

**PROPOSED AMENDMENT TO POLICY 3.2.6 – SUBDIVISION AND DEVELOPMENT ADJOINING AREAS OF PUBLIC SPACE  
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING  
(CLOSED 22 AUGUST 2002)**

NO	NAME OF SUBMITTOR	SUBMISSION SUMMARY	COUNCIL'S RECOMMENDATION
1	S Hart 24 Mamo Place GREENWOOD WA 6024	<ul style="list-style-type: none"> <li>• Considers safety to be of paramount importance</li> <li>• Highlights concerns regarding parks</li> </ul>	<ul style="list-style-type: none"> <li>• Deleting the 1.0m demarcation will ensure that access and use of public space is as safe as possible.</li> <li>• The proposed changes will not in any way detrimentally affect the size, use or enjoyment of public open space.</li> </ul>
2	M & T Sideris 12 Page Drive MULLALOO WA 6027	<ul style="list-style-type: none"> <li>• Expresses concern regarding the definition of the Policy Area.</li> <li>• Concern that new roads may be constructed in established areas.</li> <li>• Considers that an increased risk will occur if public open spaces (POS) are surrounded by roads.</li> <li>• Concern that no risk assessment has been undertaken.</li> <li>• Expresses concerns of no provisions in the policy for public consultation for those people who may be affected.</li> <li>• States that the policy fails to consider concerns raised at the Special Electors meeting regarding POS.</li> <li>• States that the policy fails to address the requirements of District Planning Scheme No 2 (DPS 2).</li> </ul>	<ul style="list-style-type: none"> <li>• The definition of the Policy Area is not being changed and is considered to clearly establish the policy area.</li> <li>• The policy only refers to future subdivision and development.</li> <li>• Roads will ensure safe and equitable use of POS.</li> <li>• A risk assessment is not required as the policy will only apply to future subdivision and development and not to existing areas.</li> <li>• The policy refers to future subdivision and development and Council's policy on public participation would apply.</li> <li>• The policy changes do not propose to affect existing areas of POS.</li> <li>• The policy changes are in accordance with the requirements of DPS 2.</li> </ul>
3	M Caiacob 7 Rowan Place MULLALOO WA 6027	<ul style="list-style-type: none"> <li>• Objects to policy because it will reduce areas of POS by encroachment of roads.</li> <li>• Concern that policy amendment will affect existing residential areas and POS.</li> <li>• Considers that the boundary fences and retaining walls are sufficient demarcation lines.</li> </ul>	<ul style="list-style-type: none"> <li>• Roads will not be permitted on POS and will not reduce the area of POS (existing or future).</li> <li>• The policy will only affect future subdivision and development.</li> <li>• Development built up to the boundaries of public spaces reduces the safe use of the POS through reduced opportunity for passive surveillance and reduces the ability of members of the public to use those spaces.</li> </ul>
4	M Moon 6 Carew Place GREENWOOD WA 6024	<ul style="list-style-type: none"> <li>• Would like clarification as to whether the Pedestrian Accessways Policy has been adopted.</li> <li>• Objects to policy amendment as considers it will affect existing communities.</li> <li>• Concerns that roads will encroach on POS</li> <li>• Concerns regarding the proposed change of the word 'streets' to public or private road.</li> </ul>	<ul style="list-style-type: none"> <li>• The PAW policy has been formally adopted by Council.</li> <li>• The policy will only affect future subdivision and development and will not affect established areas.</li> <li>• It is not the intention of the policy to encroach on existing or future areas of POS.</li> <li>• This has been changed to provide further clarification, particularly where a non-residential development is proposed. The intent of the policy</li> </ul>

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		<ul style="list-style-type: none"> <li>• Considers that the 1.0m demarcation should remain in the policy because it addresses valid issues and would ensure conformity in established areas.</li> <li>• Objects to the proposal because it proposes changes without addressing the requirements of DPS 2 and leaves the way open for opening roads and changing amenity without due consideration or consultation with affected landowners and safe use of POS</li> <li>• Objects to policy because the deletion of the 1.0m demarcation only relates to where lots abut public space and does not effect the attempt to introduce new roads.</li> <li>• Objects to policy because it is the introduction of new roads.</li> <li>• Objects to roads directly abutting POS due to issues of safety and considers that there should be a demarcation between the road and the public space</li> <li>• Concerns that should roads need to be widened that they will then encroach on POS.</li> </ul>	<p>however remains the same.</p> <ul style="list-style-type: none"> <li>• The policy only applies to future subdivision and development.</li> <li>• The policy is being amended in accordance with DPS 2 and will not affect existing areas and therefore no adjoining landowners will be affected. The policy changes are being proposed in order to increase safe use of POS.</li> <li>• The policy proposes that in future subdivisions and development, roads are introduced to abut public space to provide a safe demarcation between the private and public space. The policy is not proposing new roads in existing areas or new roads where public space does not exist.</li> <li>• As above, the policy is only relevant where development abuts public space.</li> <li>• The policy has always allowed for roads to abut public space and all roads will be designed to ensure that appropriate safety measures are taken into consideration. This may include areas for parking, footpaths and dual use pathways.</li> <li>• In the design of new subdivisions, thought is given to the future use of the roads and likely traffic flows which should aim to reduce the need for significant road widening.</li> </ul>
5	C Carabotta & G Ives 26 Mamo Place GREENWOOD WA 6024	Issues raised the same as No 4 above.	
6	P Clark 23 Pullan Place GREENWOOD WA 6024	Issues raised the same as No 4 above.	
7	B Williams 21 Pullan Place GREENWOOD WA 6024	Issues raised the same as No 4 above.	
8	M Macdonald 5 Mair Place MULLALOO WA 6027	<ul style="list-style-type: none"> <li>• Objects to the policy amendment and deletion of the demarcation because there may be instances where a road is not appropriate.</li> <li>• Raises concern about how the policy will affect existing areas when</li> </ul>	<ul style="list-style-type: none"> <li>• Should this issue arise then the matter will be referred to Council for consideration to vary the policy however it is considered that a road demarcation is a preferable option to the 1.0m demarcation in all instances.</li> <li>• The policy will only affect future subdivisions and development and will</li> </ul>

