm

Cafe Unit	26.49 sqm
5 Walcott St.	

**Total Non Residential Plot Ratio Area** 259.82 sqm

**Site Area** 777 sqm

**NON RESIDENTIAL PLOT RATIO** 0.33

#### Plot Ratio Areas - Residential + Strata Area

##### WALCOTT STREET

<b>Townhouse 1</b>		<b>Balconies / courts</b>	<b>Private open space</b>
Sleeping Level	38.7 sqm	1.78 sqm	
Living Level	33.5 sqm	2.5 sqm	
Loft Level	22.65 sqm	10.27 sqm	14.55 sqm
Carbay		13 sqm	
Store		4 sqm	
<b>Total plot ratio area</b>	<b>94.85 sqm</b>	<b>126.4 sqm</b>	
		<b>Total Unit Area</b>	

<b>Townhouse 2</b>		<b>Balconies / courts</b>	
Sleeping Level	38.06 sqm	1.78 sqm	
Living Level	32.94 sqm	2.5 sqm	
Loft Level	22.65 sqm	10.27 sqm	14.55 sqm
Carbay		13 sqm	
Store		4 sqm	
<b>Total plot ratio area</b>	<b>93.64 sqm</b>	<b>125.19 sqm</b>	
		<b>Total Unit Area</b>	

<b>Townhouse 3</b>		<b>Balconies / courts</b>	
Sleeping Level	38.06 sqm	1.78 sqm	
Living Level	32.94 sqm	2.5 sqm	
Loft Level	22.65 sqm	10.27 sqm	14.55 sqm
Carbay		13 sqm	
Store		4 sqm	
<b>Total plot ratio area</b>	<b>93.65 sqm</b>	<b>125.2 sqm</b>	
		<b>Total Unit Area</b>	

<b>Apartment 4.</b>		<b>Balconies / courts</b>	
Living Level	71.15 sqm	10.58 sqm	
Carbay		13 sqm	
Store		4 sqm	
<b>Total plot ratio area</b>	<b>71.15 sqm</b>	<b>98.73 sqm</b>	
		<b>Total Unit Area</b>	

<b>Apartment 5.</b>		<b>Balconies / courts</b>	
Living Level	71.24 sqm	10.58 sqm	
Carbay		13 sqm	
Store		4 sqm	
<b>Total plot ratio area</b>	<b>71.24 sqm</b>	<b>98.82 sqm</b>	
		<b>Total Unit Area</b>	

<b>Penthouse Apartment 6.</b>		<b>Balconies / courts</b>	
Living Level	71.15 sqm	10.58 sqm	
Carbay		13 sqm	
Store		4 sqm	
<b>Total plot ratio area</b>	<b>71.15 sqm</b>	<b>98.73 sqm</b>	
		<b>Total Unit Area</b>	

<b>Townhouse 7</b>		<b>Balconies / courts</b>	
Sleeping Level	41.97 sqm	13.06 sqm	
Living Level	32.55 sqm	16.84 sqm	29.9 sqm
Carbay		13 sqm	
Store		4 sqm	
<b>Total plot ratio area</b>	<b>74.52 sqm</b>	<b>121.42 sqm</b>	
		<b>Total Unit Area</b>	

<b>Townhouse 8</b>		<b>Balconies / courts</b>	
Sleeping Level	41.2 sqm	9.17 sqm	
Living Level	32.55 sqm	19.7 sqm	28.87 sqm
Carbay		13 sqm	
Store		4 sqm	
<b>Total plot ratio area</b>	<b>73.75 sqm</b>	<b>119.62 sqm</b>	
		<b>Total Unit Area</b>	

<b>Townhouse 9</b>		<b>Balconies / courts</b>	
Sleeping Level	41.2 sqm	20.19 sqm	
Living Level	32.55 sqm	30.45 sqm	50.64 sqm
Carbay		13 sqm	
Store		4 sqm	
<b>Total plot ratio area</b>	<b>73.75 sqm</b>	<b>141.39 sqm</b>	
		<b>Total Unit Area</b>	

<b>Townhouse 10</b>		<b>Balconies / courts</b>	
Sleeping Level	41.17 sqm	9.05 sqm	
Living Level	32.46 sqm	19 sqm	28.05 sqm
Carbay		13 sqm	
Store		4 sqm	
<b>Total plot ratio area</b>	<b>73.63 sqm</b>	<b>118.68 sqm</b>	
		<b>Total Unit Area</b>	

<b>3 BED apartment 11</b>		<b>Balconies / courts</b>	
Living Level	99 sqm	31.92 sqm	31.92 sqm
Carbay		13 sqm	
Store		4 sqm	
<b>Total plot ratio area</b>	<b>99 sqm</b>	<b>147.92 sqm</b>	
		<b>Total Unit Area</b>	

**TOTAL RESIDENTIAL PLOT RATIO AREA** 890.33 sqm

**Site Area** 777 sqm

**RESIDENTIAL PLOT RATIO** 1.15

**PRIVATE OPEN SPACE** 32% 244.77 sqm

**COMMON OPEN SPACE** 16% 123.26 sqm

**TOTAL OPEN SPACE** 47% 368.03 sqm

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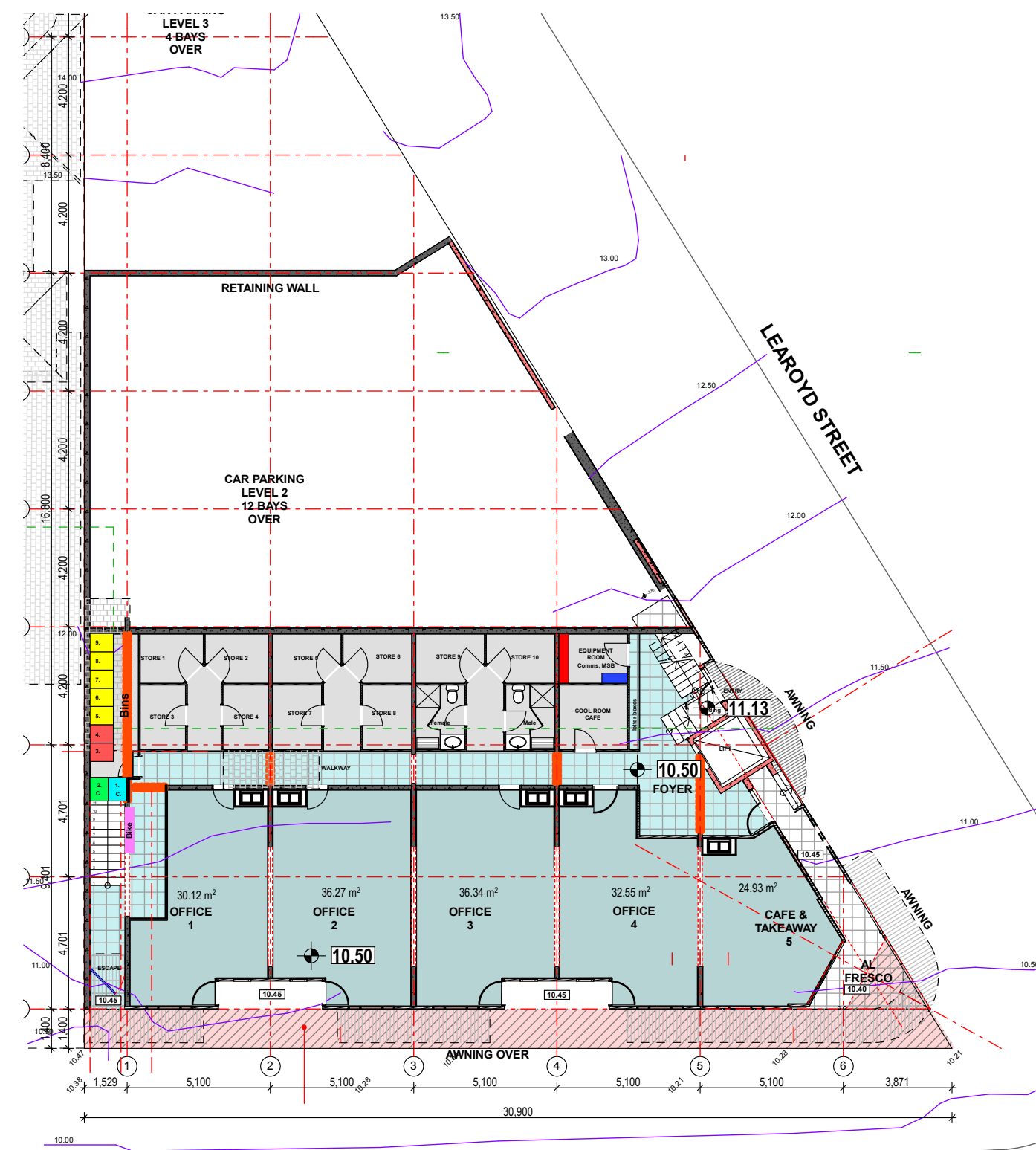
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PROPOSED MIXED USE DEVELOPMENT - 204 (Lot 17) Walcott St. Mount Lawley

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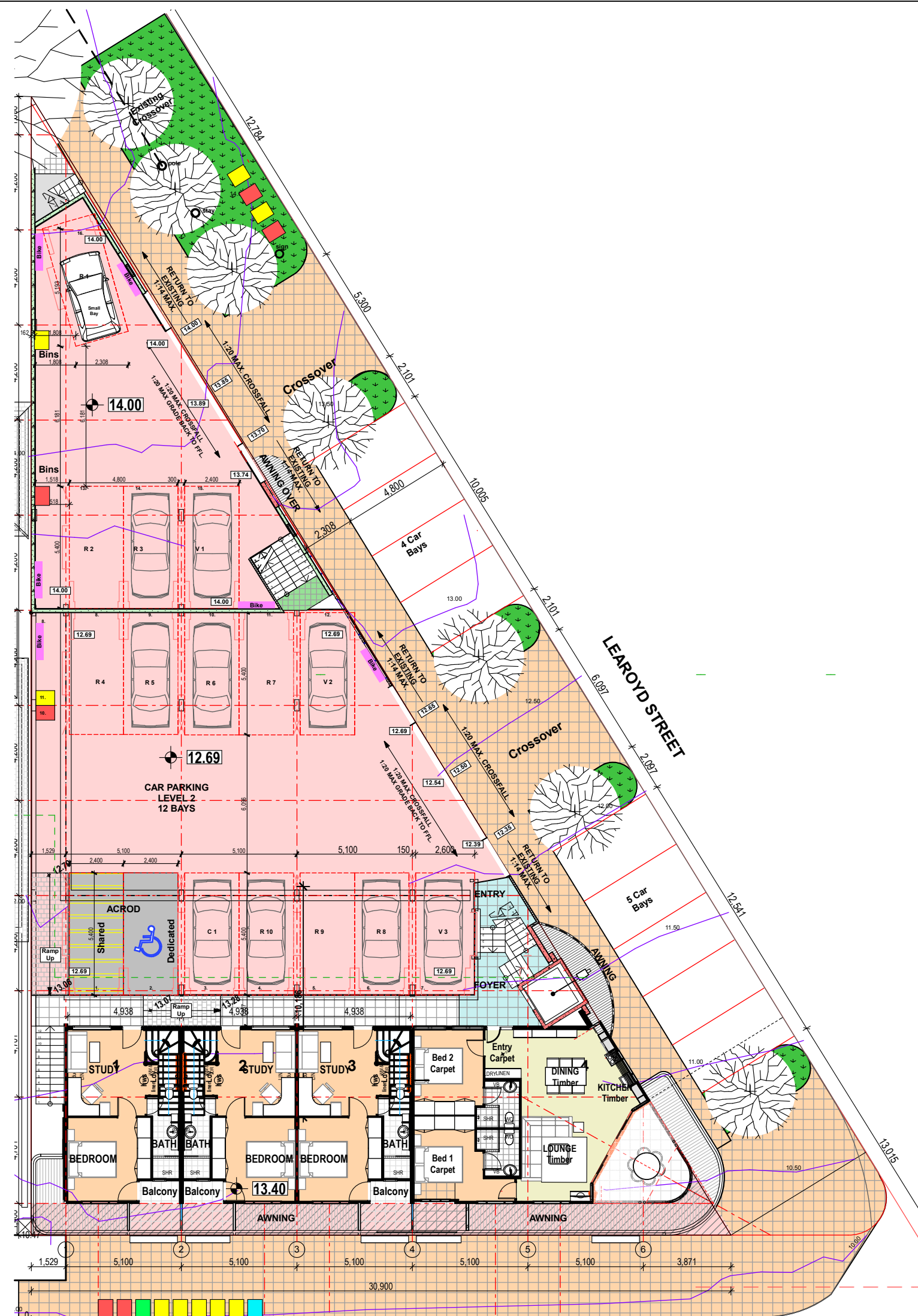




**LEVEL 1 - WALCOTT STREET**  
Scale 1:200



**LEVEL 4 - LEARY STREET UPPER**  
Scale 1:200



**LEVEL 2 - LEARY STREET LOWER**  
Scale 1:200



**LEVEL 3 - LEARY STREET**  
Scale 1:200

## Acoustic Performance

### BUILDING CODE OF AUSTRALIA REQUIREMENTS

The mandatory acoustic standards for apartments are established in the Building Code of Australia (BCA). The acoustic standards for Apartments are set out in Section F5.

### FLOOR CONSTRUCTION TO MEET BCA REQUIREMENTS

#### Requirements of BCA

The BCA acoustic requirement for floors includes both airborne and structureborne noise criteria. The requirements for a floor separating sole occupancy units are:

- o Airborne sound insulation rating  $R_w + C_{tr} 50$  ( $D_{nt,w} + C_{tr} 45$ )
- o Airborne sound insulation rating to plantroom, lift-shaft, stairway, public corridor or lobby, or parts of different classification:  $R_w + C_{tr} 50$  ( $D_{nt,w} + C_{tr} 45$ )
- o Impact sound insulation rating  $L_{nt,w} + C_1$  not greater than 62 dB

### WALL CONSTRUCTION TO MEET BCA REQUIREMENTS

#### BCA Requirements

The acoustic requirements for perimeter walls surrounding Sole Occupancy units as outlined in the Building Code of Australia are:

- Party walls separating habitable areas in adjoining Sole Occupancy Units  $R_w + C_{tr} 50$
- Party walls between wet and habitable areas  $R_w + C_{tr} 50$  + discontinuous construction
- Walls to public corridor or lobby, stairs, or parts of different classification  $R_w 50$
- Walls to basement carpark  $R_w 50$

### Design Standards for Noise

BCA: The BCA does not establish a standard for environmental noise intrusion through facades.

Indoor Design Sound Levels: The Australian Standard AS 2107 Acoustics – Recommended Design Sound Levels and Reverberation Times for Building Interiors sets the design sound level inside apartment buildings at:

	Near Major roads	Near Minor roads
<b>Apartments</b>		
Living areas	Leq 35 to 45 dB(A)	Leq 30 to 40 dB(A)
Sleeping Areas	Leq 30 to 40 dB(A)	Leq 30 to 35 dB(A)
Work areas	Leq 35 to 45 dB(A)	Leq 35 to 40 dB(A)

TABLE 2: AS 2107 – Recommended Design Sound Levels

**The Acoustic Performance of the proposed Development will meet or exceed these standards**

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Plot date: 9/09/2015



## Waste Management

The Body Corporate will employ a janitor who will once a week on collection day take out the bins, clean the common areas and also return the bins.

As the Project is split over several levels, the bin storage areas will be dispersed into three areas for the convenience of the occupants, rather than concentrated into one storage area.

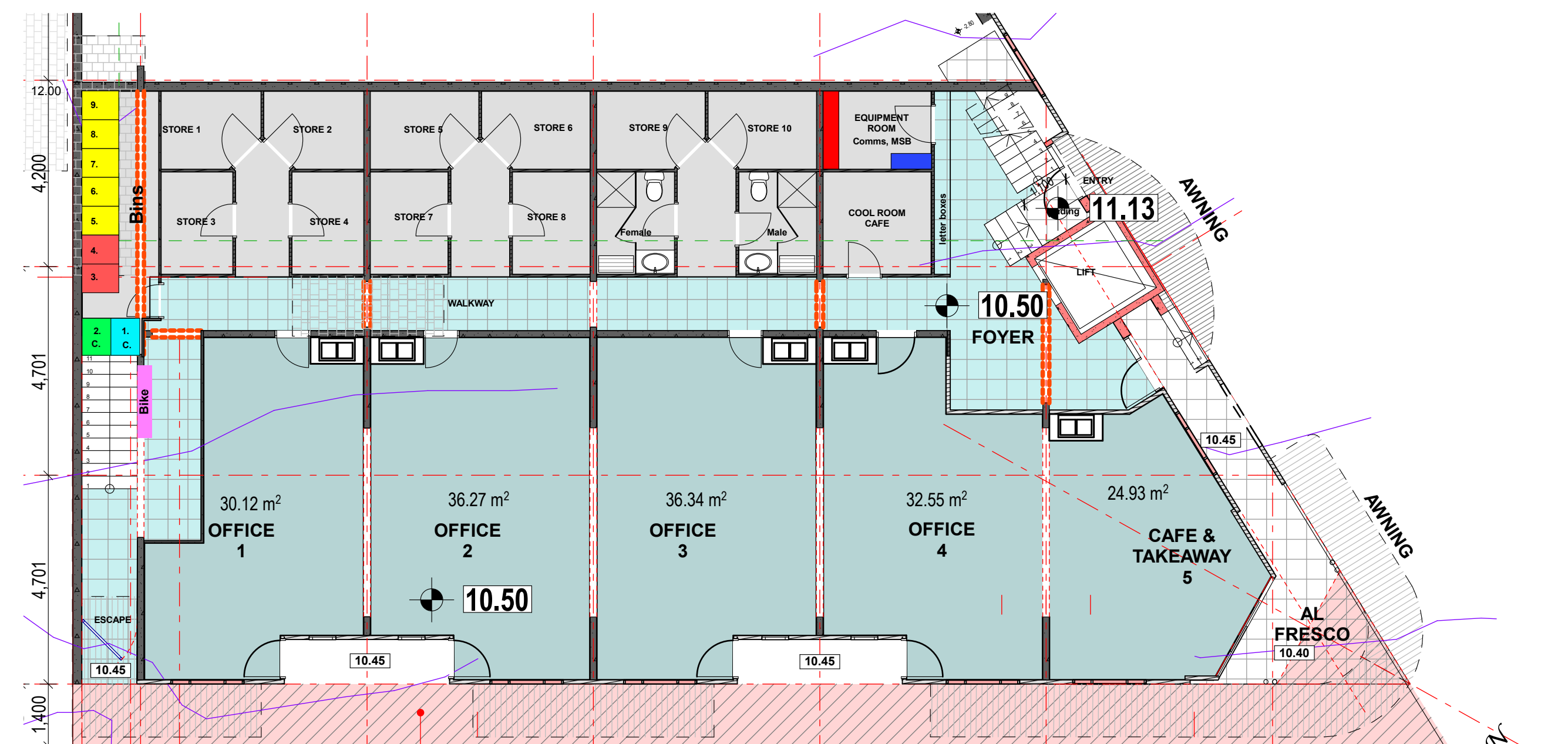
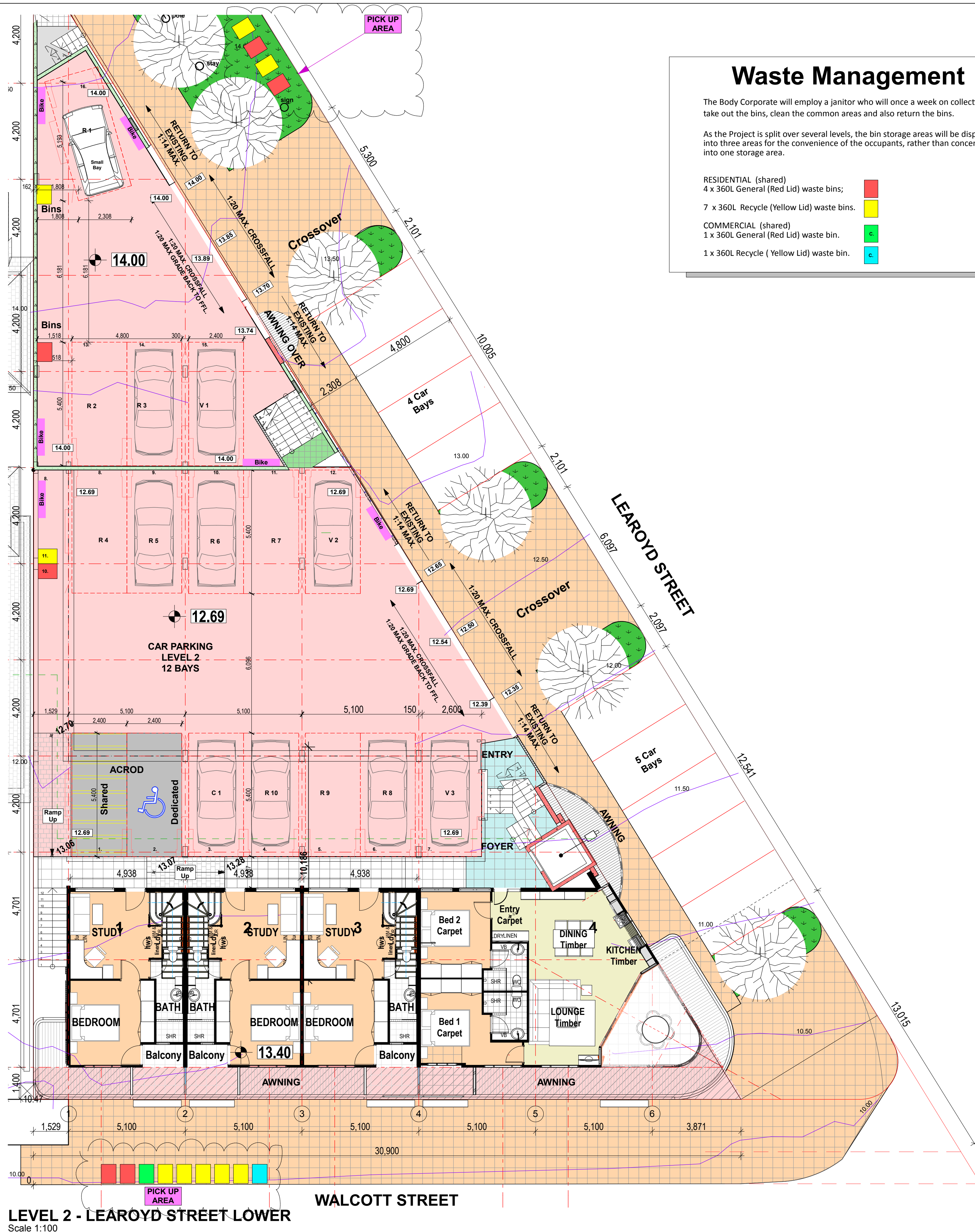
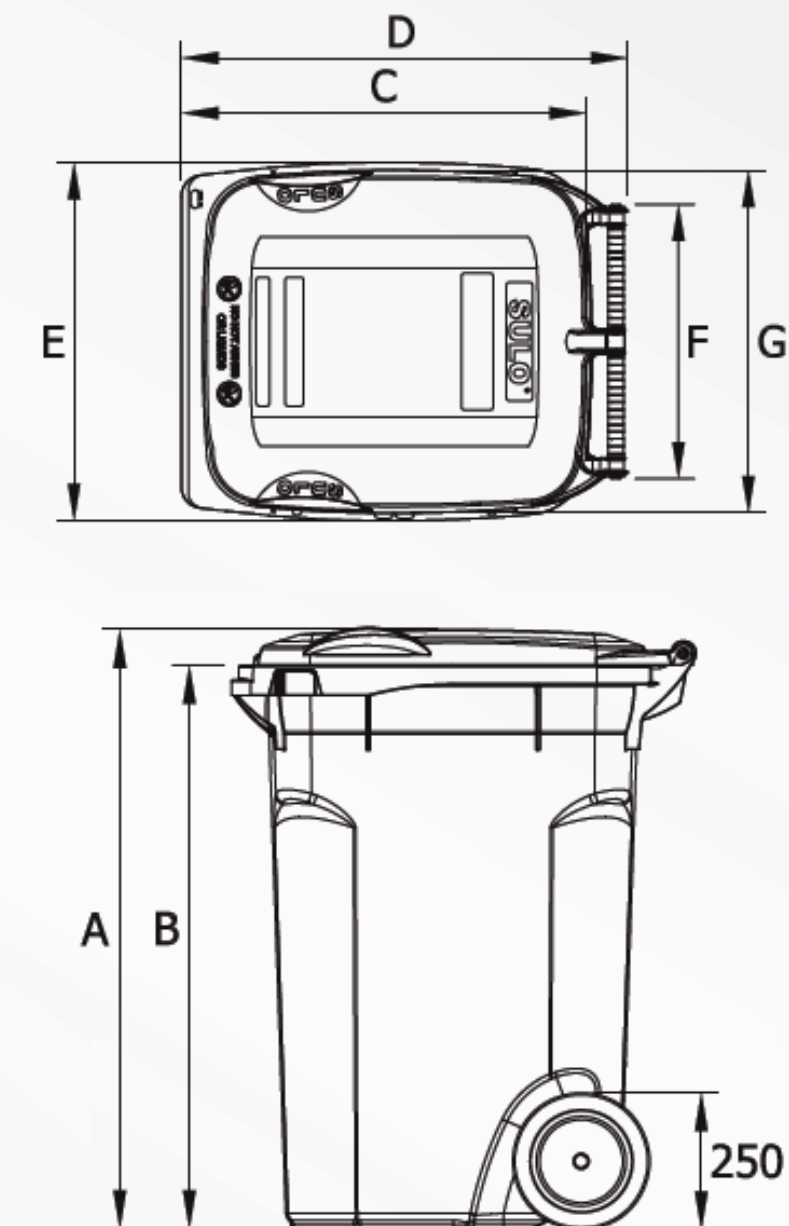
- RESIDENTIAL (shared)  
4 x 360L General (Red Lid) waste bins;  
7 x 360L Recycle (Yellow Lid) waste bins.  
COMMERCIAL (shared)  
1 x 360L General (Red Lid) waste bin.  
1 x 360L Recycle (Yellow Lid) waste bin.



### Dimensions – Weight – Standards

- Nominal volume: 360 litres
  - Net weight: approx 17 kg
  - Max load: 144 kg
  - Permitted total weight: 159 kg
- |   |         |   |        |   |        |
|---|---------|---|--------|---|--------|
| A | 1100 mm | D | 848 mm | G | 650 mm |
| B | 1028 mm | E | 680 mm |   |        |
| C | 770 mm  | F | 520 mm |   |        |

Measurements to be used as a guide only – variations will occur



LEVEL 1 - WALCOTT STREET  
Scale 1:100

REV D - TARSC REPORT / NOTES ADDED - 04-09-2015

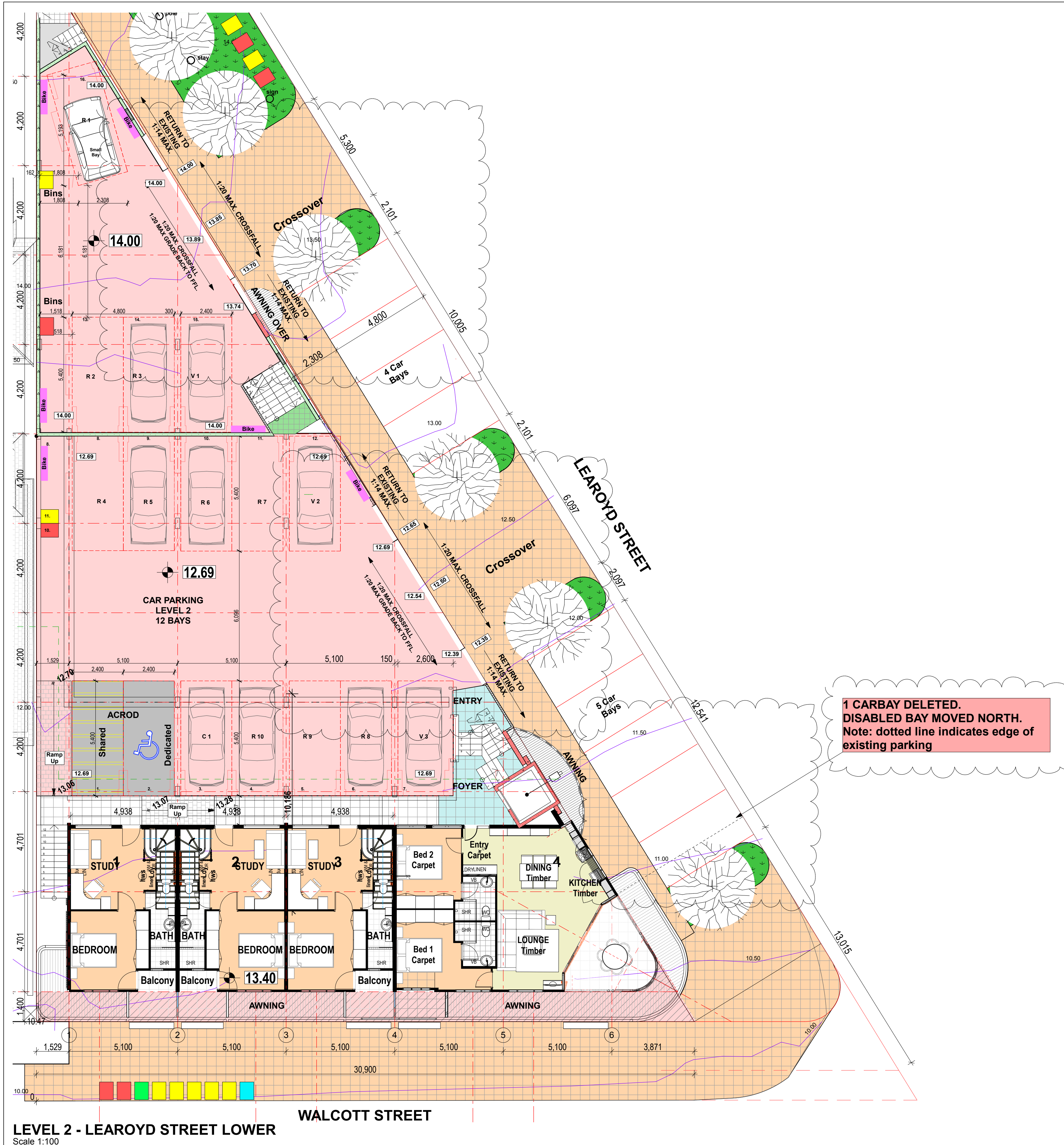
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REV A - SUBMITTED FOR PLANNING APPLICATION - 18-02-2015





**Traffic Report**  
**Note: Full report submitted separately**

REV D - TARSC REPORT / NOTES ADDED - 04-09-2015  
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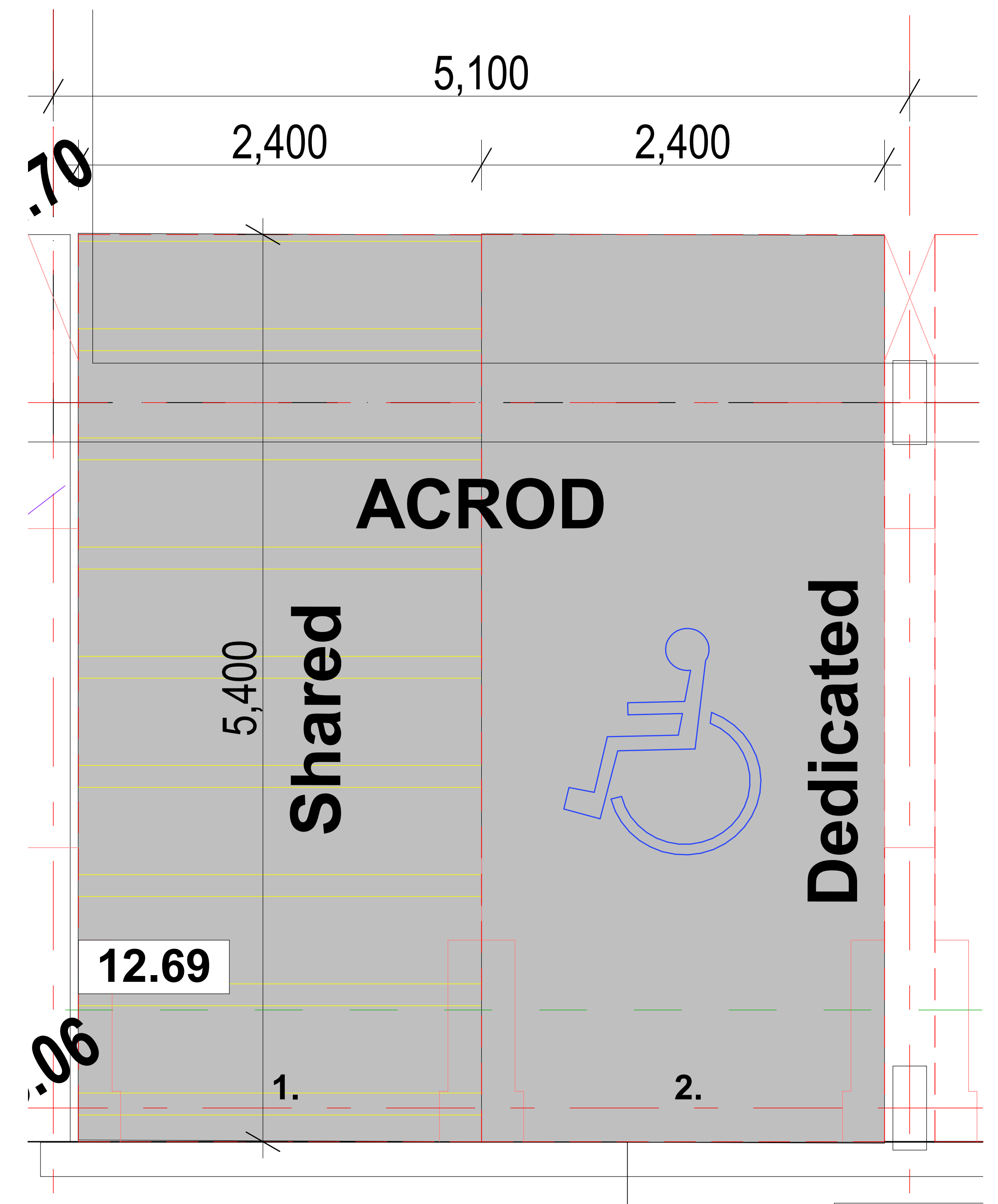




LEVEL 2 - LEAROYD STREET LOWER  
Scale 1:100

WALCOTT STREET

# PROPOSED MIXED USE DEVELOPMENT - 204 (Lot 17) Walcott St. Mount Lawley



## ACROD BAY PLAN (1:20 @ A1)

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Plot date: 9/09/2015



HERITAGE IMPACT  
STATEMENT  
DRAFT  
204 WALCOTT STREET, MOUNT LAWLEY



PREPARED FOR  
BOLDGREEN DEVELOPMENTS  
FEBRUARY 2015



Heritage Report  
Note: Full report submitted separately

Contents

1.0 Introduction	1
2.0 Location Plan and Existing Site	3
3.0 Consultant Qualifications and Experience	10
4.0 Heritage Listings	10
5.0 Overview of Historical & Physical Development of Site	14
6.0 Physical Description	18
7.0 Significance	25
8.0 Statement of Significance	27
9.0 Proposal	27
10.0 Statement of Heritage Impact	28
11.0 Conclusion	30
12.0 Recommendations	30

Appendix A- Proposal  
Appendix B- Photographs of the place prior to fire  
Appendix C- Photographs of the place after the fire

10.0 Statement of Heritage Impact  
Demolition adjacent to a heritage place  
Based on the previous heritage assessment and the previous development approval the attached residence is proposed for full demolition. The heritage assessment concluded that the former shop has some historical and social significance through its association as a local convenience store and the façade and streetscape presence contributes to the locality.

Heritage Impact Statement – 204 Walcott Street, Mount Lawley

The proposed ground floor use of a café offers a similar social value as a use that contributes to a community's sense of place as a meeting place. The office use still offers a social value but not to the same extent as the café use.

The proposed retention of the façade offers a tangible reminder of the previous use and can offer some imaginative ways and methods of interpreting the previous use of the site.

Conservation of the former shop façade and awning  
It is acknowledged that the existing shop façade is located within a road reserve. This means that the owner may be required to remove the façade in the future to allow for a widening of Walcott Street.

This situation makes it extremely difficult to allow for restoration and integration of the former shop in any proposal.

It is considered reasonable that an interpretive outcome is proposed to acknowledge the heritage values of the former use and former building footprint.

Development adjacent to a heritage place  
The proposed fabric to be retained is the former shop façade and awning. The proposed development is set back from the shop façade alignment as this is required by the road reservation and planning constraints.

This setback enables a separation of the façade and the new development at ground level and openings are proposed in the parapet to align with the windows and balconies to the residential apartments to the first floor level.

The overall proposed development is designed to be obviously new and whilst there are some stylistic references to the Inter-war period the proposal is not a replica of any specific historic style. The proposal is distinctly different from the style of the façade.

The proposal has the following stylistic features:

- Curved balconies and banding to the exterior facades
- Textured external finishes with a blue/grey colour palette
- Vertical render lines and a stepped parapet to the exterior of the lift shaft to Learoyd Street with a vertical curved edged sign
- Hexagonal roofs to tower elements to Walcott and Learoyd Streets

Heritage Impact Statement – 204 Walcott Street, Mount Lawley

11.0 Conclusion  
The cultural heritage significance of the residence is considered low at a local level. The former shops cultural heritage significance is considered to have some significance at a local level. This is due to the shop's façade and streetscape presence and the places association as a local convenience store within the Mount Lawley community as it contributes to the community's sense of place.

The City of Stirling has approved a development application for the demolition of the residence and partial demolition of the shop.

The former shop's façade and awning is within a road widening reserve that could require the removal of the façade in the future. There has been no determination of this matter by the responsible authorities.

The current development proposal is for a three and four storey mixed use development that retains the shop's façade and awning within the road reserve. The building is designed as a modern building with some stylistic references to the Inter-war period. A textured finish with a blue/grey colour scheme is proposed. The building addresses the corner location with curved balconies and a recessed tower structure.

A proposed café to the ground floor corner location offers interpretation opportunities for community engagement with the site and its history.

Noting the current development application approval, the current unresolved road widening issue and the level of cultural heritage significance of the place an interpretive outcome, acknowledging the heritage values of the place, is considered acceptable.

The demolition of the residence and partial demolition of the shop is considered acceptable. The proposed building design is considered acceptable.

12.0 Recommendations  
As part of the proposed development of 204 Walcott Street, Mount Lawley, it is recommended that consideration is given to the following actions as part of the proposed development:

- The existing house, shop and site are recorded through measured drawings and photographs and are provided to the City of Stirling and local library as a 2015 record of the place.

- Heritage Impact Statement – 204 Walcott Street, Mount Lawley
- Any existing current signage is photographically recorded and provided as part of the historical record to the City of Stirling and the local library.
  - That any retainable and reusable building fabric, such as timber floor boards from the existing shop, be reused and incorporated into the new development, preferably within a public area, such as the café.
  - Details of the junctions and connections of the former shop's façade to the new development are provided. These details should allow for the clear interpretation of the façade.
  - Interpretation through historic photographs and/or oral historical information about the role and history of the shop are interpreted and accessible in the proposed development.
  - Proposed interpretation actions are documented and provided to the city of Stirling.
  - A conservation schedule for the façade and awning is provided.





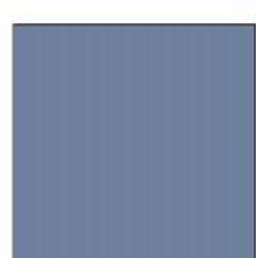
Walcott St View

**External Colour Schedule.**

**Walls - Trowelled Texture coat to all walls:**

**Colours -**

**A386 - Amazing Smoke  
75%**



**A390 - Hindsight  
75%**



**B12 - Vivid White**

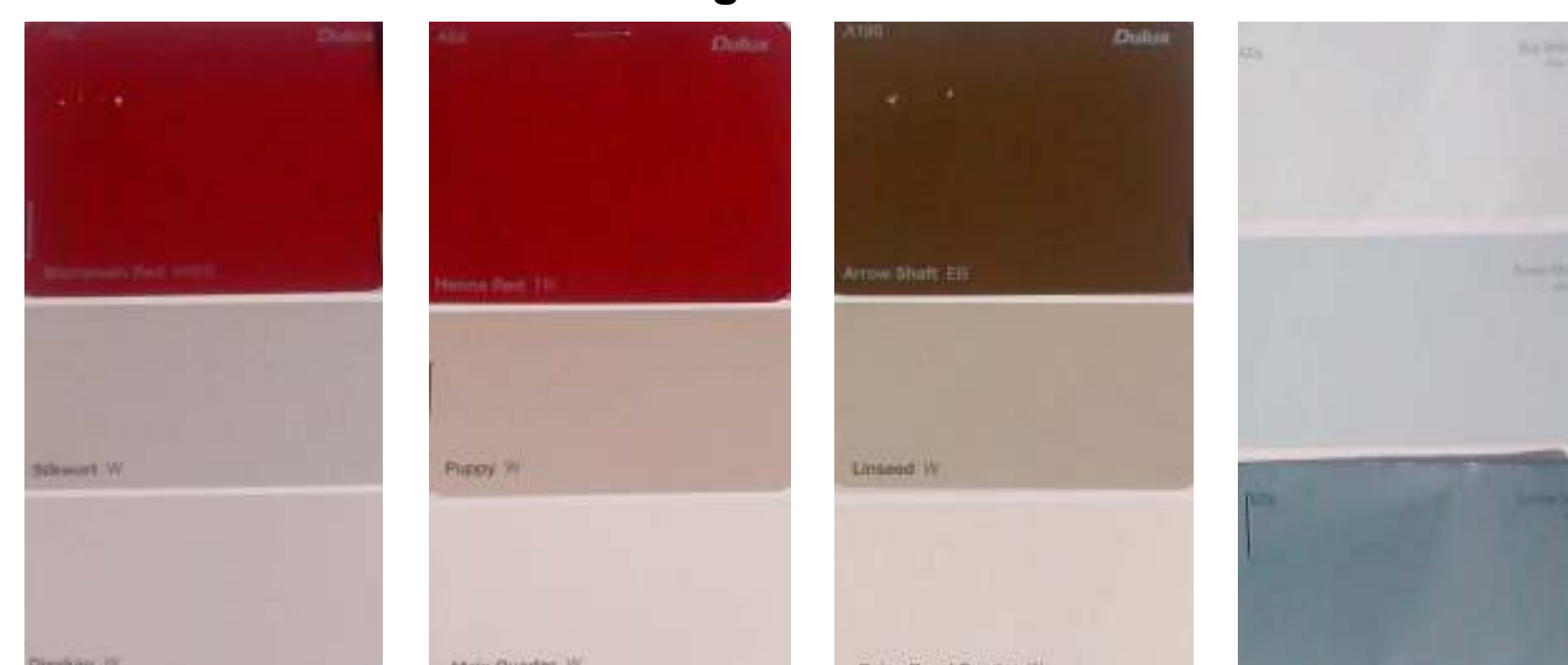


**Roof , Gutters and Trim**

**Colourbond - Jasper**



**ALTERNATE COLOUR SCHEMES  
to be selected in conjunction with Councils  
Heritage consultant.**



option 1.

option 2.

option 3.

option 4.



Learoyd St Corner View

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**PROPOSED MIXED USE DEVELOPMENT - 204 (Lot 17) Walcott St. Mount Lawley**

Plot date: 9/09/2015



**External Colour Schedule.**

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75%**



**A390 - Hindsight  
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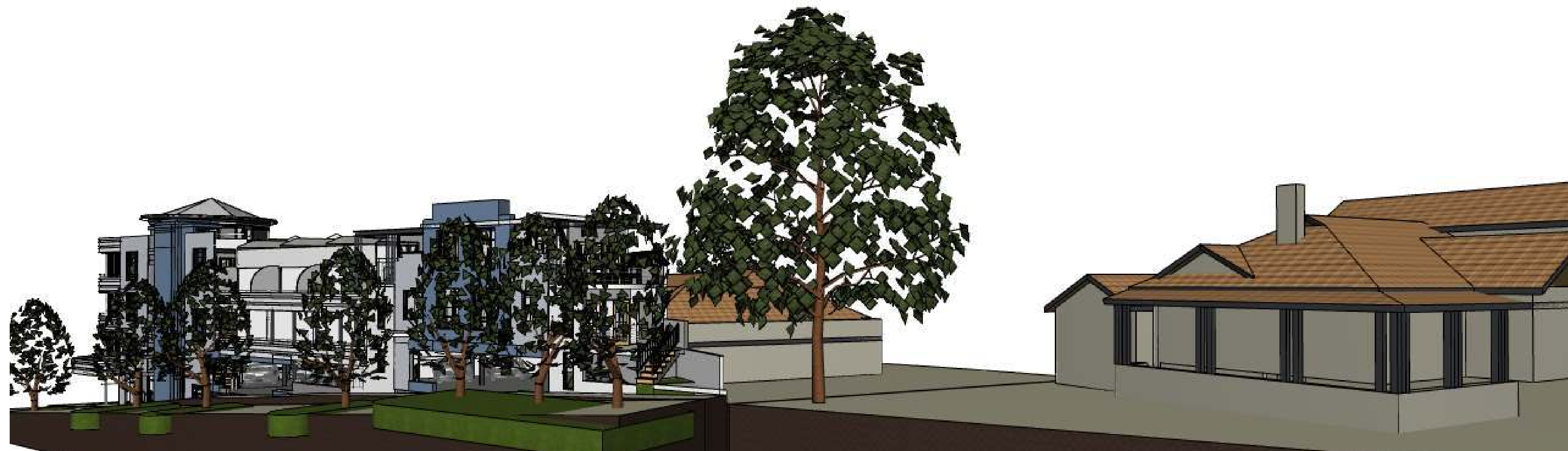


**Roof , Gutters and Trim**

**Colourbond - Jasper**



**Learoyd St Corner View**



**Learoyd St looking back  
to Walcott**

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**PROPOSED MIXED USE DEVELOPMENT - 204 (Lot 17) Walcott St. Mount Lawley**

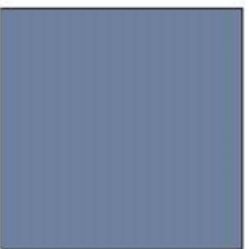
**Plot date: 9/09/2015**

External Colour Schedule.

Walls - Trowelled Texture coat to all walls:

Colours -

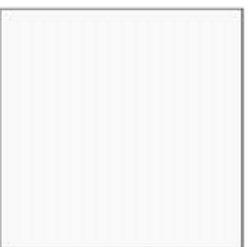
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75%



A390 - Hindsight  
75%



B12 - Vivid White



Roof , Gutters and Trim

Colourbond - Jasper



Walcott St View



Learoyd St looking back  
to Walcott

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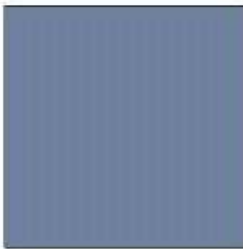


External Colour Schedule.

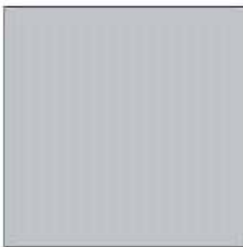
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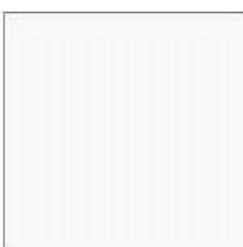
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B12 - Vivid White



Roof , Gutters and Trim

Colourbond - Jasper



ALTERNATE COLOUR SCHEMES  
to be selected in conjunction with Councils  
Heritage consultant.



option 1.



option 2.



option 3.



option 4.



Kitchen Stone Top



Kitchen Laminate



Kitchen Bulkhead Laminate - Option 2



Kitchen Bulkhead Laminate - Option 1



Ensuite & Laundry Stone Top



Ensuite & Laundry Laminate

<b>GENERAL</b>	
<b>Doors</b>	
Supplier	Corinthian
General Internal Doors	
Design	Deco ID
Paint Grade	Paint Grade
<b>Door Hardware</b>	
Supplier	Entry Point Distributors
	Jan Warren
	9319 8353
General Internal Doors	
Design	Zanda
	Quattro on Square Back Plate
	Brushed Nickel
<b>Paint Work</b>	
Ceiling & Cornice	Dulux Natural White 73711
Walls, Doors & Frames	Dulux Beige Royal P15B1 Quarter Strength
Architrave & Skirtings	Dulux Beige Royal P15B1 Quarter Strength
<b>Main Floor Finish</b>	
<b>Vinyl Plank</b>	
Supplier	Wall to Wall Carpets
	Sarah Lloyd
	9367 4211
Areas	
Design	Kitchen & Lounge
	Inovar Clip Lock Vinyl Plank
	Col: TBC
<b>Carpet</b>	
Supplier	Wall to Wall Carpets
	Sarah Lloyd
	9367 4211
Areas	
Design	Study, Bedroom & Stairs
	Noranda 202xNylon 80% Wool
	Col: TBC
<b>Wall Cladding</b>	
Supplier	GBI
	Christina Leopold
	0438 888 187
Area	
Product	Stainwell
	Laminam Progetto Oxide Moro
	1000mm x3000mm
<b>Skirting</b>	
Supplier	M&B
Design	Square Dressed 92mm
<b>Cornice</b>	
Design	Shadowline

<b>KITCHEN &amp; DINING</b>	
<b>Splashback - Tiles</b>	
Supplier	Myaree Ceramics
	Giovanna Gentile
	9330 3611
Product	White FFAW112SGM Mosaic Semi Polished
	300x300 Sheet
	Grout #
	Lay Sheet Horizontal
<b>Cabinet</b>	
Top	Smartstone
	Karnak 014196
	20mm Square Edge
Doors & Overhead Cupboards	
	Jhw
	Luminus
	Sand Grey U1184
	Abs Edge
Pantry Door & Bulkhead	
	Jhw (TBC)
	Luminus
	Snow White W400
	Abs Edge
Door Profile	Smooth
Kickboard	Laminex
	Brushed Stainless Steel
<b>Cabinet Hardware</b>	
Supplier	Entry Point Distributors
	Jan Warren
	9319 8353
Over Head Doors	
Design	Push to Open
Doors Below Bench Top	
Design	Kethy
	Mainz 164mm
	Brushed Nickel
<b>Plumbing</b>	
Supplier	DevSpec
	9365 4848
Tapware	
Sink	HJSMCP Hay Joe Sink Mixer
	RH9218 Double Bowl Undermount Sink
	768x445x200mm

<b>LAUNDRY</b>	
<b>Tiling</b>	
Supplier	Myaree Ceramics
	Giovanna Gentile
	9330 3611
Floor & Skirting	
	Harlem PTD30H04P Caveman Semi Polished
	300x300
	Grout #
Wall	
	Inca White Gloss Rectified
	300x600
	Grout #
	Lay 1 Tile High Tile Horizontal
<b>Cabinet</b>	
Top	Smartstone
	Nombre 041318
	20mm Square Edge
Doors	
	Laminex
	Oyster Linea Silk Finish
	Abs Edge
	Grain to Run Vertical
Door Profile	Smooth
Kickboard	Laminex
	Oyster Linea Silk Finish
	Grain to Run Vertical
<b>Cabinet Hardware</b>	
Supplier	Entry Point Distributors
	Jan Warren
	9319 8353
Doors Below Bench Top	
Design	Kethy
	D732 160mm CloC
	Brushed Nickel
<b>Plumbing</b>	
Supplier 1	Reece Plumbing
	Claire Oiley
	9284 6300
Trough Tapware	
WM Tapware	Posh StylusMKII Sink Mixer
Trough	Dura Acro RA WM Stop & NRIV (Concealed in cabinet)
	Clark Edgeline 1TH S/S

<b>BATHROOM</b>	
<b>Tiling</b>	
Supplier	Myaree Ceramics
	Giovanna Gentile
	9330 3611
Floor	
	Harlem PTD30H04P Caveman Semi Polished
	300x300
	Grout #
Wall	
	Inca White Gloss Rectified
	300x600
	Grout #
	Lay Tile Horizontal
Feature Wall	
	Nanoelectric Black Décor 300x600
	Grout #
	Lay Tile Vertical on Entire Vanity and Shower Wall
<b>Vanity Unit - Floating</b>	
Top	Smartstone
	Nombre 014318
	20mm edge
Doors	
	Laminex
	Oyster Linea Silk Finish
Door Profile	Smooth
<b>Cabinet Hardware</b>	
Supplier	Entry Point Distributors
	Jan Warren
	9319 8353
Design	
	Kethy B712 95mm O/A
	Satin Bar/Chrome Inset
<b>Plumbing</b>	
Supplier 1	Reece Plumbing
	Claire Oiley
	9284 6300
Basin	Vida 900 Basin Top with Mzu P&W
Basin Tapware	Kules Wall Basin Set
Shower Grate	Custom S/Steel Shower Channel
Supplier 2	DevSpec
	9365 4848
Toilet Roll Holder	Metza Toilet Roll Holder
Single Towel Rail	Metza Towel Rail
Shower Mixer	GS780 Gloss Wall Mixer
Shower Head	98020 Rain Wall Mounted Rectangular Shower with 450mm Arm
Toilet Suite	KN2127-5 Space Wall Hung Pan
	111,363,00,1 Duotix UP300 Front Flush (Concealed Cistern)
<b>Mirror Cabinet</b>	
Supplier 1	Reece Plumbing
	Claire
Design	Adp Essence Shaving Cabinet 600mm wide x 800mm high
<b>Shower Screen</b>	
Design	Frameless Fixed Panel No Door

<b>LOUNGE</b>	
<b>Cabinet</b>	
Top, Draws, Shelving	Jhw
	Luminus
	Snow White W400
	Abs Edge
Draw Profile	Smooth
Kickboard	Laminex
	Brushed Stainless Steel
<b>Cabinet Hardware</b>	
Supplier	Entry Point Distributors
	Jan Warren
	9319 8353
Draws	
Design	Kethy Mainz 164mm
	Brushed Nickel

<b>BEDROOM</b>	
<b>Cabinet</b>	
Face	Laminex
	Oyster Linea Silk Finish
	Abs Edge
	Grain to Run Vertical
Draw & Door Profile	Smooth
Kickboard	Laminex
	Oyster Linea Silk Finish
	Grain to Run Vertical
<b>Cabinet Hardware</b>	
Supplier	Entry Point Distributors
	Jan Warren
	9319 8353
Doors & Draws	
Design	Kethy
	D732 224mm CloC
	Brushed Nickel

REV E - agreed PARKING, ACCROD C of S - 09-09-2015

REV C - adjusted to CITY of STIRLING /DAP report - 02-07-2015

REV B - ADJUSTED CoS OFFICER FEEDBACK - 02-04-2015

REV A - SUBMITTED FOR PLANNING APPLICATION - 18-02-2015

PROPOSED MIXED USE DEVELOPMENT - 204 (Lot 17) Walcott St. Mount Lawley

Plot date: 9/09/2015

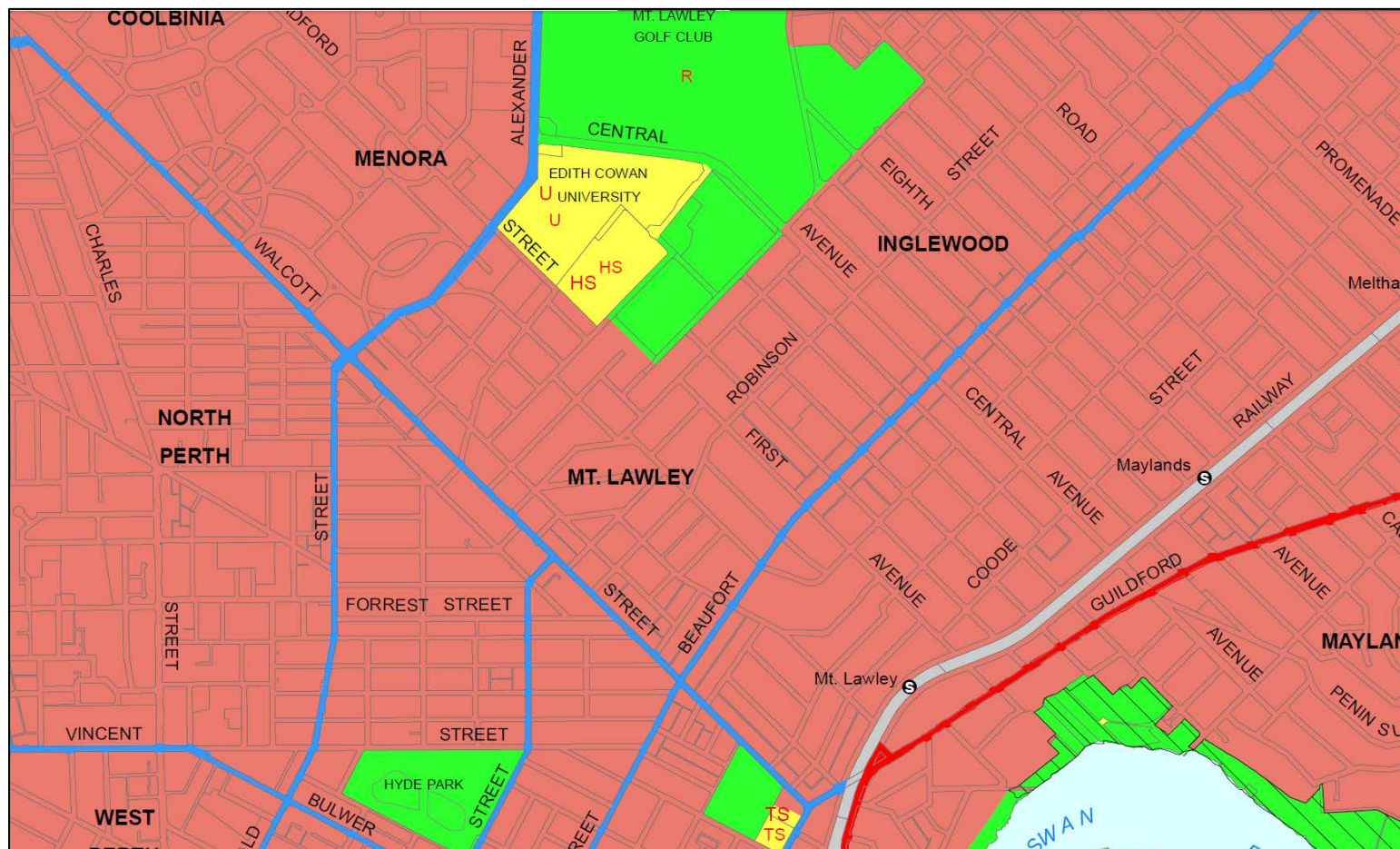


## Attachment 2 – Aerial Photographs

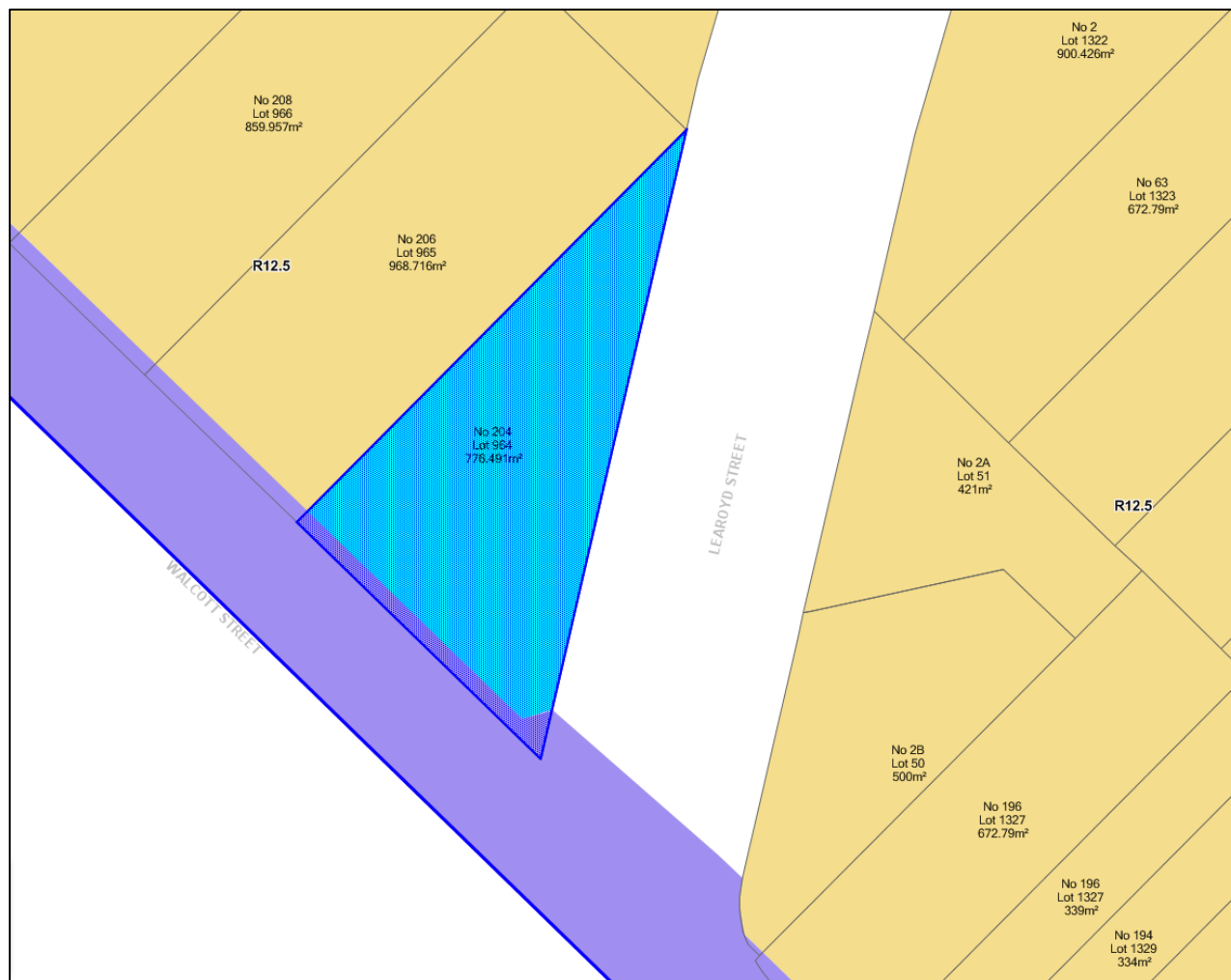




### Attachment 3 – MRS Zoning



## Attachment 4 – LPS3 Zoning





HERITAGE



## HERITAGE ASSESSMENT OF PROPOSED FOUR STOREY MIXED USE DEVELOPMENT

No. 204 (Lot 964) Walcott Street, Mount Lawley

March 2015


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HA 09.03.15

Issue	Date	Status	Prepared by		Approved by	
			Name	Initials	Name	Initials
1	16.03.15	Final	Marc Beattie	MB	Nerida Moredoundt	

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# 1.0 Introduction

TPG Heritage has been requested to prepare a Heritage Assessment in regards to the application for the proposed mix use development incorporating an existing row of three shops at No. 204 (Lot 964) Walcott Street, Mount Lawley (subject site).

It has already been established in a previous DA (14/1106) that the existing dwelling on the site makes a neutral contribution to the Heritage Protection Area and approval for demolition was subsequently awarded. The shops were to be partly retained in new development.

The Heritage Assessment has been prepared with reference to the City of Stirling's Character Retention Guidelines Mount Lawley, Menora and Inglewood (the Guidelines), and has been undertaken in two parts, given the two separate aspects of the proposal: firstly, the incorporation of the of the shops and secondly the proposed development.

The assessment of the proposal demonstrates that there has not been a successful attempt to incorporate the existing shops into the new development. The applicant is justifying not incorporating the shops based on the possibility of future road widening.

Notwithstanding the above, the new development is generally in keeping with a mixed-use commercial development within the HPA and the Mixed-Use & Commercial Centre Design Guidelines. It should better incorporate the row of shops and increase the setback of the upper storeys to meet the intention of the Guidelines. Specific improvements to the proposal should include.

- Retain existing shop front at the streetline and a minimum of 1.4meters back.
- The shops should be retained and adaptively restored to reflect the original appearance based on physical and archival evidence.
- set back upper storeys to minimum of three meters from existing streetline.
- Simplify the colour palette proposed to be more in keeping with a interwar functionalist/ art deco style
- The angular roof rotunda would be better designed in a circular form to echo the curved corner.

## 2.0 Heritage Considerations

The City of Stirling's Local Planning Scheme No. 3 (the Scheme) includes provisions for the heritage protection of heritage places individually through its Heritage List (clause 7.1) and for heritage areas by through its Heritage Protection Areas (clauses 6.6 & 7.2).

The subject property is located in the Mount Lawley (Estates 1 & 2) Heritage Protection Area. All development must therefore conform to the objectives of the Heritage Protection Area Special Control Area (Clause 6.6.1) and the Local Planning Policy adopted for the area, the Character Guidelines Mt Lawley, Menora & Inglewood (the Guidelines).

Mt. Lawley (Estates 1 & 2) is identified in the Guidelines as an area of **exceptional significance**, as follows:

*Mount Lawley Estates 1 and 2 provide a rare example in Perth of a substantially intact residential area from the first decades of the twentieth century. The area is characterised by an innovative street layout based on the natural topography of the area, together with a traditional streetscape featuring verges, footpaths and regular planting of street trees. There is a predominance of large homes from the early twentieth century and inter-war period, many of high architectural quality, in established landscaped gardens. A canopy of mature trees in back gardens gives an established quality to the area.*

*The area has aesthetic, historic, social and scientific significance for the following reasons:*

- *Road and subdivision pattern;*
- *Excellent examples of housing from the early 1900s including examples of Federation Bungalow, Queen Anne, Arts and Crafts and Californian Bungalow architectural styles;*
- *Street design including the general street layout including grass verges and street trees;*
- *Garden layout, design and quality.*

The subject site is traditionally a commercial and residential one and the existing single storey row of shops reflects that. The style of the existing shops on the site are an Inter War Free Classical.



### 3.0 Description of the Subject Site and Locality

Mount Lawley (Estates 1 & 2) is characterised by an innovative street layout based on the natural topography of the area, together with a traditional streetscape featuring verges, footpaths and regular planting of street trees. The area comprises predominantly single houses interspersed with single storey shops and corner stores at strategic locations.

Corner stores and single storey shops, dating from the late nineteenth and early twentieth century, are predominantly located along the main commercial strip of Beaufort Street, though some are scattered throughout the Mt Lawley and Inglewood Heritage Protection Areas. They form an important part of the built heritage and contribute to the distinctive feel of a street, providing familiar landmarks and a sense of the past. Larger two storey commercial buildings are located along Beaufort Street particularly at the junction with Walcott Street. Notable examples include the Beaucott Buildings and The Astor Theatre.

The subject site is located on the northern corner of the intersection of Walcott and Learoyd Streets, Mount Lawley. Walcott Street forms the municipal boundary of the City of Stirling and consequently the Heritage Protection Area. The northeastern side of the street is generally characterised by substantial traditional dwellings set back and elevated from the street level following the natural ground level.

The subject site is a triangular shaped lot fronting Walcott Street. The site includes three attached shops (the facades and structural bays of which should be retained in the proposed development) and a dwelling (which is to be demolished).

The shops are in a modest Inter-War Free Classical style, with a simply detailed parapet to Walcott Street, stepped parapet to Learoyd Street and a simple angled parapet on the northern façade of the shops. The southwestern shop has a recessed entry, and appears to retain a relatively intact shop front. The central shop appears to retain some original fenestration above door level, although the entry has been modified. The northernmost shop has a single door and window, with painted brickwork that appears to have originally been tuck-pointed, with rendered bands. An awning extends over the footpath in front of the central and southwestern shops. The original rear verandah of the shops has been enclosed.



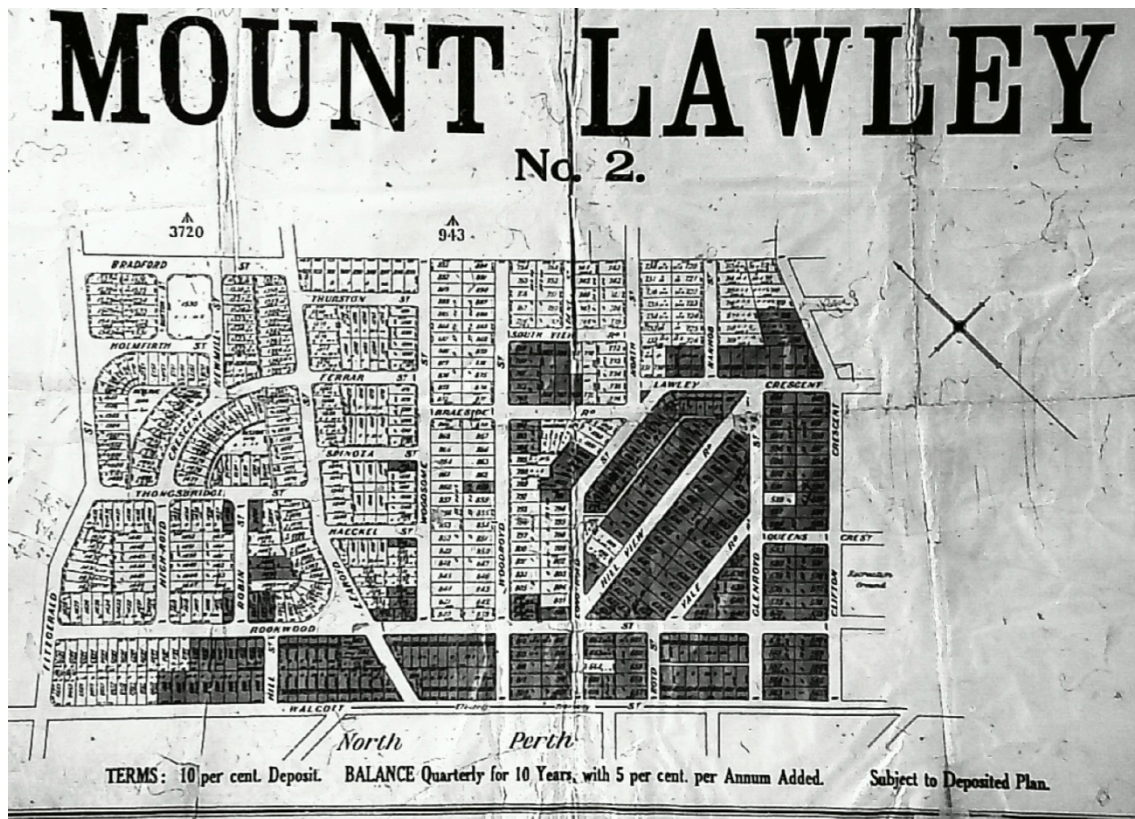


Figure 1 – Land sale plan (c.1912) showing the original subdivision pattern for Mount Lawley Estate No. 2, which is largely consistent with the current pattern of development (source: Battye Library, retrieved 2013)

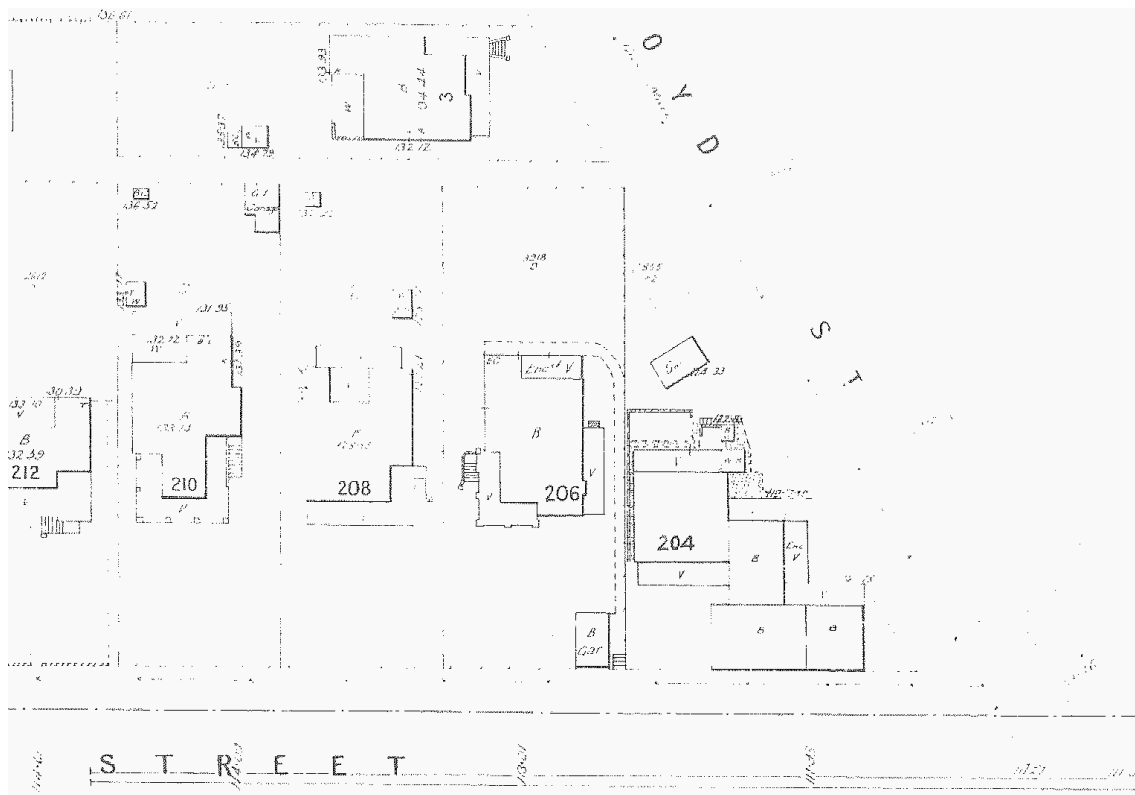


Figure 2 – Extract from Metropolitan Sewerage Plan Sheet 236 (source: State Records Office, 1924 revised 1961, retrieved 2013)



Figure 3 – Aerial plan, subject site identified in red (source: nearmap, 2014)



Figure 4 – Historical aerial photograph (1953) depicting dwelling and three shops (source: Landgate)





Figure 7 & 8 – Examples of dwellings west of the subject site on Walcott Street (TPG, 2014)



Figures 9 & 10 – Dwellings opposite the subject site on Learoyd Street (TPG, 2014)



Figure 11 – Subject site, view from Walcott Street (TPG, 2015)



Figures 13 to 16 – Images of the three shops (TPG, 2014/2015)

## 4.0 Heritage Significance of the Subject Site

The single storey shops make a positive contribution to the Mt Lawley HPA and the streetscape as a relatively intact example of a strip of traditional shops constructed in the Inter-War period. Traditional shops in the HPAs are important contributors to the local character and community's sense of place.

It has been identified in the Heritage Impact Statement (prepared by Stephen Carrick Architects), submitted as part of the proposal, that the shops have some cultural heritage significance at a local level for the following reasons:

- The shops façade and streetscape presence contribute to the Mount Lawley locality
- The shop has some significance through its association as a local convenience store and deli, with Mount Lawley community as it contributes to the community's sense of place.

This corner lot is in a prominent location within the HPA and this should be reflected in the quality of the design for new architecture.

## 5.0 Heritage Assessment of the Proposal

### Incorporation of Shops

Demolition of a portion of the shops has already been approved in a previous application. The approval for demolition was granted subject to the following conditions:

1. *In accordance with clause 10.8.1 of LPS No.3 no demolition works are to commence until a further approval for redevelopment of the site has been granted.*

**- THE PROPOSAL SEEKS TO DO THAT**

2. *The existing shop front along Walcott and Learoyd Streets is to be retained to a minimum depth of 1.4m measured from the front façade.*

**- THE PROPOSAL DOES NOT MEET THIS REQUIREMENT**

3. *A practicing structural engineer's report shall be submitted demonstrating how the structural integrity of the existing structure is to be maintained during the demolition and building works. This report shall be to the satisfaction of the City and approved in writing prior to the commencement of works.*

**- THE PROPOSAL DOES NOT MEET THIS REQUIREMENT**

4. *Materials used in the construction of the original dwelling and the shops are to be recycled and reused in any future development on site. Details of the reclaimed materials are to be submitted to the City at completion of the demolition works; and*

**- THERE IS NOT SUFFICIENT EVIDENCE PROVIDED TO ASSESS THIS CONDITION**

5. *The applicant shall provide the sketch plans, including a site plan, floor plan, elevations and photographic recording of the existing residence and surrounding site to the satisfaction of the manager of approvals prior to the commencement of the demolition works.*

**- THE HERITAGE IMPACT STATEMENT ACHIEVES THIS REQUIREMENT**

In summary the proposal must clearly demonstrate that it is retaining a minimum of 1.4 meters of the existing shop front as measured from the street frontage. It appears from the drawings DA-05 and DA-07 of the proposal that this is not the case and that the applicant is using the MRS road widening as justification for removing the shop fronts.



## Commercial & Mixed Use Development

Despite the proposal not retaining the existing shops, it has been assessed against the specific requirements outlined in the Guidelines as follows:

Provision	Requirements	Proposal	Comments
<b>Objectives</b>			
	Ensure the conservation and retention of traditional buildings, particularly traditional shops and commercial buildings, including those described in Part 5 of the Guidelines	The shop has already been approved for partial demolition but must retain 1.4m. The proposal does not retain any of the shops facade	Does not meet the objective
	Ensure new commercial and mixed-use development consistent with 'main street', mixed-use design principles, and consistent with the heritage character of the locality	This is a mixed-use development that has residential apartments over offices/café. It addresses the tradition of two storey commercial premises in the heritage protection area but is not directly associated with the heritage character of the immediate context.	Generally this objective is met but needs to better incorporate the existing shop front into the new proposal.
	Ensure refurbishment of more recent development in a manner in keeping with traditional commercial buildings	NA	NA
<b>Streetscape</b>			
Ground Floor Setbacks	Additions to traditional buildings, and new commercial and mixed-use buildings shall have nil front setbacks to any street frontage (Note: some properties may be subject to regional road widening).	There is a set back to take into account the possible future road widening.	By allowing this setback the traditional shop fronts are not being retained and will have a negative impact on the heritage value of this row of shops and the HPA.
	Where a site has frontage to a primary and secondary street, a minor setback will be considered for alfresco dining on the secondary street. Such setback areas shall be designed to match the existing footpath in terms of levels and paving treatment	There is an alfresco area at the corner of the site near the junction.	This is acceptable and in accordance with the guidelines but the corner would be better addressed by building out further.

Provision	Requirements	Proposal	Comments
	Continuous awnings or verandahs of traditional scale, form and design shall be provided over the street, and be functional to provide appropriate weather protection	The existing awning is being retained and extended to be continuous across the street frontage	This is considered a positive enhancement if the shop fronts are also retained and incorporated into the proposal
Upper Floor Setbacks	Upper floor additions to traditional buildings shall be setback a minimum of 3 metres from the predominant building line of the original building's street facade	There is a 1400mm set back shown of upper storeys from the traditional frontage and there are balconies that overhang the ground floor frontage.	This does not comply with guidelines
	Nil setbacks for upper floors of new commercial and mixed-use buildings may be considered subject to compliance with the objectives of this section provided these floors are no higher than three storeys	There are three storeys that are set back 1400mm from the existing street frontage the rotunda is set back further	Not eligible for nil set back. The shop front is to be retained and therefore a 3-meter set back is required for upper storeys.
Orientation	New buildings shall address the street	Both street facing elevations are addressed	This complies with the guidelines
	Main entrances to buildings shall face the street, and in the case of corner sites shall face the corner, and shall be maintained in operation	The corner location is addressed with access leading onto Walcott Street and the corner.	This complies with the guidelines
	On-site car parking shall be located to the rear of buildings	Car parking is at the rear accessed via Learoyd street	This complies with the guidelines
Traditional Houses Used for Non-Residential Uses			
	Traditional houses used for non-residential purposes shall maintain a residential-style appearance, with parking areas located to the rear of buildings and signage integrated into the design of the building	NA	NA
Built Form & Design			



Provision	Requirements	Proposal	Comments
Design	New commercial and mixed-use buildings shall be of traditional style and reflect the design, colours, and materials of traditional buildings within the streetscape	There is clear attempt to utilise the Interwar Functionalists/ Art Deco style. There is no comparison in the immediate streetscape of this style.	Generally the building has some merit in taking inspiration from the Interwar two storey commercial buildings in the HPA. However the proposal does not suitably incorporate the existing shop front.  The angular roof rotunda would be better designed in a circular form to echo the curved corner.  The corner should be addressed better by building out and reducing the protruding awning.
	New commercial and mixed-use buildings shall have similar facade treatments and architectural detailing / articulation as traditional buildings	There is use of many façade treatments that replicate the interwar functionalist and art deco styles as listed in section 5.1 of the guidelines	Generally this complies with the guidelines.
	New commercial and mixed-use buildings shall have similar sill and awning heights to traditional buildings	The shop fronts are not being retained and therefore we cannot assess similarity sills. The awning does appear to have a similar higher to that existing.	Awning heights generally meet guidelines but there has been no attempt to retain and reuse the shop fronts to inform the new building's sills
	Window frames shall be constructed in timber (preferred) or wide-profile metal. Shop fronts shall reflect traditional shop fronts with narrower timber or metal framing	The window frame specification is not included. The design appears to show imitation castal windows typical of interwar architecture.	To be confirmed with applicant

Provision	Requirements	Proposal	Comments
	Refer to the City's Local Planning Policy Inglewood Town Centre Design Guidelines and the Mixed-Use & Commercial Centre Design Guidelines for additional requirements	It appears that the Mixed-Use & Commercial Centre Design Guidelines have been well considered including height, parapets, sloping sites, parking and activity & use.  Setbacks and the corner location are less well considered.	In summary, the proposal addresses many requirements of the Mixed-Use & Commercial Centre Design Guidelines but fundamentally does not address the existing context of the shops. Also;  The height of 3 storeys is generally in keeping with the Design Guidelines However it will be visually dominant on the immediate context.  The corner element appears hollow and does not provide a prominent corner landmark. The wraps around balconies protrude too far and the mass of the building should play a greater role.  The angular roof form of the rotunda does not match the Interwar/ Art deco style.
Signage			
	Signage shall not cover any architectural features or detailing of a building, and should not dominate the shopfront or building frontage. Signage is to be positioned and designed to fit within spaces created by architectural elements on the building in particular the awnings and pediments	Proposed signage is contained within the awning friezes and new architectural elements	Complies with guidelines
	Multi-tenancy developments should provide a coordinated signage strategy as part of the development application	As above	Complies with guidelines

Provision	Requirements	Proposal	Comments
	<p>Signage within the Mount Lawley, Menora and Inglewood Heritage Protection Areas:</p> <p>(i) is subject to the signage provisions of Local Planning Scheme No. 3; and</p> <p>(ii) shall be subject to the provisions relating to signage in Local Planning Policy Inglewood Town Centre Design Guidelines (notwithstanding that the area to which it applies does not include the heritage protection areas) and if there is inconsistency between the provisions of the Local Planning Scheme No. 3 and those of the Inglewood Town Centre Design Guidelines, the latter prevail</p>	As above	Complies with guidelines

## 6.0 Summary and Conclusion

This heritage assessment has been prepared with reference to the City of Stirling's *Character Protection Guidelines Mount Lawley, Menora and Inglewood* (the Guidelines), and demonstrates that the subject site at No. 204 Walcott Street, Mount Lawley contains a row of shops that have been given conditional approval for partial demolition and for 1.4m to be incorporated into the new development.

It appears that despite being a previous condition of approval these shop fronts are to be removed. This will have a negative impact on the HPA. It is expected that the most significant components of the shops i.e the façade and sense of place it contributes to the local community will be lost.

Notwithstanding the above, the new development is generally in keeping with a mixed-use commercial development within the HPA and the Mixed-Use & Commercial Centre Design Guidelines. If it could better incorporate the row of shops and increase the setback of the upper storeys it could effectively add to the area. Specific improvements to the proposal should include.

- Retain existing shop front at the streetline and a minimum of 1.4meters. back.
- The shops should be retained and adaptively restored to reflect the original appearance based on physical and archival evidence.
- Set back upper storeys to minimum of three meters from existing streetline.
- Simplify the colour palette proposed to be more in keeping with a interwar functionalist/ art deco style.
- The angular roof rotunda would be better designed in a circular form to echo the curved corner.
- The corner should be better addressed by building out further and reducing the protruding balconies.



Your ref: DA15/0362  
Our ref: DP/11/02191  
Enquiries: Jane Maynard (08) 6551 9259

Nick John  
City of Stirling  
25 Cedric St  
Vincent WA 6021

Date: 28 April 2015

Dear Nick John

### **LOT 964 (HN. 204) WALCOTT ST MOUNT LAWLEY - DEVELOPMENT**

I refer to your email dated 20<sup>th</sup> April 2015, regarding revised plans for the above application. In accordance with the Western Australian Planning Commission's (WAPC) Notice of Delegation dated 23rd Dec 2011, the following transport comments are provided by the Department of Planning.

#### **Proposal**

The proposal is for a mixed use development consisting of eleven (11) apartments, six (6) offices and one (1) café.

#### **Previous Comments**

The Department originally provided comment on 10<sup>th</sup> March 2015, and was unable to support the proposal because part of the development was to be located within the reserve. A Transport Statement (TS) was also requested.

In your email dated 20<sup>th</sup> March 2015, you supplied the TS, and confirmed that the portion of the development within the road widening reserve was part of the existing shop, (which was required to be retained due to the fact that it falls under the City's Heritage Protection Special Control Area which protects buildings built pre 1950).

The Department responded on 26<sup>th</sup> March 2015, advising that while we were satisfied with the TS and proposed access arrangements; that we were still unable to support the development in its proposed form as the Department does not support development of a substantial nature within Other Regional Road (ORR) reservations; and that we would consider the proposal once amendments were made to ensure no part of the proposed development was located within the reserved land.

## **Revised plans**

In your email dated 20<sup>th</sup> April, you provided revised plans which indicated that the proposed awning and balcony extensions over the future road reserve were to be demountable, for removal at the time of land resumption. The façades and existing awnings from the existing building also appear to have been removed from the revised plans, however no written confirmation has been provided to confirm this.

For the purpose of this response, it shall be assumed that all parts of the existing building (including awnings and shop façade) which are located within the ORR reservation are to be removed, and that the only structures which shall be located within the reserve are the proposed (demountable) awnings and balconies.

The Department has no objection to the scenario described above, but reiterates that no *permanent* structures are to be located within the reserve.

The Department would be prepared to support the use of the reserved land on a temporary basis only, and only subject to the conditions set out in the conclusion.

## **Conclusion**

The Department would be prepared to support the use of the reserved land on a temporary basis only, and on condition that:

- No permanent structures (existing or proposed) are to be located within the road reserve;
- The land owner agrees to remove the encroaching parts of the development at such time as the reserved land is required for the upgrading of Walcott St at their own expense if required; and
- The land owner agrees that any improvements made to, or loss of amenity will not be taken into consideration in determining any land acquisition cost or compensation which may be payable by Council or the WAPC at such time as the land is required;
- The land owner is to enter into a deed of agreement with the WAPC that the presence of the development on the road reserve shall not be taken into consideration in determining any land acquisition cost or compensation that may be payable by Council or the WAPC, and the land owner also agrees to remove the development on the road

reserve at their own cost at the time the reserved land is required for the upgrading of Walcott St;

- This agreement is to be notified on the Certificate of Title. The applicants should be advised to contact the WAPC Land Dealings Coordinator at the Department for Planning should they wish to discuss the formulation of a deed of agreement for the temporary use of the road reserve;
- At no time is there to be a balcony or awning located above the constructed carriageway for Walcott St.

Sincerely



Mohsin Muttaqui  
Manager  
Infrastructure & Land Use Coordination

28 April 2015



Response to Planning Concerns 29 April 2015

For

DAP HN204 Walcott Street Mt. Lawley  
(DA15/0362)

### 1.Waste Management Plan

Under the new waste management plan, we were offered two options. We will proceed with Option 2, which is, we will provide 1x 140L Red top general waste bin per apartment (total 11), and 1x recycling Yellow top 240L bin per apartment (total 11).

Our amended plans submitted on 02-04-2015 contained DA-14, which was produced before this information was available. We allowed for a total 26 (240L) bins. However, Option 2 now only requires 22 bins - 11 x 140L Red bins plus 11 x 240L Yellow bins. Hence will have ample storage space for bins. Note: we will not be requiring Green waste bins as the Body Corporate will engage a Contract Gardener who will remove his own waste.

The attached **Sketch #1** on "WASTE MANAGEMENT PLAN" DA-14 indicates where the bins will be stored and left on the verge for collection.

### 2.Engineering Referral:

#### **Northern Crossover width**

The Approvals Engineer was concerned that four (4) parking bays to the north east of the site would need to be reassessed once the crossover has been amended to be 6m wide. However, the Senior Planning officer acknowledged that the northern crossover could be 4.5m wide, and this was confirmed by our traffic engineer, noting the northern crossover should have only 1 or 2 movements in the AM or PM peak and they would be in the same direction, so no opposing flows there.

#### **Southern Crossover must be wide**

The cross-over located closest to the Walcott Street intersection is to be widened to 6.0m which can be achieved without losing a car bay because the four mid section car bays which were 2600mm wide, have been reduced to 2500mm (gaining  $4 \times 100\text{mm} = 400\text{mm}$ ).

In addition, the 3 tree reserves which were previously a generous 2500mm, have been reduced to 2100mm (the required minimum of 1000mm clearance around the trunk, plus 100mm allowed for the trunk radius), thus gaining  $3 \times 400\text{mm} = 1200\text{mm}$ . Thus the southern crossover is enlarged from  $4.5\text{m} + 1.2 + 0.4\text{m} = 6.1\text{m}$ . SeS verge parking **Sketch #1**, part of DA-14 WASTE MANAGEMENT PLAN.

#### **Bike Racks**

The City also required clarification to how the bike racks will affect the parking spaces, as they cannot impinge within the 5400mm length of the bays. We confirmed that Bike racks are mounted on the wall at the front of the car bays above 1200mm above FFL. They are light and easily be lifted by the rider.

#### **Walcott Pavement cross fall**

**CoS Comment:** The City of Stirling also questioned the level difference from top of existing kerb (~10.00) to the proposed finished floor level (10.60), and the pedestrian path cross-fall must not exceed 1 in 40 (2.5%).

**Response:** The City of Stirling's pavement on natural ground is existing and the level at our boundary is RL 10.30. We propose to work to the level of the City of Stirling's existing pavement (see photos below) and amend the commercial FFL to RL10.375.



### **Balconies over MRS truncation.**

No permanent structure can be permitted over MRS truncation. We advise that the round portion of the outdoor living spaces to Units 4, 5 & 6 will be constructed to be demountable so they can be removed in the future should it be required

### **Retaining wall at truncation**

There was a question whether a retaining wall was required at the truncation. The pavement RL at the north-east corner of the truncation is about 10.65 and so no retaining wall needed within the truncation.

### 3.Department of Planning Referral:

The City referred the revised development plans through to the Department of Planning (DoP) on 20 April 2015 and the DoP's raised a series of questions. The Department would be prepared to support the use of the reserved land on a temporary basis only, and on condition that:

**DoP:** No permanent structures (existing or proposed) are to be located within the road reserve;

**Response:** Noted. There are no permanent structures existing or permanent. The facade cannot be retained and will be demolished. An awning along Walcott Street is attached and designed to be demountable. Demountable Balconies have been shown, within the Awnings, and can be removed should the road widening take place.

**CoS comment:** see point 3 above, regarding the corner balcony overhanging MRS reserve.

**Response:** The round portion of the corner balconies that overhangs the truncation is non-permanent, in the same way as the awning is non-permanent. The round portion will be constructed to be demountable so they can be removed in the future if required

**DoP Comment:** the land owner agrees to remove the encroaching parts of the development at such time as the reserved land is required for the upgrading of Walcott St at their own expense if required;

**Response:** Agreed

**DoP Comment:** The land owner agrees that any improvements made to, or loss of amenity will not be taken into consideration in determining any land acquisition cost or compensation which may be payable by Council or the WAPC at such time as the land is required;

**Response:** Understood. If this means in the future the land must be granted free, then we agree.

**DoP Comment:** The land owner is to enter into a deed of agreement with the WAPC that the presence of the development on the road reserve shall not be taken into consideration in determining any land acquisition cost or compensation that may be payable by Council or the WAPC, and the land owner also agrees to remove the development on the road reserve at their own cost at the time the reserved land is required for the upgrading of Walcott St;

**Response:** Agreed.

**DoP Comment:** This agreement is to be notified on the Certificate of Title. The applicants should be advised to contact the WAPC Land Dealings Coordinator at the Department for Planning should they wish to discuss the formulation of a deed of agreement for the temporary use of the road reserve;

**Response:** Understood but not applicable as per d) above

**DoP Comment:** At no time is there to be a balcony or awning located above the constructed carriageway for Walcott Street.

**Response:** Understood. No permanent awnings or balconies are proposed to be constructed above the Walcott carriageway, or Learoyd Street.

### 4.LPP 4.2 and R-Codes Clause 6.1.4:

**CoS Comment:** The proposed building on boundary along the western boundary line is 10.6m in length and 8.22m in height, in lieu of the permitted maximum and average wall heights of 7m and 6m, respectively.

**Response:** Correction. Drawing DA-11B shows the boundary wall is 9.5m in length. Also, a 4.0m portion of the neighbour's wall is on the boundary which abuts our proposed wall and thus reduces the exposed portion 5.5m length;

**CoS comment:** I cannot agree this meets the Design Principles, how does it "*moderate the impact of building bulk on a neighbouring property*"?

**Response:** If this is assessed under the Performance Criteria, not "Deemed to Comply", we highlight the following factors that mitigate impact:

- a) There is no overshadowing the neighbour as both the properties face due north
- b) There is no overlooking as privacy screening to 1600mm is provided in front of any facing west windows. The view from the proposed northern balcony is obscured by the position of the washroom.
- c) The visible portion of the boundary wall is limited to viewer's the cone of vision. A person looking north out their back window will not see any boundary wall which is behind them. Approximately 70% of our boundary wall is adjacent the neighbour's roof. **Sketch #2** plan and Elevation on PART DA-11 "Built Form and Design SETBACKS" which demonstrates the small amount of boundary wall that is visible in both plan and elevation.
- d) The neighbour's mature fruit trees obscures any remaining boundary wall (below)



Left: Boundary fence is 1.8m high.

Centre: Fruit Tree approx. 5m high

#### 5.R-Codes Clause 6.3.1:

**CoS Comment:** The proposed balconies are too small. Each unit is to be provided with at least one balcony or equivalent accessed directly from a habitable room with a minimum area of 10sqm and a minimum dimension of 2.4m.

**Response:** With regard to your concerns about the size of the Outdoor Living spaces provided, we refer to the Performance Criteria 5.3.1. All our Apartments are provided with at least two "Balconies or **equivalent** Outdoor living spaces for use in conjunction with habitable rooms for each dwelling". Please refer to the attached **Sketch#3** Levels 3 & 4 on part plan DA-06 showing the Outdoor living spaces which demonstrates how we will satisfy the Performance criteria under 5.3.1.

The Outdoor Living spaces are designed to expand the habitable living space with the outdoor FFL matching the indoor FFL when the full width doors are open:

**Note 1:** Currently, the equivalent area of Outdoor Living spaces for **all** Apartments exceeds 10sqm in aggregate (the minimum area required for "Deemed to Comply");

**Note 2:** Currently, the proposed Walcott Apartments (U4, U5 & U6) have a corner Outdoor Living Space which exceeds 10sqm ( $3.45+4.07+2.73= 10.25\text{sqm}$ ). If the road widening takes place, and the non-permanent portion is removed (which is 2.73sqm), the equivalent area of Outdoor Living space for each apartment still meets the 10sqm in aggregate (incl. the bedroom outdoor space of 2.53sqm).

**Note 3:** Currently, the proposed Walcott Apartments (U1, U2 & U3) have equivalent Outdoor Living space which exceeds 10sqm in aggregate. If road widening takes place, and the non-permanent portion of the balcony is removed along with the awning, the equivalent Outdoor Living space meets 10sqm in aggregate. .

We meet the equivalent Outdoor Living space provision for amenity required under 5.3.1..

6.R-Codes Clause 6.4.6:

**CoS Comment:** Please illustrate the location of the laundry facilities for the residential component.

**Response:** All apartments will be supplied with the latest Condenser Washer / Dryers.

**CoS comment:** Can be conditioned. Yes

7.LPP 4.2 – Activity & Uses:

**CoS Comment:** There are no retail tenancies on the ground floor. LPP 4.2 requires a development to provide an active street frontage, locating retail and other active commercial uses on the ground floor.

**Response:** From our first meeting we highlighted that since Walcott Street (a clearway) it is unsuited to Retail, which is the reason the last retail operator, a Delicatessen, failed seven years and no new tenant has leased the space since. This location is unsuitable for Retail. We have provided an active street frontage but cannot force retail activation if there is no one interested in leasing it. We are happy to do so should any retailer enquire. We will change notation to “Office / Retail” without any change to the parking requirements on site if that is your wish.

**CoS Comment:** Furthermore the previous revisions to the development have left the proposed café footprint too small.

**Response:** We are unaware of any statutory minimum size for a cafe We note successful cafes as small as ours proposed exist. (see below).



Spring cafe, Subiaco 30sqm



Myrtle Ivy, Norwood Street, Leederville – less than 30sqm.

**Response** (continued): Consideration should also be given to the al fresco area possibility for street activation opening up on the sunny eastern side facing Learoyd Street and that the Cafe has a 2.2 x 2.4m cafe store room, and external WCs.

8. Heritage Referral:

**CoS comment:** The dark colours proposed are still not in keeping with the art deco style. The Design Reference Study shown on sheet DA-03 reflects the colours that would be more suitable.

**Response:** We are happy to consider colour suggestions.





## Form 1 - Responsible Authority Report

(Regulation 12)

<b>Property Location:</b>	Lot 964, House Number 204, Walcott Street, Mount Lawley
<b>Application Details:</b>	Mixed Use Development – 11 Multiple Dwellings, 6 Offices, and 1 Restaurant
<b>DAP Name:</b>	Metro North-West JDAP
<b>Applicant:</b>	The Learoyd Development Group
<b>Owner:</b>	Raymond Hunt and Peter Taylor
<b>LG Reference:</b>	DA15/0362
<b>Responsible Authority:</b>	City of Stirling
<b>Authorising Officer:</b>	Ross Povey Director Planning and Development
<b>Department of Planning File No:</b>	DAP/15/00736
<b>Report Date:</b>	17 June 2015
<b>Application Receipt Date:</b>	26 February 2015
<b>Application Process Days:</b>	103 Days
<b>Attachment(s):</b>	<b>Attachment 1</b> Development Application Plans, all date stamped 10 April 2015: <ul style="list-style-type: none"><li>a) Cover DA-01 Rev B</li><li>b) The Site DA-02 Rev B</li><li>c) Design Reference Study DA-03 Rev B</li><li>d) The Building DA-04 Rev B</li><li>e) Levels 1 and 2 DA-05 Rev B</li><li>f) Levels 3 and 4 DA-06 Rev B</li><li>g) Roof Plan, Elevations and Sections DA-07 Rev B</li><li>h) Built Form and Design – Height DA-08 Rev B</li><li>i) Built Form and Design – Streetscape/Landscaping DA-09 Rev B</li><li>j) Built Form and Design – Access and Parking DA-10 Rev B</li><li>k) Built Form and Design – Setbacks DA-11 Rev B</li><li>l) Built Form and Design – Setbacks (additional) DA-11B Rev B</li><li>m) Plot Ratio, Open Space Calculations DA-12 Rev B</li><li>n) Development Considerations - Acoustic Performance DA-13 Rev B</li><li>o) Development Considerations – Waste Management DA-14 Rev B</li><li>p) Development Considerations – Transport Report DA-15 Rev B</li><li>q) Development Considerations – Heritage Report DA-16 Rev B</li><li>r) Additional Views DA-17 Rev B</li></ul>

	<p>s) Additional Views 2 DA-18 Rev B  t) Additional Views 3 DA-19 Rev B  u) Selection Schedule DA-20 Rev B</p> <p><b>Attachment 2</b>  Aerial Location Plan</p> <p><b>Attachment 3</b>  Metropolitan Regional Scheme (MRS)  Zoning Map</p> <p><b>Attachment 4</b>  City of Stirling Local Planning Scheme No. 3  (LPS 3) Zoning Map</p> <p><b>Attachment 5</b>  Heritage Assessment dated 16 March 2015</p> <p><b>Attachment 6</b>  Department of Planning transport comments  dated 28 April 2015</p> <p><b>Attachment 7</b>  Applicants justification</p>
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**Officer Recommendation:**

That the Metro North-West JDAP resolves to:

**Refuse** DAP Application reference DAP/15/00736 and accompanying plans (Attachment 1) in accordance with Clause 10.3.1 of the City of Stirling Local Planning Scheme No. 3, for the following reasons:

1. The proposed schedule of colours is not supported as the colour palette is not in keeping with an interwar functionalist / art deco style.
2. The proposed development has not provided sufficient information to demonstrate compliance with Local Planning Policy 6.7 - Parking & Access to ensure safe, convenient and efficient access for pedestrians, cyclists and motorists.
3. The proposal does not satisfy the objectives of Local Planning Policy 4.2 – Mixed Use and Commercial Centre Design Guidelines relating to Activity and Uses, Levels and Crossovers.
4. The proposed setbacks to the residential lot to the west do not satisfy the design principles of Clause 6.1.4 of the R-Codes as the development does not moderate the visual impact of building bulk on the neighbouring property.
5. The proposed bicycle storage does not comply with AS/NZ 2890.3



6. The proposed outdoor living areas do not satisfy the design principles of Clause 6.3.1 of the R-Codes as the development does not provide sufficient outdoor living areas.

**Background:**

Insert Property Address:	Lot 964, House Number 204, Walcott Street, Mount Lawley
Insert Zoning MRS:	Urban
TPS:	Local Centre
Insert Use Class:	Office Restaurant Multiple Dwelling
Insert Strategy Policy:	Not Applicable
Insert Development Scheme:	Not Applicable
Insert Lot Size:	776m <sup>2</sup>
Insert Existing Land Use:	Convenience Store
Value of Development:	\$4.9 million

The subject site is zoned 'Urban' under the Metropolitan Region Scheme (MRS) (Attachment 3) and 'Local Centre' under the City of Stirling Local Planning Scheme No.3 (LPS3) (Attachment 4). The site abuts Walcott Street on the south-western boundary, Learoyd Street on the eastern boundary and residential lots on the north and north-western boundaries.

The subject property abuts Walcott Street, which is reserved as an Other Regional Road (ORR) in the Metropolitan Region Scheme (MRS), and a Category 2 ORR in WAPC Plan No. SP 694/3. The property is subject to a 1.4m road widening as per Western Australian Planning Commission (WAPC) Land Requirement Plan Number 1.3154.

There is an existing single house and shop on the site which was the subject of a development application (DA14/1106) for demolition as the site is within the City's Heritage Protection Area. At its meeting on 16 September 2014 Council resolved:

*That pursuant to Clause 10.3.1 of Local Planning Scheme No.3, the application for the partial demolition of shops and demolition of a dwelling at Lot 964, House Number 204, Walcott Street, Mount Lawley be APPROVED subject to the following conditions:-*

- a. *In accordance with Clause 10.8.1 of Local Planning Scheme No.3 no demolition works are to commence until a further approval for redevelopment of the site has been granted;*
- b. *The existing shop front along Walcott and Learoyd Streets is to be retained to a minimum depth of 1.4m measured from the front façade;*
- c. *A practicing structural engineer's report shall be submitted demonstrating how the structural integrity of the existing structure is to be maintained during demolition and building works. This report shall be to the satisfaction of the City and approved in writing prior to the commencement of works;*

- d. *Materials used in the construction of the original dwelling and shop are to be recycled and reused in any future development on site. Details of the reclaimed materials are to be submitted to the City at the completion of demolition works; and*
- e. *The applicant shall provide the sketch plans, including a site plan, floor plan, elevations, and photographic recording of the existing residence and surrounding site to the satisfaction of the Manager Approvals prior to the commencement of demolition works.*

#### **Details: Outline of development application**

The application proposes the redevelopment of Lot 964, House Number 240 Walcott Street, Mount Lawley into a Mixed Use Development comprising:

- 11 Multiple Dwellings;
- 1 Restaurant and 4 Office tenancies on the ground floor fronting Walcott Street and a further 2 Office tenancies fronting Learoyd Street;
- 16 car parking bays on site and a further 9 car parking bays within the verge of Learoyd Street.

#### **Legislation & policy:**

##### Legislation

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

##### State Government Policies

- Residential Design Codes of Western Australia

##### Local Policies

The following Local Planning Policies are applicable to the development:-

- Local Planning Policy 3.1 – Heritage Protection Area Character Retention Guidelines Mt Lawley, Menora and Inglewood
- Local Planning Policy 4.2 – Mixed Use and Commercial Centre Design Guidelines
- Local Planning Policy 6.3 – Bin Storage
- Local Planning Policy 6.6 – Landscaping
- Local Planning Policy 6.7 – Parking & Access

##### Local Planning Scheme No. 3

##### Clause 4.2.7 of Local Planning Scheme No. 3 – Objectives of the Local Centre Zone

LPS3 provides the following objectives for the Local Centre zone:

- a) *To provide for a limited range of small-scale retail, commercial and community facilities to meet the day-to-day needs of the immediate neighbourhood.*
- b) *To ensure safe and convenient access to facilities, in an environment which is conducive to pedestrian movement.*
- c) *To ensure development is sited and designed so as to reinforce a sense of place and attractive streetscapes.*

Clause 5.3.2 of LPS3 - Special Application of Residential Design Codes

The subject site is zoned Local Centre, hence Clause 5.3.2 of LPS3 applies, which states:

*Except as otherwise required in the Scheme or a Local Planning Policy, residential development not in the Residential Zone is to comply with the requirements of multiple dwellings under the R80 R-Code.*

Residential development on the subject lots is therefore to be in accordance with the R80 standards of Part 6 of the R-Codes, unless otherwise varied by a Local Planning Policy.

Clause 6.6 of Local Planning Scheme No. 3 – Heritage Protection Area Special Control Area

LPS3 provides the following objectives for the Heritage Protection Area:

- a) *To ensure the conservation and retention of buildings within the Heritage Protection Area Special Control Area dating from the early 1900s to the 1950s where the architectural style of the building is generally intact;*
- b) *To ensure the retention of existing buildings referred to in (a) above to maintain the existing character of the streetscape;*
- c) *To ensure that new buildings (where permitted), alterations, additions to existing buildings, carports, garages and front fences are in keeping with the heritage character of the area, respect the scale and proportions of surrounding buildings, and are designed to fit into the existing streetscape;*
- d) *To maintain and improve existing street trees, grass verges and front gardens; and*
- e) *To retain mature trees wherever possible.*

Local Planning Policies

Local Planning Policy 3.1 – Character Retention Guidelines Mt Lawley, Menora and Inglewood

Local Planning Policy 3.1 (the Guidelines) applies to the subject site, the overall objectives of the policy are:

- a) *Ensure the retention of buildings within the Heritage Protection Areas dating from the early 1900s to the 1950s where the architectural style of the building is generally intact;*
- b) *Ensure that new buildings, alterations and additions to existing buildings, carports, garages and front fences are in keeping with the heritage character of the area, respects the scale and proportions of surrounding buildings, and are designed to fit into the existing streetscape;*
- c) *Maintain and improve existing street trees, grass verges and front gardens;*
- d) *Retain mature trees wherever possible; and*
- e) *Provide a framework for the assessment of development applications in line with the above points.*

The specific objectives relating to commercial and mixed use development are:

- a) *Ensure the conservation and retention of traditional buildings, particularly traditional shops and commercial buildings, including those described in Part 5;*
- b) *Ensure new commercial and mixed-use development consistent with 'main street', mixed-use design principles, and consistent with the heritage character of the locality; and*

- c) *Ensure refurbishment of more recent development in a manner in keeping with traditional commercial buildings.*

Local Planning Policy 4.2 – Mixed Use & Commercial Centre Design Guidelines

Local Planning Policy 4.2 (LPP 4.2) applies to the subject site, the objectives of which are:

- a) *To create vibrant and active mixed use centres by locating facilities such as housing, employment places and retail activities together;*
- b) *To create main street frontages to existing box style developments;*
- c) *To create a high level of pedestrian amenity through the provision of continuous streetscapes, interactive frontages and weather shelter;*
- d) *To promote a high quality built form that creates a distinctive urban form and enables safety and security through passive surveillance; and*
- e) *To create public and private spaces that are safe, attractive and surrounded by active vibrant uses that will become the focal / meeting point of the centres.*

Local Planning Policy 6.3 – Bin Storage Areas

Local Planning Policy 6.3 (LPP 6.3) contains the following 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.*

Local Planning Policy 6.6 – Landscaping

Local Planning Policy 6.6 (LPP 6.6) contains the following 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.*

Local Planning Policy 6.7 – Parking & Access

Local Planning Policy 6.7 (LPP 6.7) contains the following objectives:-

- *To facilitate the development of adequate parking facilities;*
- *To ensure safe, convenient and efficient access for pedestrians, cyclists and motorists;*
- *To ensure that a major parking problem is unlikely to occur;*
- *To ensure that car parking does not have a detrimental impact on the character and amenity of a residential area; and*
- *To ensure that an oversupply of parking does not occur that discourages alternative forms of transport and is detrimental to urban design and character of the locality.*

**Consultation:**

Public Consultation

The original plans proposed as part of this application were advertised for a period of 28 days, in accordance with Clause 9.4 of LPS3 and the City’s Planning Consultation Procedure. Letters were sent to owners and occupiers of properties within a 100m radius of the subject site and to the City of Vincent so they could consult with

properties on the western side of Walcott Street. A notice was placed on the City's website and signs were erected on the subject lot by the applicant.

Further consultation with respect to the amended plans (Attachment 1) was not deemed necessary as the proposal had not substantively changed from that originally advertised.

At the conclusion of the public consultation period 20 submissions were received, the majority of which objected to the proposed development. The relative location of submitters is tabled below:

Submissions Received	Within 100m of site	More than 100m from subject site	All Submissions
<b>SUPPORT</b>	5%	5%	10%
<b>OBJECT</b>	45%	40%	85%
<b>OTHER</b> (Not stated/ no opinion/ 'conditional')	0%	5%	5%

The submissions received have been summarised in the table below. Also provided is the number of submissions in which the issue was raised, and the officer's comments. The applicant's response to issues raised during consultation is contained within Attachment 7.

Additionally, a 53 signature petition was also submitted objecting to the proposed development. It is noted that nine of the people who signed the petition also made submissions on the proposal. The petition contained the following statement:

*This petition is from local residents in the Mount Lawley area and is a formal objection to the approval of the DA 204 Walcott Street.*

*Key reasons for this objection from the community are as follows;*

- *Impact on parking / traffic around the area.*
- *Size and scale of the building (776sqm lot, with neighbouring properties being single level heritage properties) and setback.*
- *Streetscape impact within the Mount Lawley Heritage area.*

Comments regarding the issues raised in the petition and submissions are included in the table below.

No.	Issue(s) raised	City's Comment
14	Traffic impacts on the junction of Walcott Street and Learoyd Street, this intersection is already extremely busy.	The applicant has provided a Traffic Impact Assessment which has identified that the traffic generated by the proposal is acceptable from a traffic engineering perspective. The City's Traffic Engineer has reviewed the applicant's traffic report and concurs that the development proposal is acceptable on the surrounding road network.

11	Parking issues.	Refer to planning assessment section of this report for further comments.
9	Building scale – impacts on local amenity, bulk and scale of the development too great, out of scale with the area.	The proposal has been assessed against the applicable statutory planning framework and the design of the building is discussed further in this report.
8	Plot ratio excessive.	Plot ratio is discussed in the planning assessment section of this report.
8	Increased safety risk for nearby school.	The applicant has provided a Traffic Impact Assessment which has identified that the traffic generated by the proposal is acceptable from a traffic engineering perspective. The City's Traffic Engineer has reviewed the applicant's traffic report and concurs that the development proposal is acceptable on the surrounding road network.
8	The scale of the building detracts from the heritage appeal of the area and is not in keeping with heritage values.	The proposal has been assessed against Heritage Protection Area - Character Retention Guidelines and is discussed further in this report.
6	Building Height not in keeping with locality, will not fit in within the streetscape.	The proposal has been assessed against the applicable statutory planning framework and the height of the building is discussed further in this report.
4	Visual Privacy – overlooking impacts from the upper levels	The proposal satisfies the deemed-to-comply standards of the R-Codes in relation to visual privacy.
4	Concerns regarding noise from balconies and shop.  General increase in noise level.	If the JDAP resolve to approve the development the City recommends that a condition of approval be imposed requiring the applicant to provide an acoustic report to the satisfaction of the City prior to occupation of the development.
4	The form and scale is more applicable to larger centres.	The proposal has been assessed against the applicable statutory planning framework and the design of the building is discussed further in this report.
3	Concerns regarding proposed reduced setbacks to the boundaries.	The lot boundary setback variations are discussed in greater detail further in this report.
3	Concerns regarding lack of landscaping.	Landscaping is discussed in greater detail further in this report.
2	Insufficient number of bins.	The waste management has been assessed by the City's Waste Services and is acceptable.

1	Does not comply with Heritage Protection Area – Character Retention Guidelines.	The proposal has been assessed against Heritage Protection Area - Character Retention Guidelines and is discussed further in this report.
1	The boundary wall will block out natural light to the adjoining property.	Refer to planning assessment section of this report for further comments.
1	Concern regarding loss of original shop front.	Refer to planning assessment section of this report for further comments.

#### Consultation with other Agencies or Consultants

The application was referred to the Department of Planning (DoP) as the site abuts Walcott Street which is Reserved under the Metropolitan Region Scheme as a Category 2 Other Regional Road. The property is subject to a 1.4m road widening as per Western Australian Planning Commission (WAPC) Land Requirement Plan Number 1.3154.

The DoP originally provided comment on 10th March 2015, and was unable to support the proposal as part of the development (the retention of the existing shop front) was to be located within the reserve.

Amended plans were subsequently provided which indicated that the proposed awning and balcony extensions over the future road reserve were designed to be removable, and the façades and existing awnings from the existing building would be removed upon resumption of land. The DoP have since advised that they would be prepared to support the use of the reserved land on a temporary basis only, and on condition that:

- No permanent structures (existing or proposed) are to be located within the road reserve;
- The land owner agrees to remove the encroaching parts of the development at such time as the reserved land is required for the upgrading of Walcott St at their own expense if required; and
- The land owner agrees that any improvements made to, or loss of amenity will not be taken into consideration in determining any land acquisition cost or compensation which may be payable by Council or the WAPC at such time as the land is required;
- The land owner is to enter into a deed of agreement with the WAPC that the presence of the development on the road reserve shall not be taken into consideration in determining any land acquisition cost or compensation that may be payable by Council or the WAPC, and the land owner also agrees to remove the development on the road reserve at their own cost at the time the reserved land is required for the upgrading of Walcott St;
- This agreement is to be notified on the Certificate of Title. The applicants should be advised to contact the WAPC Land Dealings Coordinator at the Department for Planning should they wish to discuss the formulation of a deed of agreement for the temporary use of the road reserve;
- At no time is there to be a balcony or awning located above the constructed carriageway for Walcott St.

The Department for Planning comments can be found at Attachment 6.



## Planning assessment:

The development has been assessed against the R-Codes, the City's LPS3 and the applicable Local Planning Policies. Given the number of Scheme elements and Local Planning Policies that are applicable to the proposed development, the planning assessment part of this report has been broken down into the following sub sections:

1. Proposed Land Uses
2. Local Planning Policy 3.1 – Character Retention Guidelines of Mt Lawley, Menora and Inglewood
3. Local Planning Policy 4.2 – Mixed Use and Commercial Centre Design Guidelines
4. Residential Design Codes Multiple Dwellings Assessment
5. Local Planning Policy 6.3 – Bin Storage
6. Local Planning Policy 6.6 – Landscaping
7. Local Planning Policy 6.7 – Parking & Access

### 1. Proposed Land Uses

The table below summarises the zoning permissibility of the proposed uses in the Local Centre Zone as stated in Table 1 of LPS3.

#### Local Centre zoned land

USE	LPS3 ZONING PERMISSIBILITY	
Office	P	'P' means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme.
Restaurant	P	'P' means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme.
Multiple Dwelling	D <sup>2</sup>	The use is not permitted unless Council has exercised its discretion by granting planning approval. Note 2 states that Multiple Dwellings are not permitted on the ground floor fronting a road reserve greater than 10m in width.

In accordance with the above details and LPS3, the Offices and Restaurant are permitted land uses. However, the proposed Multiple Dwellings require a discretionary decision from the Development Assessment Panel, and are therefore discussed in further detail below.

#### Multiple Dwellings

Multiple dwellings in the Local Centre zone are a Discretionary use. By virtue of the permissibility designation D<sup>2</sup>, multiple dwellings in the Local Centre zone are not permitted unless the decision maker exercises its discretion by granting approval, subject to qualification of superscript '2', being that multiple dwellings are not permitted on a ground floor fronting a road reserve greater than 10m in width. The subject application does not propose multiple dwellings at the ground level fronting a street. The provision of multiple dwellings within the Local Centre zone is supported by the objectives of the Local Centre Zone, which encourages uses that meet the day to day needs of the immediate neighbourhood and reinforce a sense of place.

The provision of multiple dwellings is also supported by the applicable local planning policies, including the Mixed Use & Commercial Centre Design Guidelines, which seek “to create vibrant and active mixed use centre by locating facilities such as housing, employment places and retain activities together”.

Therefore, notwithstanding that multiple dwellings are a discretionary use within the Local Centre zone, it is clear that one of the fundamental land uses within this zone is intended to be multiple dwellings.

## **2. Local Planning Policy 3.1 – Character Retention Guidelines Mt Lawley, Menora and Inglewood**

As previously discussed the subject site has approval for partial demolition of the shop and dwelling conditional on the shop front being retained and incorporated into the new design.

However, following referral of the application to the DoP (who are responsible for road widening of Walcott Street) advice has been received that the DoP does not support the retention of the existing buildings within the future road widening. Consequently, the applicant has provided amended drawings removing the existing buildings and demountable awnings and balconies from the road widening area.

Although the City has previously required the facade of the existing building to be retained as a condition of a previous approval, it is now clear following advice from the DoP that the retention of the façade prohibits the development of the site, therefore there is considered no other option than the demolition of the existing building in its entirety.

The amended plans the subject of the report (refer Attachment 1) have been reconsidered by the City's Heritage Consultant, who has provided the following comment:

*We consider that removal of the shop in its entirety is a negative impact on the heritage protection area. Despite this, we accept the position of the City and the Department of Planning. The development is generally in keeping with a mixed-use commercial development within the HPA and the Mixed-Use & Commercial Centre Design Guidelines. It appears that the Mixed-Use & Commercial Centre Design Guidelines have been well considered including height, parapets, sloping sites, parking and activity & use.*

*Simplification of the colour palette has been achieved, although the colours are not reflective of the interwar or art deco stylistic paradigm. The Design Reference Study shown on sheet DA-03 reflects the colour and materials palette that would be suitable.*

The City's officers concur with these comments, and accordingly the design and materials proposed are supported. However, the proposed colour schedule is not supported. The Heritage Assessment can be found at Attachment 5.

### 3. Local Planning Policy 4.2 Mixed Use & Commercial Centre Design Guidelines

LPP4.2 applies to all properties within the City zoned Local Centre. The proposed development is considered to satisfy LPP4.2 with the exception of the following elements, which are required to be assessed against the objectives of the relevant sections of the Policy.

LPP4.2 REQUIREMENT	OFFICER COMMENT
<p><u>Heights</u>  <u>Objective</u>  <i>To ensure that building height and scale is appropriate to its site and context.</i></p>	<p>The lot is a corner site at the intersection of Walcott and Learoyd Streets and therefore qualifies for additional building height under the policy.</p> <p>This section of Walcott Street contains examples of buildings of 3-4 storeys in height while this development proposes one additional storey in the form of a rotunda at the corner of the site.</p> <p>Given the orientation and topography of the site the additional height will not affect access to sunlight or present adverse building bulk to residential properties.</p> <p>Given the above, the proposed building height is considered to be appropriate to its site and context and is not considered to affect the amenity of the adjacent residences.</p>
<p><u>Corner Sites</u>  <u>Objective</u>  <i>To ensure that buildings give additional prominence to the street corner by using landmark features.</i>  <i>Buildings located on corner sites shall include:</i></p> <ul style="list-style-type: none"> <li><i>• Architectural roof features that protrude above the normal roof line;</i></li> <li><i>• Increased parapet heights with additional detail, colour and textures; and</i></li> <li><i>• Increase the number of storeys at the street corner.</i></li> </ul>	<p>The proposed development is generally between three and four storeys high with an architectural roof feature (rotunda) on the corner providing a fifth storey which protrudes above the normal roof line.</p> <p>The design has incorporated increased parapet heights and includes changes in colour and detailing.</p> <p>The number of storeys has been increased at the street corner utilising the natural contours of the site.</p> <p>The development is considered to comply with the objective for corner sites outlined in the policy since the proposed design provides a building which is prominent to the street corner and includes the specific provisions.</p>

LPP4.2 REQUIREMENT	OFFICER COMMENT
<p><u>Activity &amp; Uses</u></p> <p><i>Objective</i>  <i>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.</i>  <i>Active and lively street fronts shall be provided that encourage pedestrian activity and vitality of the centre by:</i></p> <ul style="list-style-type: none"> <li>• <i>Locating retail and other active commercial uses on the ground floor level; and</i></li> <li>• <i>Locating office and other non-active uses (residential) on upper levels.</i></li> </ul>	<p>The proposed development proposes a Restaurant on the ground floor however the remainder of the ground floor is proposed as office use which does not provide for interaction between the development and the street.</p> <p>The proposed office in-lieu of active uses does not promote a lively street front which encourages pedestrian participation or help to create an active and vibrant space.</p> <p>The proposed office use on the ground floor street frontage is therefore not supported.</p>
<p><u>Levels</u></p> <p><i>Objective</i>  <i>To ensure that development follows the topography of the land and to ensure that there is equitable access for pedestrians and that excessive differences will not have a negative impact on the amenity of the area.</i></p> <ul style="list-style-type: none"> <li>• <i>On sloping sites new developments shall be stepped so as to avoid large differences between the footpath level and the finished level of the shop front;</i></li> <li>• <i>There shall be no difference between the ground floor level and the footpath level of a building to ensure pedestrian access; and</i></li> <li>• <i>Filling up to 500mm shall be permitted to enable flat level sites.</i></li> </ul>	<p>The development has not been stepped along Walcott Street so as to avoid large differences between the footpath level and the finished floor level.</p> <p>The level of the office and Restaurant facing Walcott Street is proposed to be between 0.3 and 0.6m higher than the footpath which does not meet the requirement that development be stepped or that for the ground floor level to be the same as the footpath.</p> <p>The proposed levels do not meet the objective or the specific requirements for Levels.</p>
<p><u>Crossovers</u></p> <p><i>Objective</i>  <i>To limit the number of crossovers to reduce the impact on pedestrians and traffic.</i></p> <ul style="list-style-type: none"> <li>• <i>A maximum of two crossovers shall be permitted for sites, one for entry and one for exiting.</i></li> </ul>	<p>The City's Engineers have accepted that due to the topography of the site it is not unreasonable to have entry and egress from both crossovers. The width of the crossovers has been requested to be amended by the City's Engineer and the applicant has agreed to this however and submitted a sketch to show this can be achieved.</p> <p>The revised crossover widths can be a condition of approval if the JDAP were to approve the application.</p>

#### 4. Residential Design Codes Multiple Dwellings Assessment

Clause 5.3.2 of LPS3 states that “*Except as otherwise required in the Scheme or a Local Planning Policy, residential development not in the Residential Zone is to comply with the requirements of multiple dwellings under the R80 R-Code*”.

The development complies with Part 6 of the Residential Design Codes with the exception of the items listed in the table which require a Design Principles assessment to be undertaken.

Design Element	'Deemed-to-Comply' / N/A	OR	'Design Principles' Assessment	Comment
<b>6.1 Context</b>				
<b>6.1.1</b>	Building size		✓	A plot ratio of 1.17 in lieu of 1 is proposed.
<b>6.1.4</b>	Lot Boundary Setbacks		✓	The following setbacks do not comply with the deemed-to-comply standards: <ul style="list-style-type: none"> <li>Setback of 1.3m and 1.4m in lieu of 4m to the north-western boundary.</li> <li>Building on boundary height of 8.65m with an average height of 8.41m in-lieu of a maximum 7.0m and an average of 6.0m</li> </ul>
<b>6.3.1</b>	Outdoor Living Areas		✓	The units facing Walcott Street have less than 10m <sup>2</sup> outdoor living areas.

#### Building Size

In accordance with the R-Codes table 4, a plot ratio of 1.0 is permitted for R80 coded sites. The application proposes a plot ratio of 1.17 in lieu of 1.0, and is therefore required to be assessed in light of the relevant design principles of the R-Codes which state:

*P1: Development of the building is at a bulk and scale indicated in the local planning framework and is consistent with the existing or future desired built form of the locality.*

The development has been shown to be consistent with the Local Planning Policy 4.2 Mixed Use & Commercial Centre Guidelines for building height and corner sites. Consequently the proposed development aligns with the future desired built form of the locality.

The immediate locality is characterised by a mix of dwelling types including single houses, grouped and multiple dwellings ranging from single storey dwellings to four storey multiple dwellings and therefore is consistent with the existing built form.

The proposal satisfies the applicable design principles in relation to buildings size.

#### Lot Boundary Setbacks

The first and second floors of the residential component are setback 1.3m and 1.4m in lieu of 4m from the boundary (abutting 206 Walcott St) and the boundary wall is proposed to have a maximum height of 8.65m and an average of 8.41m in-lieu of a maximum 7.0m and an average 6.0m.

The proposed variations are required to be assessed against the relevant design principles of the R-Codes which state:

##### *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.*

##### *P4.2 In mixed use development, in addition to the above:*

- *side boundary setbacks to retail/commercial component of the development is in accordance with the existing street context, subject to relevant scheme provisions.*
- *retail/commercial development adjoining residential is designed to minimise the potential impacts between the two uses.*

The reduced setbacks are to the north western boundary and therefore, due to the orientation of the site, will not restrict access to sunlight for the adjoining building.

The proposed setback is not considered to result in excessive building bulk for the adjacent properties as the proposed building faces a blank wall on the adjoining property and therefore does not affect access to daylight of direct sun. Further there are no privacy implications of the proposed setback.

Consequently, the proposed setbacks are supported.

#### Building on boundary adjacent to 206 Walcott Street

Access to sunlight and ventilation to the existing dwelling at HN 206 Walcott St is unaffected by the proposed development due to the orientation of the site, and a portion of the proposed wall abuts an existing boundary wall on the adjoining property. However the scale of the wall at 8.6m high and 10.2m in length is considered excessive as the wall in question abuts a single storey dwelling. The proposed wall does not moderate the visual impact of building bulk as viewed from the adjoining property.

The wall, although partially screened by the existing dwelling will be clearly visible and dominate the vista from the rear yard. The proposed boundary wall is the interface between the commercial element of the development and the adjoining residential property and has not been designed in such a way as to minimise the impact between the two uses.

Consequently, the proposed variation to the boundary wall requirement is not supported.

#### Outdoor Living Areas

The deemed to comply requirements of the R-Codes for outdoor living areas state:

*C1 Each unit is to be provided with at least one balcony or equivalent accessed directly from a habitable room with a minimum area of 10m<sup>2</sup> and a minimum dimension of 2.4m.*

Units 1-3 are 3 stories with a balcony on each level, none of these have a minimum dimension of 2.4m. Units 4-6 are single level; the size of each balcony is listed in the table below:

Unit No.	Level	Size	Level	Size	Level	Size
1	2	4.2m <sup>2</sup>	3	2.2m <sup>2</sup>	4	4.0m <sup>2</sup>
2	2	4.2m <sup>2</sup>	3	2.2m <sup>2</sup>	4	4.0m <sup>2</sup>
3	2	4.2m <sup>2</sup>	3	2.2m <sup>2</sup>	4	4.0m <sup>2</sup>
4	2	6.2m <sup>2</sup>	2	4.2m <sup>2</sup>		
5			3	6.2m	3	4.2m <sup>2</sup>
6			4	6.2m <sup>2</sup>	4	4.2m <sup>2</sup>

*Note: All level 2 balconies will be removed when the road widening is enacted. Units 4, 5 and 6 balconies will be reduced to 3.2m<sup>2</sup>.*

The proposed outdoor living area are required to be assessed in light of the relevant design principles of the R-Codes which state:

*P1 Balconies or equivalent outdoor living areas capable of use in conjunction with a habitable room of each dwelling, and if possible, open to winter sun.*

The proposed balconies are required to provide an area that is capable of active and passive use. None of the balconies listed above are of sufficient size to allow for placement of a table setting as described in the Design Elements of the R-Codes. The areas indicated are not large enough to be “functional and usable”.

Furthermore all level 2 balconies will need to be removed when the road widening takes effect. In addition the corner balconies for Units 4-6 will be reduced to 3.2m<sup>2</sup>. A design that requires portions of balconies to be removed after the dwelling has been occupied is not considered to be practical or desirable.

The applicants’ justification that the balconies in aggregate meet the minimum area, does not overcome the requirement for at least one outdoor living area that is large enough to be functional and usable per dwelling.

Consequently, the proposed variation to outdoor living areas is not supported.

#### Bicycle Space

The deemed to comply requirements for bicycle parking states:

*C3.2 In addition to the above, one bicycle space to each three dwellings for residents; and one bicycle space to each ten dwellings for visitors, designed in accordance with AS2890.3 (as amended).*

The bicycle storage is proposed to be racks mounted on the wall in the car parking bays. However, access to these racks is not possible when there is a car parked in the bay. Design standard AS/NZ2890.3 has not been satisfied as it requires a clear area 1.2m deep under each support device for vertically mounted racks to be provided. It should be further noted that the number of racks has not been specified.

Consequently the design principle requirements for bicycle parking have not been met and the proposal is not supported.

## **5. Local Planning Policy 6.3 – Bin Storage**

The applicant has provided a Waste Management Plan which was referred to the City's Waste Services Business Unit. The following comments were provided:

*The property will be issued with 11 x 240L MGBs for recycling emptied once per fortnight and 11 x 140L MGBs for general waste emptied once per week. As for commercial property's we don't have any comments as it is not compulsory for the tenant or owner to have a waste service with the City of Stirling.*

The proposal indicates there are storage areas for 25 bins, with 22 bins required for the residential component alone. The remaining space for 3 240L MGBs for the non-residential component of the development is considered inadequate, despite the applicant's confirmation that a private cleaning service will remove the commercial spaces' waste, and a contract gardener will remove all green waste.

## **6. Local Planning Policy 6.6 – Landscaping**

The application was referred to the City's Parks and Reserves Business Unit and amended plans submitted with an acceptable number and species of street trees proposed. The proposal does not include a minimum of 10% landscaping of the site area. This has been assessed against the objectives of the policy which states:

- *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.*

It is the City's officer's view that the application does not meet any of the objectives of the policy listed above. The proposed provision of additional street trees along Learoyd Street is noted, however in the context of the site, is considered insufficient to address the requirements of the Policy.

## **7. Local Planning Policy 6.7 – Parking & Access**

### Car Parking

Table 1 of Local Planning Policy 6.7 - Parking & Access Policy (LPP 6.7) provides the relevant development standards for the number of car parking bays required for the proposed non-residential uses. Additionally, Clause 6.3.3 of the R-Codes outlines the car parking requirements for the residential component of the development.



In relation to the uses proposed as part of this development, the following ratios are applicable:

- Office – 1 bay per 30m<sup>2</sup> of gross floor area (GFA)
- Restaurant – 1 bay per 7m<sup>2</sup> of gross floor area (GFA)
- Alfresco – 1 bay per 14m<sup>2</sup> of alfresco area

Parking requirements for the non-residential component are summarised in the table below:

USE	POLICY PROVISION	VARIABLE (m <sup>2</sup> )	BAYS REQUIRED
Restaurant	1 bay per 7m <sup>2</sup> of GFA	30m <sup>2</sup>	4.2
Alfresco	1 bay per 14m <sup>2</sup> of alfresco area	13m <sup>2</sup>	1
Office	1 bay per 30m <sup>2</sup> of gross floor area (GFA)	135.2m <sup>2</sup>	4.5
Sub-total			9.7
Parking concessions:			-10%
<ul style="list-style-type: none"> <li>• Local Centre zoning - 10%</li> </ul>			
Bays required for non-residential uses in local centre			9
Bays Provided			See total bays provided below

Parking requirements for the residential component are indicated below:

Type of Dwelling	Number Dwellings proposed	Location A	
		Required Parking bay/s per dwelling	Total Required parking
Small dwelling (1 bedroom or less 75m <sup>2</sup> )	7	0.75	6
Medium	4	1	4
Visitor Parking	11	0.25	3
Total parking bays required for residential element		13	
Total parking bays provided for overall development		16 bays provided on site 9 bays provided within the road reserve 25 in total	

The applicant has not detailed the allocation of the car bays in the application. The City therefore cannot undertake a comprehensive assessment for the development.

The applicant has proposed 16 bays on site which is a 6 bay shortfall for the non-residential component of the development. The existing shop utilises a number of car parking spaces within the road reserve however these are not delineated and are in disrepair. The application seeks to provide 9 car parking bays within the road reserve which would bring the total number of car parking bays to 25.

The proposed parking in the road reserve has been reviewed by the City's Engineering Design Business Unit, is supported conditional on increasing the width of one of the crossovers. This has been agreed to by the applicant although amended plans have not been provided to date.

Concerns remain regarding the parking on site and access, the following points need to be addressed:

- Adequate sightline truncations have not been provided at the access points;
- The internal parking areas do not appear to match the existing verge levels and more detail is required indicating how the sloping footpath is merged into the parking areas;
- A detailed cross-section of Walcott Street is required indicating how the level difference from the top of existing kerb to the proposed finished floor level will be accommodated;
- All parking bays need to be nominated as either resident, staff or visitor and,
- An ACROD bay is to be provided.

These issues have been brought to the applicant's attention on a number of occasions, however have not been addressed to the satisfaction of the City. The outstanding matters are not capable of being addressed through the imposition of conditions as it is not known whether the matters can be adequately addressed to meet relevant standards.

### **Conclusion:**

The proposal has been assessed against the applicable statutory planning framework and does not meet several key provisions contained within that framework. The impact of the proposed building on the side boundary does not comply with the design principles of the R-Codes. Additionally, there are a number of outstanding issues in relation to engineering design standards.

In view of the above, the application is recommended for refusal.



## State Administrative Tribunal Reconsideration

### Responsible Authority Report (Regulation 12)

<b>Property Location:</b>	Lot 811 (3) Sundew Rise, Joondalup
<b>Application Details:</b>	Modifications to approved showroom, office and take-away food outlet development
<b>DAP Name:</b>	Metro North-West JDAP
<b>Applicant:</b>	Geoff Loxton of Property Development Solutions
<b>Owner:</b>	Arise Joondalup Pty Ltd
<b>LG Reference:</b>	DA15/0316
<b>Responsible Authority:</b>	City of Joondalup
<b>Authorising Officer:</b>	Dale Page Director Planning and Community Development
<b>Department of Planning File No:</b>	DP/12/00582
<b>Report Date:</b>	2 October 2015
<b>Application Receipt Date:</b>	4 February 2015
<b>Application Process Days:</b>	166 days
<b>Attachment(s):</b>	1. Location Plan 2. Original DAP approved plans 3. Development plans 4. Table of changes 5. Photos showing approved and constructed signage

#### Officer Recommendation:

That the Metro North-West Joint Development Assessment Panel, pursuant to section 31 of the *State Administrative Tribunal Act 2004* in respect of SAT application DR 238 of 2015, resolves to:

**Reconsider and set aside** its decision dated 4 June 2015 and **approve** DAP Application reference DP12/00582 and accompanying plans as set out in Attachment 3 in accordance with Clause 6.9 of the City of Joondalup *District Planning Scheme No.2*, subject to the following conditions:

#### Conditions

1. Low level illumination shall be used for all signage.
2. Illumination to all signage must not flash, pulsate or chase.
3. Illumination of the signage tower is only permitted between the hours of 7.00am to 10.30pm.

4. Pavement and road markings shall be provided at the opposing pedestrian refuge pavements located between Lots 810 (9) and 811 (3) Sundew Rise, specifically Buildings 2 and 3 in accordance with AS 1742.10, Manual of Uniform Traffic Control Devices.

#### Advice notes

1. All conditions and requirements detailed on the previous approval dated 29 August 2012 shall remain applicable.
2. All other additional signage shall be the subject of a separate Development Application.
3. This approval relates to the modifications only as detailed in the approved plans. It does not relate to any other development.

#### Background:

Property Address:	Lot 811 (3) Sundew Rise, Joondalup
Zoning	MRS: Central City Area
	TPS: Centre
Use Class:	Showroom – 'P' Use Recreation Centre – 'P' Use Take Away Food Outlet – 'D' Use
Strategy Policy:	N/A
Development Scheme:	<i>City of Joondalup District Planning Scheme No. 2</i> <i>Joondalup City Centre Development Plan and Manual</i> <i>Draft Joondalup City Centre Structure Plan (JCCSP)</i>
Lot Size:	27,598m <sup>2</sup>
Existing Land Use:	Showroom Recreation Centre Take Away Food Outlet
Value of Development:	\$23.8 million

The subject site is bound by Sundew Rise to the north, Joondalup Drive to the east and Eddystone Avenue to the south. Directly to the west of the site is the Bunnings Hardware Store which, together with the subject site was once a single lot. The lot has since been subdivided, with the 'hardware store' now located on Lot 810 (9) Sundew Rise, Joondalup (Attachment 1 refers).

The site is zoned 'Central City Area' under the *Metropolitan Region Scheme* and 'Centre' under the *City of Joondalup District Planning Scheme No. 2 (DPS2)*. The site is subject to the provisions of the *Joondalup City Centre Development Plan and Manual (JCCDPM)* where it falls within the 'Southern Business' district and is zoned 'Bulk Retail/Showroom'. The site is also subject to the provisions of the draft *Joondalup City Centre Structure Plan (JCCSP)*, which is a seriously entertained planning proposal and anticipated to supersede the JCCDPM, where it falls within the 'Business Support' district.

At its meeting held on 29 August 2012, the Metro North-West Joint Development Assessment Panel (JDAP) resolved to approve the overall development that comprised of a 'hardware store' (Lot 810) and three buildings within the subject lot that included 'showroom,' 'office' and 'take-away food outlet' uses. The approved 'office' land uses were later converted to 'recreation centre' through a change of use development application that was determined by the City in October 2013.

Following completion of the development the owner became aware that the central pylon signage pillar to the development did not match the approved development plans. As part of the application submitted to the City seeking approval for this sign, the applicant acknowledged that it became evident during construction that the designed ground levels had not been considered with the original signage structure and that the height needed to be increased to maintain visibility over the adjoining building.

Upon submission of the application, the City undertook a review of the site and identified a number of further inconsistencies between the development approval and the constructed development. Upon advice from the City, the applicant sought to have these addressed as a part of the application for the signage structure and submitted amended plans to include this within the retrospective application.

At its meeting held on 4 June 2015, the JDAP considered the amended JDAP application which encompassed the inconsistencies between the development approval and constructed works, including an increase in height to the approved pylon sign. The JDAP resolved at that meeting to support the application subject to the recommended conditions, as well as the following additional condition:

- 5. The over height signage structure is to be reduced to the original approved height of 18.1 metres.*

The applicant subsequently sought a review of this condition through the State Administrative Tribunal (SAT). In addition the applicant sought a review of condition (3) of the approval which requires that the same sign be illuminated only between the hours of 7:00am to 9:30pm.

Following the SAT mediation, an amended application was submitted to the City which provides an explanation of the circumstances of the application and applies for illumination of the sign until 10:30pm. The JDAP has been invited to reconsider this amended application.

#### **Details: outline of development application**

The applicant has provided an amended application as a result of the SAT mediation process outlining the circumstances surrounding the construction of the pylon sign and has provided additional details in support of increasing the hours of illumination. The applicant seeks approval as a part of this amended application for:

- Removal of the 18.1 metre high signage structure proposed on top of the originally proposed central awning and replacement with a standalone 21 metre high pylon sign.
- Illumination of the pylon sign between the hours of 7:00am and 10:30pm.

The application considered by the JDAP at its meeting on 4 June 2015 also sought retrospective approval for additional aspects of the development which were constructed outside the approved plans (see highlighted areas and notations in Attachment 3). These aspects which were detailed within the RAR presented on the 4 June 2015 are not being reconsidered as a part of this amended application and have not been referenced within this report.

The overall development plans are provided as Attachment 3 and an indexed table of the changes is provided as Attachment 4.

## **Legislation & policy:**

### Legislation

- *Planning and Development Act 2005;*
- *Metropolitan Region Scheme; and*
- *City of Joondalup District Planning Scheme No. 2*
  - *Joondalup City Centre Development Plan and Manual; and*
  - *Draft Joondalup City Centre Structure Plan.*

### State Government Policies

Nil.

## **Local Policies**

- Signs policy

The development has been assessed against the relevant signage provisions of this policy. The objective of this policy is:

*To protect the quality and amenity of streetscapes, minimise the visual impact of signs, encourage well designed and appropriately located signage and a level of signage to support business within the City of Joondalup.*

- Development Proposals before the State Administrative Tribunal Policy

The City has dealt with the development in line with the principles contained within this policy. The objective of this policy is:

*To ensure that development matters that are brought before the State Administrative Tribunal and involve the City of Joondalup, are dealt with in an open and accountable manner.*

## **Consultation:**

### Public Consultation

Public consultation was not undertaken in relation to this development as the amendments to the original JDAP approval are not considered to result in any additional impact on surrounding land owners.

### Consultation with other Agencies or Consultants

The minor modifications to the development do not require referral to any other agency or consultant.

### **Planning assessment:**

The applicant seeks retrospective approval for elements of the existing development that depart from the original JDAP approval of 29 August 2012 at Lot 811 (3) Sundew Rise, Joondalup.

These amendments were considered by the JDAP at its meeting of 4 June 2015 where the application was recommended for approval subject to a number of conditions, including:

3. *Illumination of the signage tower is only permitted between the hours of 7:00am to 9:30pm.*

In considering the pylon signage tower as a part of this application, the JDAP in addition applied the following condition:

- 5 *The over height signage structure is to be reduced to the original approved height of 18.1 metres.*

The applicant subsequently sought a review of these two conditions pertaining to the signage tower through the SAT.

The signage tower located in the middle of building B has been constructed to a greater height and area than initially approved by the JDAP. It is noted that the City was made aware of the increase in height and size by the applicant who identified that the signage, which had been constructed in accordance with the plans issued with the building permit, differed to those approved as part of the original JDAP approval granted in 2012. The applicant as a result sought to have this approved retrospectively, acknowledging the error made.

The initial approval granted by the JDAP at its meeting of 29 August 2012 provided for a signage tower with a height of 18.1 metres, an area of 84 square metres and for a tower that was visually integrated with the awning within the middle of building B. The sign however has since been constructed to a height of 21 metres, an area of 103.5 square metres and without the awning as proposed. In considering the additional height, the City's assessment identified that the scale of the sign still remained appropriate given the overall scale of the development.

The objectives of the draft JCCSP in relation to built form seek (among others):

- *To encourage significant developments and other visual cues to aid pedestrian movement in the urban environment.*
- *To encourage innovative building design that adds visual interest, enrichment and texture to the streetscape through the cohesive composition of building materials, roof form, entries, stairways, windows, balconies and other architectural features.*

As outlined in the Responsible Authority Report (RAR) presented to the JDAP on 4 June 2015, the signage tower provides a significant visual cue for the development, alerting both pedestrians and motorists in advance of the development. In addition the sign has been finished in high quality materials consistent with the remainder of

the Joondalup Square development to ensure that visual integration is provided to the overall site.

Whilst Council Policy – *Signs* only allows for multi-tenancy signs at the site to a height of eight metres and an area of 12 square metres, the sign is able to adequately address the objectives of the policy by its location within the middle of building B, ensuring the sign presents itself as being well designed and appropriately located. The sign is in addition screened partially by the adjoining buildings which have a height of 10.0m from Joondalup Drive, as viewed from both the north and south. The sign provides for a level of support for the businesses within the Joondalup Square development, resulting in less excessive signage to each individual tenancy.

In considering the impact the sign may have on amenity to nearby adjoining properties, it was identified that the closest residential properties were located at a distance of over 60 metres from the site. A reduction in height to that which was originally approved is not considered to significantly alter the visual the impact of the sign (attachment 5 refers). However, to alleviate potential concerns, the City recommended a condition of approval which required that illumination of the sign only be permitted between the hours of 7:00am to 9:30pm, being in line with the standard operating hours of the tenancies within the development.

In reconsidering this condition, the City has taken into account the recommendations contained within AS4282-1997 *Control of the obtrusive effects of outdoor lighting*. This Australian standard provides guidance to assist in alleviating light spill, noting that it is rarely possible to contain all light within the boundaries of a property. Whilst this standard does not technically apply to advertisements, it does recommend that limits be applied to illumination, one of which includes applying curfew hours, with these hours taken as being between 11:00pm and 6:00am.

The applicant has indicated that they are willing to accept the originally applied condition which restricts the illumination of the signage tower, provided it allows for illumination until 10:30pm, being an additional hour than that imposed by the original condition. The applicant has provided further information to the City which identifies that whilst most tenancies may operate to 9:00pm, the take-away food outlet tenancies have the potential to open significantly later than the other tenancies, with the additional hour assisting to support these land uses. In addition, the signs erected onto the signage tower are all back lit and do not pulse, flash or cause irritation.

Given the 11:00pm curfew recommended within AS4282-1997 and the applicant's justification above, the City is comfortable that this amendment to the permitted hours of illumination will ensure light spill is appropriately managed and will assist in addressing concerns raised previously from nearby landowners in relation to the illumination from the sign.

It is therefore recommended that condition (5) be removed from any approval and that condition (3) be modified to read as follows:

3. *Illumination of the signage tower is only permitted between the hours of 7.00am to 10.30pm.*

#### Other modifications

All other amendments which retrospective approval has been sought for as a part of this application were detailed within the RAR presented to the JDAP on 4 June 2015.

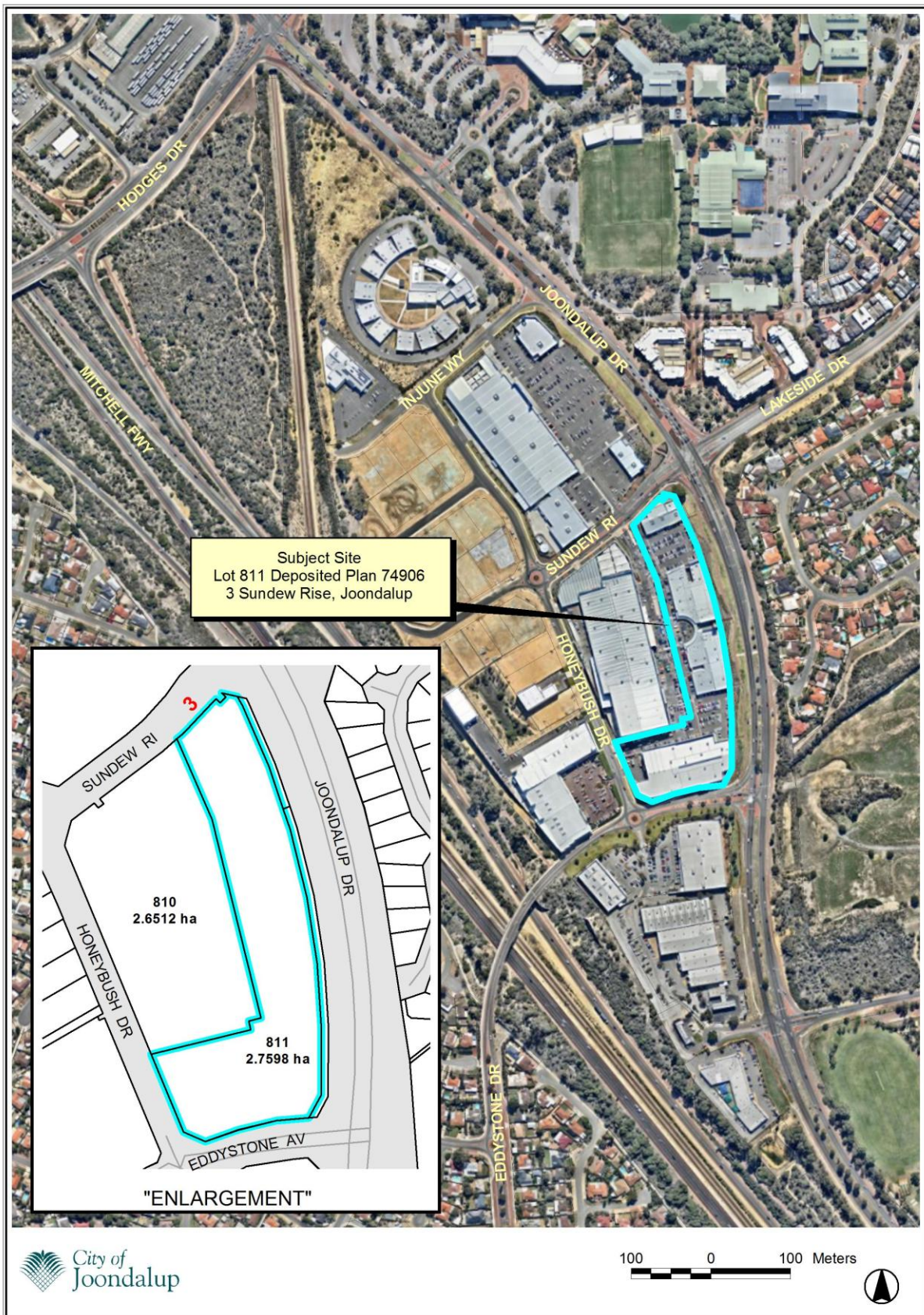


No concerns were raised by the JDAP in relation to these aspects of the development and as such these have not been further discussed within this report.

**Conclusion:**

The amendments to the development sought are considered to meet the requirements of the JCCDPM, the draft JCCSP and the objectives of Council Policy - *Signs* Policy.

It is therefore recommended that the application be approved, subject to conditions.





## ATTACHMENT 2







**Birds Eye Site Plan**





### **Building 1 - Ground Floor Plan**



ATTACHMENT 2



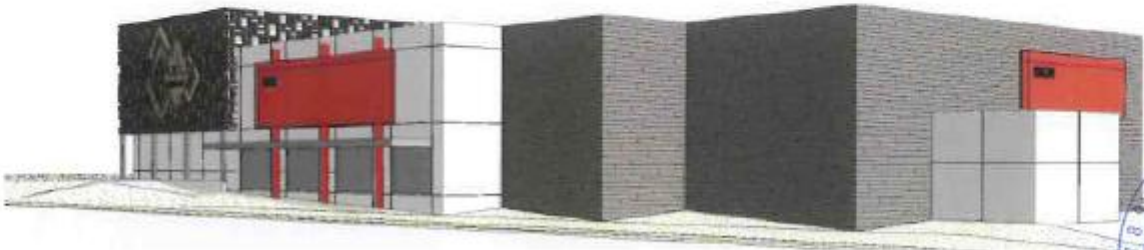
View 1



View 2



View 3



View 4



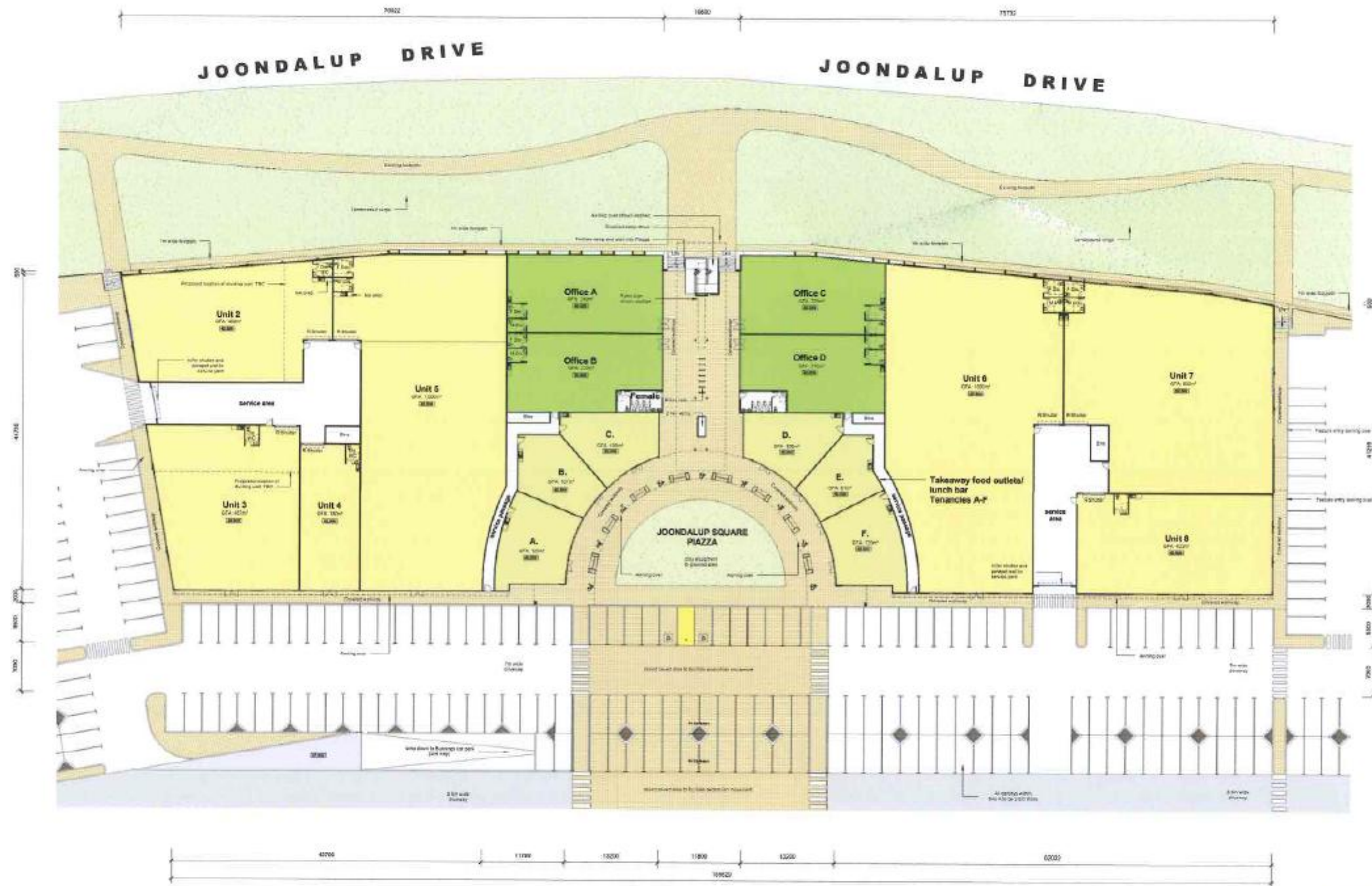


ATTACHMENT 2

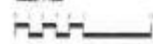




ATTACHMENT 2

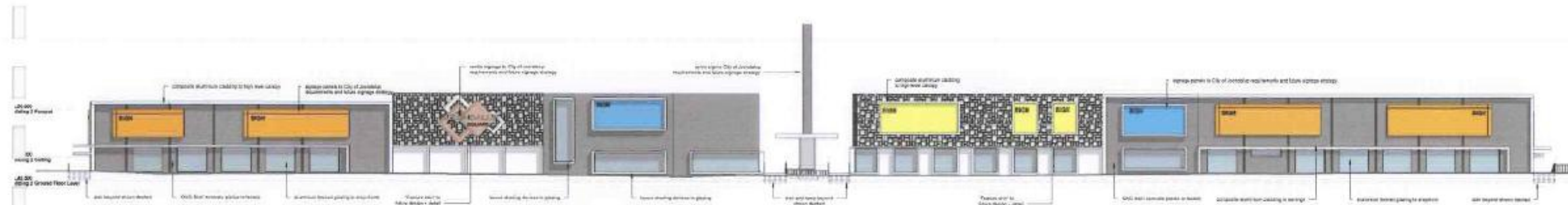


**Building 2 - Ground Floor Plan**





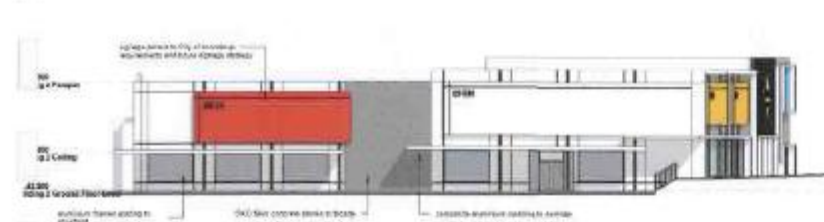
## ATTACHMENT 2

**Building 2 - North East Elevation (Joondalup Drive Elevation)**

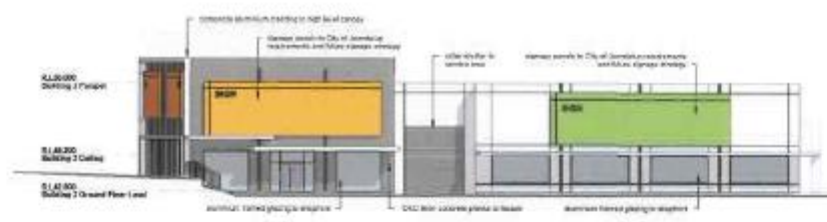
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**Building 2 - South West Elevation**

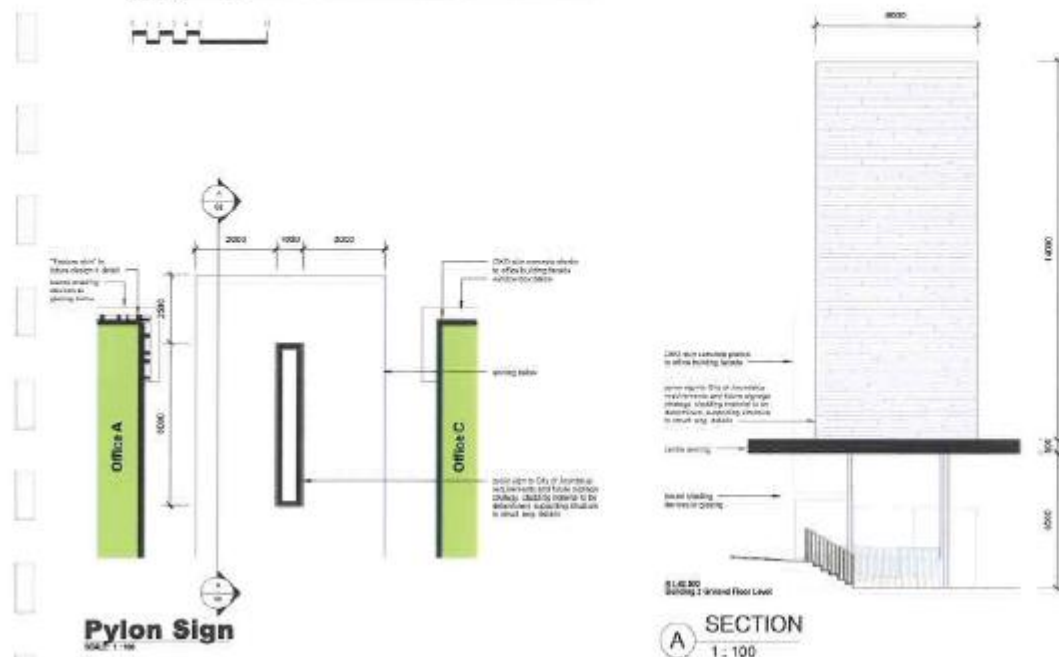
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**Building 2 - South East Elevation**

SCALE 1:50

**Building 2 - North West Elevation**

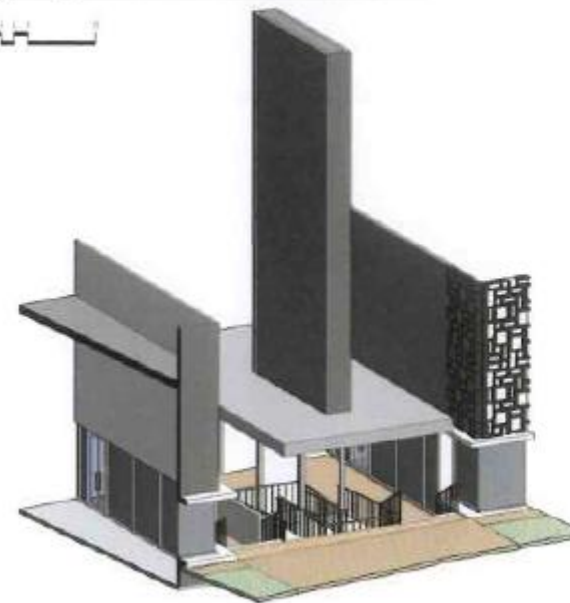
SCALE 1:50

**Pylon Sign**

SCALE 1:50

**SECTION**

1:100

**Pylon Sign (Cutaway)****Pylon Sign (Joondalup Drive)****Proposed Commercial Development**

Location: LOT 807, JOONDALUP

For: ARISE DEVELOPMENTS

PROJECT No. 1131  
 SKETCH No. 25025-01A  
 WEST No. 01  
 SCALE As indicated @ 01  
 DATE JULY 2012

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**shircore**  
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 & Associates  
 ABN 116 589 016







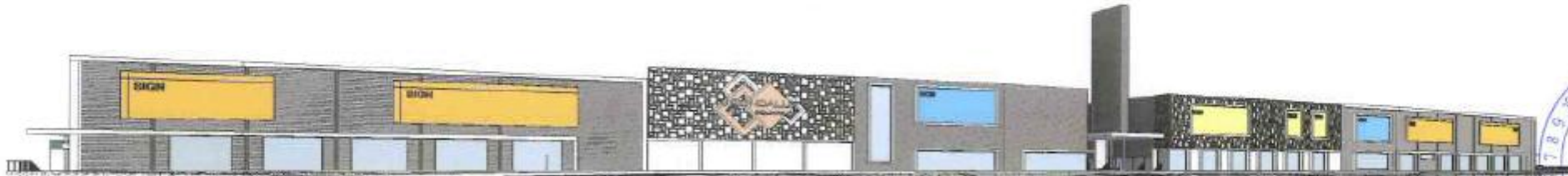
**View 1**



**View 2**



**View 3**



**View 4**

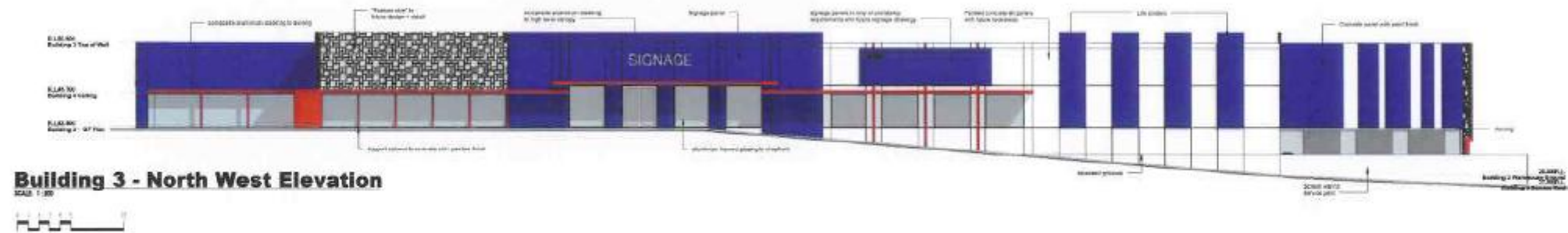






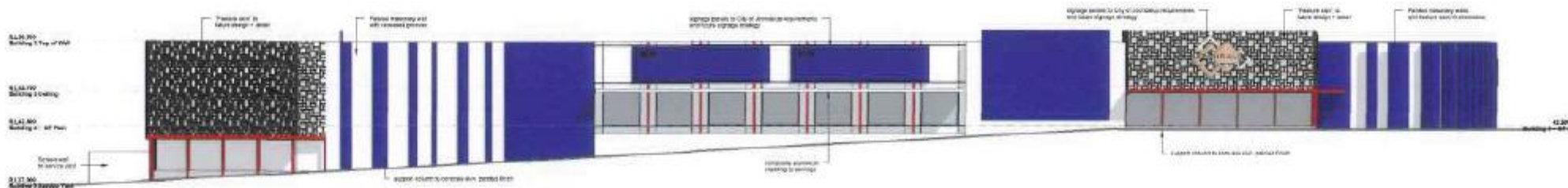


## ATTACHMENT 2



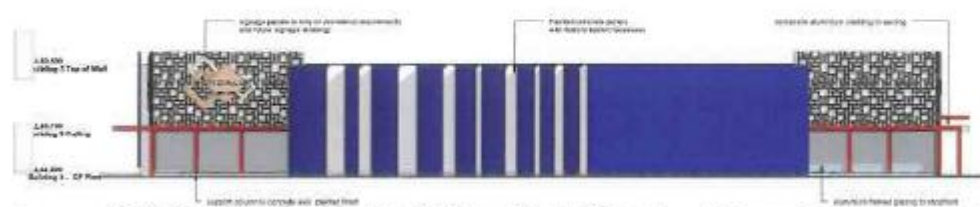
Building 3 - North West Elevation

SCALE: 1:100



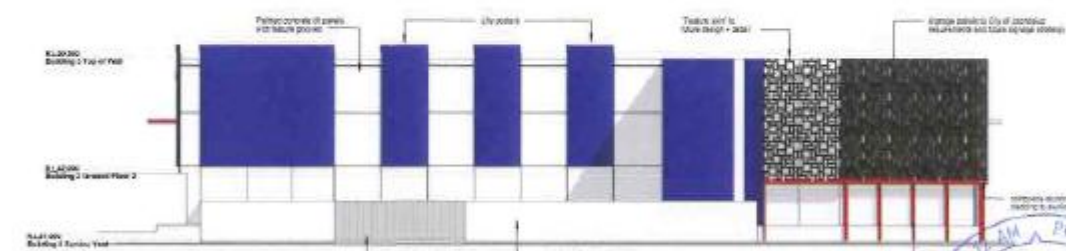
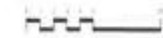
Building 3 - South East Elevation (Eddystone Avenue Elevation)

SCALE: 1:100



Building 3 - North East Elevation Direct (Joondalup Drive Elevation)

SCALE: 1:100



Building 3 - South West Elevation (Honeybush Drive Elevation)

SCALE: 1:100



ATTACHMENT 2



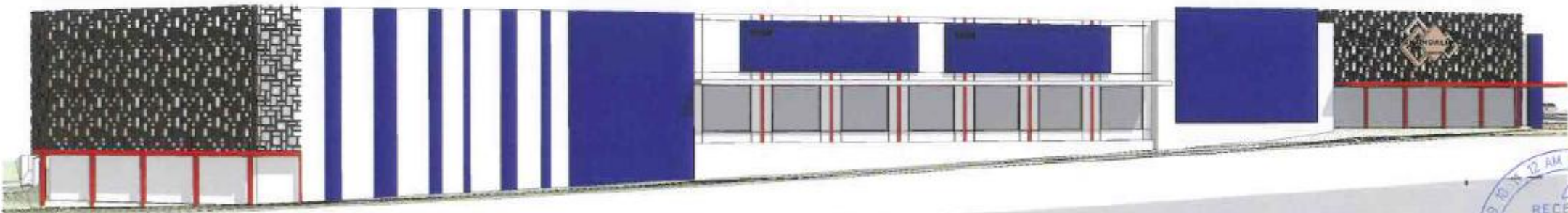
View 1  
SCALE



View 2  
SCALE



View 3  
SCALE



View 4  
SCALE



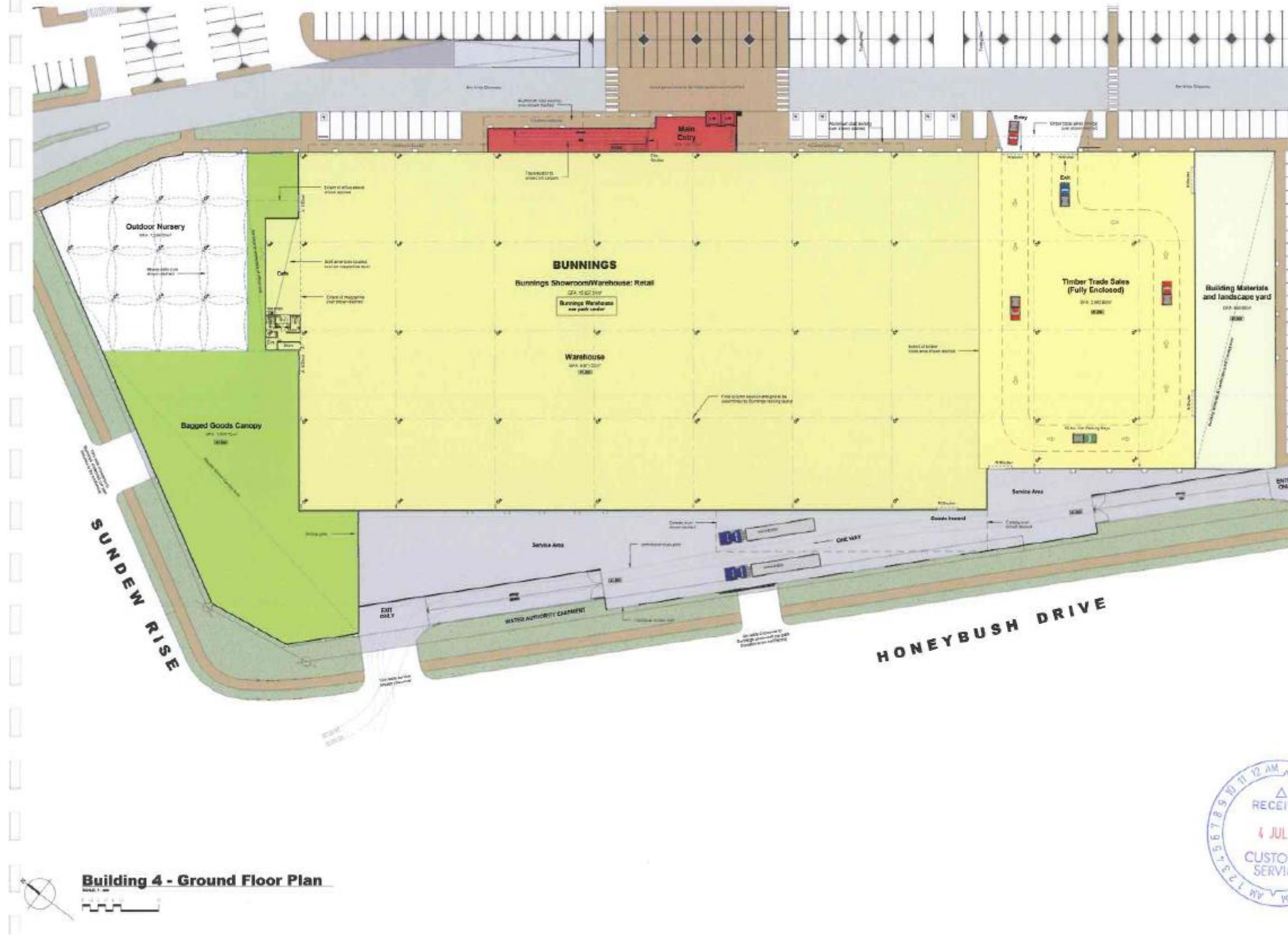


ATTACHMENT 2





ATTACHMENT 2



ATTACHMENT 2

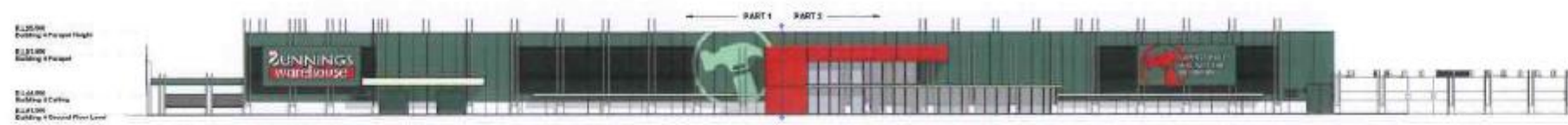


**Building 4 - Undercroft Plan**  
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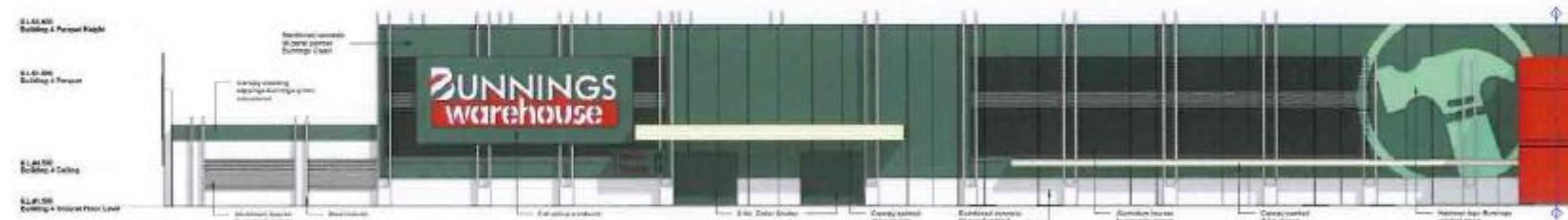




## ATTACHMENT 2

**Building 4 - North East Elevation**

SCALE: 1:100

**Building 4 - North East Elevation (1)**

SCALE: 1:100

**Building 4 - North East Elevation (2)**

SCALE: 1:100

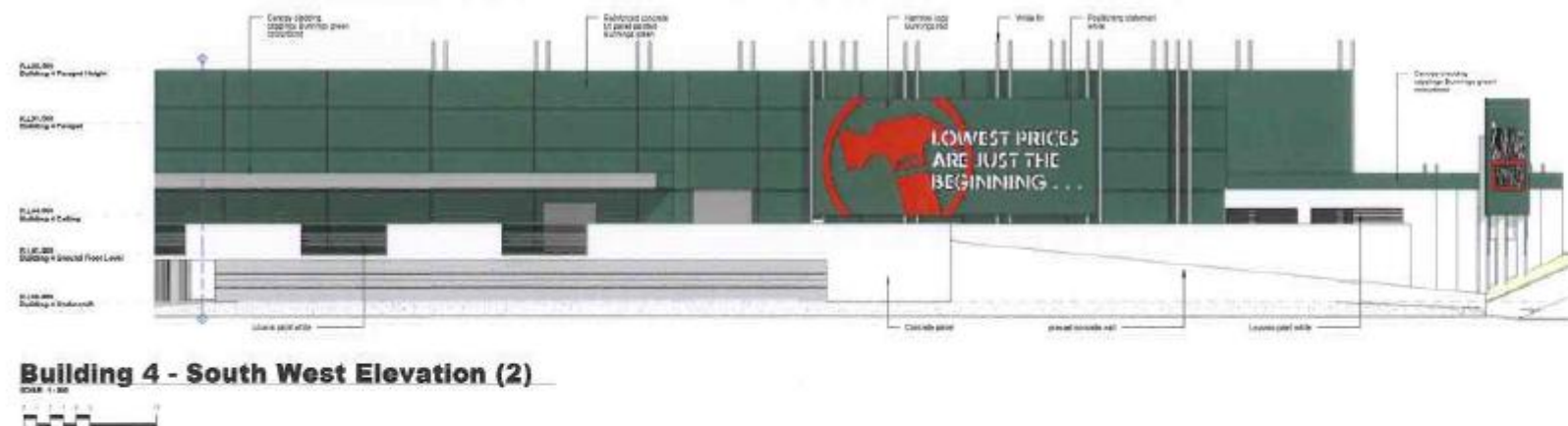
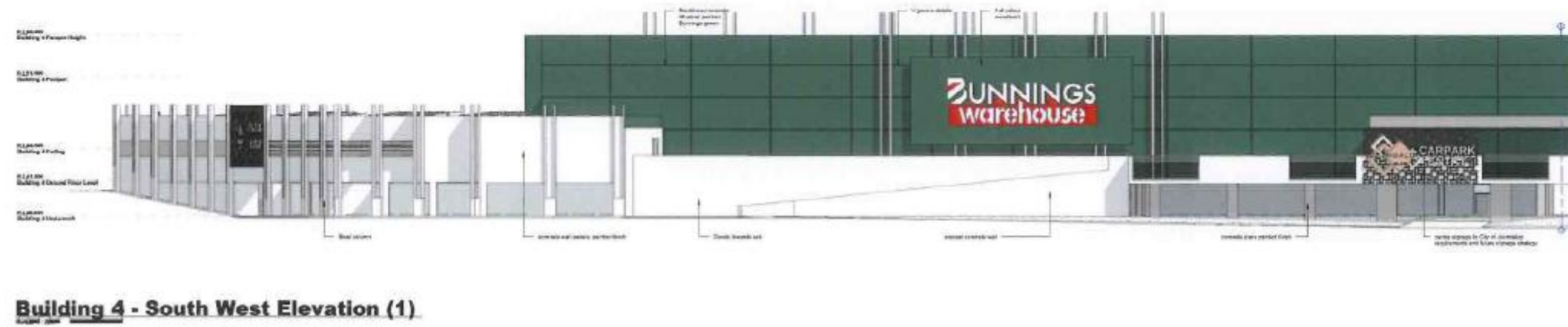
**Building 4 - North West Elevation (Sundew Drive Elevation)**

SCALE: 1:100





## ATTACHMENT 2



ATTACHMENT 2



**North East Facade**



**North East Facade-Garden Entry View**



**North East Facade-Trade Entry View**



**Cnr of Sundew Rise & Honeybush Drive**



**Sundew Rise Entry View**



**Honeybush Drive View**



**Honeybush Drive Entry View**



**South East Ramp Off Honeybush Drive**





ATTACHMENT 2



**Proposed Commercial Development**  
Location: LOT 807, JOONDALUP  
For: ARISE DEVELOPMENTS

PROJECT No. 7143  
SKETCH No. 8000-04  
SHEET No. 20  
SCALE @ B1  
DATE JULY 2012

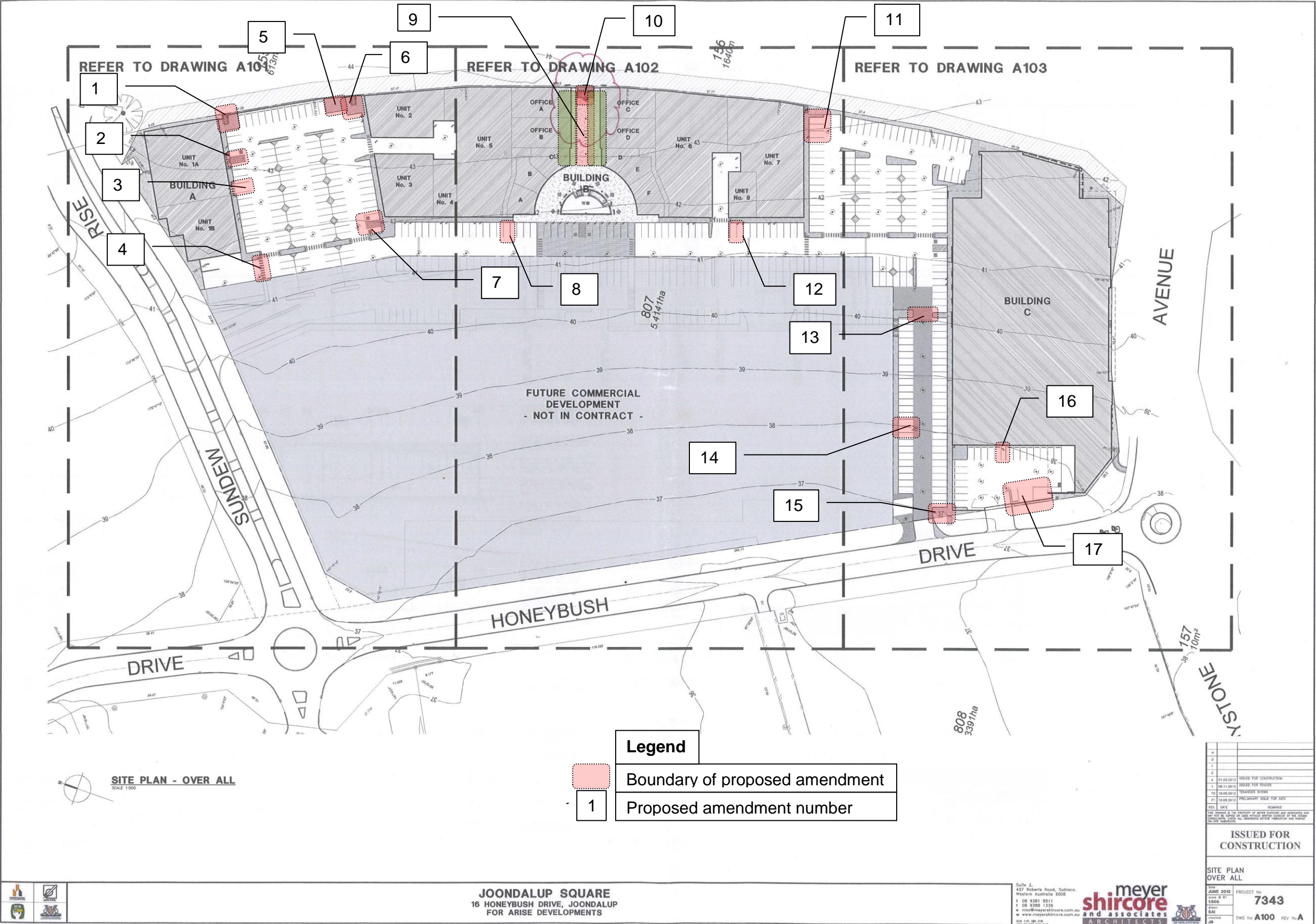
**meyer shircore**  
and associates  
ARCHITECTS

Suite 3, Ground Floor, 457 Roberts Rd  
Gidalia, Western Australia 6008  
t: (08) 9301 0211  
e: info@meyershircore.com.au  
w: www.meyershircore.com.au

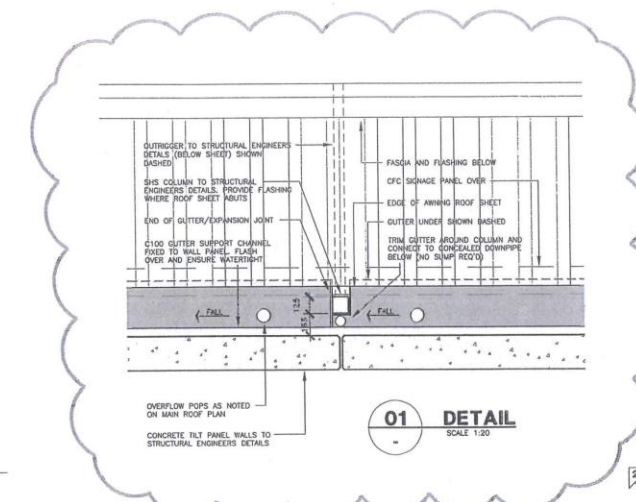
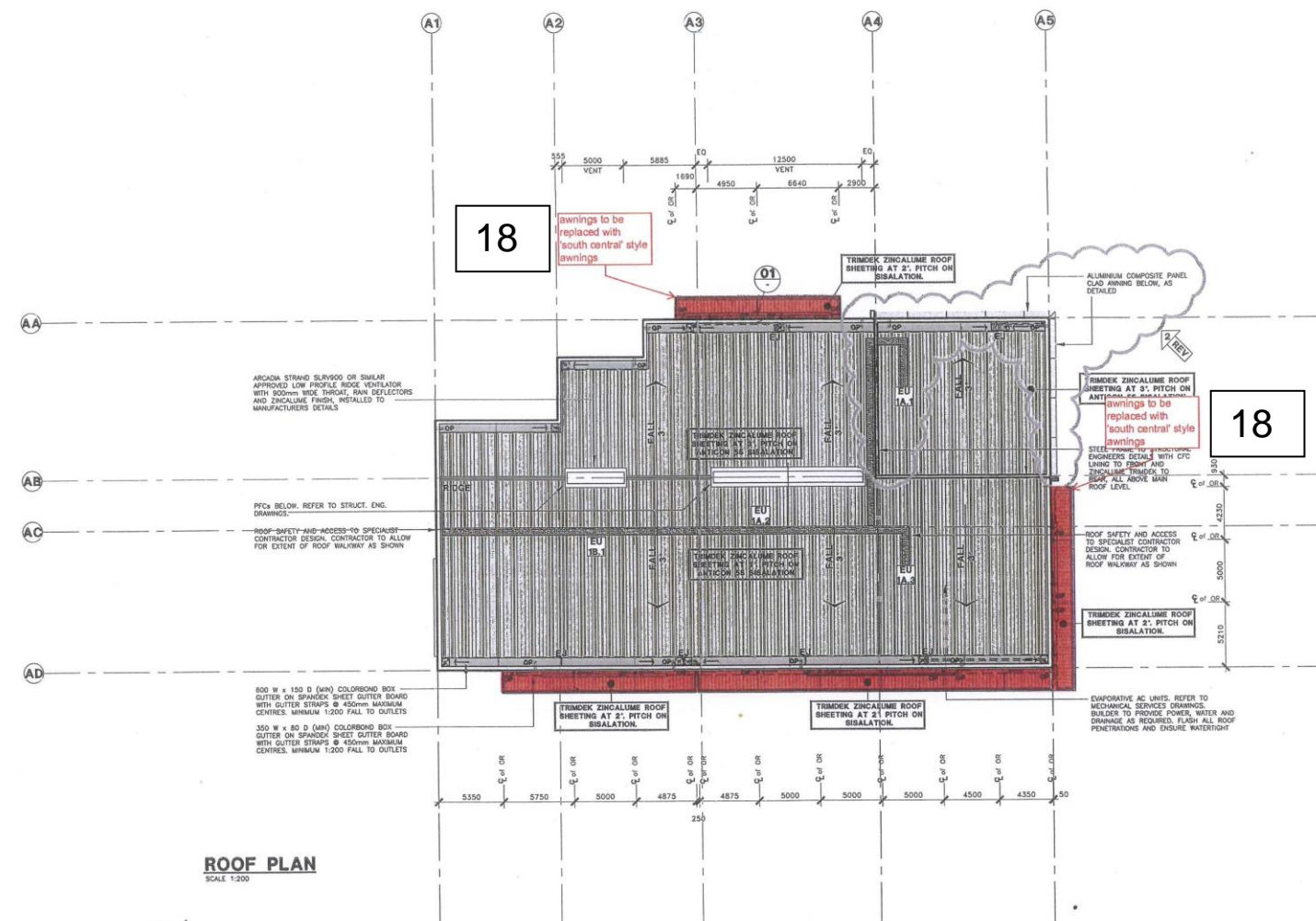
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ACN 115 199 216

















### LEGEND

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|---|---|
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|  | NEW BOX GUTTER AS NOTED AND<br>DETAILED         |
| EJ  | BOX GUTTER EXPANSION JOINT                      |
| OP  | OVERFLOW POP                                    |
|  | EVAPORATIVE AIR CONDITIONING UNIT               |
|  | AIR CONDITIONING CONDENSING UNIT                |
|  | ROOF ACCESS WALKWAY                             |

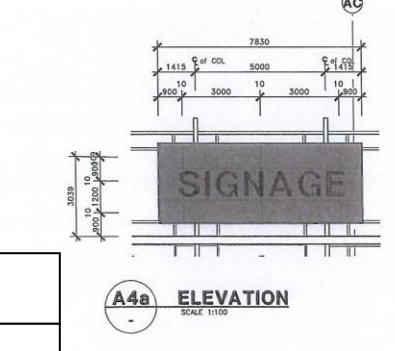
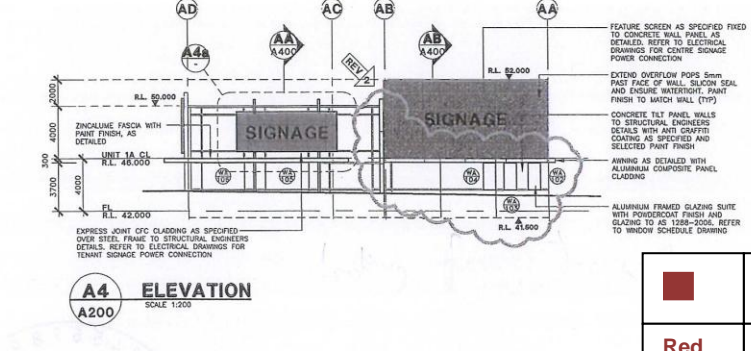
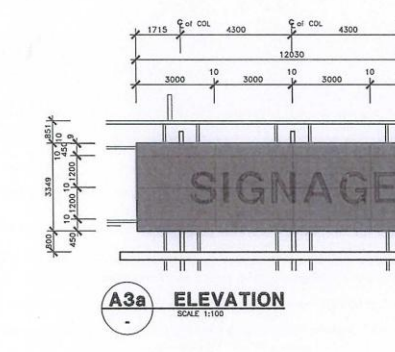
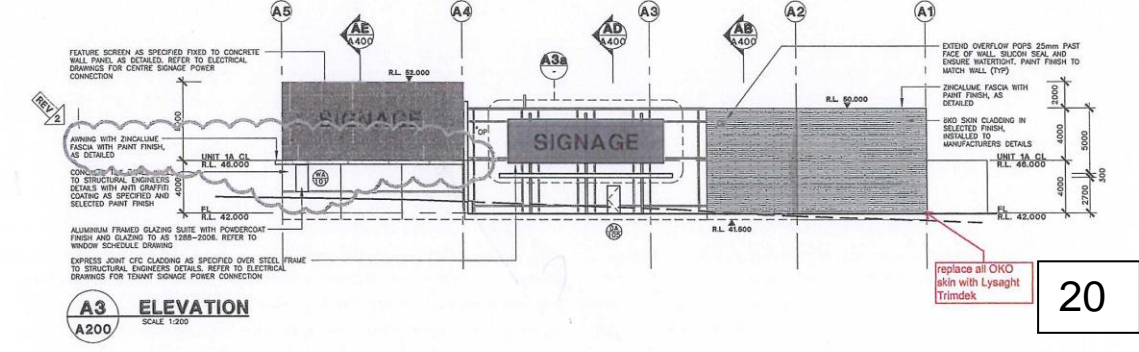
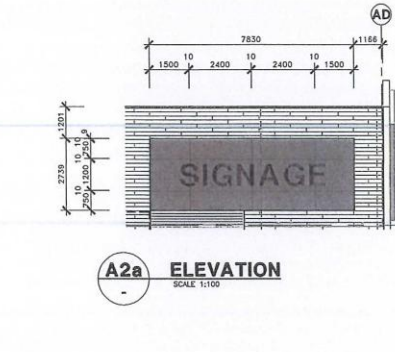
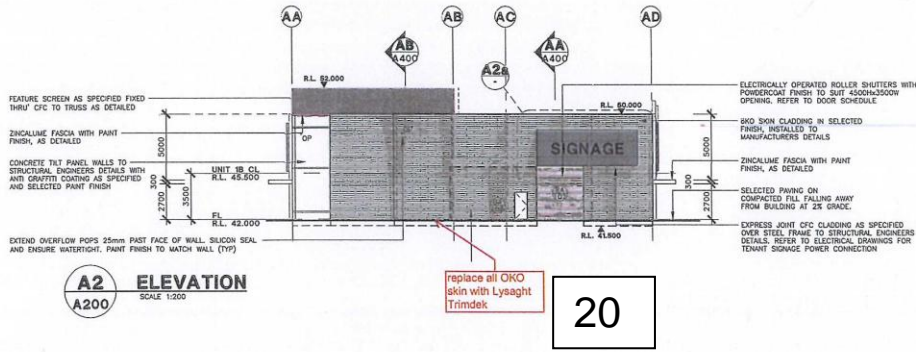
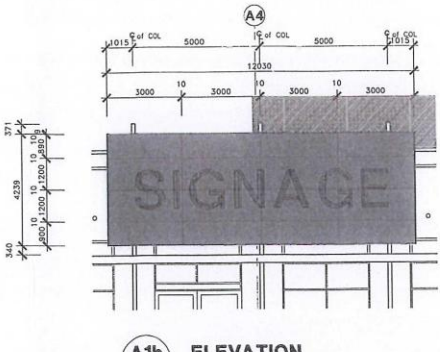
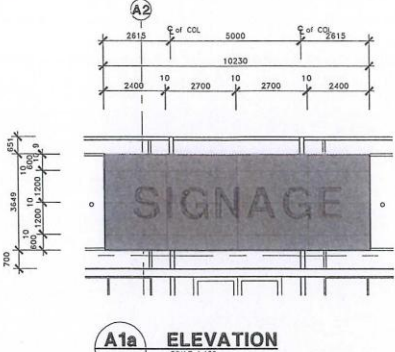
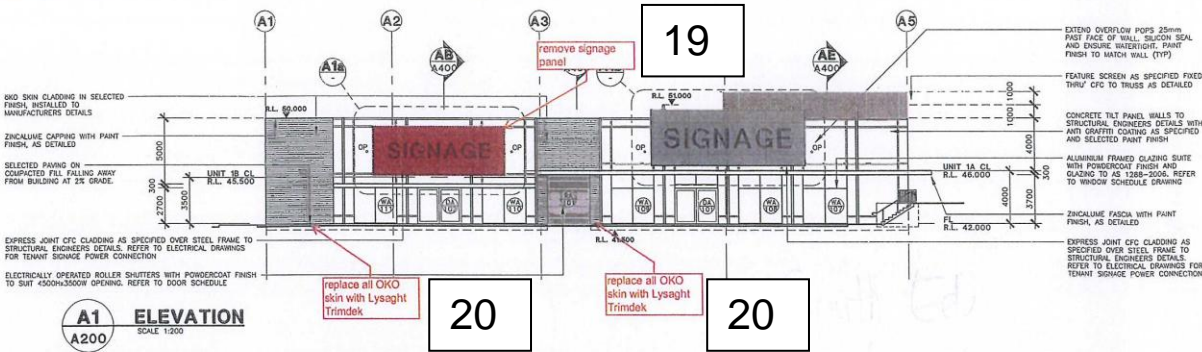
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1	Proposed amendment number





Legend	
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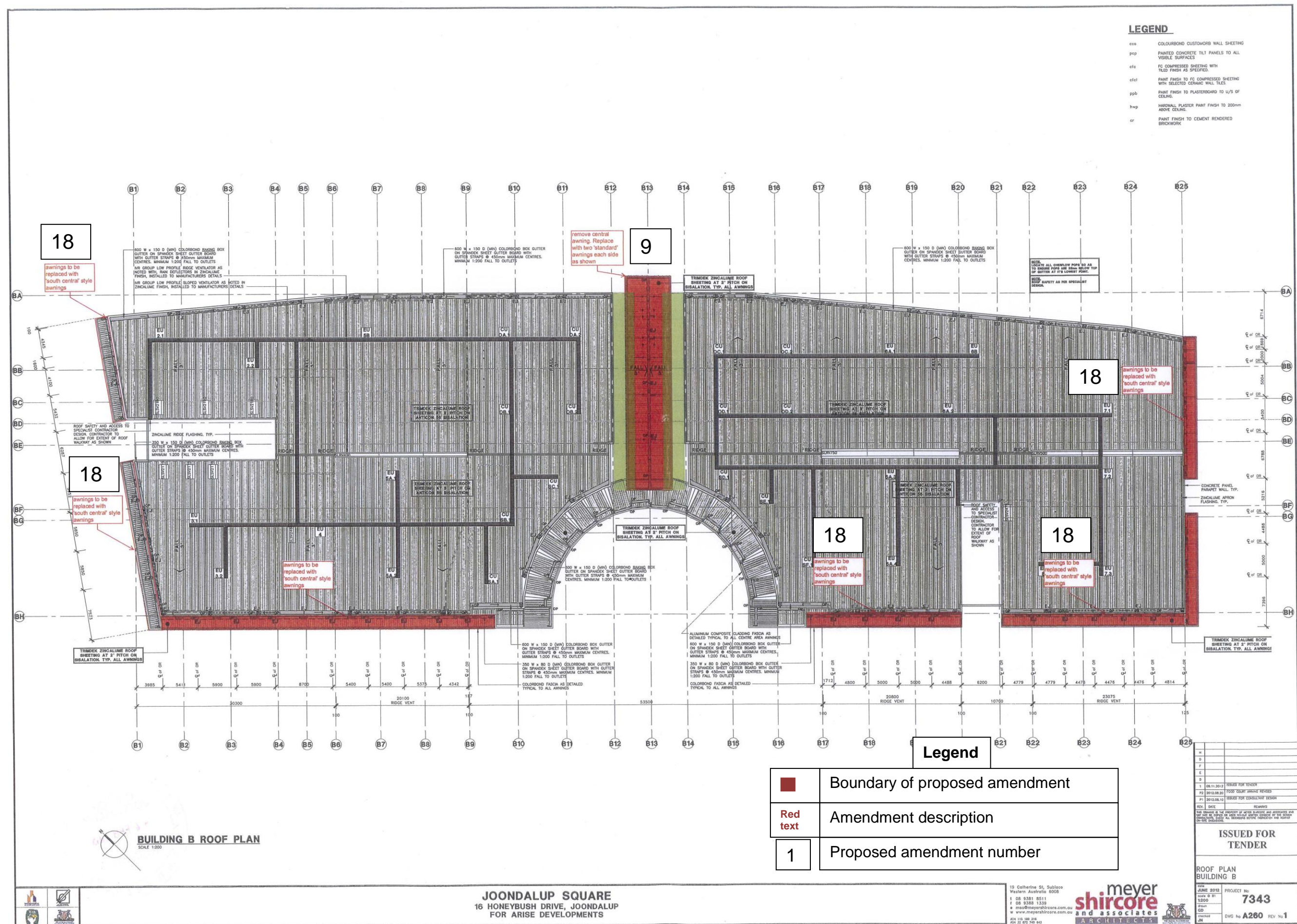
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FOR: [Signature]	FOR: [Signature]
REV: 01	REV: 01
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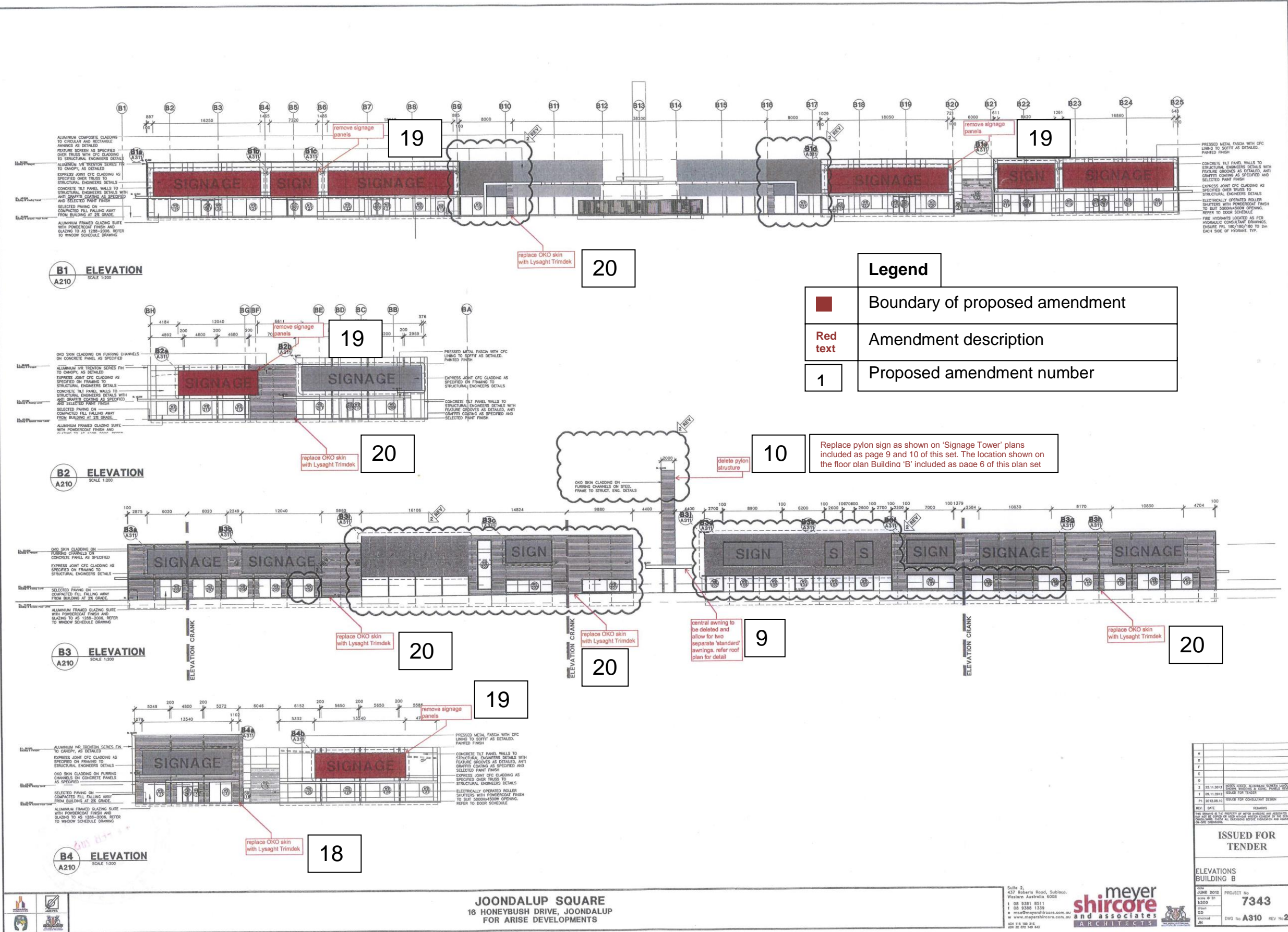
JOONDALUP SQUARE  
16 HONEYBUSH DRIVE, JOONDALUP  
FOR ARISE DEVELOPMENTS

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shircore  
and associates  
ARCHITECTS

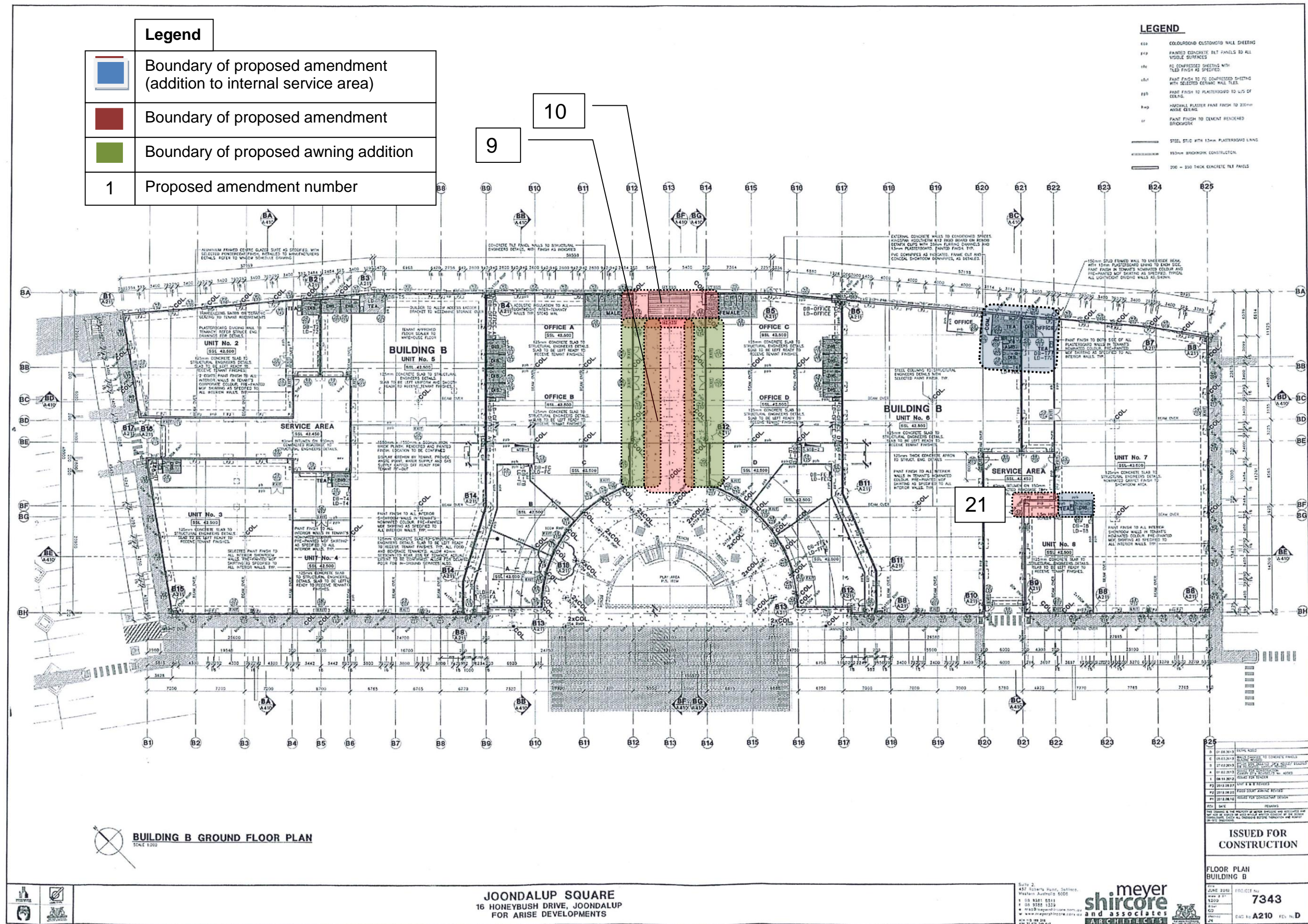




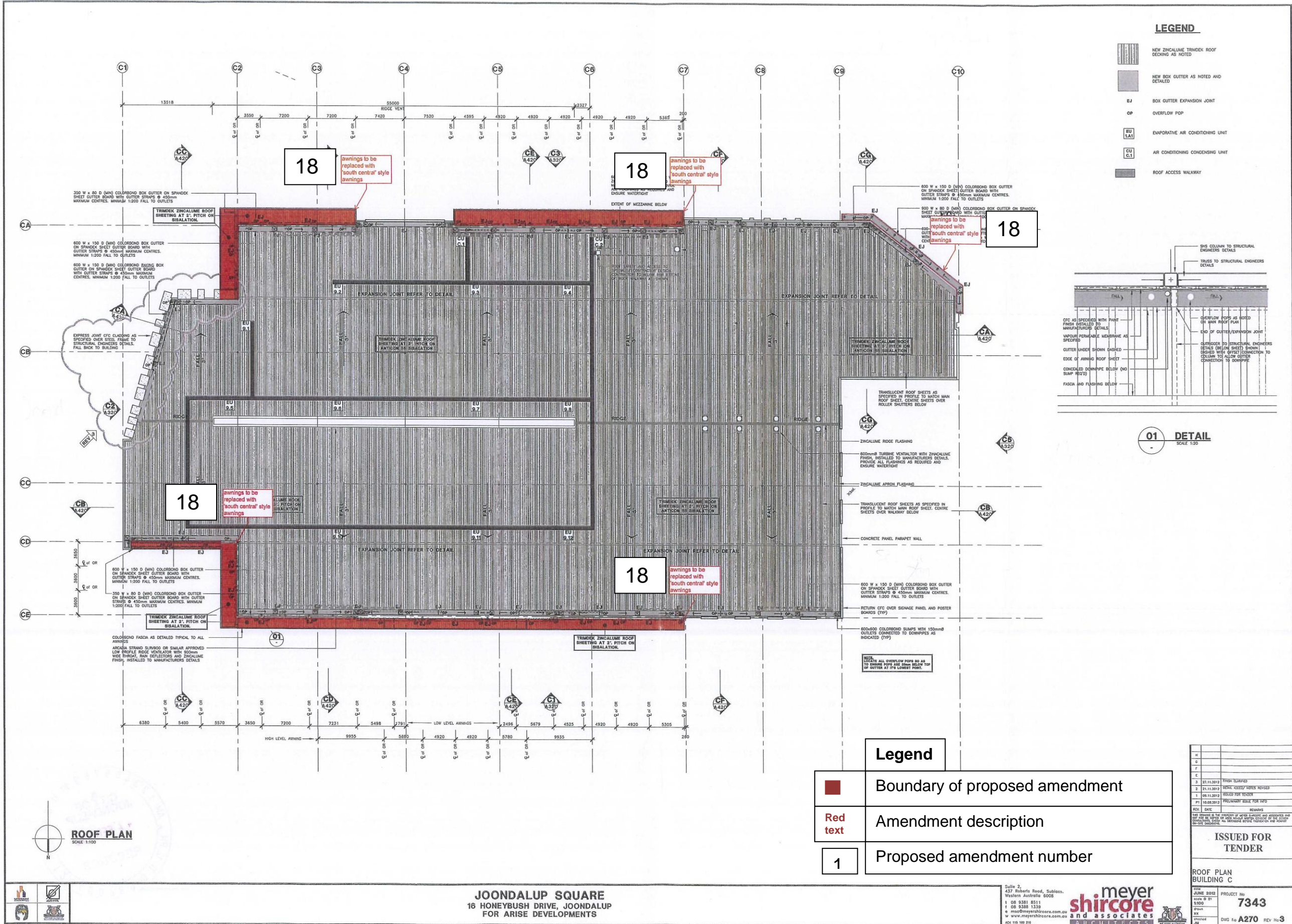




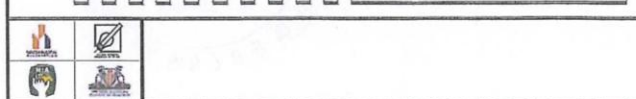










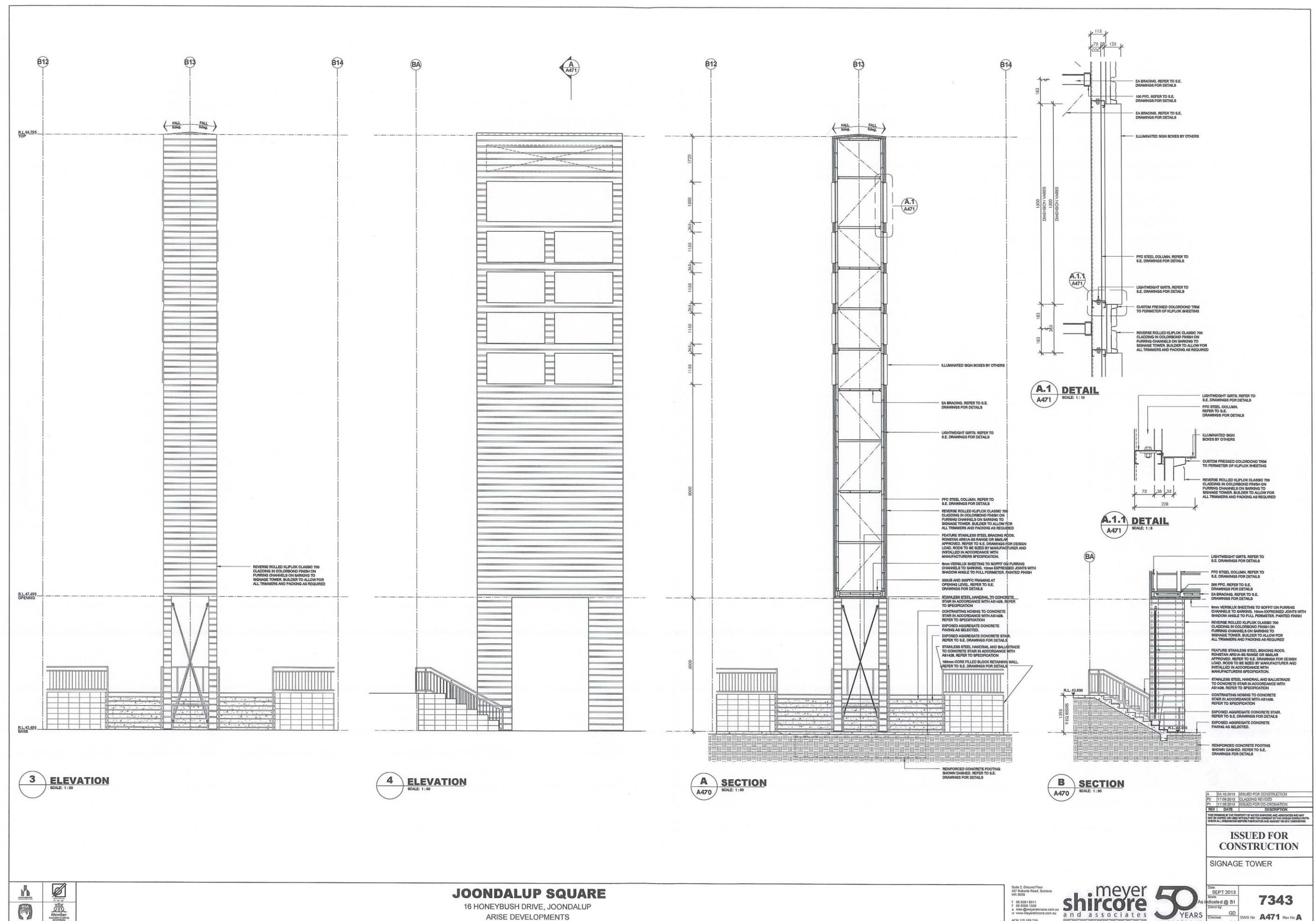


Suite 2,  
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Western Australia 6008  
t 08 9381 8511  
f 08 9388 1339  
e [mso@meyershircore.com.au](mailto:mso@meyershircore.com.au)  
w [www.meyershircore.com.au](http://www.meyershircore.com.au)  
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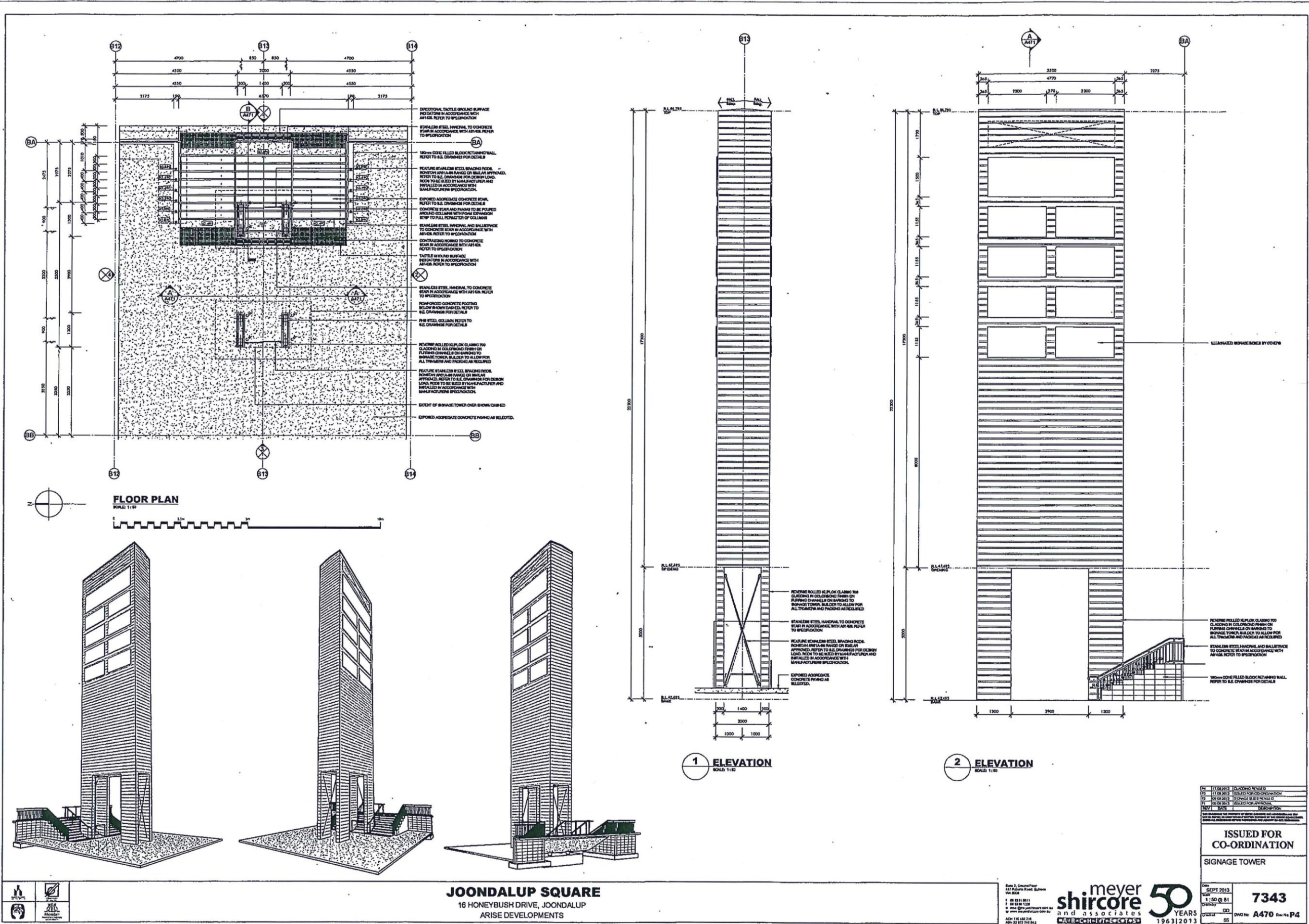
meyer  
**shircore**  
and associates  
ARCHITECTS

H				
G				
F				
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1	06.11.2014	ISSUE FOR TENDER		
PG	10.08.2012	PRELIMINARY ISSUE FOR INFO		
1	16.07.2012	ISSUE FOR INFO		
REV			REMARKS	
<p>THIS DRAWING IS THE PROPERTY OF WATER BUREAU AND ASSOCIATES, AND MAY NOT BE COPIED OR IN ANY MANNER REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM WATER BUREAU AND ASSOCIATES.</p>				
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<h2>ELEVATIONS BUILDING C</h2>				
DATE JUNE 2015	PROJECT No.	<h1>7343</h1>		
SCALE 1:2000				
BY SI				
INCHARGE SI	DWG No	A320	REV No	2









## Table of Changes

### ATTACHMENT 4

Number	Change	Page from Attachment 3
1	Staircase relocated to be offset from edge of building	1
2	Carbay reduction due to ACROD shared space	1
3	Carbay reduction due to loading bay	1
4	New pedestrian crossing proposed	1
5	Increased pedestrian refuge space	1
6	Staircase relocated to be offset from edge of building	1
7	Carbay reduction due ACROD shared space	1
8	Carbay reduction due ACROD shared space	1
9	Removal of central awning structure and inclusion of 2.0 metre wide cantilevered awning on each side	1, 4, 5, 6
10	Removal of 18.1 metre signage structure on top of central awning structure and replacement with a 21 metre high stand-alone pylon sign	1, 5, 6, 9, 10
11	Increase in carbays	1
12	Carbay reduction due to reduced aisle length	1
13	Pedestrian refuge altered and no markings for pedestrian crossing	1
14	Modified aisle width due to pedestrian refuge space modification (11)	1
15	Modified aisle end	1
16	New gap between carbays	1
17	Carbay reduction	1
18	Modification to awning style	2, 4, 7
19	Signage panel removed	1
20	Replacement of cladding from OKO skin to Lysaght Trimdek	3, 8, 9
21	Removal of signage panels and columns	8





Picture 1 - View from Joondalup Drive looking south





Picture 2 – View towards the west from St Clair Circle