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		<p>they are redeveloped.</p> <ul style="list-style-type: none"> <li>• Objects to the addition of 'and through' in part 2 Landscaping of Public Open Space, because it may be impossible to 'look through'.</li> <li>• Objects to the policy referring to another policy, specifically Policy 3.1.9.</li> <li>• Objects to items in the policy being contained in a policy and considers that they should be included in DPS 2.</li> </ul>	<p>not affect areas which are already established even when individual lots are redeveloped.</p> <ul style="list-style-type: none"> <li>• The introduction of a road surrounding public space will enhance public surveillance of the space. This is merely a descriptive word to highlight enhanced overlooking of the space.</li> <li>• The amendment does not propose to change this part of the policy and referring to another policy is standard in all other policies to ensure consideration and compliance with other policies.</li> <li>• This is not being considered. It is considered sufficient that policies are adopted in accordance with DPS 2 and do not need to form part of the scheme text.</li> </ul>
9	<p>MG Zakrevsky 49 Korella Street MULLALO WA 6027</p>	<ul style="list-style-type: none"> <li>• Council did not advertise for 21 days.</li> <li>• Objects to the shortness of the 21 day advertising period.</li> <li>• Considers that the amendment is not 'minor'</li> <li>• Considers that the policy enables changes to be made without reference to DPS 2.</li> <li>• Objects to policy amendment because it will lead to the opening up of roads without consultation with affected landowners.</li> <li>• Objects to the policy amendment because development applications can be dealt with without reference to DPS 2 and occur under delegated authority.</li> </ul>	<ul style="list-style-type: none"> <li>• This is incorrect, the policy amendment was advertised for 21 days between 1 August and 22 August 2002.</li> <li>• 21 days was considered sufficient for a minor amendment to the policy.</li> <li>• As above.</li> <li>• The policy is proposed in accordance with DPS 2.</li> <li>• The policy will only affect future subdivisions and development.</li> <li>• This is incorrect and irrelevant to consideration of this policy amendment.</li> </ul>

**POLICY 3.2.6 – SUBDIVISION AND DEVELOPMENT**  
**ADJOINING AREAS OF PUBLIC SPACE**

**OBJECTIVE**

To maximise the outlook onto and casual surveillance of areas of public space from adjoining properties and streets in order to provide the following benefits whilst ensuring an appropriate level of privacy for those living on the adjoining properties:

1. Increased protection for public property (e.g. public open space and any improvements thereon) and adjoining properties; and,
2. An increased sense of safety and security for those using public space and those residing in adjoining properties.

**STATEMENT****Policy Area**

This policy applies to all future subdivision and development adjoining areas of public space. For the purposes of this policy, public space shall be defined as any space available for use by the general public. This includes public open space, underpasses and any other such areas as may be determined by Council. It shall not include however include pedestrian accessways as these are intended to be the subject of a separate investigation and policy.

**Policy Statement**

The following subdivision and development guidelines should be adhered to in order to maximise the outlook onto and casual surveillance of areas of public space from adjoining properties and streets whilst maintaining an appropriate level of privacy for those living on the adjoining properties.

## Section 3.2 – Urban Design

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*Subdivision Guidelines*1. Subdivision Design

Subdivisions should be designed so that areas of public space are fronted along all boundaries by public roads or private roads (where commercial or community sites are involved) streets. Lots should be orientated to front and therefore overlook areas of public space. Subdivision designs, which propose lots backing onto areas of public space will generally not be supported. Refer to Figure 1.

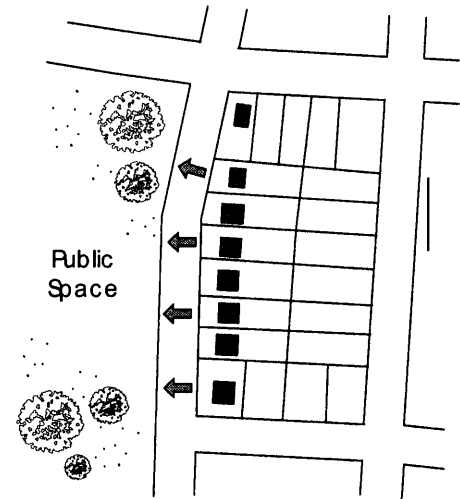


Figure 1: Lots Fronting Park Across A Street

~~Whilst not desirable, the City acknowledges that there will be situations where lots directly abut areas of public space. In these instances, the boundaries of the lots and areas of public space need to be clearly demarcated and for this reason, a minimum one metre difference should be provided between the finished ground level of the area of public space and the finished ground level of the abutting lots. Such differences in finished ground level provide increased privacy and security for those living on the abutting properties.~~

2. Landscaping of Public Open Space

Landscaping of public open space should be 'open in nature' so that a clear outlook is maintained onto and through the space from adjoining properties. In some instances this principle may require to be balanced against the need to recognise other values such as conservation.

3. Street Lighting

Street lighting surrounding areas of public space should provide greater illumination than standard street lighting. Lighting should be a minimum 125 watt mercury vapour. Lighting should not spill onto adjoining properties.

## Section 3.2 – Urban Design

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*Development Guidelines*

As outlined above, the City acknowledges that there will be situations where lots directly abut areas of public space. In these instances, the following development guidelines should be adhered to. The fencing guidelines should also be adhered to in instances where lots may not abut, but overlook areas of public space.

1. Dwelling Layout

Main living areas should be located to ensure that views of adjoining public space are maximised. Refer to Figure 2.

2. Building Facades

Building facades facing areas of public space should contain major openings to habitable rooms. Large expanses of blank wall should be avoided. Refer to Figure 2.

3. Fencing

Fencing along common boundaries of public space/private property and along the front boundaries of lots overlooking public space should be designed to be visually permeable. Fencing should be 'open in nature' and a maximum of 1.8m in height with the solid portion of fencing, a maximum of 750mm in height. The height being measured from natural ground level in the same manner as Council's Height and Scale of Buildings within a Residential Area Policy 3.1.9. Refer to Figure 3.

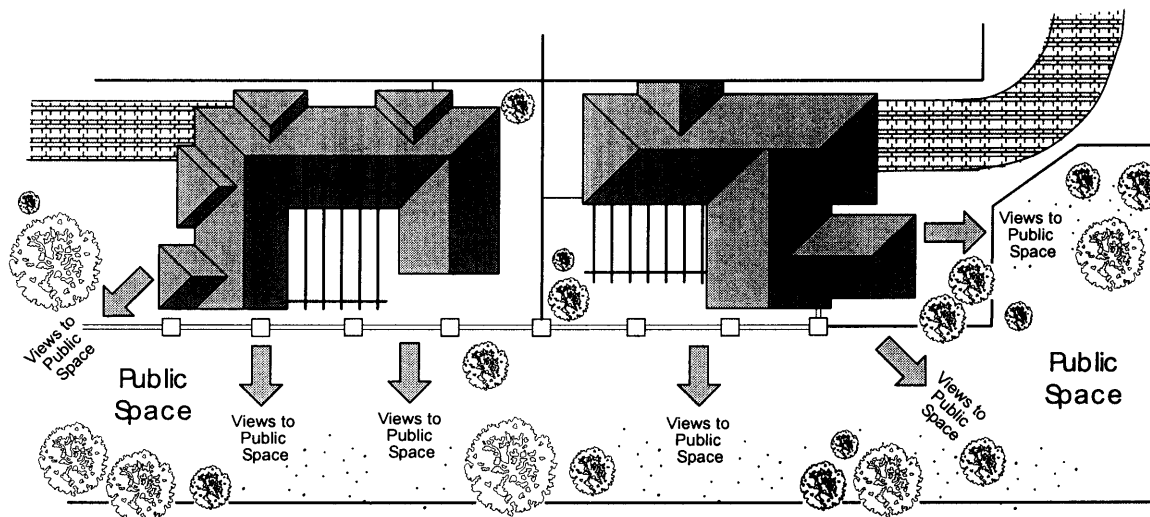


Figure 2: Staging of Residence Adjoining Public Space

Section 3.2 – Urban Design

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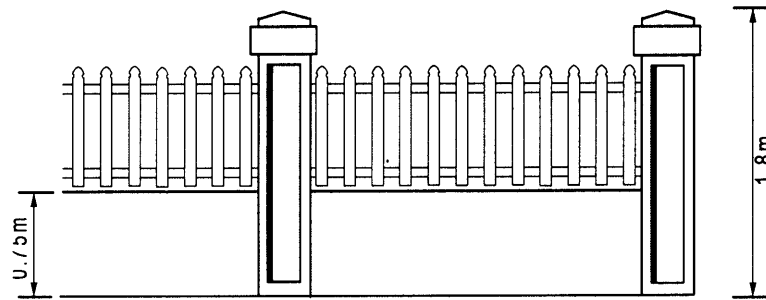


Figure 3: Fencing

Previous Policy No:

Amendments:

CJ182-07/00

Issued:

August 2000

Related Documentation: