City of Nedlands

AGENDA

Council Meeting Agenda Forum

14 June 2022

Notice of Meeting

To Mayor & Councillors

A Council Meeting Agenda Forum of the City of Nedlands is to be held on Tuesday, 14 June 2022 in the Council chambers at 71 Stirling Highway Nedlands commencing at 6pm.

Bill Parker
Chief Executive Officer
9 June 2022

Information

Council Meeting Agenda Forum are run in accordance with the City of Nedlands Governance Framework Policy. If you have any questions in relation to the agenda, procedural matters, addressing the Council or attending these meetings please contact the Executive Officer on 9273 3500 or council@nedlands.wa.gov.au

Public Question Time

Public Questions are dealt with at the Ordinary Council Meeting.

Deputations

Members of the public may make presentations or ask questions on items contained within the agenda. Presentations are limited to 5 minutes. Members of the public must complete the online registration form available on the City's website: Public Address Registration Form | City of Nedlands

Disclaimer

Members of the public who attend Council Meetings Agenda Forum should not act immediately on anything they hear at the meetings, without first seeking clarification of Council's position. For example, by reference to the confirmed Minutes of Council meeting. Members of the public are also advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

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1. Declaration of Opening

The Presiding Member will declare the meeting open at 6.00 pm and will draw attention to the disclaimer on page 2.

2. Present and Apologies and Leave of Absence (Previously Approved)

Leave of Absence (Previously Approved)	Councillor O Combes	Hollywood Ward
	Councillor J D Wetherall	Hollywood Ward
Apologies	Councillor H Amiry	Coastal Districts Ward

3. Public Question Time

Public questions will be dealt with at the Ordinary Council Meeting.

4. Deputations

Deputations by members of the public who have completed Public Address Registration Forms will be made at this point.

5. Requests for Leave of Absence

Any requests from Council Members for leave of absence will be dealt with at the Ordinary Council Meeting.

6. Petitions

Petitions will be dealt with at the Ordinary Council Meeting.

7. Disclosures of Financial / Proximity Interest

The Presiding Member to remind Council Members and Staff of the requirements of Section 5.65 of the Local Government Act to disclose any interest during the meeting when the matter is discussed.

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration.

However, other members may allow participation of the declarant if the member further discloses the extent of the interest. Any such declarant who wishes to participate in the meeting on the matter, shall leave the meeting, after making their declaration and request to participate, while other members consider and decide upon whether the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

8. Disclosures of Interests Affecting Impartiality

The Presiding Member to remind Council Members and Staff of the requirements of Council's Code of Conduct in accordance with Section 5.103 of the Local Government Act.

Council Members and staff are required, in addition to declaring any financial interests to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making procedure.

The following pro forma declaration is provided to assist in making the disclosure.

"With regard to the matter in item x ….. I disclose that I have an association with the applicant (or person seeking a decision). This association is ….. (nature of the interest).

As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."

The member or employee is encouraged to disclose the nature of the association.

9. Declarations by Members That They Have Not Given Due Consideration to Papers

This item will be dealt with at the Ordinary Council Meeting.

10. Confirmation of Minutes

This item will be dealt with at the Ordinary Council Meeting.

11. Announcements of the Presiding Member without discussion.

This item will be dealt with at the Ordinary Council Meeting.

12. Members Announcements without discussion.

This item will be dealt with at the Ordinary Council Meeting.

13. Matters for Which the Meeting May Be Closed

For the convenience of the public, the following Confidential items are identified to be discussed behind closed doors, as the last items of business at this meeting.

14. En Bloc Items

This item will be dealt with at the Ordinary Council Meeting.

15. Minutes of Council Committees and Administrative Liaison Working Groups

15.1 Minutes of the following Committee Meetings (in date order) are to be received:

This is an information item only to receive the minutes of the various meetings held by the Council appointed Committees (N.B. This should not be confused with Council resolving to accept the recommendations of a particular Committee. Committee recommendations that require Council's approval should be presented to Council for resolution via the relevant departmental reports).

This item will be dealt with at the Ordinary Council Meeting.

16. Divisional Reports - Planning & Development Report No's PD35.06.22 to PD41.06.22

16.1 PD35.06.22 Consideration of Development Application – 4 Grouped Dwellings at 24 Clark Street, Nedlands

Meeting & Date	Council Meeting – 28 June 2022
Applicant	Sincerity Building Group Pty Ltd
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff involved in the preparation of this report and the proponents or their consultants.
Report Author	Roy Winslow – Manager Urban Planning
Director	Tony Free – Director Planning and Development
Attachments	1. Aerial Image and Zoning Map 2. Development Plans 3. Architectural Perspective Drawings 4. CONFIDENTIAL ATTACHMENT – Submissions

Purpose

The purpose of this report is for Council to consider a development application for four grouped dwellings at 24 Clark Street, Nedlands.

Recommendation

That Council:

In accordance with Clause 68(2)(b) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, Council approves the development application in accordance with the plans date stamped 5 May 2022 for four (4) grouped dwellings at 24 Clark Street, Nedlands, subject to the following conditions:

1. **This approval relates only to the development as indicated on the approved plans dated 5 May 2022. It does not relate to any other development on this lot and must substantially commence within 2 years from the date of the decision letter.**

2. **All works indicated on the approved plans shall be wholly located within the lot boundaries of the subject site.**

3. **Prior to occupation, walls on or adjacent to lot boundaries are to be finished externally to the same standard as the rest of the development in:**

    a. **Face brick;**

b. Painted render;
c. Painted brickwork; or
d. Other clean finish as specified on the approved plans.

And are to be thereafter maintained to the satisfaction of the City of Nedlands.

4. **Prior to the issue of a building permit, a Construction Management Plan shall be submitted and approved to the satisfaction of the City. The approved Construction Management Plan shall be observed at all times throughout the construction process to the satisfaction of the City.**

5. **The Arborist Report dated 25 February 2022 prepared by CIVICA forms part of this approval. The recommendations contained within the report must be adhered to at all times to the satisfaction of the City of Nedlands.**

6. **Prior to the issue of a building permit, amended plans and documentation are to be submitted demonstrating that the recommendations within the Arborist Report dated 25 February 2022 prepared by CIVICA have been implemented and will be maintained for the duration of the construction process to the satisfaction of the City of Nedlands.**

7. **All stormwater discharge from the development shall be contained and disposed of on-site unless otherwise approved by the City of Nedlands.**

8. **Prior to occupation, landscaping shall be completed in accordance with the approved plans or any approved modifications to the satisfaction of the City of Nedlands. All landscaped areas are to be maintained on an ongoing basis for the life of the development on the site to the satisfaction of the City of Nedlands.**

9. **The street tree proposed to be retained within the verge in front of the lot is to be protected and maintained through the duration of the demolition and construction process to the satisfaction of the City of Nedlands. Should the tree die or be damaged, it is to be replaced with a specified species at the landowner's expense and to the satisfaction of the City of Nedlands.**

Voting Requirement

Simple Majority.

This report is of a quasi judicial nature as it is a matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.

The decision must be made in a manner that is impartial, free from bias, and in accordance with the principles of natural justice. The decision must be made in having regard to the facts of the matter under consideration, and in accordance with the relevant laws and policies as they apply to that matter.

Discretionary considerations and judgments in the decision must be confined to those permitted to be considered under the laws and polices applicable to the matter and given such weight in making the decision as the relevant laws and polices permit them to be given.

Background

Land Details

Metropolitan Region Scheme Zone	Urban
Local Planning Scheme Zone	Residential
R-Code	R60
Land area	911m^2
Land Use	Residential – Grouped Dwellings
Use Class	'P' – Permitted Use

The site is located at 24 Clark Street, Nedlands, 200m south of Stirling Highway and 170m west of Broadway. The site is located on the southern side of Clark Street. The lot is rectangular in shape, has a 20m frontage and a total area of 911m^2. The site slopes down 1.5m from south-west (rear) to the north-east (front).

History
An application for 10 multiple dwellings at the subject site was previously considered at the Joint Development Assessment Panel (JDAP) meeting held on 23 June 2021. The multiple dwellings are three storeys with a roof terrace. The JDAP resolved to approve the application, subject to conditions. This application is still valid but has not been acted upon.

The site has also received conditional subdivision approval from the Western Australian Planning Commission (WAPC) for four lots with a common property vehicle access. The current development application matches the conditional subdivision approval layout for four lots with common property.

Application Details
The application seeks development approval for the construction of four grouped dwellings. All dwellings are two storey and obtain vehicle access from the communal driveway on the west side of the site.

This application was previously presented to Council for determination at the 26 April 2022 Ordinary Council Meeting. At the agenda forum meeting, the Council requested additional information and plans from the applicant. The application was deferred to the 28 June 2022 Council Meeting to allow the applicant to prepare the requested information. Amended plans were received on 5 May 2022 including the following changes and additional information on the plans:

- Reduction in the height of the retaining wall from 0.95m to 0.7m along the eastern lot boundary of Unit 1.
- Reduction in the height of the retaining wall from 0.6m to 0.5m along the eastern lot boundary of Unit 4.

- A set of elevations to all lot boundaries showing the elevations of all four units.
- Dividing fencing is proposed to 1.8m high, on top of the proposed retaining.

Discussion

Assessment of Statutory Provisions
If a proposal does not satisfy the deemed to-comply provisions of the State Planning Policy 7.3: Residential Design Codes (R-Codes), Council is required to exercise a judgement of merit to determine the proposal against the design principles of the R-Codes. The R-Codes require the assessment to consider the relevant design principle only and to not apply the corresponding deemed-to-comply provisions. It is recommended that the application be approved by Council as it is considered to satisfy the design principles of the R-Codes. Further, it is considered unlikely that the development will have a significant adverse impact on the local amenity and character of the locality.

Local Planning Scheme No. 3
Schedule 2, Clause 67(2) (Consideration of application by Local Government) – identifies those matters that are required to be given due regard to the extent relevant to the application. Where relevant, these matters are discussed in the following sections. Overall, the development is considered to meet these objectives, particularly in regard to height, scale, bulk and the potential impact it will have on the local amenity.

Sustainability
It is noted that there are no sustainability initiative requirements for this development at the current time. However, the development proposes the following initiatives for sustainability:

- All dwellings will have a minimum energy rating of 7 stars.
- Dwellings will be provided with solar panels at the building permit stage.
- The landscape plant species are Australian natives which will require less watering.

State Planning Policy 7.3 - Residential Design Codes – Volume 1
The R-Codes apply to all single and grouped dwelling developments. An approval under the R-Codes can be obtained in one of two ways. This is by either meeting the deemed-to-comply provisions or via a design principle assessment pathway.

The proposed development is seeking a design principle assessment pathway for parts of this proposal. Council is requested to consider the design principles relating to visitor parking and site works (retaining walls). As required by the R-Codes, Council, in assessing the proposal against the design principles, should not apply the corresponding deemed-to-comply provisions.

Clause 5.3.3 – Parking
The design principles provide for adequate on-site parking, with consideration given to a reduction in parking based on the site's proximity to public transport and available street parking. The development does not propose any visitor parking spaces due to the following reasons:

- The land has been previously subdivided into the four strata lots and common property that is reflected in the current development plans. The Western Australian Planning Commission granted conditional subdivision approval on 24 November 2020. No provision was made in the common property area for visitor parking.
- At the time of subdivision approval, the R-Codes did not require a visitor parking space where up to four dwellings were served by a single driveway. The current requirement for 1 visitor parking space was implemented on 2 July 2021, after the subdivision was approved.
- There is no ability to retrospectively apply a visitor parking requirement given subdivision approval has been granted to the subdivision and common property arrangements shown on the development plans.
- A total of 8 car parking spaces are provided in the development (2 spaces per dwelling). The deemed-to-comply provisions of the R-Codes require 5 spaces (1 per dwelling plus 1 visitor space).
- The site is located approximately 200m from multiple high frequency bus routes, including the Purple CAT, which operates on a 10-minute frequency 7am-7pm Monday-Friday along Broadway. Given UWA and the QEII Medical Centre are located in close proximity, the overall level of public transport coverage and frequency is excellent in relative terms.

Clause 5.3.7 – Site Works
The development proposes a maximum 0.7m high retaining wall along the eastern side and 0.6m high along the front lot boundaries. The design principles provide for retaining walls which allow the land to be effectively used for the benefit of the residents, without detrimentally affecting adjoining properties. The retaining wall proposed meets the design principles for the reasons outlined below:

- The site slopes down 1.5m from south-west (rear) to the north-east (front). The design of the development considers this slope, with all the finished floor levels of the units being stepped down to respond to the natural slope of the land.
- Along the eastern lot boundary, where the land is lower, retaining ranges from 0.5m to 0.7m in height, following the natural ground level of the site. In order to create a level area, the retaining is highest at the north-eastern corner of the lot where the ground level is at its lowest.
- The retaining walls along the eastern lot boundary allow the land to be effectively used for outdoor living areas for the units.
- The retaining along the front lot boundary allows for the effective use of the land for landscaping. The retaining wall along the front boundary is unlikely to detrimentally affect the streetscape. Landscaping within the front setback area will improve the streetscape amenity of the development.

Consultation

The development application was advertised in accordance with the City's Local Planning Policy - Consultation of Planning Proposals to 34 adjoining properties. The application was advertised for a period of 14 days from 21 January 2022 to 4 February 2022. At the close of the advertising period, three submissions were received. Two submissions stated objections and one submission stated no objections to the proposal.

The following is a summary of the concerns/comments raised and the Administration's response and action taken in relation to each issue:

1. Concerns regarding the height of the retaining
   Amended plans have reduced the height of the retaining walls as discussed above. The development proposal is seeking a judgement of merit for the retaining. Please see above for the Design Principles assessment on retaining.

2. Concerns regarding the lack of a designated visitor car parking bay within the site.
   The development proposal is seeking a judgement of merit for the visitor car parking. Please see above for the Design Principles assessment on visitor car parking. It is noted that the WAPC approved the subdivision without the provision of a visitor car parking bay as there was no requirement for one to be provided at the time of the decision.

3. Concerns regarding the setbacks proposed to Clark Street
   Amended plans were received after the advertising process to provide increased setbacks to Clark Street. The proposal now meets the deemed-to-comply provisions of the R-Codes relating to the primary street setback.

4. Request for additional landscaping to be provided within the rear setback area.
   Amended plans were submitted by the applicant prior to the previous Council meeting to provide additional landscaping within the rear setback area, including 1 Kanooka Gum Tree, 2 Magnolia Teddy Bear Trees and 5 Dwarf Magnolias. The proposal exceeds the deemed-to-comply provisions of the R-Codes relating to landscaping, which only calls for 1 tree per dwelling.

5. The existing fences are low and will result in impacts upon privacy and request to provide higher fencing to assist with privacy.
   The development proposes 1.8m high Colourbond fencing on top of the retaining walls. Dividing fencing is typically 1.8m in height. The overall height of the dividing fence on top of the retaining along the eastern lot boundary will be up to 2.5m in height when measured from the adjoining property due to the lower ground level.

6. Concerns about the loss of privacy and amenity from the alfresco of Unit 4 as the alfresco is close to the lot boundary.
   The alfresco of Unit 4 is not elevated more than 0.5m above natural ground level and therefore meets the deemed-to-comply provisions of the R-Codes relating to setbacks and visual privacy. The overall height of the dividing fence on top of the retaining will provide additional privacy to adjoining residents.

7. Request for an arborist report to be prepared for the proposed development.
The applicant submitted an arborist report on 25 February 2022 as requested by adjoining landowners through the consultation process. The City has no legislative ability to require or approve an arborist report for applications under Volume 1 of the R-Codes. In this instance, the landowner of the subject site has agreed for the City to condition that the arborist report forms part of the determination materials of the proposal.

Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan.

Vision Our city will be an environmentally-sensitive, beautiful and inclusive place.

Values **Great Natural and Built Environment**

We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

Priority Area Urban form – protecting our quality living environment

Budget/Financial Implications

N/A.

Legislative and Policy Implications

Council is requested to make a decision in accordance with clause 68(2) of the Deemed Provisions. Council may determine to approve the development without conditions (cl.68(2)(a)), approve with development with conditions (cl.68(2)(b)), or refuse the development (cl.68(2)(c)).

Decision Implications

If Council resolves to approve the proposal, development can proceed after receiving a Building Permit and necessary clearances.

In the event of a refusal, the applicant will have a right of review to the State Administrative Tribunal. The Tribunal will have regard to the R-Codes as a State Planning Policy. Similarly, should an applicant be aggrieved by one or more conditions of approval, this can be reviewed by the Tribunal.

If Council resolves to refuse the proposal, the site still holds a valid approval for the development of 10 multiple dwellings.

Conclusion

The application for four grouped dwellings has been presented for Council consideration due to objections being received. The proposal is considered to meet the key amenity related elements of R-Codes Volume 1 and, as such, is unlikely to have a significant adverse impact on the local amenity of the area. The proposal has been assessed and satisfies the design principles of the R-Codes in relation to being consistent with the immediate locality and streetscape character.

The objections received relate primarily to street setbacks, landscaping, visitor parking and retaining. Amended plans have addressed the street setbacks and landscaping. An assessment against the design principles for visitor parking and retaining has identified that the proposal can be supported given the characteristics and location of the site.

Accordingly, it is recommended that the application be approved by Council, subject to conditions of Administration's recommendation.

Further Information

N/A

16.2 PD36.06.22 Comment on State Development Assessment Unit Application for Children's Hospice Development at 61 (Lot 503) Clement Street, Swanbourne

Meeting & Date	Council Meeting – 28 June 2022
Applicant	Western Australian Planning Commission
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff involved in the preparation of this report and the proponents or their consultants.
Report Author	Roy Winslow – Manager Urban Planning
Director	Tony Free – Director Planning and Development
Attachments	1. Location Plan 2. Development Plans 3. Notice of Classification Letter from DWER

Purpose

The purpose of this report is for Council to provide its comments to the State Development Assessment Unit (SDAU) of the Western Australian Planning Commission (WAPC) on a development application at 61 Clement Street, Swanbourne (formerly portion of Allen Park). The application proposes the development of a Children's Hospice.

Recommendation

That Council

A. Recommends the State Development Assessment Unit have the submitted Bushfire Management Plan reviewed by an appropriately qualified assessor to ensure the assumptions and recommendations are correct and consistent with the requirements of bushfire regulations, with any further recommendations implemented prior to issue of a building permit.

B. Advises the State Development Assessment Unit that the City of Nedlands does not support clearance of native vegetation outside the lot boundaries. Should the revised Bushfire Management Plan require clearance of native vegetation outside the lot boundaries, the building permit plans should be revised to minimise or avoid this.

C. Recommends the Transport Impact Statement submitted be revised to provide additional detail explaining how the trip generation of 40 vehicle trips per hour maximum was derived, including detail on the number of daily patients expected to use the hydrotherapy service and the level of other outpatients and associated staff/practitioners who will be visiting the Hospice on a daily basis, with any further recommendations implemented prior to issue of a building permit.

D. Advises the State Development Assessment Unit that it supports the proposed Children's Hospice at 61 Clement Street, Swanbourne as outlined in the development plans date stamped 26 April 2022 (Attachment 2) and recommends the following conditions be considered for any approval granted by the Western Australian Planning Commission:

Demolition and Construction

1. **Prior to the issue of a demolition permit and/or a building permit, a Demolition or Construction Management Plan (as appropriate) shall be submitted and approved to the satisfaction of the City. The approved Demolition and Construction Management Plans shall be observed at all times throughout the demolition and construction process to the satisfaction of the City of Nedlands.**

2. **Prior to the issue of a building permit, amended plans are to be submitted showing conservation fencing which matches the existing fencing to the east of the site, installed around the site boundaries to demarcate the bushland protection zone to the satisfaction of the City of Nedlands.**

3. **All stormwater generated on site is to be retained on site. An onsite storage/infiltration system is to be provided within the site for a 1 in 100-year storm event. No stormwater will be permitted to enter the City of Nedlands' stormwater drainage system unless otherwise approved.**

4. **The development is required to provide access to buildings for people with disabilities in accordance with the National Construction Code Building Code of Australia, AS1428.1 and Disability (Access to Premises – Buildings) Standards 2010. Detailed drawings are to be submitted with the Building Permit application identifying means of access from carparking areas to the entrance of the building and throughout the building, as required by AS1428.1 and the Disability (Access to Premises – Buildings) Standards 2010.**

5. **Prior to the issue of a building permit, a Construction Environmental Management Plan is to be prepared and approved by the Western Australian Planning Commission on advice of the City of Nedlands. The plan should address:**

    a. **Any unexpected finds during excavation and other soil disturbing works;**
    b. **Implementation of an unexpected finds protocol to manage any remnant asbestos fragments should they emerge from garden soils in the future; and**
    c. **Consideration of ground gases for the underground car park.**

    The approved Management Plan is to be adhered to for the duration of the construction process.

Sustainability

6. **The initiatives and recommendations contained within the Norman Disney and Young Sustainability Strategy dated received 26 April 2022, or any approved modifications, are to be carried out and maintained for the lifetime of the development to the satisfaction of the City of Nedlands.**

Noise

7. **All Noise control requirements and recommendations contained within the Marshall Day Acoustic Report dated 26 April 2022 for the development to achieve compliance with the Environmental Protection (Noise) Regulations are to be adopted. Where any changes outside of these recommendations are proposed or where equipment specifications and locations could not be determined at the design stage for accurate noise modelling, assessment by an acoustic consultant is to be completed to confirm compliance with the Regulations.**

Landscaping

8. **Prior to issue of a building permit, a detailed landscaping plan is to be approved by the Western Australian Planning Committee on advice of the City of Nedlands. The landscaping is to be consistent with the approved Bushfire Management Plan, installed prior to occupation, and maintained for the life of the development.**

9. **Prior to occupation, an all-abilities path is to be provided from the building to the pedestrian path located to the north, in order to facilitate access to the beach, to the satisfaction of the City of Nedlands.**

Bushfire

10. **Prior to the issue of a building permit, the development is to demonstrate compliance with the Developer/Landowner Management Actions in part 6 of the Bushfire Management Plan prepared by emerge date received 26 April 2022 or any approved modifications. Recommendations are to be implemented prior to occupation and maintained for the life of the development.**

Waste

11. **Prior to the issue of a building permit, an amended Waste Management Plan is to be submitted and approved by the City of Nedlands. The amendments are to demonstrate:**

    a. **Waste truck entry and exit diagram;**
    b. **Waste truck height clearance is sufficient, including sectional demonstrating vertical clearance;**
    c. **Risk assessment of the waste collection demonstrating safety due to the waste truck blocking traffic from entering and exiting during collection.**

Parking

12. **Prior to the issue of a building permit, an amended Transport Impact Statement is to be submitted and approved by the City of Nedlands. The amendments are to demonstrate:**

    a. **Plans in the report to match the approved plans or any approved modifications.**
    b. **Swept paths are to demonstrate no conflicts with walls or encroachment over kerbs; and**
    c. **All swept paths should include egress movements from the respective loading bays/areas.**

Voting Requirement

Simple Majority.

Background

Background to Application
Western Australia does not currently have a dedicated paediatric hospice facility and typically hospitals and in-home care services have performed this role. Given WA's growing population it has been identified that a purpose-built facility is needed to improve existing services. Life limiting child illness is an emotionally distressing experience which can overwhelm the focus of the family unit. The proposed Hospice is intended to provide reprieve from this through providing a calm, caring, and relaxing environment which allows for families to connect with each other, and with other families going through similar experiences.

In 2020 the City of Nedlands received notice from the Perth Children's Hospital Foundation that it intended to build and operate a Children's Hospice at 61 Clement Street, Swanbourne (formerly a portion of Allen Park). The proposal was supported by the State Government and in September 2020 the Department of Planning Lands and Heritage (DPLH) placed a Public Notice in The West Australian newspaper noting the creation of a new 5,000m^2 lot within Allen Park, known as Lot 503 (**Attachment 1**).

Land Tenure
The Hospice is proposed to be located on Lot 503 which is a Crown land title subject to a management order vested to the Child and Adolescent Health Service. The conditions of the management order note that lot 503 is "to be utilised for the designated purpose of 'Children Hospice' only".

Lot 503 obtains vehicle access to Odern Crescent via Lot 504, which is a Crown land title subject to a management order vested to the City of Nedlands for the purpose of public access. A condition of the management order for lot 504 states that "the management body will provide unrestricted access to adjoining Lot 503 on Deposited Plan 410572, except in situations that warrant temporary closure for emergency purposes". The balance of Allen Park, Lot 502, remains subject to a management order vested to the City of Nedlands.

Development Proposal

The application seeks development approval for the construction of a two-storey Children's Hospice at 61 (Lot 503) Clement Street, Swanbourne. The development plans are included at **Attachment 2**. The proposed Hospice facility includes:

- Seven children's bedrooms;
- Three family apartment suites;
- 40 car bays and one bus bay;
- 20 bicycle bays and two ends of trip facilities;
- Therapy rooms and hydrotherapy pool;
- Communal kitchen, dining, lounge and play areas;
- Bereavement suite; and
- Administration offices, meeting rooms and staff facilities.

In addition to providing respite accommodation on site, the Hospice will provide outreach care and support services. This involves primarily office type functions, with carers working from the hospice site to connect children residing regionally with medical specialists and care workers locally.

Discussion

Metropolitan Region Scheme (MRS)
The site is reserved for 'Parks and Recreation' under the MRS. The Management order over Lot 503 include that it is "To be utilised for the designated purpose of 'Children's Hospice' only". The proposed use is consistent with the Management order.

City of Nedlands Local Planning Scheme No. 3 (LPS 3)
The site is an MRS reserve and is not zoned by the City's LPS 3. Thereby the provisions of LPS 3 are not applicable to the site.

Allen Park Master Plan
The Allen Park Master Plan was endorsed by Council in 2017 to provide a long-term plan for the sustainable development of the Allen Park precinct. Lot 503 is within the "Sports Precinct" of the masterplan. It is acknowledged that the proposed Children's Hospice is a departure from the intent of the sports precinct of the masterplan. A review of the Allen Park Master Plan will likely need to be undertaken in the future to reflect the Hospice development if approved.

State Planning Policy 3.7: Planning for Bushfire Prone Areas (SPP 3.7)
The site is located within a Bushfire Prone Area. The applicant has provided a Bushfire Management Plan (BMP) prepared by Emerge Associates. The BMP indicates that the Bushfire Attack Level (BAL) rating of the site is BAL-29. In accordance with SPP 3.7, development in areas with a BAL between BAL-12.5 to BAL-29, will not be supported unless accompanied by a BMP jointly endorsed by the local government and the State authority for emergency services.

The BMP includes a number of recommendations to ensure the building meets the requirements for a BAL-29 site. The document also includes a Bushfire Emergency Evacuation Plan. It is noted that the landscaping plan includes new vegetation that does not appear to have been accounted for in the BMP, notably around the perimeter of the site. The requirements in the BMP are recommended as a condition of approval, with an amended landscaping plan being approved that meets the BMP requirements (see below for further landscaping discussion).

Potential discrepancies have been identified in the report, including:

- Possible conflict between landscaping plans and fireload and the need to maintain non-vegetated areas; and
- Unclear whether bushland on the eastern boundary will need to be cleared to install a fire break.

It is recommended that the WAPC seek a peer review of the Emerge Associates BMP or have the plan reviewed by DFES prior to determination of the application.

Contaminated Site

The site had previously been a classified as “Possibly contaminated – investigation required” under the *Contaminated Sites Act 2003*. This classification existed due to the larger land parcel comprising Allen Park Reserve containing municipal waste. A report provided by Galt Environmental notes that Lot 503 in isolation is suitable for reclassification as ‘Decontaminated’ under the *Contaminated Sites Act 2003*. On 10 March 2022 the site was formally reclassified as “Decontaminated” by the Department of Water and Environmental Regulation (DWER) (**Attachment 3**). The notice of classification states that “the site is suitable for unrestricted use, including sensitive uses such as residential, primary schools and childcare centres”.

The DWER’s classification notice recommends the following actions:

1. A Construction Environmental Management Plan should be prepared to address any unexpected finds during excavation and other soil disturbing works.
2. As a further precautionary measure, the owner/occupier may wish to implement an unexpected asbestos finds protocol to manage any remnant asbestos fragments, should they emerge from garden soils in the future.
3. Consideration should be given to the generation of ground gases, where basements or underground car parks are proposed to be constructed at the site as part of the proposed redevelopment.

The above have been included as recommended conditions of approval (see Condition 5).

A further geotechnical assessment has been undertaken by Galt Environmental as part of this application which concludes the site is geotechnically capable of supporting the proposed development, subject to normal construction and design measures being undertaken.

Car Parking and Access

As the site is an MRS reserve, the City's Parking Local Planning Policy (LPP) is not applicable. Notwithstanding a high-level assessment against the LPP is provided to offer general guidance and context.

A Hospice is best classified as a 'Hospital' land use, which requires a car parking ratio of 12 car bays, or one car bay for every four beds, whichever is the greater. The application proposes 10 "beds" (sevens children's rooms and three family suites), which would require 12 bays, in accordance with the LPP. The application proposes a total of 40 car bays (36 standard bays and four-day visitor bays).

The car parking area is within a basement level and is concealed from view from the public domain. In this regard the over provision of car parking is not considered to have any impact on visual amenity. The proposed car parking provision is considered satisfactory and is supported.

In addition to car parking, 20 bicycle parking bays and two end of trip facilities are proposed. The provision of facilities for alternate forms of transportation, especially for staff, is supported.

The City has reviewed the applicant's Transport Impact Statement (TIS) and notes the following:

- The swept path diagrams do not match the current DA plans and appear to show conflicts with walls and encroachment over kerbs.
- Swept paths showing access and egress movement to the bus bay should be included; and
- All swept paths should include egress movements from the respective loading bays/areas.

Should the development be approved, a condition is recommended that the TIS is amended to address the above points as a condition of any approval (see condition 12).

Further, the City notes that no detail is provided within the TIS to explain how the trip generation of 40 vehicle trips per hour maximum was derived. It is recommended that discussion on this matter is provided, with any further recommendations implemented prior to issue of a building permit (see recommendation C).

Design

The building is architecturally designed to respectfully integrate with the surrounding natural landscape. The design comprises a combination of timber, stone, render and concrete cladding, which contrasts with large spans of external glass. The design is considered to sit well within the landscape and is appropriate for the site. The application has already been reviewed once by the State Design Review panel, with another review planned. The design may be subject to further refinement.

No permanent conservation fencing is indicated on the plans to separate the proposed Hospice from the bushland protection zone around it. Should the development be approved, a condition is recommended that fencing matching the existing fence to the eastern side of the lot, be installed around the site boundaries to demarcate the bushland protection zone (see Condition 2).

Landscaping

The submitted Landscape Plan is a concept plan that does not indicate tree or plant species and includes plans for a Community Open Space and walking paths that are outside of the boundaries of the lot. Further, the concept plan includes a number of trees straddling the boundary of the lot and which may conflict with the requirements of the Bushfire Management Plan. A condition of approval is recommended requiring a detailed landscaping plan be submitted that includes:

- Use of local provenance plant species that occur within the surrounding bushland area.
- Plant pathogen management including:
  - The use of Australian Standard AS 4454 Composts, Soils Conditioners and Mulches;
  - Cleaning/sterilising machinery, tools and equipment before accessing the site; and
  - Using plant stock sourced from a nursery with accreditation from Nursery Industry Accreditation Scheme Australia (NIASA).

The Landscape Plan should also be compatible with the requirements of the Bushfire Management Plan. Should the development be approved, a condition is recommended to ensure the landscaping is consistent with the approved Bushfire Management Plan, installed prior to occupation, and maintained for the life of the development (see Condition 8).

Waste Management

The applicant has provided a Waste Management Plan (WMP) prepared by Encycle Consulting. The WMP confirms that the development will be serviced by a waste collection service provider under the State Government's Common Use Agreement. The City's Waste Services concludes that the WMP is capable of meeting the City's waste guidelines subject to confirmation or updating of the plan to address the following:

- Waste truck entry and exit diagram;
- Waste truck height clearance is sufficient, including sectional demonstrating vertical clearance;
- Risk assessment of the waste collection demonstrating safety due to the waste truck blocking traffic from entering and exiting during collection.

An amended Waste Management Plan is recommended to be included as a condition of any approval (see Condition 11).

Sustainability

The applicant has provided a Sustainability Strategy report provided by consultants Norman Disney and Young. The report indicates a number of initiatives which the proposal can undertake to ensure ongoing minimisation of energy consumption and improvement of environmental quality. Should the development be approved, a condition is recommended to

ensure the initiatives within the report are carried out and maintained for the lifetime of the development (see Condition 6).

Consultation

Community engagement was conducted prior to the lodgement of the development application, including an advisory group, the Site Assessment Working Group (SAWG), chaired by councillors from the City of Nedlands and comprised of community members and stakeholders. The recommendations from the SAWG and Administration comment are as follows:

That the Site Assessment Working Group Recommends to Council that:

a. The WAPC be requested to ensure that no clearing be required to be undertaken outside of Lot 503 as a result of the proposed Hospice, in order to meet bushfire management requirements.

   Recommendation B of this report is to advise the SDAU that the City does not support clearance of native vegetation outside the boundaries of Lot 503. Should any revised BMP require clearance of native vegetation outside the lot boundaries, the building permit plans should be revised to minimise or avoid this.

b. The WAPC requested to ensure that the existing public path to the North be used as the appropriate emergency vehicle access to the west of the Lot 503 for use in emergencies.

   The Bushfire Emergency Evacuation Plan provided indicates that the single access point is acceptable, and an alternate emergency vehicle access point to the west is not required. Notwithstanding, recommendation A of this report is to request that the BMP be reviewed by an appropriately qualified assessor to ensure the assumptions and recommendations are correct and consistent with the requirements of bushfire regulations.

c. The WAPC be requested to confirm the number of daily patients expected to use the hydrotherapy service and the level of other outpatients and associated staff/practitioners who will be visiting the Hospice on a daily basis and for this to be reflected in the Traffic Impact Statement and the provision of car parking.

   It is noted that no detail is provided within the TIS to explain how the trip generation of 40 vehicle trips per hour maximum was derived. It is recommended that discussion on this matter is provided, including detail on the number of daily patients expected to use the hydrotherapy service and the level of other outpatients and associated staff/practitioners who will be visiting the Hospice on a daily basis, with any further recommendations implemented prior to issue of a building permit (see recommendation C).

d. The WAPC seek clarification to ensure that the access arrangements are appropriate in the case of a medical emergency.

The TIS indicates that the swept paths provided are appropriate for ambulance access. As part of the application process the proposal has also been referred to Department of Fire and Emergency Services (DFES) and Department of Health. These agencies are equipped to provide advice to the WAPC on appropriate access arrangements in the case of a medical emergency.

e. The WAPC seek clarification as the extent and form of fencing of the site.

   Should the development be approved, a condition is recommended that fencing matching the existing fence to the eastern side of the lot, be installed around the site boundaries to demarcate the bushland protection zone (see Condition 2).

f. The WAPC be requested to impose a condition on the approval requiring that an all-abilities path be provided from the building to the pedestrian path located to the north in order to facilitate access to the beach to the satisfaction of the City of Nedlands.

   Should the development be approved, a condition is recommended that that an all-abilities path be provided from the building to the pedestrian path located to the north in order to facilitate access to the beach to the satisfaction of the City of Nedlands (see Condition 9).

That the Site Assessment Working Group Recommends to Council that:

a. The following elements of the Allen Park Precinct Master Plan be prioritised – Element No. 9 – New Formalised parking (Rugby Overflow) and Element No. 7 – Raised traffic calming and crosswalks X 3 to improve the access and egress into the precinct.
b. Review relevant aspects of APMP including the budget line items and target dates for funding, so that appropriate State and Commonwealth funding can be accessed in the wake of this children's health and wellbeing facility.
c. Should the site no longer be used as a Hospice seek advice on how the City could make presentation to Minister to modify Management Order in favour of a return to Class A reserve.
d. As part of future budget process gives consideration to improve the areas identified as number 10 and 26 on the Allen Park Master Plan dated 2017.

The City was not required to conduct public consultation as part of this development application. Public consultation was conducted by the State Development Assessment Unit between 29 April 2022 and 27 May 2022. All submissions received will be considered by the SDAU when making its recommendation to the Western Australian Planning Commission as the decision maker.

Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan.

Vision Our city will be an environmentally-sensitive, beautiful and inclusive place.

Values **Great Natural and Built Environment**
We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

Priority Area Urban form - protecting our quality living environment

Budget/Financial Implications

N/A

Legislative and Policy Implications

The City is not required to make a quasi-judicial decision in this case. The decision maker is the WAPC as the land is reserved by the Metropolitan Region Scheme and the application has been made through the State Development Assessment Unit pathway.

Decision Implications

Council is providing non-binding comments to the State Development Assessment Unit. The SDAU will prepare a planning assessment and recommendation to the Western Australian Planning Commission for a final determination. As Council is not the decision-maker, it will not be party to any future State Administrative Tribunal matter, should the proponent be aggrieved by the decision.

Conclusion

Council is requested to provide comment to the WAPC on the proposed redevelopment of a Children's Hospice at 61 (Lot 503) Clement Street, Swanbourne.

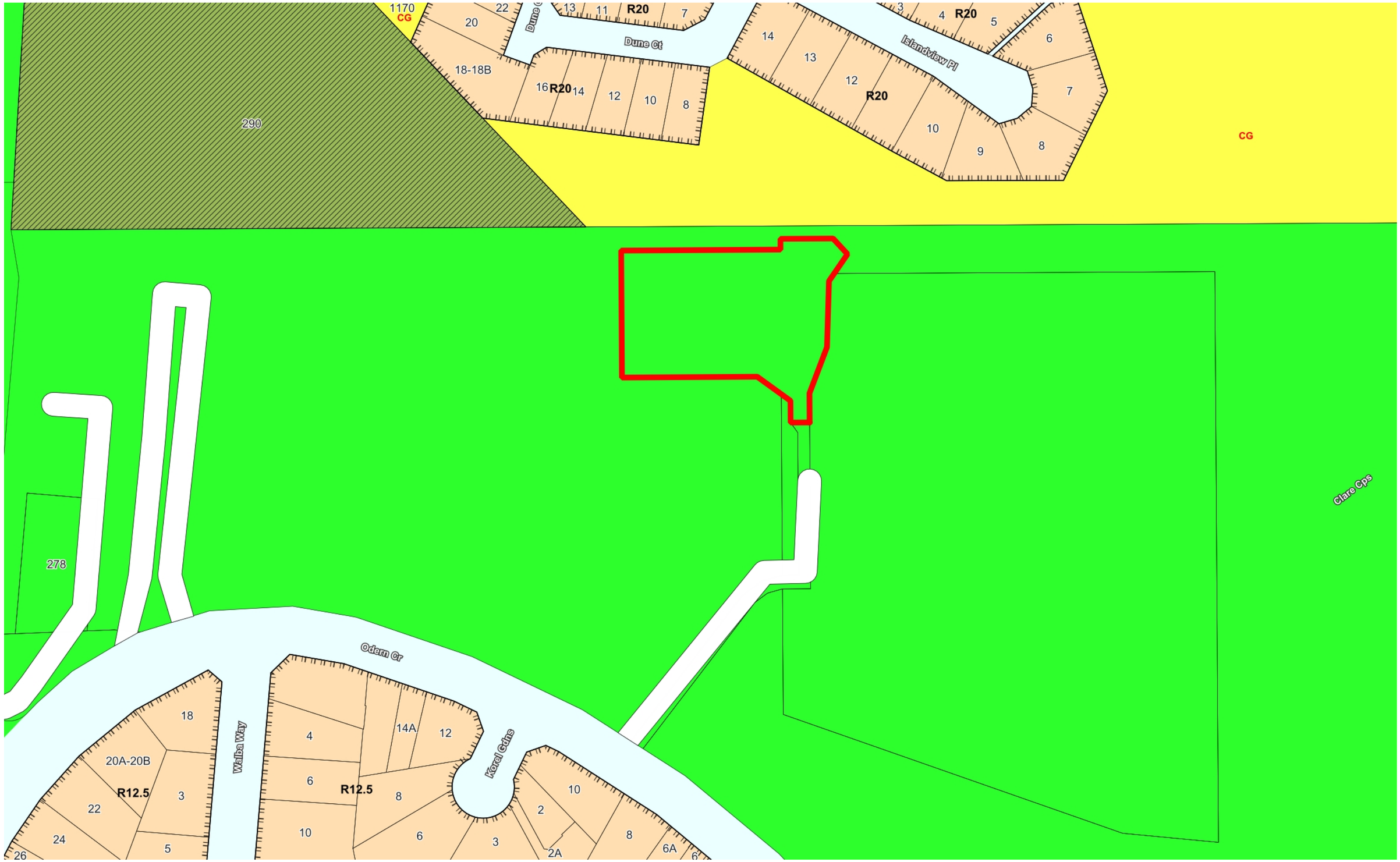
Administration recommends that Council provides support to the development application, subject to conditions.

Further Information

N/A



City of Nedlands	The City of Nedlands accepts no responsibility for the accuracy of this image or the results of any actions taken when using this image	61 (Lot 503) Clement Street - Aerial Map	19/05/2022 1:1500	N



City of Nedlands	The City of Nedlands accepts no responsibility for the accuracy of this image or the results of any actions taken when using this image	61 (Lot 503) Clement Street - Zoning Map	19/05/2022 1:1500	N

PD36.06.22 - Attachment - 2

DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 26-Apr-2022
FILE SDAU-051-21

Hassell

WA CHILDREN'S HOSPICE

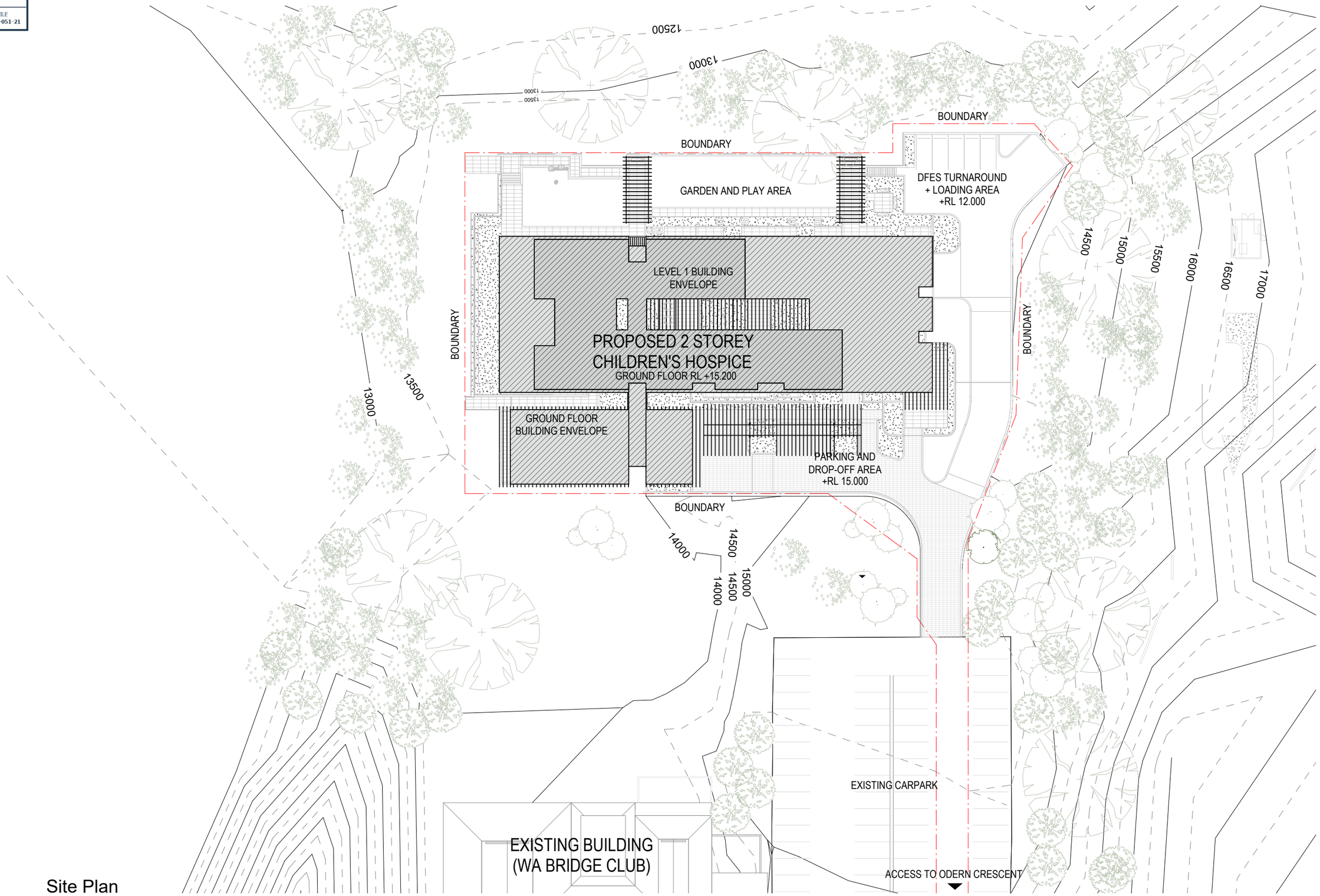
ARCHITECTURAL DRAWINGS

014940
WA Children's Hospice

Prepared for
Perth Children's Hospital Foundation

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APRIL 2022

DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 26-Apr-2022
FILE SDAU-051-21



Site Plan

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perth@hassellstudio.com

REFERENCE

0m 5m 10m 15m 20m

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REV	DESCRIPTION	DATE
A	SDAU DEVELOPMENT APPLICATION	02/12/2021
B	FOR INFORMATION	31/01/2022

CLIENT
PCHF

PROJECT
WA Children's Hospice

Odern Crescent, Swanbourne

STATUS
Development Application

DRAWING TITLE
Site Plan

REVIEWED JF

APPROVED MR

SCALE @ A2 1 : 400

PROJECT NO. 014940

DRAWING NO. SK_0010

REV NO. B

DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 26-Apr-2022
FILE SDAU-051-21



Basement Plan

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REV	DESCRIPTION	DATE
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B	FOR INFORMATION	31/01/2022

CLIENT
PCHF

PROJECT
WA Children's Hospice

Odern Crescent, Swanbourne

STATUS
Development Application

DRAWING TITLE
Basement Plan

REVIEWED JF
APPROVED MR
DRAWING NO. SK_0020
SCALE @ A2 1 : 200
PROJECT NO. 014940
REV NO. B

DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 26-Apr-2022 FILE SDAU-051-21



Ground Floor Plan

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B	FOR INFORMATION	31/01/2022

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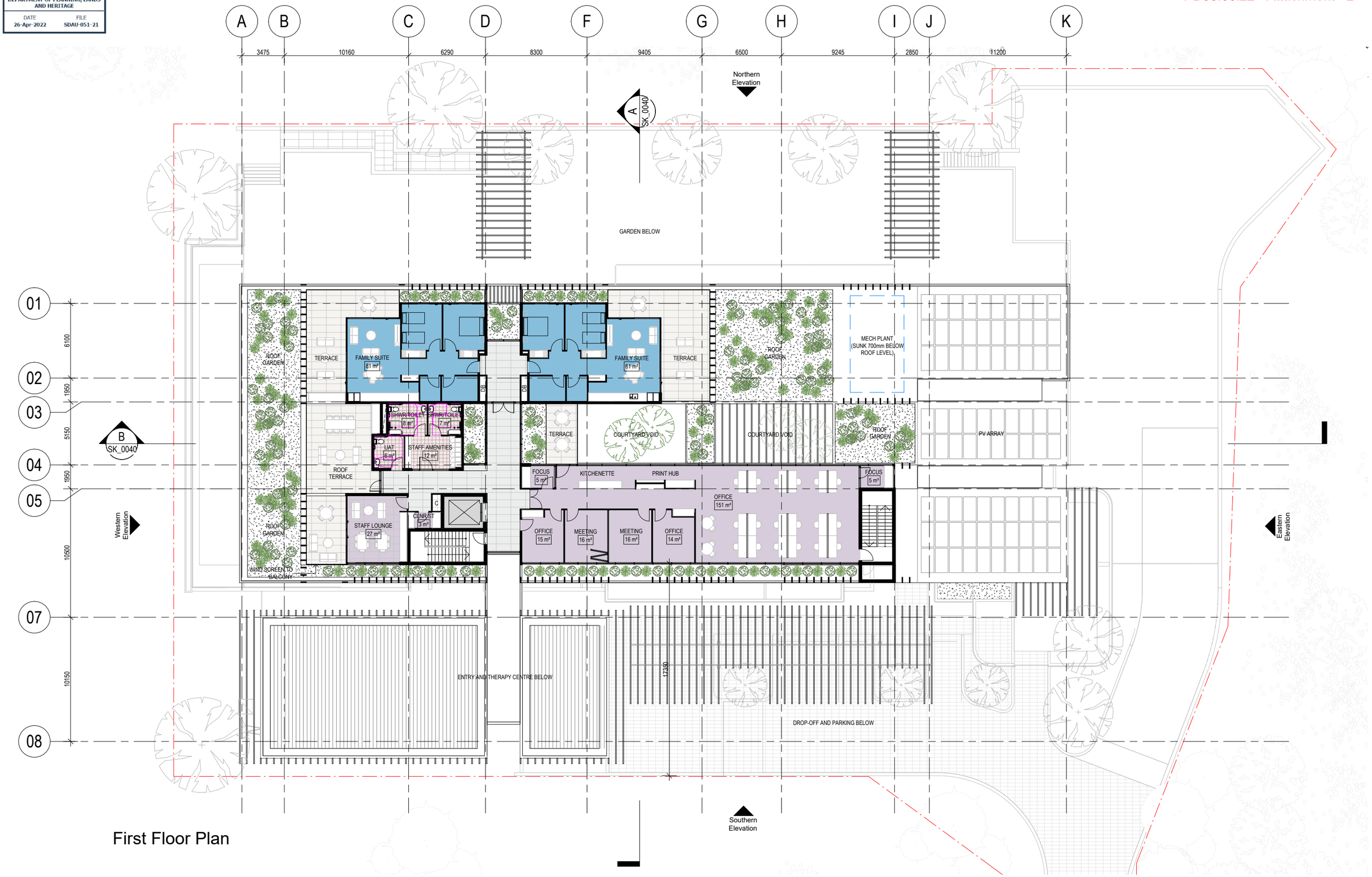
PROJECT
WA Children's Hospice
Odern Crescent, Swanbourne

STATUS
Development Application

DRAWING TITLE
Ground Floor Plan

REVIEWED JF
APPROVED MR
DRAWING NO. SK_0021
SCALE @ A2 1 : 200
PROJECT NO. 014940
REV NO. B

DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 26-Apr-2022
FILE SDAU-051-21



First Floor Plan

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CLIENT
PCHF

PROJECT
WA Children's Hospice

Odern Crescent, Swanbourne

STATUS
Development Application

DRAWING TITLE
Level 1 Plan

REVIEWED JF

APPROVED MR

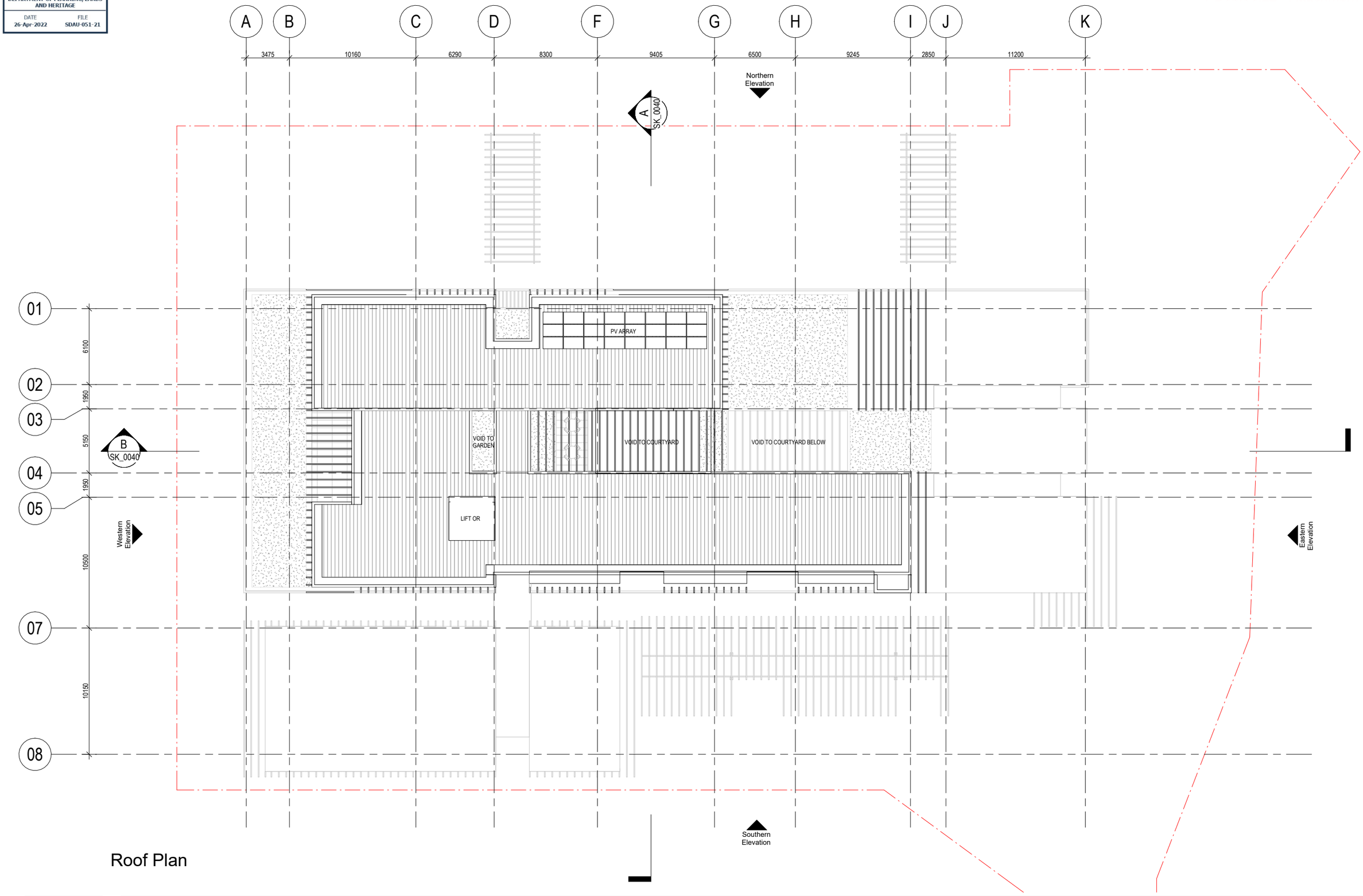
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SCALE @ A2 1 : 200

PROJECT NO. 014940

REV NO. B

DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 26-Apr-2022
FILE SDAU-051-21



Roof Plan

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B	FOR INFORMATION	31/01/2022

CLIENT
PCHF

PROJECT
WA Children's Hospice

Odern Crescent, Swanbourne

STATUS
Development Application

DRAWING TITLE
Roof Plan

REVIEWED
JF

APPROVED
MR

DRAWING NO.
SK_0023

SCALE @ A2
1 : 200

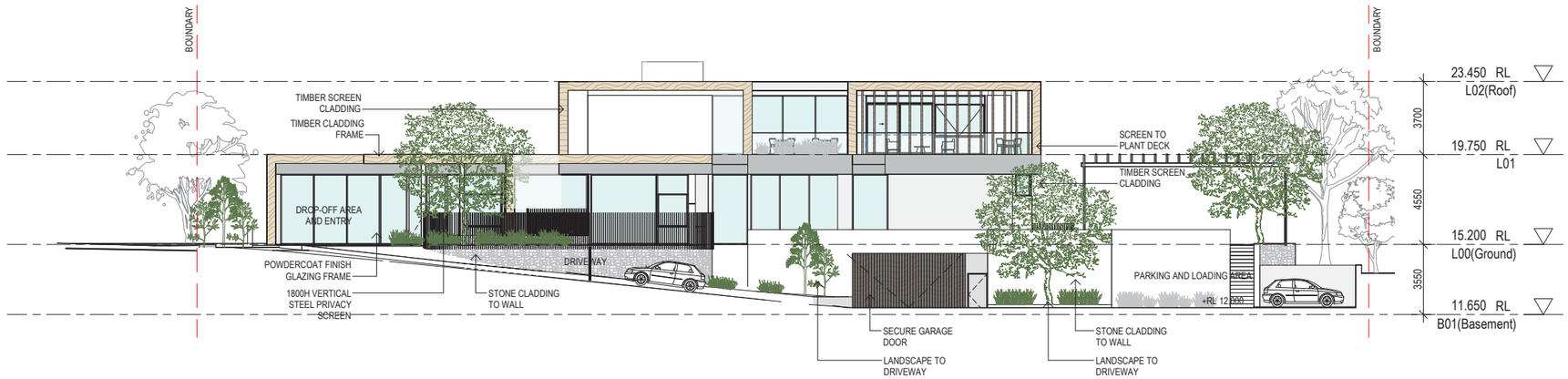
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014940

REV NO.
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DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 26-Apr-2022
FILE SDAU-051-21



Northern Elevation



Eastern Elevation

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B	FOR INFORMATION	01/02/2022

CLIENT
PCHF

PROJECT
WA Children's Hospice

Odern Crescent, Swanbourne

STATUS
Development Application

DRAWING TITLE
Elevations 01

REVIEWED
JF

APPROVED
MR

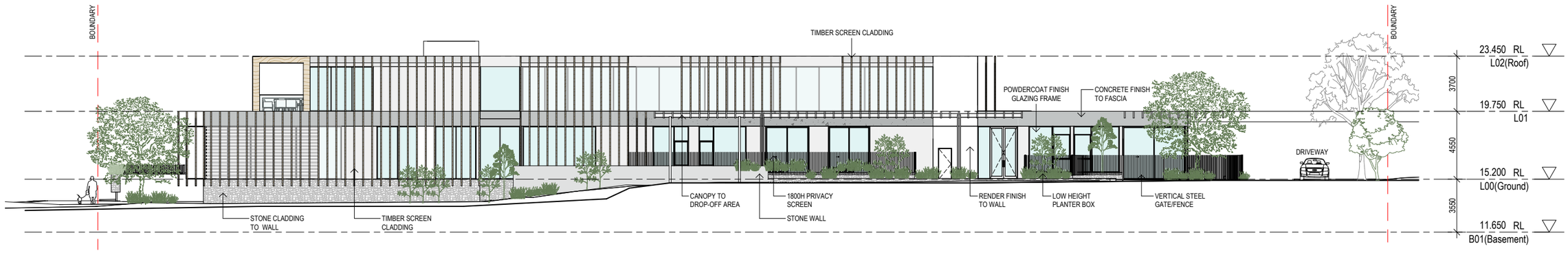
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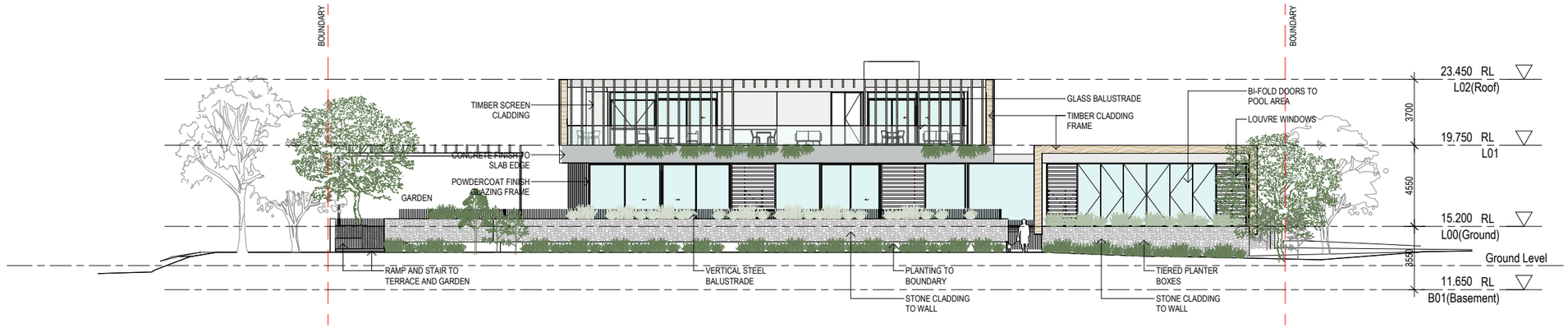
PROJECT NO.
014940

REV NO.
B

DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 26-Apr-2022
FILE SDAU-051-21



Southern Elevation



Western Elevation

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REV	DESCRIPTION	DATE
A	SDAU DEVELOPMENT APPLICATION	02/12/2021
B	FOR INFORMATION	31/01/2022

CLIENT
PCHF

PROJECT
WA Children's Hospice

Odern Crescent, Swanbourne

STATUS
Development Application

DRAWING TITLE
Elevations 02

REVIEWED JF

APPROVED MR

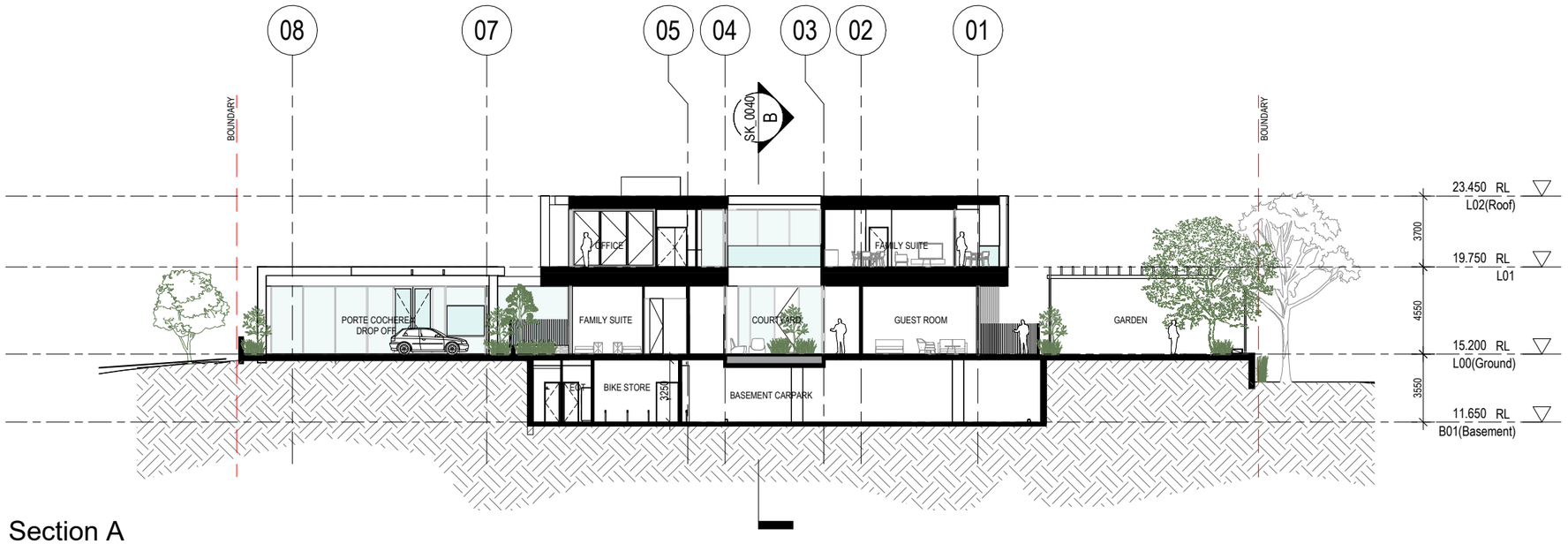
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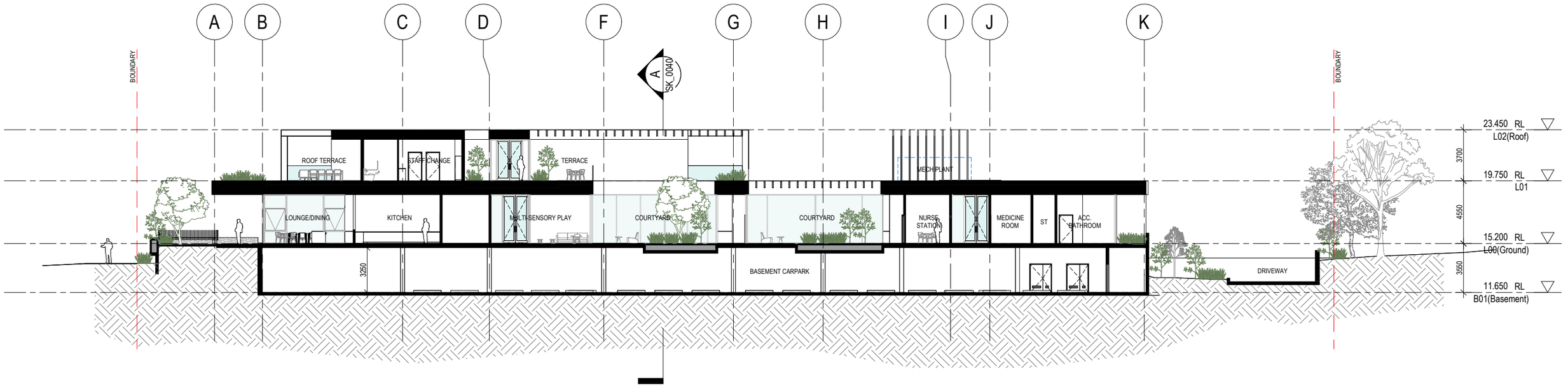
PROJECT NO. 014940

REV NO. B

DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 26-Apr-2022
FILE SDAU-051-21



Section A



Section B

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B	FOR INFORMATION	31/01/2022

CLIENT
PCHF

PROJECT
WA Children's Hospice

Odern Crescent, Swanbourne

STATUS
Development Application

DRAWING TITLE
Sections

REVIEWED
JF

APPROVED
MR

DRAWING NO.
SK_0040

SCALE @ A2
1 : 200

PROJECT NO.
014940

REV NO.
B

DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 26-Apr-2022
FILE SDAU-051-21

H

Government of Western Australia
Department of Water and Environmental Regulation

Your ref:
Our ref: DMO 12246
Enquiries: Registrar
Phone: 1300 762 982
Fax: (08) 6364 7001
Email: info@dwer.wa.gov.au

Chief Executive Officer
City of Nedlands
PO Box 9
Nedlands WA 6009

Dear Sir/Madam

NOTICE OF A CLASSIFICATION OF A KNOWN OR SUSPECTED CONTAMINATED SITE GIVEN UNDER SECTION 15 OF THE *CONTAMINATED SITES ACT 2003*

The site detailed below (the site), was previously classified by the Department of Water and Environmental Regulation (the department) under the *Contaminated Sites Act 2003* (the Act) on 18 August 2008 as *'possibly contaminated – investigation required':*

- LOT 503 ON DEPOSITED PLAN 410572 as shown on certificate of title LR3173/280 known as 61 Clement St, Swanbourne WA 6010

Following the submission of further information, the site has been re-classified.

This notification is being sent to you in accordance with section 15(1) of the Act on the grounds that you, as the recipient, are one or more of the following:

(a) owner of the site (contact details sourced from the current certificate of title);
(b) occupier of the site;
(c) relevant public authority;
(d) person who, in the CEO's opinion, there is particular reason to notify;
(e) person who made the report under section 11 or 12; and
(f) person who, in the CEO's opinion, may be responsible for remediation of a site classified as *contaminated – remediation required.*

Site Re-Classification

Category of site classification: Decontaminated

Date of site classification: 10/03/2022

Reasons for classification: This site was reported to the Department of Water and Environmental Regulation (the department) as per reporting obligations under Section 11 of the 'Contaminated Sites Act 2003' (the Act), which commenced on 1 December 2006.

The site was first classified under section 13 of the Act based on information submitted to the department by July 2008. The site has been classified again under section 13 of the Act to reflect additional technical information submitted to the department by February 2021.

This site, known as 61 Clements Street, Swanbourne, formed part of the former Swanbourne Bowling club and is situated within the larger Allen Park. This site along with adjacent land, was reported based on information which indicated it was historically used as a landfill. Landfilling is a land use that has the potential to cause contamination, as specified in the guideline 'Assessment and management of contaminated sites' (Department of Water and Environmental Regulation (DWER), 2021).

As part of the proposed acquisition of the site for future redevelopment, investigations, including geotechnical and desktop assessments, were undertaken to determine the site's historical use and its contamination status.

Available aerial imagery for the site did not provide sufficient evidence to suggest large scale landfill occurred at this site. However, fragments of asbestos-containing material (ACM), were observed in soils at the site and are believed to be the result of demotion of former buildings.

Remedial works, comprising several emu picks, were undertaken between 2015 and 2017. A total of approximately 22 kilograms of fragments of ACM were removed from soils at the site to a depth of 10 centimetres below ground level.

Additional investigations, including testing pitting and systematic surface raking was undertaken in 2020. This investigation identified a further 2 fragments of ACM along the site's northern boundary and buried asbestos cement piping at the centre of the site. Furthermore, analysis of soils collected from the test pits did not detect asbestos fibres at quantities in excess of those specified in 'Guidelines for the Assessment, Remediation and Management of Asbestos Contaminated Sites in Western Australia' (Department of Health [DoH], 2021).

DoH have advised that based on the available information, the public health risk from asbestos appears to be very low and once developed public access to soils at the site will be minimal. As remnant small scale fragments of ACM may remain in soils below the site, DoH recommended that a Construction Environmental Management Plan be prepared to address any unexpected finds during excavation and other soil disturbing works.

Geotechnical investigations indicated that an area east of the site contained buried fill material. The department recommends, as a precautionary measure, that consideration be given to the generation of ground gases, where basements or underground car parks are proposed to be constructed at the site.

Sampling of a groundwater irrigation bore, located within Allen Park approximately 200 metres south-west of the site was undertaken in 2015. No contaminants of concern, with the exception of chloride, were detected in groundwater at concentrations exceeding relevant guideline levels (DWER, 2021). The presence of elevated concentrations of chloride in groundwater are considered representative of naturally occurring levels due to the site's proximity to the ocean and is unlikely to pose a risk to recreational users of the site. The department notes that no groundwater investigations have been undertaken at this site and the quality of groundwater beneath this site is unknown. However, the department understands that the site will be connected to scheme water.

Based on the information provided, the site is suitable for unrestricted use, including sensitive uses such as residential, primary schools and childcare centres.

The site has been successfully remediated and is suitable for all land uses. Therefore, the site is classified as 'decontaminated'.

The department, in consultation with the DoH, has classified this site based on the information available to the department at the time of classification. It is acknowledged that the contamination

status of the site may have changed since the information was collated and/or submitted to the department, and as such, the usefulness of this information may be limited.

In accordance with DoH advice, if groundwater is being, or is proposed to be abstracted, the department recommends that analytical testing should be carried out to determine whether the groundwater is suitable for its intended use.

Other Relevant Information:

Additional information included herein is relevant to the contamination status of the site and includes DWER's expectations for action that should be taken to address potential or actual contamination described in the Reasons for Classification.

Action Required:

A Construction Environmental Management Plan should be prepared to address any unexpected finds during excavation and other soil disturbing works.

As a further precautionary measure, the owner/occupier may wish to implement an unexpected asbestos finds protocol to manage any remnant asbestos fragments, should they emerge from garden soils in the future.

Consideration should be given to the generation of ground gases, where basements or underground car parks are proposed to be constructed at the site as part of the proposed redevelopment.

General Information

The nature and extent of contamination and any restrictions on the use of the land, if applicable, are listed in Attachment A.

Information relating to the classification of the site is also available by submitting a request for a summary of records (using Form 2) to: Department of Water and Environmental Regulation, Locked Bag 10, Joondalup DC, WA 6919. A fee of $30 currently applies for a Basic Summary of Records. Forms are available from www.der.wa.gov.au/contaminatedsites.

In some instances the department has had to classify sites based on historical information. A site may be re-classified at any stage when additional information becomes available, for example where a new investigation or remediation report completed in accordance with the department's 'Contaminated Sites Guidelines' and the *National Environment Protection (Assessment of Site Contamination) Measure 1999*, is submitted to the department. The current site classification is the classification most recently conferred on the site.

Memorials

In accordance with section 58(3) of the Act, the department will give notice to Landgate to withdraw the current memorial(s) lodged against the Certificate(s) of Title relating to the site. Parcel(s) without a registration number or certificate of title will not have a memorial lodged against them until a certificate of title has been created. Once complete, confirmation of the withdrawal of the memorial(s) will be forwarded to the following people:

(a) each owner,
(b) Western Australian Planning Commission;
(c) CEO of the Department of Health;
(d) Local Government Authority;
(e) relevant scheme authority.

Appealing the Site Classification

All site classifications given by the department are appealable. However, only certain people can lodge a valid appeal. The people who can lodge a valid appeal varies, depending on the classification category, as detailed in Fact Sheet 4: *Site classifications and appeals*. Appeals need to be lodged in writing with the Contaminated Sites Committee at Forrest Centre, Level 22, 221 St Georges Terrace, Perth WA 6000, within **45 days** of being given this notification. The appeal should set out the appellant's relationship to the site, and must include the grounds and facts upon which it is based. An appeal fee (currently $45) applies.

To find out more about the appeal process, see the Contaminated Sites Committee website at www.csc.wa.gov.au or contact the office of the Committee on (08) 6364 7264.

For further information on all aspects of site classification, please refer to Fact Sheet 4 and the 'Contaminated Sites Guidelines', which are available from the department's website at www.der.wa.gov.au/contaminatedsites or by contacting the Contaminated Sites Information Line on 1300 762 982.

Yours sincerely



Penny Woodberry, Manager

CONTAMINATED SITES REGULATION
Delegated Officer under section 91
of the *Contaminated Sites Act 2003*

10/03/2022

Enc. Attachment A – Nature and Extent and Restrictions on Use.

Fact Sheet 4: *Site classifications and appeals*
Fact Sheet 5: *Buyer beware – buying and selling contaminated land*

ATTACHMENT A – Nature and Extent and Restrictions on Use

- LOT 503 ON DEPOSITED PLAN 410572

Nature and Extent: Following remediation, no known contamination remains at the site

Restriction on Use: There are no restrictions on use applicable to the site.

16.3 PD37.06.22 Comment on State Development Assessment Unit Application for Tawarri Hot Springs Development at 120 Esplanade, Dalkeith

Meeting & Date	Council – 28 June 2022
Applicant	Western Australian Planning Commission
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff and the proponents or their consultants.
Report Author	Roy Winslow, Manager Urban Planning
Director/CEO	Tony Free, Director Planning and Development
Attachments	1. Location Plan. 2. Development Plans 3. City of Nedlands Car Parking Plan 4. Landscaping Plan

Purpose

The purpose of this report is for Council to provide its comments to the State Development Assessment Unit (SDAU) of the Western Australian Planning Commission (WAPC) on a development application at 120 Esplanade, Dalkeith (Tawarri site). The application proposes the development of a private recreation facility (wellness/spa) and incidental restaurant/café.

Recommendation

That Council advises the State Development Assessment Unit that it supports the proposed Tawarri Hot Springs at 120 Esplanade, Dalkeith as outlined in the development plans date stamped 10 November 2021 (Attachment 2) and recommends the following conditions be considered for any approval granted by the Western Australian Planning Commission:

Traffic and Parking

1. **The proponent providing a cash contribution prior to occupation of $200,000 being for the provision of formalised car parking spaces to be constructed by the City of Nedlands in accordance with the City's car parking plan (Attachment 3) as part of the future upgrading of Esplanade between the Nedlands Yacht Club entrance and the development site.**

2. **The City of Nedlands car parking plan (Attachment 3) to form part of any approval granted by the Western Australian Planning Commission.**

3. **Construction at the developers cost and as part of the overall development the "Stage 2" works within the Esplanade road reserve as denoted on the approved plans, to the satisfaction of the City of Nedlands.**

4. **A traffic and car parking management plan to be prepared by the proponent and approved by the City of Nedlands prior to issue of a building permit and thereafter implemented at all times. Such plan will outline measures to reduce car parking / traffic demand both for day-to-day operations and for larger events.**

5. **A minimum of 10 visitor bike parking bays and 2 bike parking bays for staff and associated end of trip facilities are to be provided prior to occupation to the satisfaction of the City of Nedlands.**

Waste Management

6. **A detailed waste management plan is to be prepared by the proponent and approved by the City of Nedlands prior to issue of a building permit and thereafter implemented at all times.**

Noise

7. **An acoustic report is to be prepared by a suitably-qualified and licensed acoustic consultant prior to issue of a building permit demonstrating compliance of the development with the requirements of the Environmental Protection (Noise) Regulations 1997.**

Landscaping

8. **A landscaping plan for the development site, entry plaza and Esplanade "triangle" is to be prepared by the proponent and approved by the City of Nedlands prior to issue of a building permit and thereafter implemented and maintained at all times to the satisfaction of the City of Nedlands. The landscaping plan is to incorporate landscape screening of the foreshore interface area rather than the proposed bunding and "haha wall". The landscaping plan is to limit sedge selection to: Baumea juncea, Juncus krausii, Lepidosperma gladiatum and Ficinia nodosa.**

Building Form

9. **Walls and/or fencing of the pool areas/terraces facing the river and foreshore are to be glazed or otherwise visually permeable in a manner that reduced the visual impact when viewed from the river.**

Demolition and Construction

10. **Prior to the issue of a Demolition Permit and/or a Building Permit, a Demolition and Construction Management Plan shall be submitted and approved to the satisfaction of the City. The approved Demolition and Construction Management Plans shall be observed at all times throughout the demolition and construction process to the satisfaction of the City.**

11. **The development site is to be fenced at all times during demolition and construction.**

Other Matters

12. **All trees that are to be retained on the development site are to be protected by fencing or other method approved by the City of Nedlands during demolition and construction.**

13. **A cliff face geotechnical report is to be prepared by the proponent and approved by the City of Nedlands prior to issue of a building permit. The geotechnical report is to confirm the stability of the cliff face and steep bank to the north and west of the development site and identify the use of appropriate construction techniques to minimise impacts on the cliff/bank stability.**

14. **All stormwater generated on site is to be retained on site. An onsite storage/infiltration system is to be provided within the site for a 1 in 100-year storm event. No stormwater will be permitted to enter the City of Nedlands' stormwater drainage system unless otherwise approved.**

15. **The electricity substation and water bores located on land outside of the development site being owned and operated by the relevant service provider. In the event that these improvements are to be privately owned, they are to be relocated onto the development site to the satisfaction of the City of Nedlands.**

Voting Requirement

Simple Majority

Background

Background to Application

In 1957 a community facility was built which in the 1960s became the Tawarri Reception Centre. This operated until 2018 when the current lease expired. The building has remained vacant since then.
Council has recently resolved not to enter into a lease agreement with the proponents of the development. The lease site, known as Lot 502 on Deposited Plan 418496 has subsequently been excised from Reserve 17391 by the State government. This will allow the State to enter into a direct lease with a future lessee without the involvement of the City of Nedlands. The remainder of Reserve 17391 to the east, Reserve 29174 to the west and the Esplanade road reserve continue to be managed by the City of Nedlands.

A development application was lodged with the WAPC for assessment by the SDAU as a 'significant development'. Notwithstanding the application was lodged with the SDAU and not the City, the decision maker remains as the WAPC given the site is located on land reserved by the Metropolitan Region Scheme. The City of Nedlands is acting as a referral body in this instance.

Development Proposal

The application seeks development approval for a wellness/spa facility and incidental restaurant/café. The development plans are included in **Attachment 2**.

The development site is subject to lease negotiations between the proponent and the Government of Western Australia. Whilst the lease and planning processes are separate, it is assumed that an appropriate lease will be granted to the proponent in order to allow the development to proceed.

No car parking will be provided on the development site. Rather, the development will rely on car parking provided within the adjoining City-managed reserves.

The building is architecturally designed and has been subject to review by the State Design Review Panel on a number of occasions.

Discussion

Approvals Process

The site is reserved by both the Metropolitan Region Scheme and LPS3 as “Parks and Recreation”. As a regional reserve, the decision maker for planning proposals is normally the Western Australian Planning Commission (WAPC). However, the site is also located within the Swan River Trust Development Control Area. This requires proposals within the area to be subject to the approvals process of the Department of Biodiversity, Conservation and Attractions (DBCA).

The application subject to this report is being considered under Part 17 of the Planning and Development Act 2005. This temporary approval pathway allows for certain applications to be lodged and assessed by the State Development Assessment Unit (SDAU) rather than using the Joint Development Assessment Panel process. The City of Nedlands, as the relevant local government, is provided the opportunity to make comment on the proposal. However, it is not responsible for the assessment or preparation of the recommendation to the WAPC. The Swan River Trust is also invited to consider the application and make a recommendation to the SDAU/WAPC. All advertising and consideration of submissions is undertaken by the SDAU and not the City.

Scope of Assessment and Compliance with LPS

As the City is not the relevant authority for this application, the scope of its assessment is limited in the main to its Local Planning Scheme and Policies. It is also invited to make comment as the manager of the reserved land that surrounds the development site. All other matters that fall within the remit of other state agencies are not considered in this report, unless there is an overlap with the City’s operations.

As an MRS parks and recreation reserve, there are no specific LPS3 development controls that apply to this proposal. The only local planning policy controls available for assessment are those relating to car parking. For all other matters, the assessment will take a “first

principles" approach, guided by the "matters to be considered" contained in clause 67(2) of the Deemed Provisions.

Car Parking

Car Parking Demand

The development does not provide on-site car parking. Consequently, the development will rely on car parking located on Esplanade, which is under the care and control of the City of Nedlands.

The Traffic Impact Statement states a maximum of 135 patrons will visit at peak operating time. The City's Parking Local Planning Policy requires 1 space for every two patrons, based on a land use of "recreation-private". The total number of car parking spaces required to accommodate the stated capacity is 68.

City officers understand that the physical capacity of the building will be somewhat higher than that stated in the Traffic Impact Assessment. The maximum capacity of the facility as calculated for the purposes of licensing as a public building is approximately 400, subject to a formal certification process.

Based on the public building maximum capacity of approximately 400, a total of 200 car parking spaces would be required. However, some allowance to this figure would be appropriate to take into account people using the café and restaurant area that are also visiting the adjacent All Abilities Play Space. Other measures to reduce car parking demand are included in the Traffic Impact Statement. These measures include valet service and catering for ride share and cycling. These measures would allow for the 200 space requirement to be reduced.

Car Parking Provision

Another factor to consider over and above policy compliance is the physical ability to provide car parking in the vicinity of the development site. Given the location is environmentally and aesthetically sensitive, car parking needs to be responsive to the character and constraints of the riverfront. It is considered appropriate that all car parking in the vicinity is formalised to ensure efficiency and safety for users of all surrounding facilities, as well as address environmental and aesthetic constraints.

City officers have prepared a car parking plan at **Attachment 3**. This plan provides for 129 car parking spaces once the "Stage 2" works to the western end of Esplanade are undertaken. All parking is located within the existing footprint of formalised and informal parking along Esplanade. Construction of this plan is contingent on a larger upgrading of the roadway and drainage for Esplanade. This work ideally would take place within the next 6 years, subject to budgetary considerations. To address existing drainage issues on Esplanade, the pavement height at the western end abutting the development site will be raised by approximately 500mm, with fill gradually reducing eastwards towards the entrance to the Yacht Club. Constructing car parking spaces on the current road gradient in the meantime will require these spaces to be reinstated at a higher level when the road works take place.

Officers have considered the combined parking requirements of the development and the adjacent All Abilities Play Space. It is concluded that the 129 spaces identified on the City's parking concept can accommodate both operations. However, parking and traffic management planning for large events at the proposed facility is recommended. This is included in the recommendation to Council.

Developer Contribution

Construction of car parking on the development site is not feasible using the proposed development outcome. Further, there is capacity within the Esplanade road reserve to cater for up to 129 formalised car parking spaces. Given that the City will be reconstructing Esplanade in the medium term, requiring car parking to be constructed by the proponent as part of the development works is not considered appropriate.

It is recommended that two conditions are placed on any approval that address car parking and access:

1. Construction of the car parking and entry works shown as "Stage 2" on the development plans. Construction to be at the time of development of the main facility and at the developer's cost.

2. Payment to the City of Nedlands of a contribution of $200,000 towards the provision of car parking on Esplanade. These funds will be held by the City and utilised to provide formalised car parking in accordance with the concept plan (**Attachment 3**) at the time of reconstruction of Esplanade by the City. In the meantime, the informal car parking arrangements already in place will remain.

A condition requiring the City's car parking concept plan for Esplanade to form part of any approval is also recommended. This will ensure the City has broad approval to the car parking works from the WAPC as the land is reserved for Parks and Recreation by the Metropolitan Region Scheme.

Use of Reserves Outside of Development Site

There are a number of elements of the development that are located outside of the development site. These elements include the substation, bore, signage and potentially drainage. It is also noted that "Stage 2" works in the cul-de-sac 'triangle' of Esplanade are also shown on the development plans. The land on which these improvements are located is managed by the City of Nedlands.

Matters such as car parking, landscaping, pathways and potentially drainage can be readily accommodated in the same manner as for other developments that utilise access/egress from City-managed land. However, the location of the development's substation and water bore presents a larger concern. The nature of these improvements and their ownership is unclear from the development application information. Whilst some Western Power and Water Corporation infrastructure is contained within local government land, private infrastructure is normally located on the land to which it relates. It is recommended that Council recommend this infrastructure be owned and maintained by a service provider or relocated within the development site.

Design

The original design was described to use contextually appropriate material like stone, native plants and timber, specifically:

- Designed based on the concept as a series of limestone blocks which enables the form of the facility to present as a series of smaller buildings rather than a single mass. This reduces the perception of scale from the river and from the foreshore and allows for views through the site from the car park to the river.
- The development is primarily single storied, with two small upper storey portions setback farther from the river. The topography of the escarpment at the rear means the nearby vegetation on the escarpment sits well above the roofline when viewed from the river. The development will be noticeable and prominent but does not dominate or overwhelm the landscape.
- The scale steps up gently from the foreshore, with landscaping and the open-aired pools drawing the scale further from the river.
- A low height, balustrade-level wall fronting the foreshore is largely protected by adjacent vegetation and enables privacy for pool users whilst allowing for passive surveillance of the foreshore footpath.
- The overall result is a clear delineation of public realm and the boundary of the facility, with the edges blurred by landscape and building form.
- The development establishes a new form for the area and will set a new standard for Perth's limited examples of sensitive and well considered riverside development.

The design is considered appropriate for the site and is supported. In addition, the design has been reviewed by the State Design Review Panel on a number of occasions.

The latest plans change the external building materials from timber and stone to pre-cast concrete and grey fibre cement cladding. The design is considered and generally indicative of high-quality built form as well as landscaping outcomes integrated into a unique and picturesque site, subject to:

- Increasing the level of interactivity between the pool area and the river/promenade pathway, particularly ensuring the glass balustrading is as low impact as possible; and
- Confirming the landscaping/public space infrastructure to be provided in the area between the building and pathway promenade as this area could make a strong positive contribution to the surrounding local community.

Landscape Concept

The landscape concept has been prepared by ASPECT Studios (**Attachment 4**). The design responds to the local context and scale, form and function of the architecture in order to create a dynamic and engaging sequence of landscape spaces. The design develops a series of public landscape spaces that work to unite this project with the Jo Wheatley All Abilities Play Space and the future redevelopment of the Sunset Hospital site to create a foreshore precinct that meets the needs of residents, visitors and the broader community.

The site is divided into 3 distinct areas:

- Car park – planting proposes feature tree planting of Tuarts, Jarrah's and Peppermint trees, with lower plantings of groundcovers to provide clear wayfinding through to the proposed development. Water Sensitive Urban Design principles will be integrated into a bio-filtration swale to capture stormwater run-off, including a range of rushes and sedges from the Vasse Complex
- Arrival court – planting references conceptually the Tamala limestone and deep waters of the subterranean Aquifiers. Planting compositions will be represented by both clump, meander and trail from, beside and along the proposed walling elements.
- Spa Complex – the planting palette responds to the hot springs, the healing, medicinal and restorative qualities of bathing. Noongar medicinal plants will be represented in appropriate locations.

Meandering through the development will be a living stream of sedges, rushes and suitably appropriate groundcovers/herbs. Where appropriate Australian native and exotic plant species will create and support an aesthetic and high quality landscape response. The grassed area and bushland to the north of the development site is contained within the City's river foreshore greenway corridor and the bushland is subject to a bushland management plan that aims to protect and enhance the native vegetation.

A total of 15 trees are proposed to be removed from the development site and 5 trees retained abutting the foreshore reserve. One tree is proposed to be removed for construction of the substation outside of the lease area.
It is also recommended that the landscaping plan be amended to limit sedges to: *Baumea juncea*, *Juncus krausii, Lepidosperma gladiatum* and *Ficinia nodosa* as this is consistent with the species the City uses along foreshore and river wall restoration areas nearby.

River Levels

The development proposes finished floor levels as follows:

- 1.16 AHD Café
- 1.85 AHD Plant and Bin Store
- 2.80 AHD Wellness Centre/Spa and Restaurant
- 3.22 AHD Substation

The Department of Water and Environmental Regulation (DWER) advise that to year 2110 an allowance of 0.9 metres for mean sea level rise should be considered in accordance with State Coastal Planning Policy (SPP2.6)

The Swan and Helena River Flood Study shows the general area affected during major events with the following floor levels expected:

- 1 in 10 (10%) AEP 2.0m AHD
- 1 in 100 (1%) AEP 2.2m AHD

Based on the floodplain management strategy for the area, proposed development (ie filling, building etc) is considered acceptable with respect to major flooding. However, a minimum habitable floor level of 2.7m AHD is recommended to ensure adequate flood protection against the 1 in 100 AEP event in the future. This is achieved by the development with the exception of the café area, which will be constructed to accommodate flooding. This is

considered to be appropriate as it will allow for the café to be at the same level as the adjacent playground, rather than require external steps, ramps and retaining.

The available contour information shows that the general natural surface level of the development site is approximately 1.5m AHD. The river wall in front of the site is at 0.9m – 1.0m AHD. The Department of Biodiversity, Conservation and Attractions (DBCA) advise the floor levels should be 0.5m above the 100 year ARI floor level and grading should be minimised to 1:4 gradient to protect against erosion.

A report was prepared on the river walls west of Perth Flying Squadron Yacht Club (PFSYC) by M P Rogers and Associates in 2015. A new wall was constructed in accordance with the above report. Sea level has been factored for the wall and thus nothing further is required from the development in terms of river wall construction.

Foreshore Interface

The river interface proposes bunding (referred to as “haha wall”) to screen the raised terraces and pool areas. The cross section shows 2m height difference and a 1m high wall above the pool levels.
Administration recommends that the visual impact of the area should be addressed by landscape screening rather than the proposed bunding and the “haha wall”. The proposed balustrade wall adjoining the pool should also be visually permeable so as to further reduce visual impact. These can be dealt with as conditions of approval.

Bushfire and Bush Fire Prone Area

The bushland area to the north is no longer classed as bush fire prone. Therefore, the Australian Standard for Construction in Bush Fire Prone Areas (AS 3959-2009) does not apply.

Cliff Stability

An assessment of the cliff stability behind the subject site was undertaken by Golder Associates in June 2015.

It is recommended that a geotechnical assessment be undertaken of the cliff /bank immediately behind the subject site prior to any development on the site. This assessment could be prepared as an addendum to the 2015 report. This will identify any appropriate action and construction methods necessary to minimise impact on the cliff stability. Given that the development is potentially increasing the risk it is entirely appropriate for the developer to undertake this assessment prior to any development on site. These requirements can be imposed via a condition.

City of Nedlands Foreshore Enhancement and Management Plan.

The proposed development complies with the City of Nedlands Foreshore Enhancement and Management Plan. The key element is to redevelop Tawarri site *“in similar style incorporating heritage features”*. The development does this by retaining use of the site as a wellness spa utilising the hot springs water. It also proposes detailed design and elements that reflects the history of the site, as well as landscaping that reflect the history.

Consultation

The City was not required to conduct consultation for this development application. Public consultation in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 was conducted by the State Development Assessment Unit. All submissions received will be considered by the Unit when making its recommendation to the Western Australian Planning Commission as the decision maker.

Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan.

Vision	Our city will be an environmentally-sensitive, beautiful and inclusive place.
Values	**Great Natural and Built Environment** We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.
Priority Area	Urban form - protecting our quality living environment

Budget/Financial Implications

There are no direct financial implications associated with the provision of planning comment on this development application. All financial implications of the leasing of the site is contained in a separate report to Council.

Legislative and Policy Implications

The City is not required to make a quasi-judicial decision in this case. The decision maker is the WAPC as the land is reserved by the Metropolitan Region Scheme and the application has been made through the State Development Assessment Unit pathway.

Decision Implications

Council is providing non-binding comments to the State Development Assessment Unit. The Unit will prepare a planning assessment and recommendation to the Western Australian Planning Commission for a final determination. As Council is not the decision-maker, it will not be party to any future State Administrative Tribunal matter, should the proponent be aggrieved by the decision.

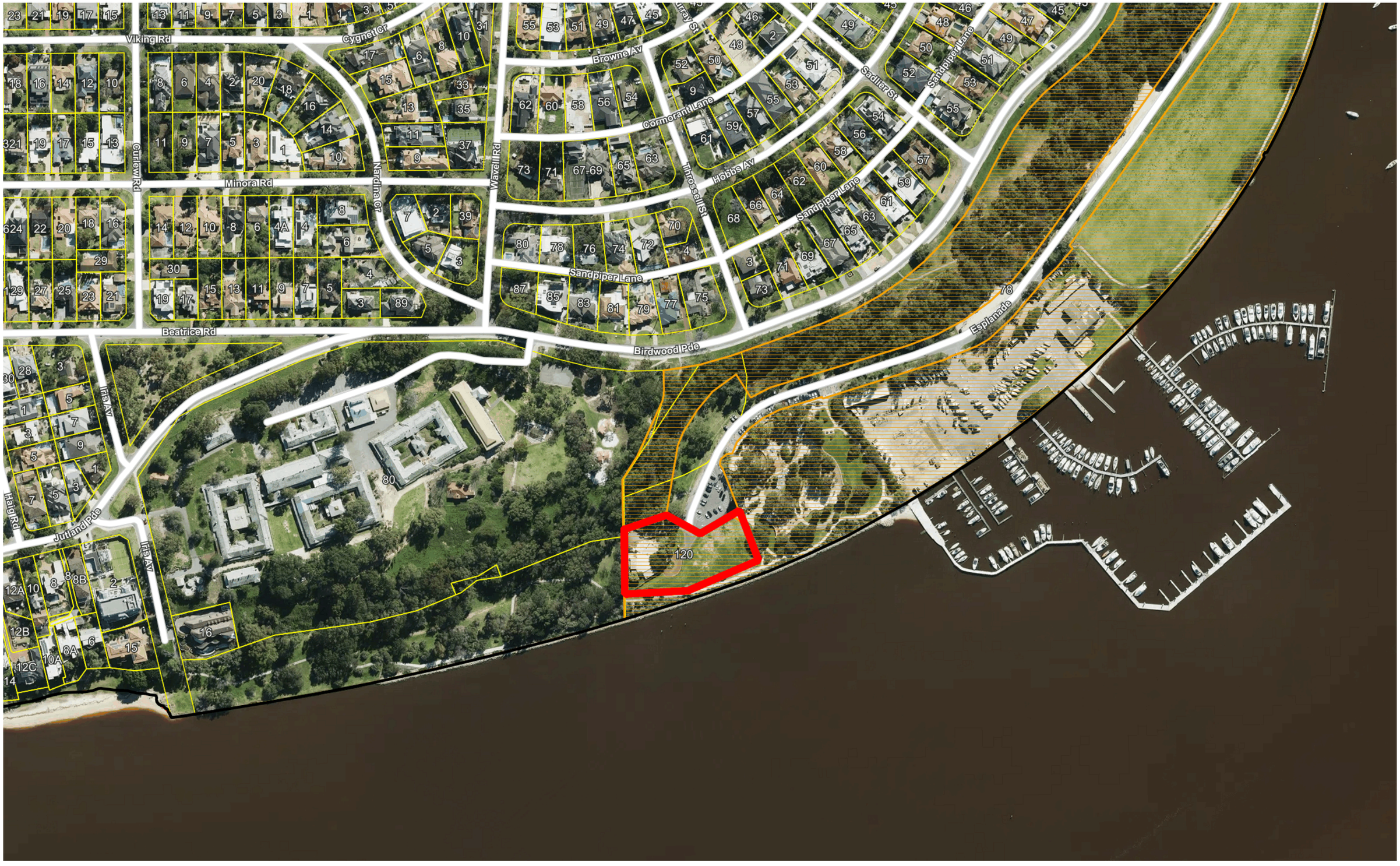
Conclusion

Council is requested to provide comment to the WAPC on the proposed redevelopment of Tawarri Hot Springs. The application seeks development approval for a wellness/spa facility and incidental restaurant/café on the subject site.

Administration recommends that Council provides support to the development application, subject to conditions.

Further Information

N/A



City of Nedlands	The City of Nedlands accepts no responsibility for the accuracy of this image or the results of any actions taken when using this image	Location Plan – No. 120 Esplanade, Dalkeith	17/02/2022 1:3000	N



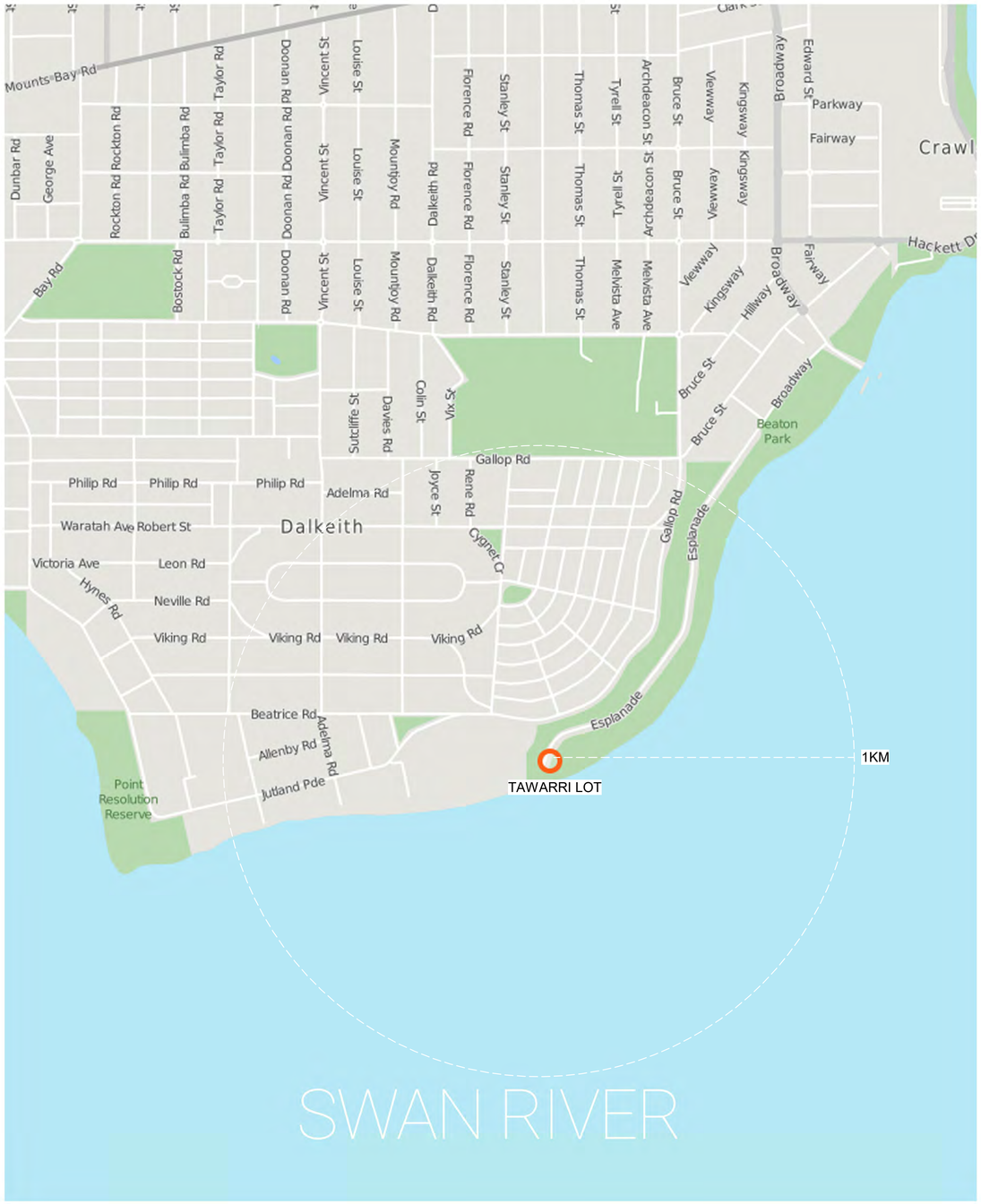
TAWARRI HOT SPRINGS

120 Esplanade, Dalkeith WA
6009

ARCHITECTURAL DRAWINGS

DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 10-Nov-2021
FILE SDAU-036-21

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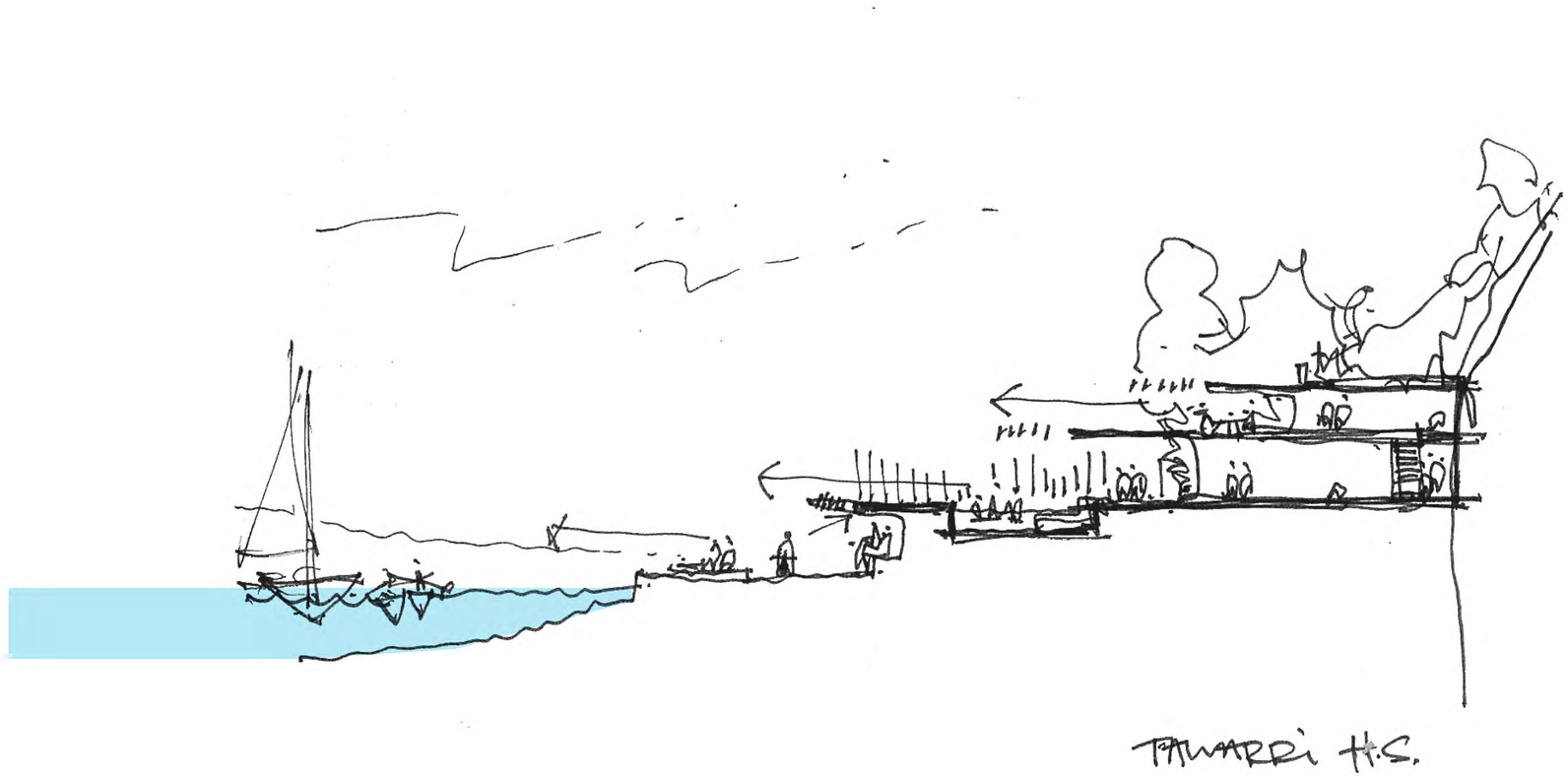
PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	03/12/20	**DA001**	**SITE LOCATION**

NORTH

SCALE

plus architecture

DEVELOPMENT APPLICATION



SITE OVERVIEW

Tawarri Hot Springs is located at the western end of the Nedlands-Dalkeith foreshore, a strategic position between Perth and Fremantle. The location provides:

- The opportunity for a new and unique tourism offer for Perth
- A new destination for the western end of the Nedlands
- Strong connections to water-based recreation; windsurfing/ kite surfing, sailing, catamarans, rock climbing
- Visual links to river based transport, such as the Perth to Rottnest Ferry
- Close proximity to Claremont, Nedlands and the University of Western Australia
- Activation of the river that complements other attractions on the Swan River including Kings Park, Elizabeth Quay, Herisson Island, Perth Stadium, Point Walter, Fremantle and Blackwall Reach
- A unique connection to the underground Yaragadee Aquifer
- The Karda Bidi Whadjuk Trail extends from Shenton Park to Freshwater Bay and passes by the Tawarri site. The trail includes a number of stories told by Neville Collard including a story at the Tawarri site of how the blue Fairy-wren got his colour.

Historically, there were hot pools at Tawarri formed from hot artesian water from a burst water pipe that came from the Yarragadee Aquifer.

Indigenous History

- The Swan River is a significant site for the Nyoongar people with the Mooro Nyoongar's using the site as a hunting ground. The area had an abundance of fish, shell fish, frogs and turtles.
- The Waugal (derived from waug which means soul, spirit or breath) is associated with and equivalent to 'living water' or a vital force of water and is represented in the form of a 'water snake'. The Waugal is believed to have surfaced near to the fresh water spring in the area.
- Mt Eliza in Kings Park is believed to have been the result of the Waugal struggling to the surface before it worked its way back to the sea
- The Nyoongar people still greatly respect the river precinct which has strict codes and ethics that are still observed today

European History

- A bore was drilled in the 1920's to create a pool which was enclosed by locals with limestone walls. This soon attracted many visitors
- It was later moved into a concrete pool by the US Navy during the WW2 which was used for physical training and recreational purposes.
- During the 1940's The Hot Pools became infamous for night time nude bathing. The antics and scandals associated with the pools that were reported in the newspapers at the time eventually led to its closure in the 1950s
- In 1957 The Tawarri Function Centre was built as a destination for social events, weddings, receptions, conventions and Sunday buffets.
- This building still stands today however in a dilapidated state.

DESIGN STATEMENT

Tawarri Hot Springs is to be a world class spa facility where natural systems and human experience are fused together to create an immersive and distinctly Western Australian health and wellness experience.

Tawarri has been design benchmarked against other premium facilities around the world including the Therme Vals spa in Switzerland and the Peninsula Hot Springs in Mornington, Victoria.

Through intensive investigation and the design process, the master plan has been developed to be sympathetic to, and build upon opportunities presented in the surrounding landscape and public facilities. We also studied the rich indigenous and European history that accompanies the unique site.

Key principles to achieve this include the following:

- Capitalise on the sloping site opportunities towards the Swan river and capture the fantastic views provided.
- The buildings mass has been nestled into the land with larger buildings hugging the steep escarpment to the North of the site.
- Thoughtful integration of landscape and architecture to create an immersive experience and blur the edges between public and private.
- Inclusivity has been an underlying concept with the building open and accessible to all people. This has extended to the planning of the building which connects to the Jo Whetley play space via a cafe plaza.
- Taking advantage of the naturally found limestone of the site and designing pavilions that symbolize this.
- The garden pavilions help to shape the internal wellness program and generate easy wayfinding for guests.
- Using the Yaragadee Aquifer as a source of inspiration when selecting materials and finishes.
- Preserving and improving the natural and built environment using sustainable strategies including swales, waterwise planting and geothermal technology.

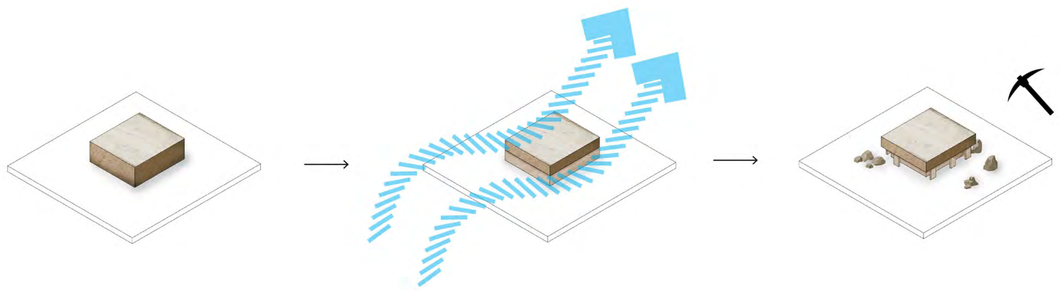
Sustainability and adaptability were key drivers in the planning, construction and maintenance of the proposal. The project aims to create a design that is both elegant and timeless while also being sufficiently robust to withstand future design changes that may be required due to statutory authority feedback and operational requirements. Balancing quality, cost and program while meeting the client's vision is our responsibility as architects. Our aim also is not only to create an award-winning design, but to help deliver a new and successful chapter for Tawarri and an exceptional community experience for generations of visitors to come.

PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING	NORTH	SCALE
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA002**	**DESIGN STATEMENT**		

plus architecture

DEVELOPMENT APPLICATION

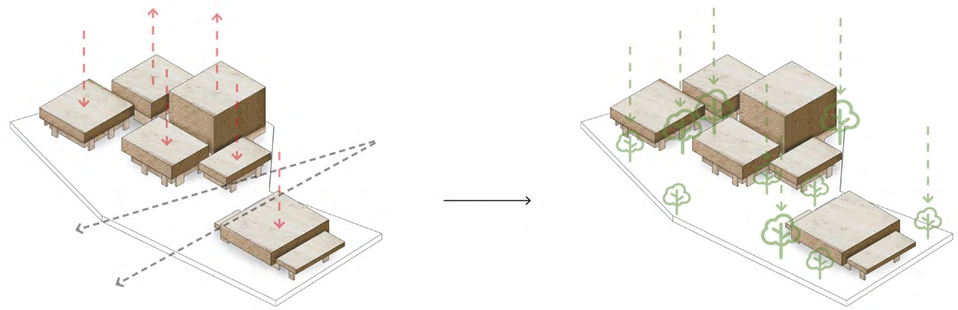
MASSING DIAGRAMS



LIMESTONE BLOCK

EROSION FROM SWAN RIVER TIDE SMOOTHS SURFACES

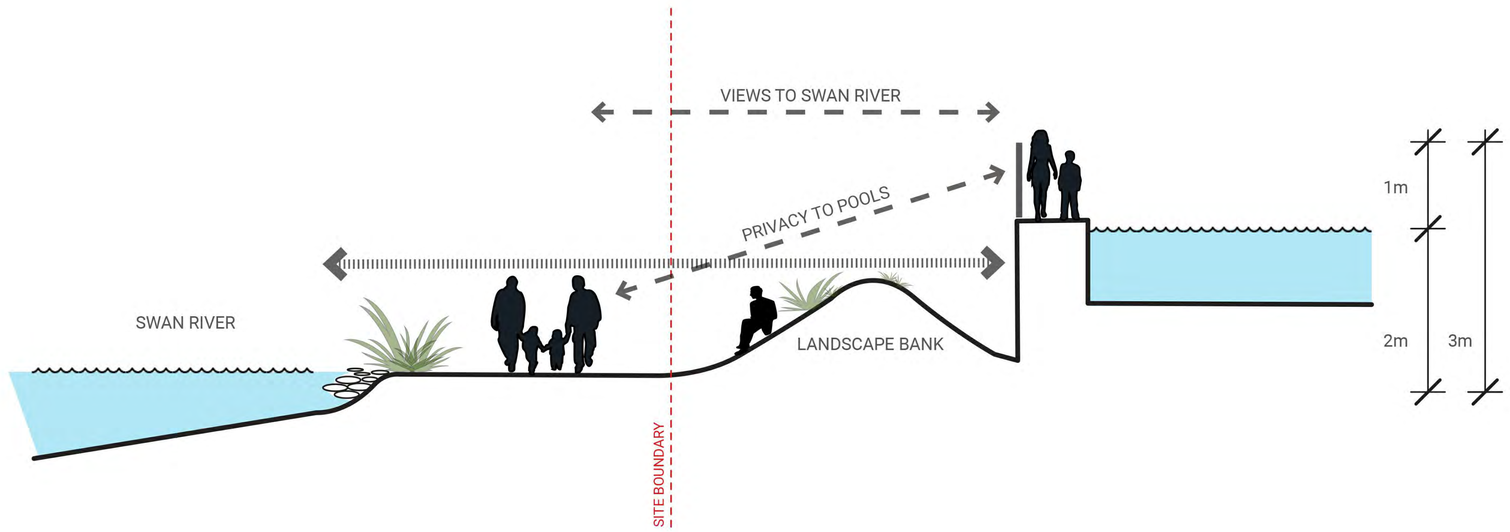
CARVE AWAY SMOOTH LIMESTONE - NEGATIVE SPACES BECOME HABITABLE



LIMESTONE BLOCKS ARE GROUPED TOGETHER AT VARYING HEIGHTS TO FRAME VIEWS

NEGATIVE SPACES IN BETWEEN BLOCKS IS LANDSCAPED

FORESHORE INTERFACE



PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING	NORTH	SCALE
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA003**	**DESIGN PRINCIPLES**		

plus architecture

DEVELOPMENT APPLICATION

CLIMATIC CONDITIONS



- The site is sheltered and will be moderately affected by prevailing winds.
- The site faces South and as such will be moderately exposed to direct sunlight during the morning and evening hours.

LANDFORM AND SETBACKS



- The site is surrounded by trees to the West and North.
- The river is located to the South.
- The land rises steeply behind the site.
- To the East the play space entrance provides a key constraint.
- A 20m setback provides plenty of space within the proposed lease boundary.

EXISTING PEDESTRIAN VEHICULAR MOVEMENT & PARKING



- The car parking numbers in the immediate area are approximately 48 dedicated bays, 8 acrod bays and 65 unmarked bays.
- The toal is approximately 121 bays plus 1 bus bay.
- The site is surrounded by many existing foot paths.
- The foot path to the North is very steep and unlikely compliant with DDA/BCA requirements. It is very popular foot and the current termination into the car park should be improved.
- It will be important to enhance and maintain the existing pedestrian routes.

SITE OPPORTUNITIES



- Create sense of arrival and visual link to river side
- Locate spa buildings to west minimise visual impact
- Break up buildings to reduce visual mass and respond to functional relationship
- Dislocate cafe pod from spa and locate in plaza in close proximity to play space
- Maximise views to river from all of the spa development and separate from public
- Soften edge of development at river wall
- Improve landscaping to public car park

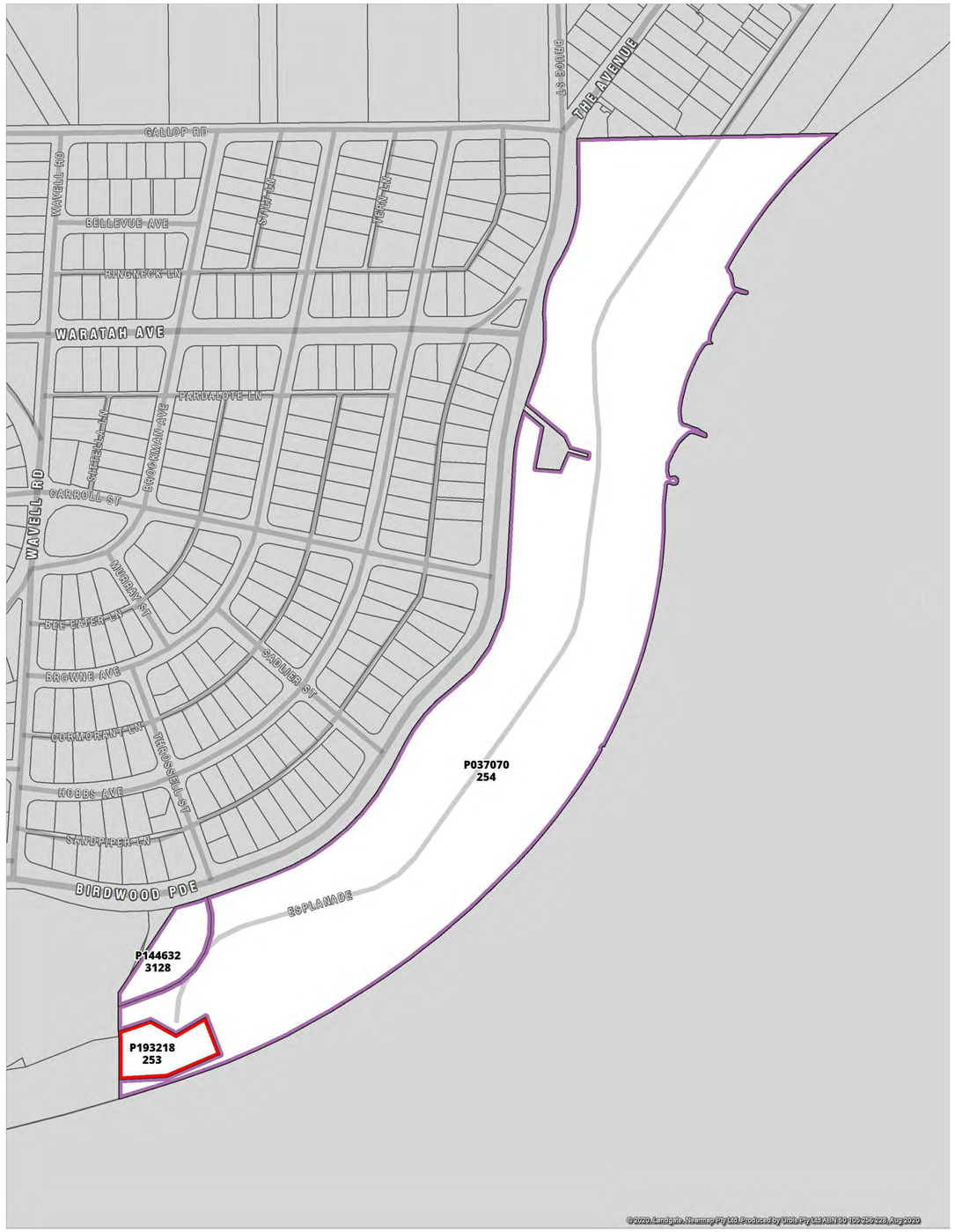
PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA004**	**SITE ANALYSIS**

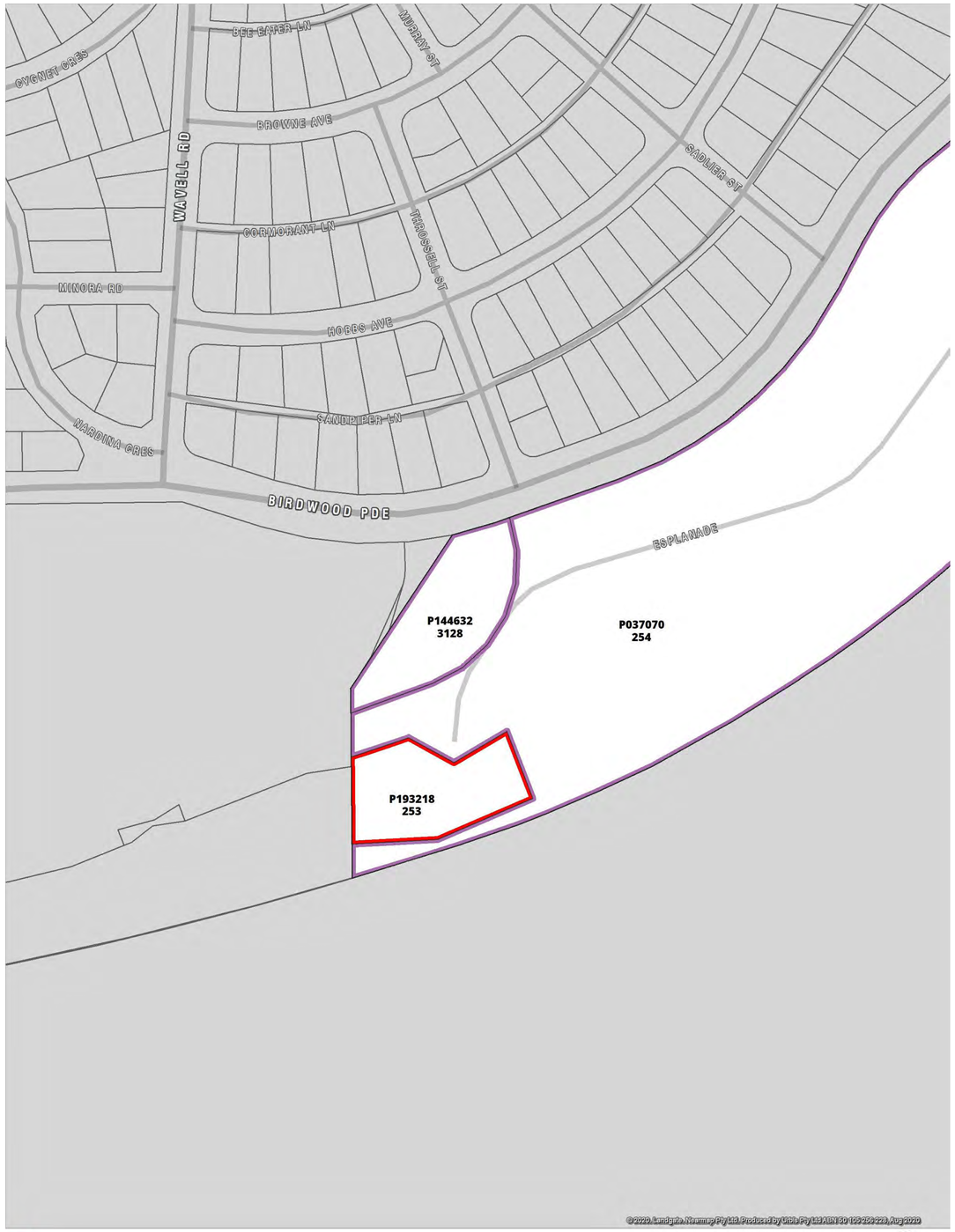
NORTH

SCALE

plus architecture

DEVELOPMENT APPLICATION





Tawarri
Other Affected Lots
Cadastre Boundary

0 50 100 150
Metres

CADASTRAL

PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA005**	**AFFECTED LOTS**

NORTH

SCALE

plus architecture

DEVELOPMENT APPLICATION

REFERENCE 10047F1

SOUTH NEDLANDS

AA 1667
9547
D/A 82112

AA 29174
8191
O.P. 10592

AA 17391
PT 232

253
5553m²

RESTAURANT

CONCRETE PATH

CONCRETE PATH

GAZEBO

RIVER

SWAN

JETTY

NOTE : ALL LEVELS ARE BASED FROM THE T.B.M. DECK SPIKE LEVEL 1.705m AS PROVIDED BY CITY OF NEDLANDS.

FEATURE SURVEY OF "TAWARRI" THE ESPLANADE NEDLANDS	
Client	City of Nedlands

DATUM
HORIZONTAL - LOCAL
VERTICAL - SEE NOTE

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SCALE 1 : 200
0 20
All distances in metres unless stated otherwise

ALL AREAS AND DIMENSIONS ARE SUBJECT TO SURVEY AND EXAMINATION

EXISTING BOUNDARY DIMENSIONS AND LOT AREAS HAVE BEEN TAKEN FROM L.T.O. DIAGRAM 93218

THE BOUNDARIES WERE NOT RE-ESTABLISHED AS PART OF THIS SURVEY THEREFORE THIS PLAN DOES NOT GUARANTEE THEIR ACCURACY

FIELD INSPECTION IS RECOMMENDED FOR LOCATION OF SERVICES PRIOR TO ANY EXCAVATION

No.	DETAILS	DATE	DRAWN	CHECKED
	REVISIONS			

Brown McAllister (WA) Pty Ltd
LICENSED SURVEYORS LAND DEVELOPMENT, STRATA CONSULTANTS & ENGINEERING SURVEYORS
43 Broadway, Nedlands, Western Australia, 6009
Telephone (08) 9386 9688
Facsimile (08) 9386 9677
Email : bromac@starwon.com.au
A.C.N. 008 979 539

SHEET	A1
SURVEYED	D.A. Blower - 29/8/2000
FIELD NOTES	LB 226
DRAWN	L.L. Poltis - 31/8/2000
CHECKED	
REFERENCE	10047F1

BIRDWOOD PARADE RESERVE

EXISTING PATH

TIMBER BOLLARDS

EX. INFORMAL PARKING

EXISTING BUS BAY

EXISTING CARPARK
26 MARKED BAYS

EXISTING ALL ABILITES ENTRANCE

EXISTING SERVICE BAY

JO WHEATLEY PLAYSPACE

EXISTING BICYCLE PARKING

EXISTING PLANTER

ELEC DOME

WATER BORE

METER BOX

TAWARRI LOT

71° 22' 10"
37.55 m

SHED

FIBRO FENCE

LIGHT POLE

EXISTING SERVICE POLE RETAINED

KERB

GULLY PIT

BITUMEN EDGE

SEPTIC TANK

SEWER

EXISTING TREES RETAINED

PLANTER

LIGHT POLE

EXISTING RESTAURANT

WOODEN ARCHWAY

GULLY PIT

118° 49' 04"
32.16 m

59° 23' 59"
32.44 m

TIMBER BOLLARDS

MANHOLE

PLANTER

KERB

MANHOLE

RETAINING WALL

KERB

GAZEBO

359° 22' 51"
54.21 m

LOG FENCE

266° 54' 00"
53.07 m

LOG FENCE

158° 48' 59"
36.23 m

246° 34' 07"
64.57 m

EXISTING LIGHT POLE

EXISTING PATH

EXISTING LIGHT POLE

EXISTING PATH

EXISTING RIVER RETAINING WALL

OLD JETTY

PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA050**	**EXISTING PLAN**

NORTH

SCALE
1 : 250

plus architecture

DEVELOPMENT APPLICATION

BIRDWOOD PARADE RESERVE

EXISTING PATH

TIMBER BOLLARDS

EX. INFORMAL PARKING

RETAIN CARPARK ENTRANCE ROAD AND EXISTING PARKING

EXISTING CARPARK

INSTALL TEMPORARY FENCE ALONG FRONT BOUNDARY –1.8M HIGH PAINTED BLACK MARINE PLY

EXISTING TREE RETAINED

TREE REMOVED TO ACCOMMODATE PROPOSED SUBSTATION

ELEC DOME

WATER BORE

TAWARRI LOT

71° 22' 10"
37.55 m

METER BOX

INSTALL TEMPORARY FENCE ALONG FRONT BOUNDARY - 1.8M HIGH PAINTED BLACK MARINE PLY

SHED

EXISTING SERVICE POLE RETAINED

FIBRO FENCE

LIGHT POLE

KERB

BITUMEN EDGE

GULLY PIT

TREE REMOVED

SEPTIC TANK

SEWER

118° 49' 04"
32.16 m

EXISTING SERVICE BAY

EXISTING ALL ABILITES ENTRANCE

JO WHEATLEY PLAYSPACE

EXISTING BICYCLE PARKING

EXISTING PLANTER

DEMOLISH EXTENT OF KERB AS SHOWN

DEMOLISH TIMBER BOLLARDS

59° 23' 59"
32.44 m

INSTALL TEMPORARY FENCE ALONG FRONT BOUNDARY - 1.8M HIGH PAINTED BLACK MARINE PLY

TREES REMOVED

PLANTER

LIGHT POLE

KERB

HATCHED AREA DENOTES EXISTING BUILDING TO BE DEMOLISHED INCLUDING ALL PAVING & VEGETATION, TO PROVIDE A CLEAR SITE FOR COMMENCEMENT OF CONSTRUCTION.
CUT AND SEAL ALL SERVICES TO SITE AS REQUIRED.

359° 22' 51"
54.21 m

TREE REMOVED

WOODEN ARCHWAY

GULLY PIT

MANHOLE

PLANTER

KERB

TREE REMOVED

MANHOLE

RETAINING WALL

KERB

GAZEBO

DEMOLISH LOG FENCE

DEMOLISH LOG FENCE

TAWARRI LOT

EXISTING TREES RETAINED

EXISTING PATH

INSTALL TEMPORARY FENCE ALONG FRONT BOUNDARY - 1.8M HIGH PAINTED BLACK MARINE PLY

158° 48' 59"
36.23 m

INSTALL TEMPORARY FENCE ALONG FRONT BOUNDARY - 1.8M HIGH PAINTED BLACK MARINE PLY

266° 54' 00"
53.07 m

EXISTING TREES RETAINED

EXISTING LIGHT POLE

TAWARRI LOT

DEMOLISH LOG FENCE

EXISTING PATH

EXISTING TREE RETAINED

EXISTING TREES RETAINED

DEMOLISH LOG FENCE

TAWARRI LOT

246° 34' 07"
64.57 m

EXISTING LIGHT POLE

EXISTING LIGHT POLE

EXISTING PATH

EXISTING RIVER RETAINING WALL

OLD JETTY

PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA051**	**DEMOLITION PLAN**

NORTH

SCALE
1 : 250

plus architecture

DEVELOPMENT APPLICATION



PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	23/09/21	**DA052**	**SITE PLAN AERIAL VIEW - STAGE 1**

NORTH	SCALE
	1:500

plus architecture

DEVELOPMENT APPLICATION



EXISTING PARKING COUNT	NUMBER
FORMAL BAYS	52
DDA BAYS	8
INFORMAL BAYS	82
TOTAL	**142**

PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA053**	**SITE PLAN - STAGE 1**

NORTH

SCALE
1 : 500

plus architecture

DEVELOPMENT APPLICATION



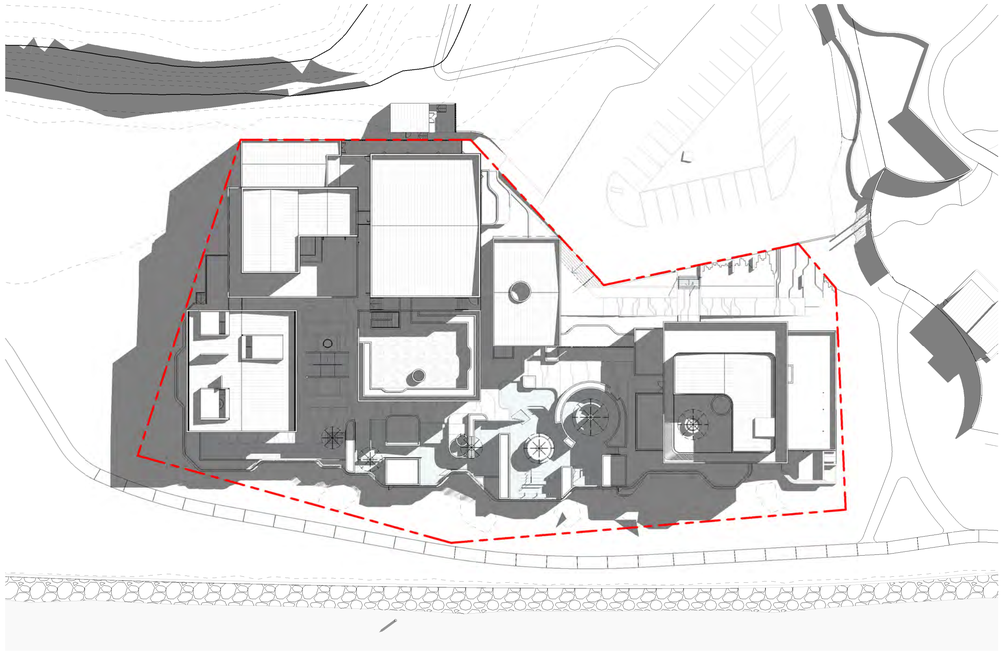
PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA054**	**SITE PLAN - STAGE 2**

NORTH

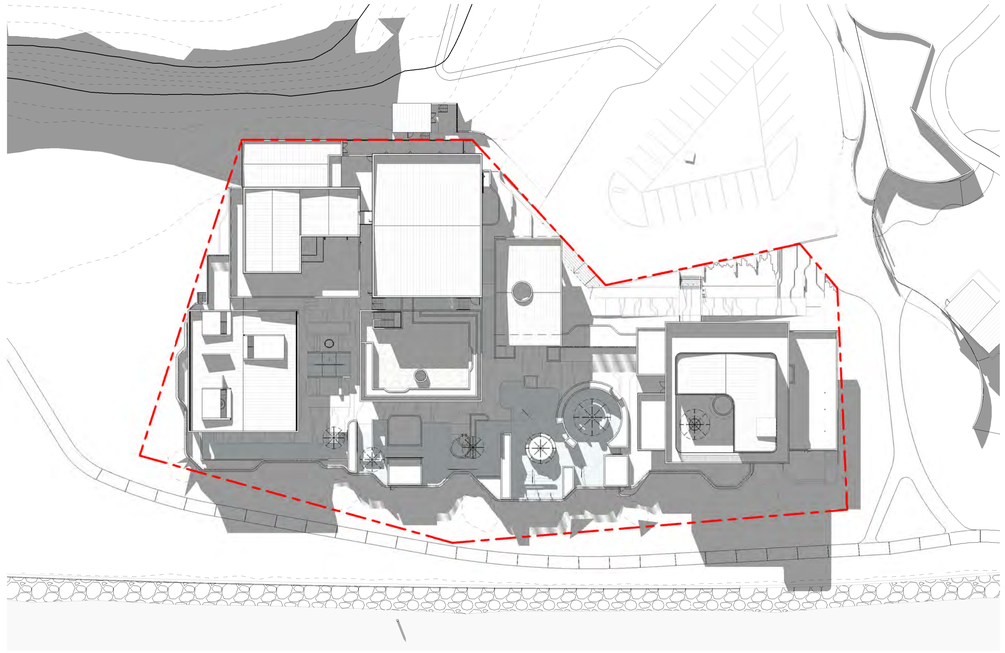
SCALE
1 : 500

plus architecture

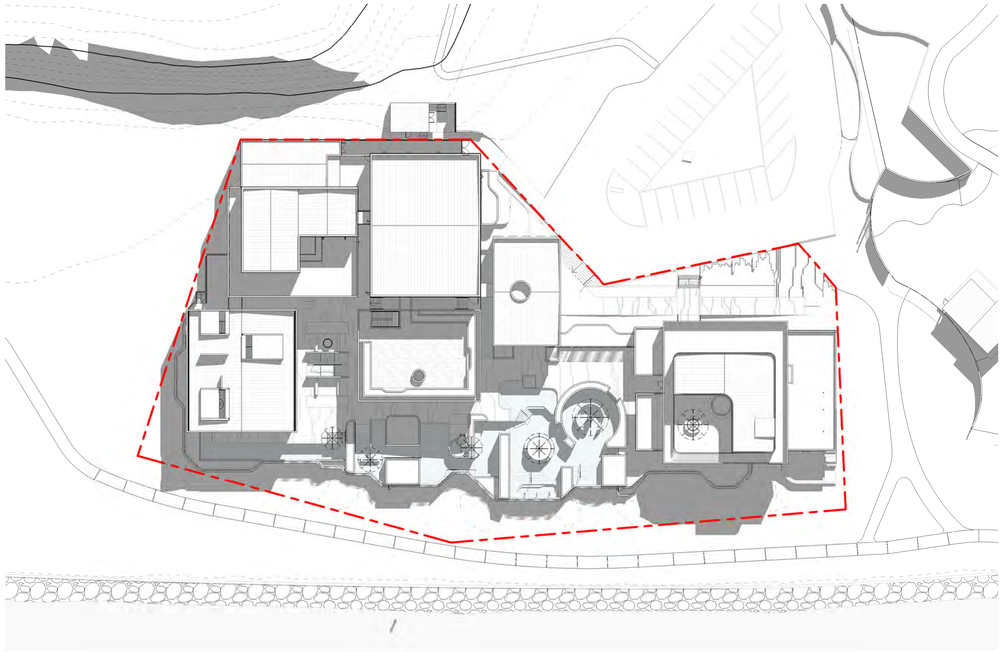
DEVELOPMENT APPLICATION



1 A1000 OVERSHADOWING 21st JUNE AT 10AM
Scale: 1 : 500



3 A1000 OVERSHADOWING 21st JUNE AT 3PM
Scale: 1 : 500



2 A1000 OVERSHADOWING 21st JUNE AT 12PM
Scale: 1 : 500

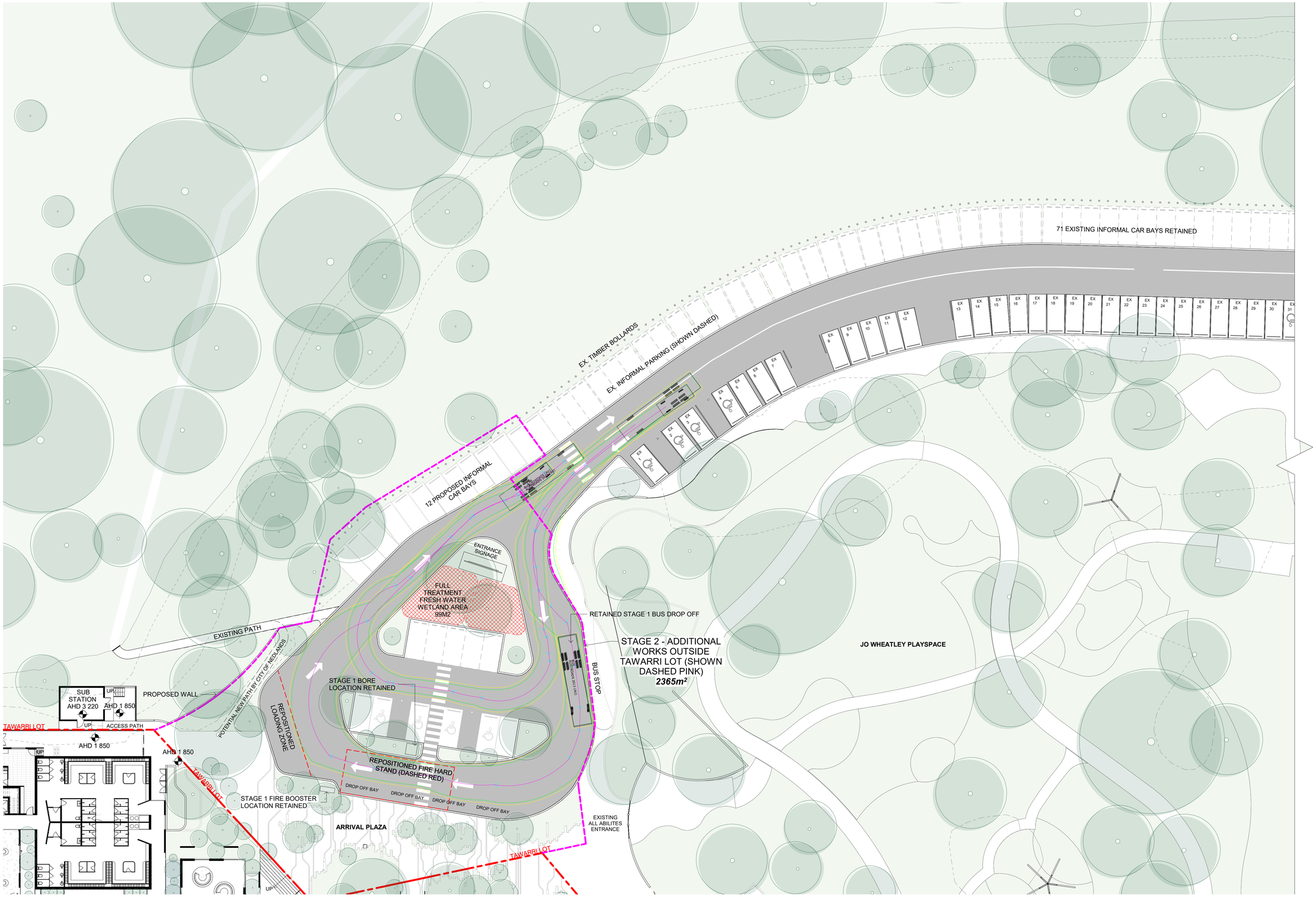
PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA055**	**OVERSHADOWING DIAGRAMS**

NORTH

SCALE
1 : 500

plus architecture

DEVELOPMENT APPLICATION



CONTINUED ON SHEET DA057

PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA056**	**PROPOSED CARPARK - STAGE 2**

NORTH

SCALE
1 : 250

plus architecture

DEVELOPMENT APPLICATION



PARKING COUNT	NUMBER
RETAINED EXISTING BAYS	97
RETAINED EXISTING DDA	8
NEW INFORMAL BAYS	12
NEW FORMAL STANDARD BAYS	7
NEW DDA	4
NEW DROP OFF	4
TOTAL	**132**

PROJECT
TAWARRI HOT SPRINGS
120 Esplanade, Dalkeith WA 6009

JOB NUMBER
80229

DATE
16/09/21

DRAWING No.
DA057

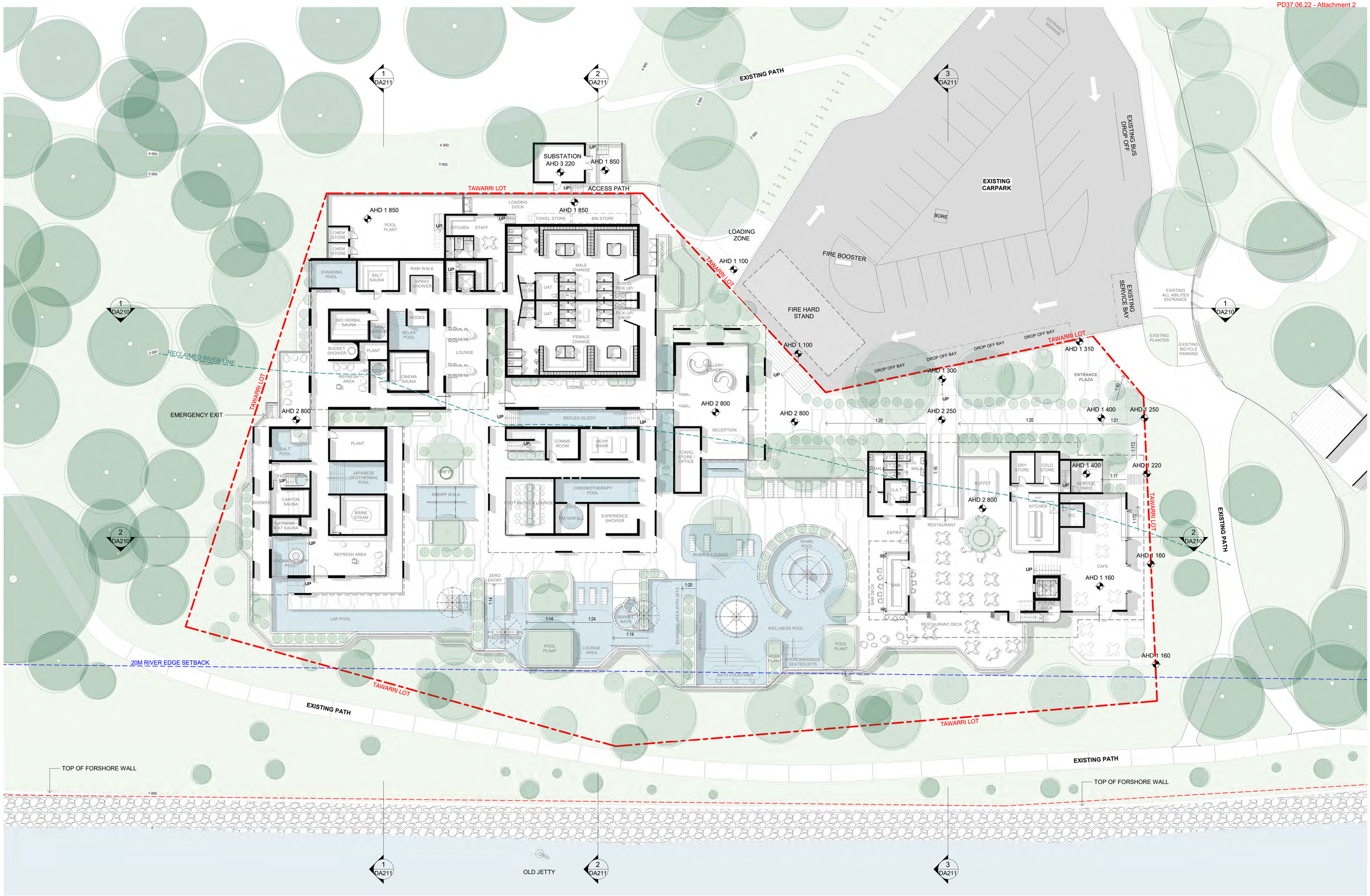
DRAWING
PROPOSED CARPARK - STAGE 2

NORTH

SCALE
1 : 250

plus architecture

DEVELOPMENT APPLICATION



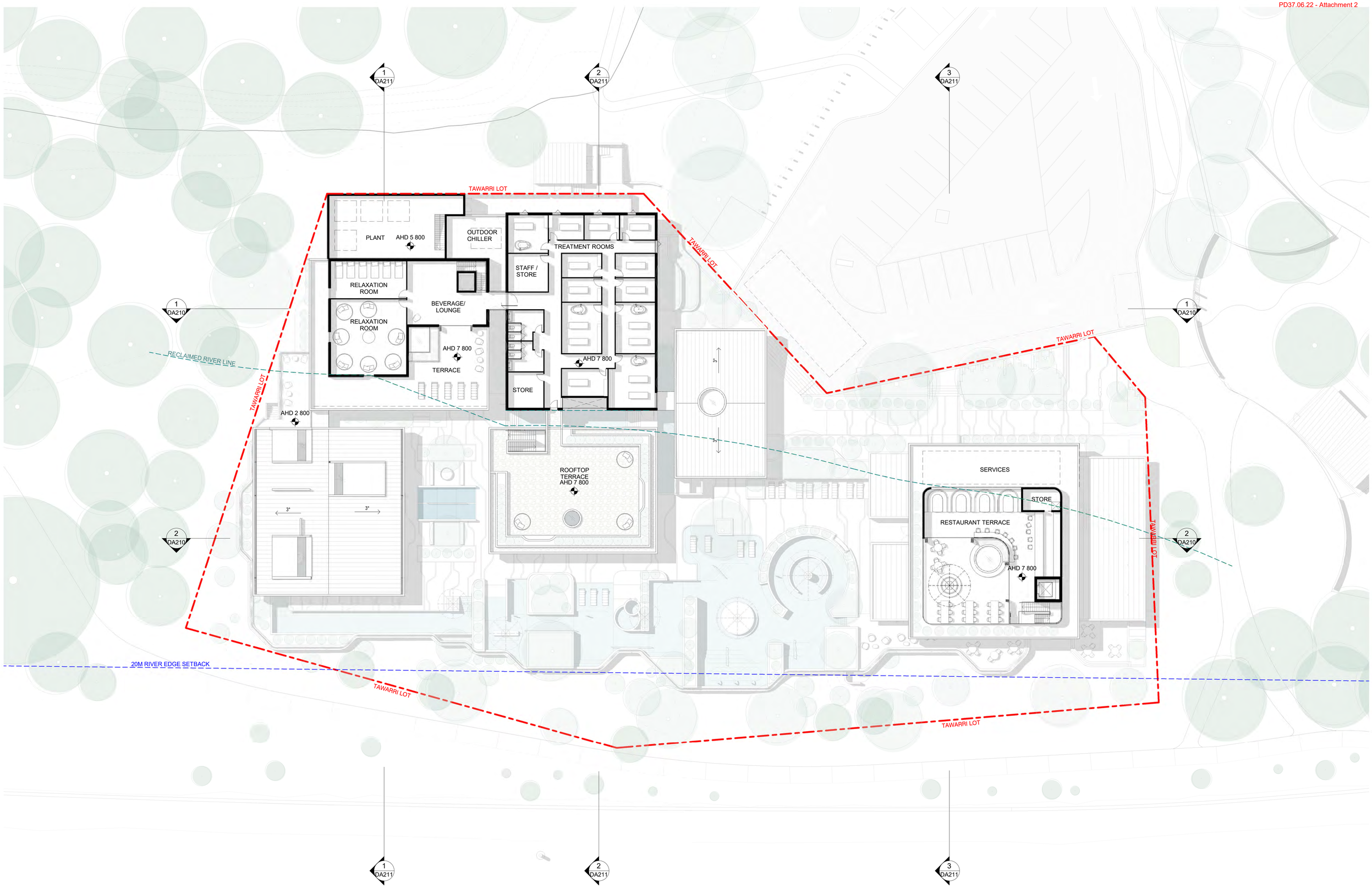
PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA100**	**GROUND FLOOR PLAN - STAGE 1**

NORTH

SCALE **1 : 200**

plus architecture

DEVELOPMENT APPLICATION



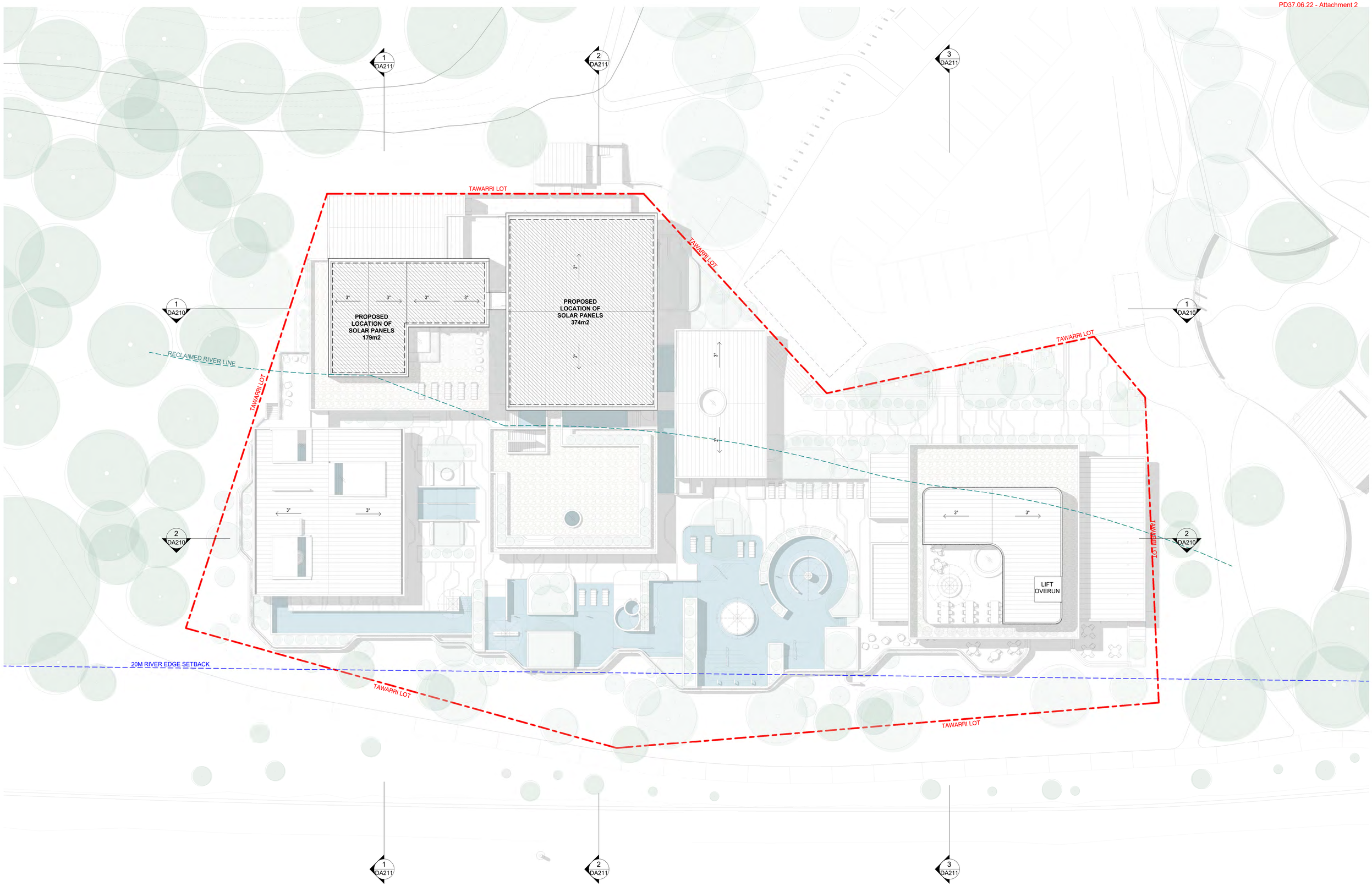
PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA101**	**LEVEL 01 FLOOR PLAN**

NORTH

SCALE
1 : 200

plus architecture

DEVELOPMENT APPLICATION



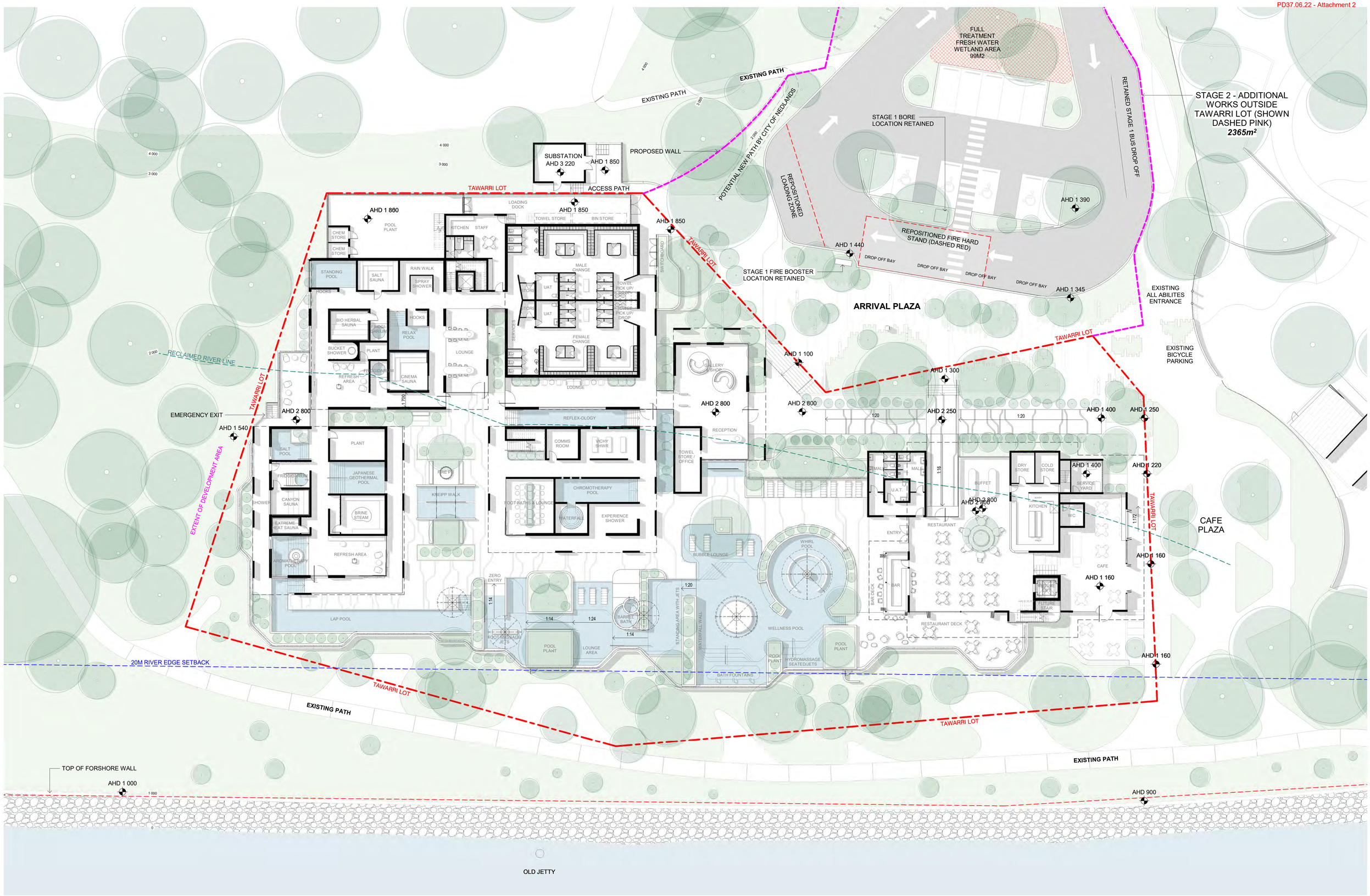
PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA102**	**ROOF**

NORTH

SCALE **1 : 200**

plus architecture

DEVELOPMENT APPLICATION



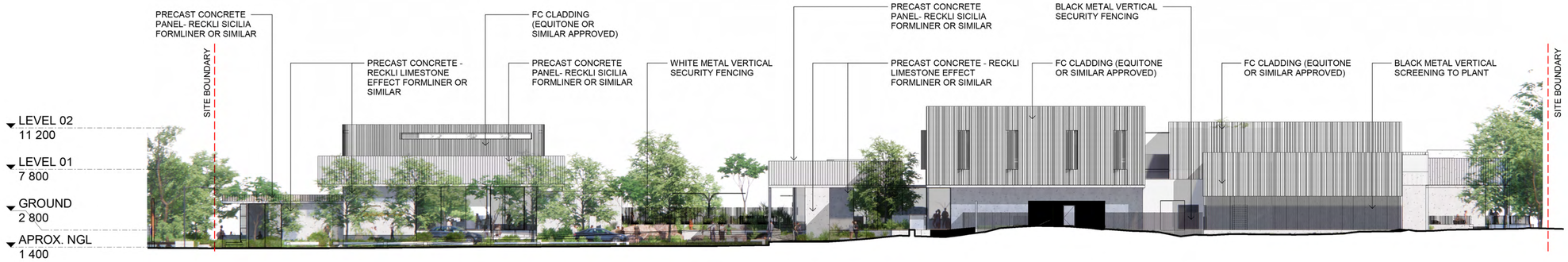
PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	21/09/21	**DA103**	**GROUND FLOOR PLAN - STAGE 2**

NORTH

SCALE: **1 : 200**

plus architecture

DEVELOPMENT APPLICATION



1 North Elevation
Scale: 1 : 200



2 East Elevation
Scale: 1 : 200

PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING	NORTH	SCALE
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA200**	**BUILDING ELEVATIONS**		**1 : 200**

plus architecture

DEVELOPMENT APPLICATION



1 South Elevation
Scale: 1 : 200

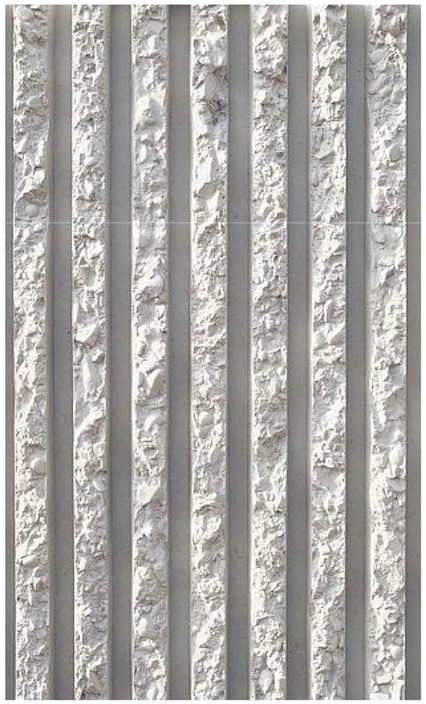


2 West Elevation
Scale: 1 : 200

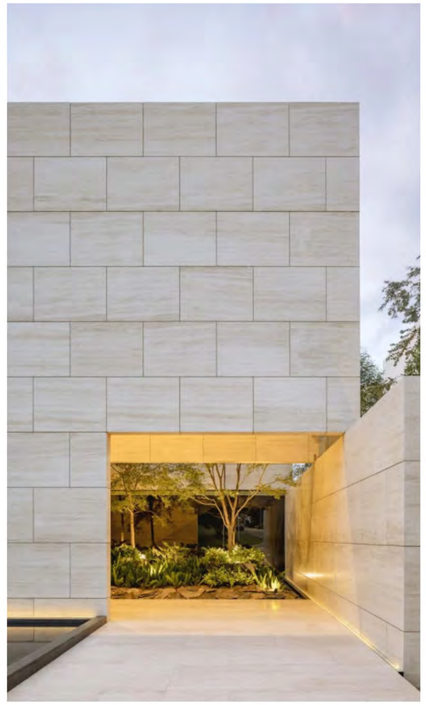
PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING	NORTH	SCALE
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA201**	**BUILDING ELEVATIONS**		1 : 200

plus architecture

DEVELOPMENT APPLICATION



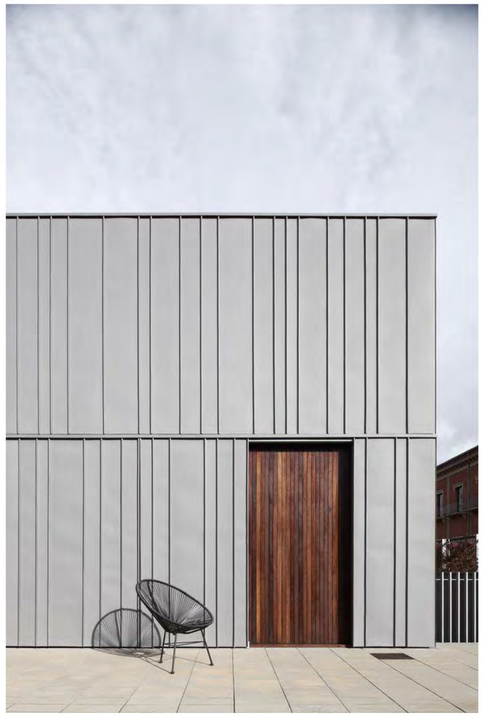
UPPER PAVILION FINISH
PRECAST CONCRETE PANEL- RECKLI SICILIA FORMLINER OR SIMILAR



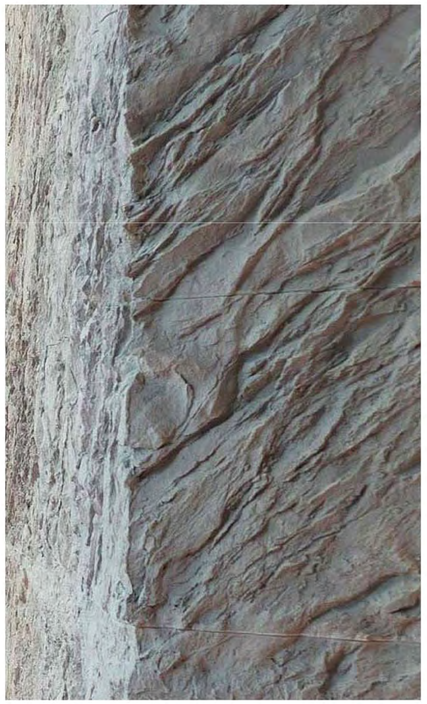
PAVILION WALL FINISH
PRECAST CONCRETE - RECKLI LIMESTONE EFFECT FORMLINER OR SIMILAR



PAVILION WALL FINISH
PRECAST CONCRETE - RECKLI LIMESTONE EFFECT FORMLINER OR SIMILAR



UPPER PAVILION FINISH
FC CLADDING (EQUITONE OR SIMILAR APPROVED)



BOUNDARY WALL FINISH
PRECAST CONCRETE PANEL- CHEYENNE FORMLINER OR SIMILAR



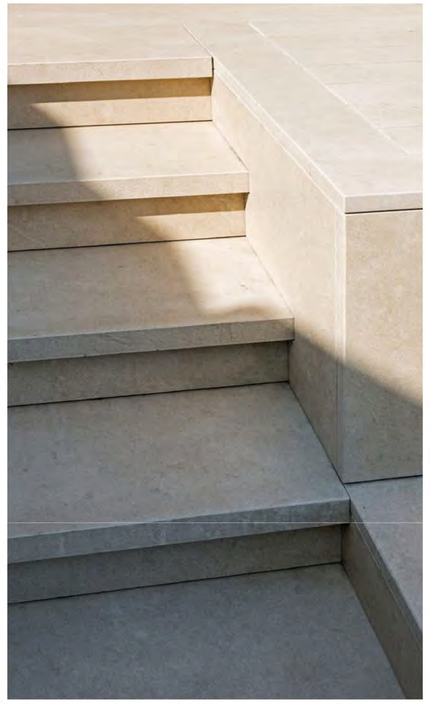
WINDOW FRAME FINISH
BLACK POWDERCOAT



LANDSCAPE WALLS FINISH (STAGE 2)
HIGH QUALITY FAIR FACED CONCRETE - RAW CONTEMPORARY



FLOOR PAVING FINISH
NATURAL STONE



STAIR FINISH
NATURAL STONE

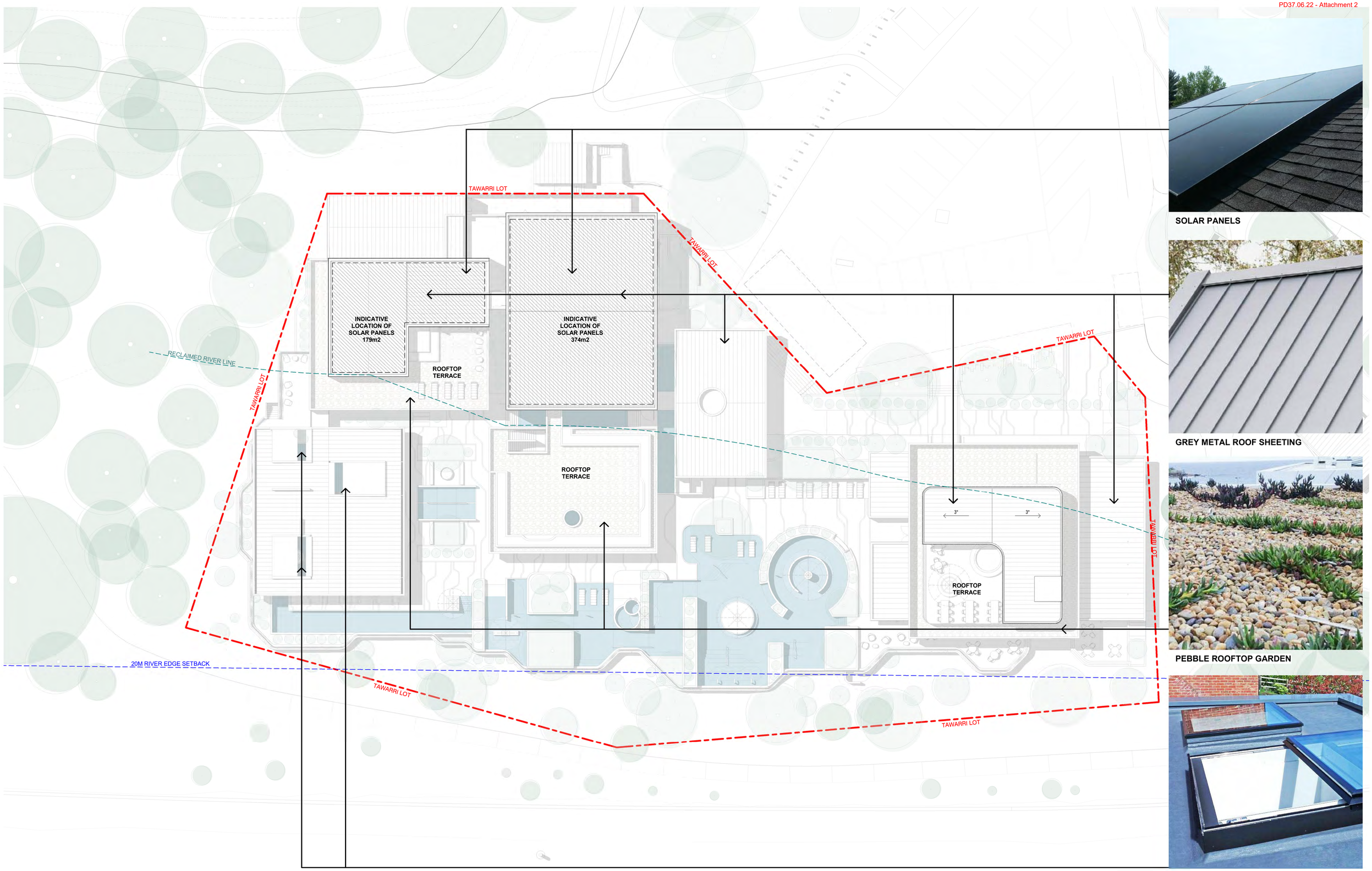


SIGNAGE
BRONZE LETTERING

PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING	NORTH	SCALE
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA203**	**MATERIALS**		1 : 1

plus architecture

DEVELOPMENT APPLICATION



SOLAR PANELS

GREY METAL ROOF SHEETING

PEBBLE ROOFTOP GARDEN

OPERABLE ROOF SKYLIGHTS

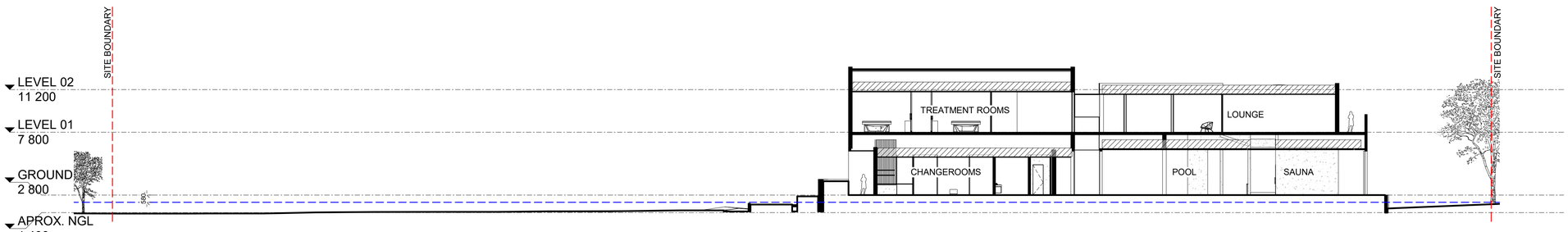
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NORTH

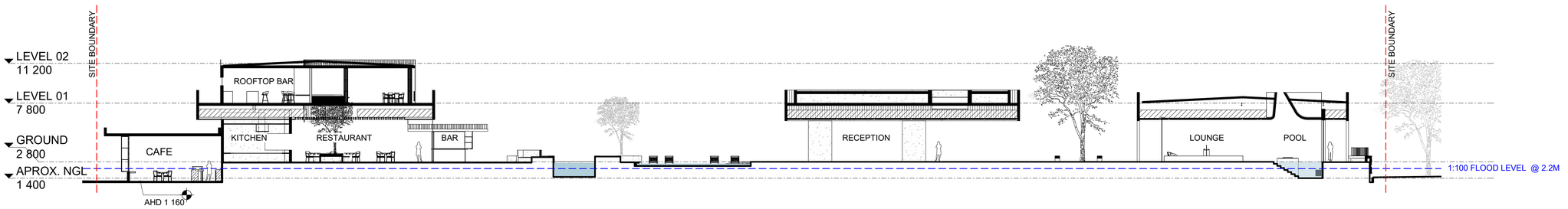
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plus architecture

DEVELOPMENT APPLICATION



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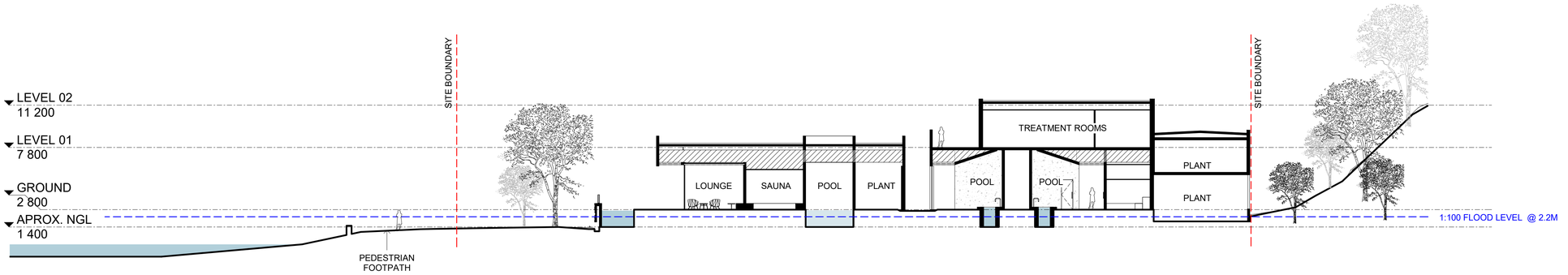


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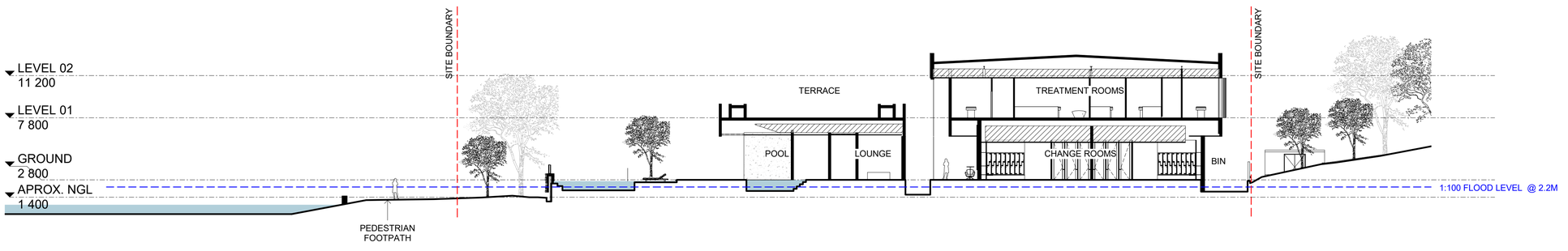
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DEVELOPMENT APPLICATION

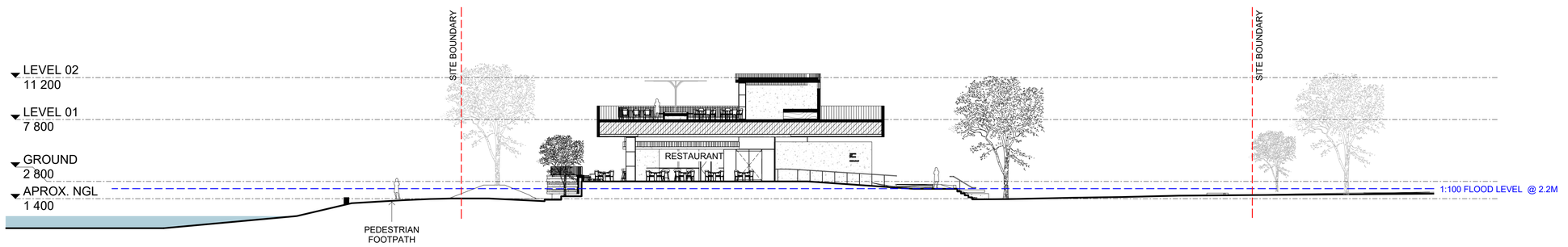
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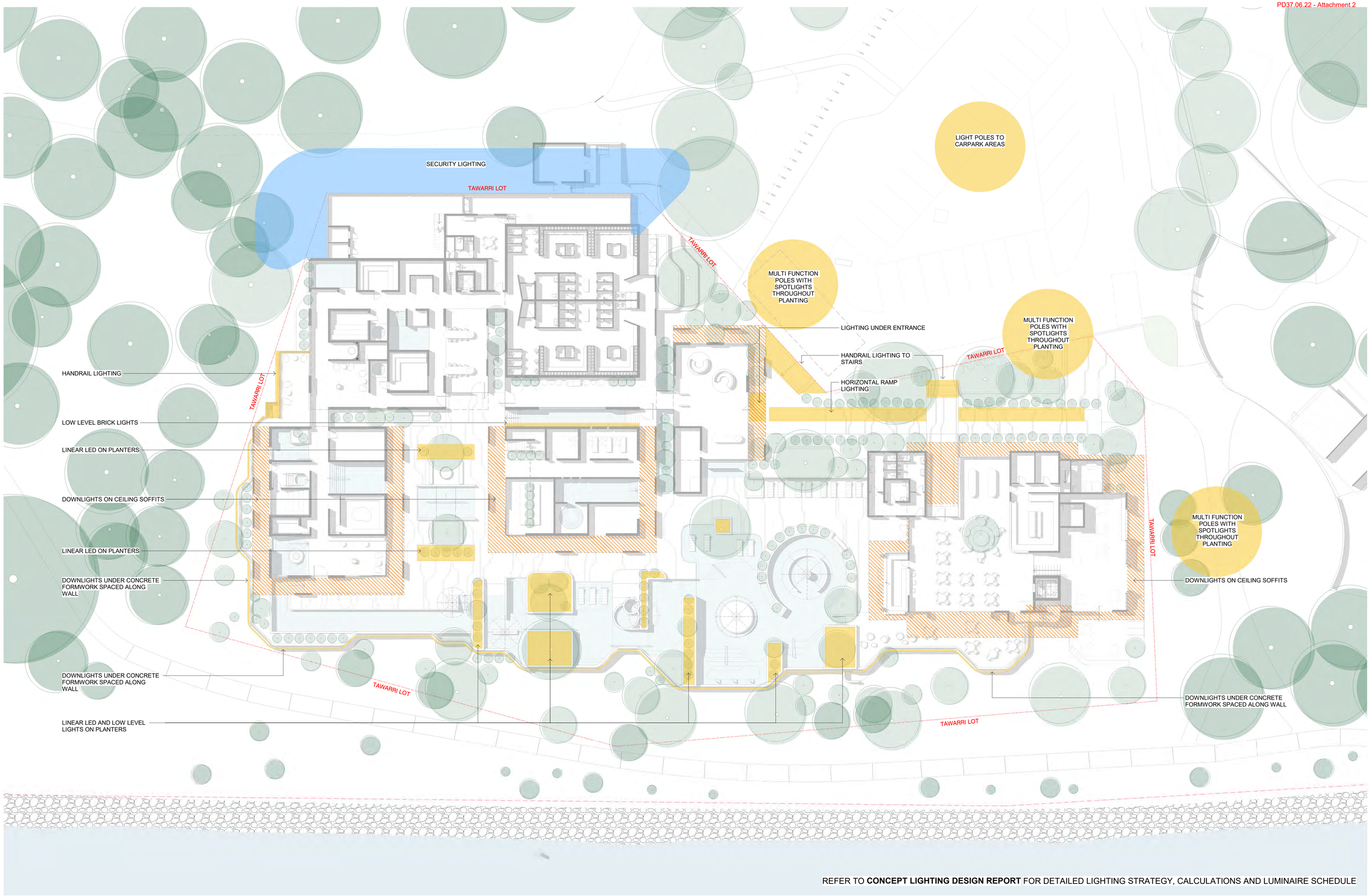


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TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA211**	**BUILDING SECTIONS**		**1 : 200**

DEVELOPMENT APPLICATION

plus architecture



REFER TO **CONCEPT LIGHTING DESIGN REPORT** FOR DETAILED LIGHTING STRATEGY, CALCULATIONS AND LUMINAIRE SCHEDULE

PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
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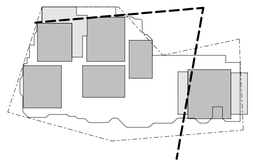
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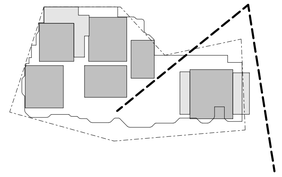
plus architecture

DEVELOPMENT APPLICATION

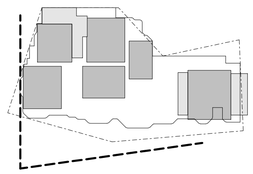


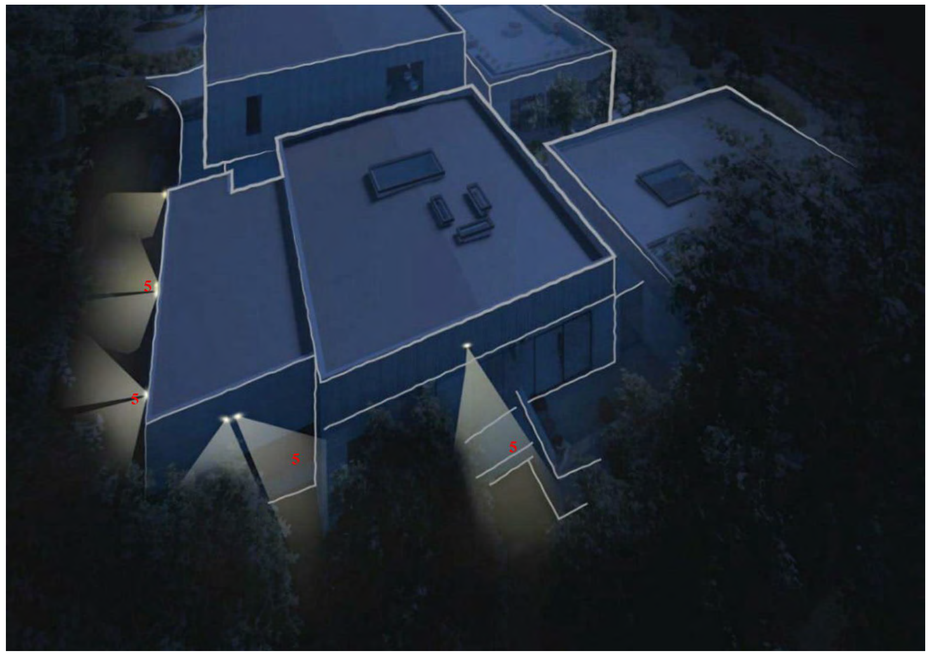


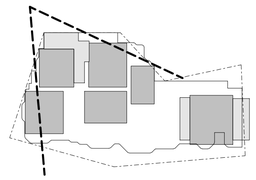










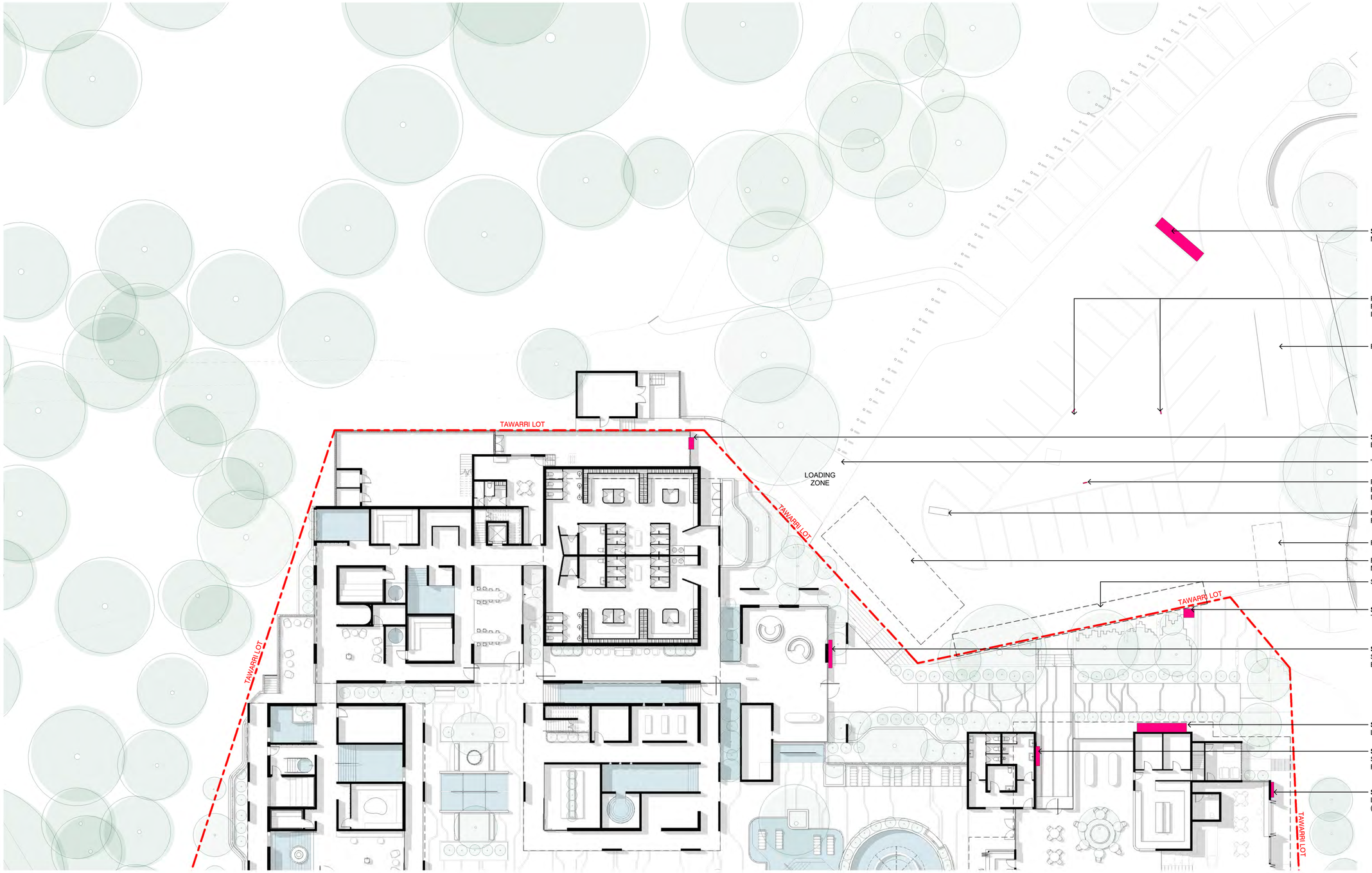


REFER TO **CONCEPT LIGHTING DESIGN REPORT** FOR DETAILED LIGHTING STRATEGY, CALCULATIONS AND LUMINAIRE SCHEDULE

PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING	NORTH	SCALE
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA301**	**EXTERNAL LIGHTING**		**1 : 200**

plus architecture

DEVELOPMENT APPLICATION



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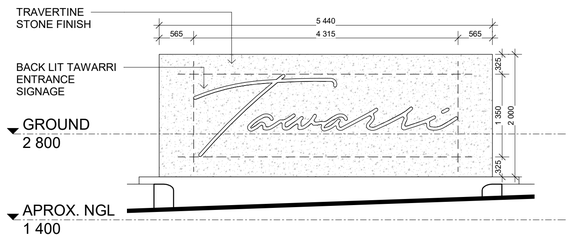
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NORTH

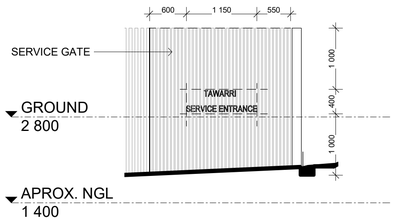
SCALE
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plus architecture

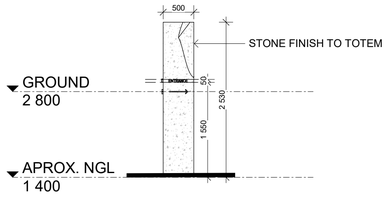
DEVELOPMENT APPLICATION



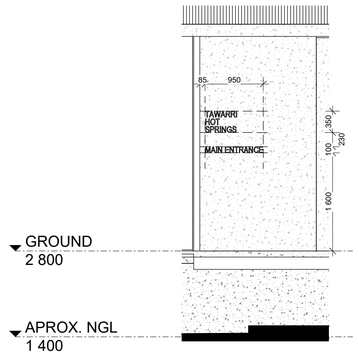
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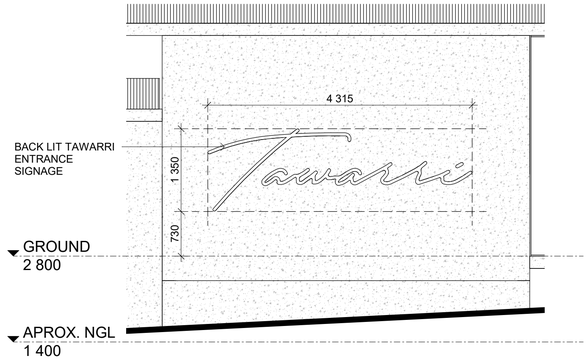
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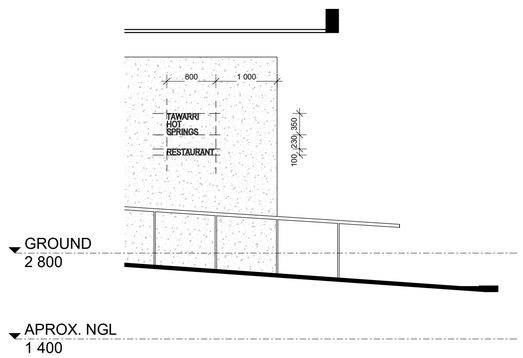
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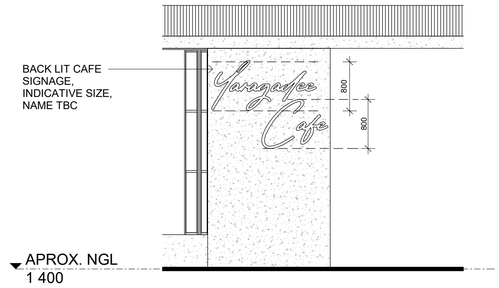
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Scale: 1 : 50



5 SIGNAGE 05
Scale: 1 : 50



6 SIGNAGE 06
Scale: 1 : 50



7 SIGNAGE 07
Scale: 1 : 50

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TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA303**	**SIGNAGE**

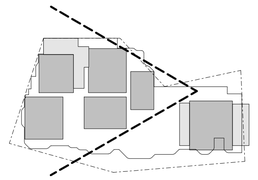
NORTH

SCALE
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plus architecture

DEVELOPMENT APPLICATION



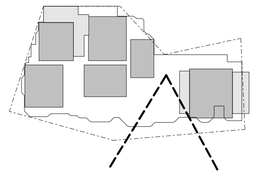


PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING	NORTH	SCALE
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plus architecture

DEVELOPMENT APPLICATION



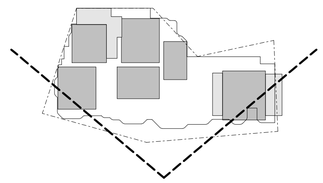


PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING	NORTH	SCALE
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA401**	**PERSPECTIVE**		**1 : 200**

plus architecture

DEVELOPMENT APPLICATION



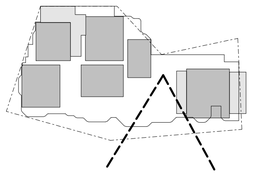


PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING	NORTH	SCALE
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA402**	**PERSPECTIVE**		**1 : 200**

plus architecture

DEVELOPMENT APPLICATION





PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING	NORTH	SCALE
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA403**	**PERSPECTIVE**		**1 : 200**

plus architecture

DEVELOPMENT APPLICATION





PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	**DA404**	**PERSPECTIVE**

NORTH

SCALE
1 : 200

plus architecture

DEVELOPMENT APPLICATION

APPROXIMATE NUMBER OF PARKING BAYS	
TOTAL NUMBER OF CARPARKS EXISTING INFORMAL AND FORMAL	**143**
TOTAL NUMBER OF CARPARKS EXISTING INFORMAL	109
TOTAL NUMBER OF CARPARKS EXISTING FORMAL	34
TOTAL NUMBER OF CARPARKS PROPOSED INFORMAL AND FORMAL (STAGE 1)	**154**
TOTAL NUMBER OF CARPARKS PROPOSED INFORMAL (STAGE 1)	15
TOTAL NUMBER OF CARPARKS PROPOSED FORMAL (STAGE 1)	139
TOTAL NUMBER OF CARPARKS PROPOSED INFORMAL AND FORMAL (STAGE 2)	**129**
TOTAL NUMBER OF CARPARKS PROPOSED INFORMAL (STAGE 2)	5
TOTAL NUMBER OF CARPARKS PROPOSED FORMAL (STAGE 2)	124



NOTES

1. PROPOSED LEVELS ARE INDICATIVE ONLY AND MAYBE SUBJECT TO CHANGE UPON FURTHER INFORMATION ACQUIRED.
2. DESIGN SPOT HEIGHTS ARE IN MILLIMETRES.
3. DRAINAGE DESIGN AEP 1% ONLY FOR ROAD SURFACE AREA.

PROPOSED LEGEND

- ROAD CENTRE LINE
- INSTALL NEW KERB
- CARPARK STAGE 2
- CONCRETE FOOTPATH
- ASPHALT
- SPEED HUMP LOCATION
- DRAINAGE BASIN
- FLOW LINE
- 143 PROPOSED LEVEL STAGE 1
- 143 PROPOSED LEVEL STAGE 2
- +200 DESIGN SPOT HEIGHT (mm)
- PROPOSED TREE
- PROPOSED SOAKWELL

The information contained within this documentation is for sketch design purposes only and is not to be relied upon. The City of Nedlands will not be held liable for any loss and or damages should this information be used.All information shown is subject to detailed design review and approval by Governing bodies, including the City of Nedlands and is subject to change without notice. The City reserves the right to modify all information.

DIAL BEFORE YOU DIG www.1100.com.au

INFORMATION ONLY

AMENDMENTS

No.	DRN	DATE	DESCRIPTION	BY	DATE
A	S.F	04.11.21	INFORMATION ONLY	N.B	04.11.21

ORIENTATION

City of Nedlands

SCALE 1:500

0m 5 10 15 20 25

HORZ. DATUM - MGA94

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TAWARRI CARPARK

ESPLANADE

CONCEPT FOR PROPOSED CARPARK MODIFICATIONS

DESIGNED BY	S.F	04.11.21
DRAWN BY	S.F	04.11.21
CHECKED BY	N.B	04.11.21
APPROVED BY	N.B	04.11.21

DRAWING NUMBER

2021-831-CP-001

A1 | SHEET 1 OF 1 | REVISION A

L:\FWP Forward Works Programmes\2021\Tawarri Carpark\CAD\Tawarri Carpark-Parking.dwg 05/11/2021 - 1:51pm sfletcher

PD37.06.22 - Attachment 4

DEPARTMENT OF PLANNING, LANDS AND HERITAGE

DATE 07-Dec-2021

FILE SDAU-036-21

TAWARRI HOT SPRINGS

120 ESPLANADE, DALKEITH, WA

Development Application

NOVEMBER 2021



ASPECT Studios

Contents

01. Site Context
02. Site Analysis
03. Landscape Approach
04. Landscape Plans
05. Detail Areas
06. Landscape Quality
07. Planting Approach

Prepared by:
ASPECT Studios
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Perth, WA, 6000

Prepared with:
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160 Beaufort St,
Perth WA 6000

Document Control

Job Number:	P19052
Report No.:	P19052_AS_004
Revision:	D
Date Issued:	18.11.2021

Introduction

The landscape design for the Tawarri Hot Springs (THS) project in the City of Nedlands, has been prepared by ASPECT Studios in collaboration with PLUS Architects. The design responds to the local context and scale, form and function of the architecture in order to create a dynamic and engaging sequence of landscape spaces.

The design team has undertaken a comprehensive context analysis reviewing the significant natural and cultural features of the site surrounds. This research has provided a foundation for the development of the design and grounded the design in the local context.

The landscape vision for the Tawarri site is to develop a rich and connected landscape experience that reveals the geological, hydrological, ecological and cultural character of the site and creates a new setting for the THS facility. The surface expression of the site qualities will be used to interpret the sites history and character as well as rehabilitating, connecting and celebrating the local context.

The following general principles inform the landscape approach to the site:

— Develop a contextual framework to inform the design of the landscape and architectural detail;

— Use high quality landscape design to integrate the proposed development within the foreshore environs.

— Create spaces with varying characteristics and identities that acknowledge the hydrological, geological, and ecological setting for the project;

— Acknowledge the cultural history of the site and Swan River;

— Maximise opportunities for social interaction through the arrangement of seating and views;

— Create a robust landscape made from elegant materials, proven planting and bold forms that can be managed and maintained;

— Introduce a selection of local and native plant species that connect the surrounding ecologies.

The design of landscape considers the architectural design by Plus Architects in both concept and materiality, with the intention of creating a cohesive transition from internal to external spaces.



SITE APPRECIATION

1.0 Site Context

1.1 Aboriginal History

The below information is relevant to the broader river precinct and not specifically the Hot Springs site.

Mooro Nyoongars
- The Mooro Nyoongars lived in and to the north of Perth. The western side of the Nedlands Foreshore was used as hunting ground for the Mooro Nyoongars

Key Landmarks
- Originally, there were several freshwater springs close to the Tawarri Hot Springs site

- The present site of the University of Western Australian campus, once had a fresh water spring and was also a battle ground for the Nyoongar people

- The area had an abundance of fish, shell fish, frogs and turtles. Matilda Bay especially was favoured by the Mooro people for crabbing and prawning

The Waugal
- The Waugal (derived from waug which means soul, spirit or breath) is associated with and equivalent to **'living water'** or a vital force of water and is represented in the form of a 'water snake'

- The Waugal is believed to have surfaced near to the fresh water spring in the area.

- Mt Eliza in Kings Park is believed to have been the **result of the Waugal struggling to the surface** before it worked its way back to the sea

- The Nyoongar people still greatly respect the river precinct which has strict codes and ethics that are still observed today

We have liased with the department of Department of Jobs, Tourism, Science and Innovation (specifically, Native Title, Heritage & Environment Strategic Projects) and they have indicated that there are no sites of significance in the immediate Tawarri area.



1.0 Site Context

1.2 European History

1697s

1697 Explorers

- It is suspected that Willem de Vlamingh noted the cliff behind the Tawarri site when exploring the Swan River in 1697. This can be traced back to map found in the State Library



1827

1827 Explorers

- In 1827 Captain James Stirling sailed to the Swan River in his ship HMS Success. Stirling believed the area would be ideal for a settlement

SOURCE: Name the Rivers Edge, Nedlands Library

1906

Old Men's Home

- Jump forward about 2 centuries and the Claremont Old Men's Home opened above the Tawarri site in 1906
- The **T shaped wooden jetty** was the first element to be constructed. Everything was brought to the remote bush site via the jetty and a cliff path
- The Home later became known as Sunset Hospital



1920s

- Sustenance workers or **"Sussos"** were unemployed men doing manual work
- One of the projects was **foreshore reclamation** which would help eradicate low swampy areas that were prone to mosquito infestations.
- Workers help build river walls and back-filled dredged sand from the river bed
- The Tawarri site and the adjacent foreshore area was home to many of these workers, who **lived in tents**. The **workers planted many of the trees** that can be seen today

Sussos

Historical Trees

Tents

Existing Shoreline

The shoreline at Tawarri has continuously evolved throughout the site's history. In more recent history, reclamation works have been undertaken to increase the width of the foreshore park as well as assisting in stabilising the edge from erosion.

The following map shows the historical shoreline alignment. It is clear that much of the Tawarri site is located on reclaimed land.

Reclaimed

1.0 Site Context

1.2 European History

1920s - 1940s

The Dalkieth Hot Pool

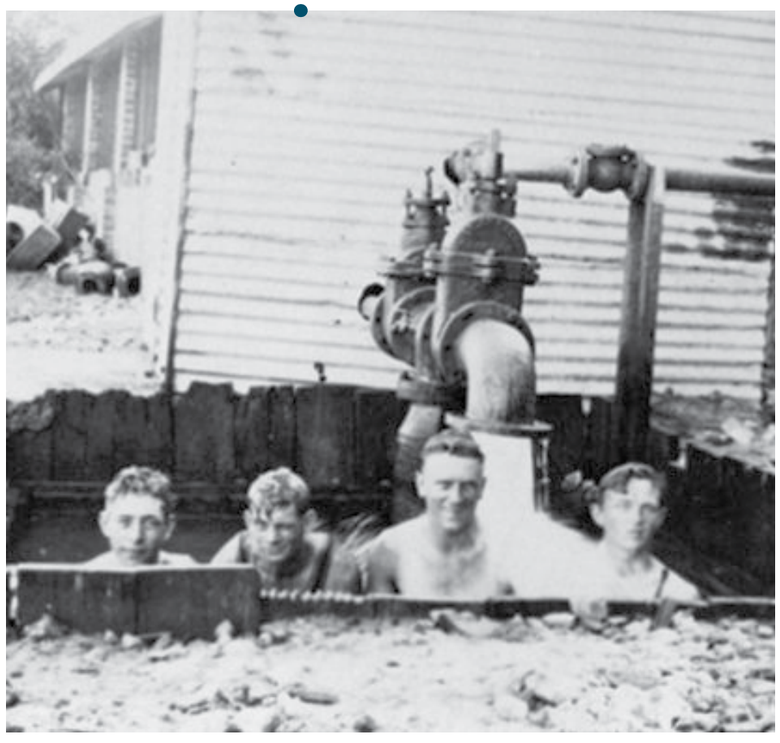
- Prior to mains water supply, water was piped from a drill hole at the base of the cliff that tapped deep into the Yarragadee Aquifer
- In 1922 the casing burst and locals built an enclosure to contain the flow
- This soon attracted many visitors as they believed the water had healing powers
- Scandal soon followed as people used to visit late at night and were eventually caught by the police not wearing appropriate clothing



Group sitting in Hot Pool Christmas 1924



Hot Pool 1940s







NUDITY AT DALKEITH

POLICE RAID HOT POOL

Fines Follow In City Court Today.

In the early hours of this morning the police descended on the hot pool at Dalkeith and there discovered two young men bathing in the nude.

Also present were two girl companions, who were only one minute garment each.

The quartette were charged in the Perth Police Court this morning, when one of the men was fined £5 and the other £4. On one of the males also a further penalty—£2—was imposed for tendering a false name.

The girls were fined £1 each.

Incidentally bathing in the nude, or the nearly nude, has been going on of warm nights at the hot pool at Dalkeith for so many years that many people will probably consider the quartette unlucky to be caught out of the scores who go there—minus bathers.

1.0 Site Context

1.2 European History

1920s - 1940s

Dalkeith Camping Ground

- From 1920s to 1940s the government operated a camp ground for holiday makers
- During the depression many that couldn't afford rent lived on the foreshore all year round. The advantage of being here was campers could bathe and launder in the Dalkeith Hot Pool at any time and had an abundance of crabs, prawns and fish from the river

1939 - 1945

US Navy

- During the Second World War, water from the Dalkeith Hot Pool was diverted into concrete pools that had been purpose built for US Navy personnel on R&R leave

1957

Tawarri Function Centre

- Constructed as the Dome shaped cafe in 1957 and rebuilt in 1964 after fire damage as the Tawarri Function centre
- "Tawarri" is an Aboriginal name for 'evening breeze'
- The centre was a destination for numerous social events, including weddings, receptions, conventions and Sunday buffets

Tents

Camping

Foraging

R&R

Wellness

Socialise





ASPECT Studios

2.0 Site Analysis

2.1 View Analysis

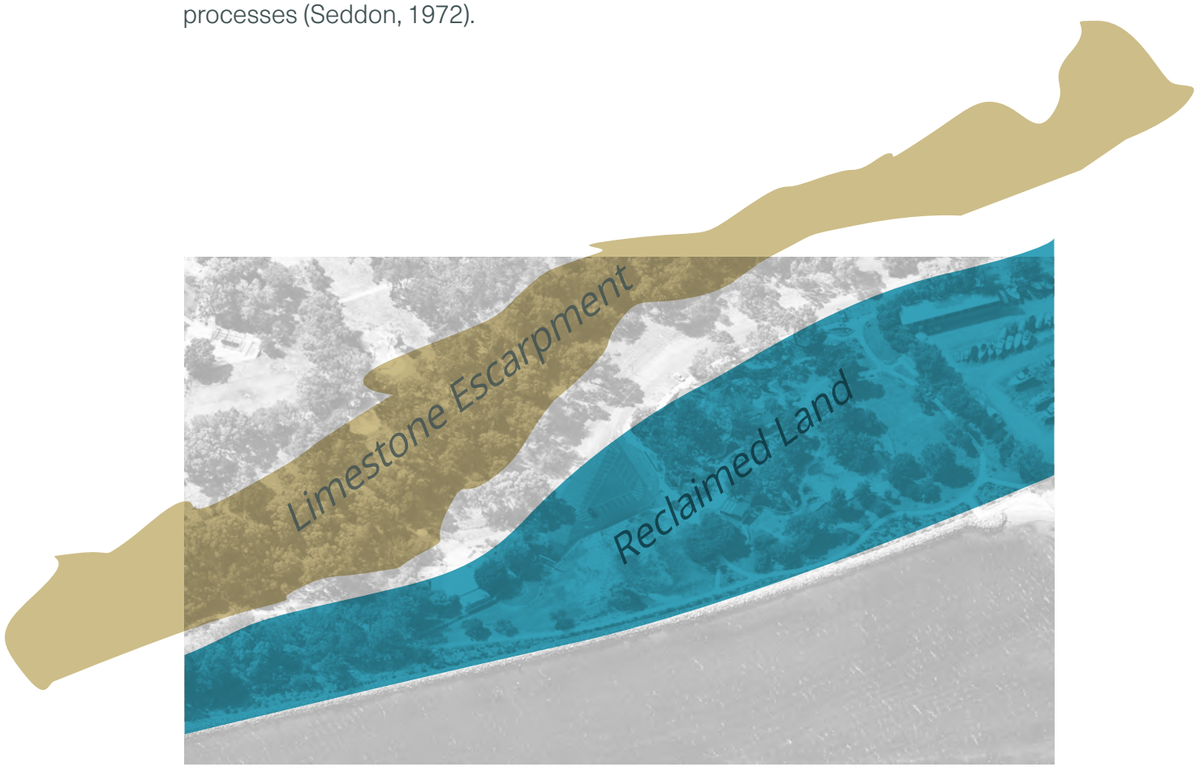


2.0 Site Analysis

2.2 Geology & Hydrology

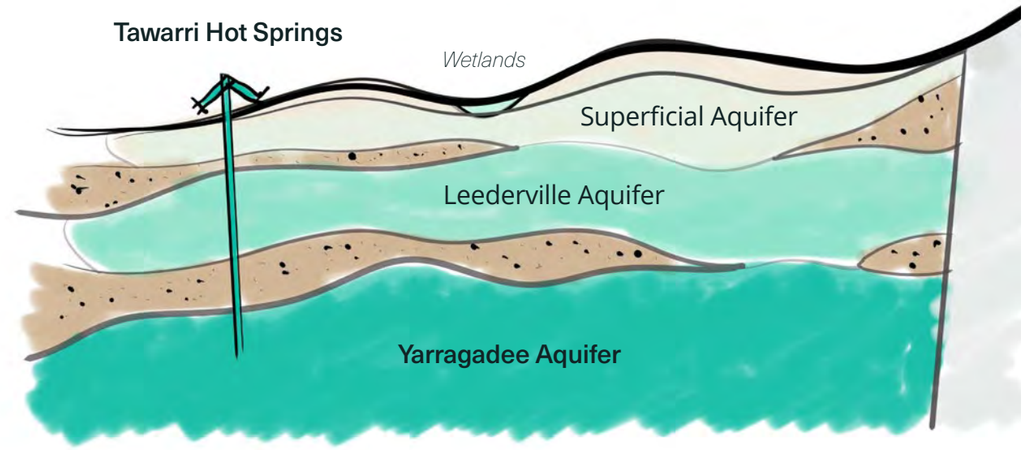
THE ESCARPMENT - The escarpment is comprised of what is commonly know as Tamala Limestone which was formed in the Pleistocene era. The rock consists of calcarenite wind-blown shell fragments and quartz sand which accumulated as coastal sand dunes. Over thousands of years, the lime content dissolved to cement the grains together. This escarpment is a strong and identifiable element on the site.

THE FORESHORE - The foreshore zone was originally defined by shallow, swampy areas but was later reclaimed, using river bed sand. This river sand is made up of variable and undifferentiated deposits associated with estuarine processes (Seddon, 1972).



Sub-surface Hydrology

- The site is located above the **Yarragadee Aquifer**, which is a significant freshwater aquifer
- The aquifer is **hundreds of metres below ground** level and in places is approximately two kilometres thick
- Tawarri Hot Springs will use geothermally heated water extracted from the Yarragadee Aquifer in its pools
- Some of the water within the aquifer is **over 30,000 years old**



Surface Hydrology

- Limestone riverwalls and infill were utilised throughout the foreshore's history to improve the condition of the land as well as improving the flow of the water within the river
- Local erosion is common throughout the area but mainly from boat wash and the removal of foreshore vegetation
- Water **run-off flows from the top of the escarpment**, down to the foreshore zone

TAWARRI HOT SPRINGS - Hot water is sourced from the Yarragadee aquifer and recirculated with heat being generated through a closed geothermal heat exchange system. This system requires the construction of two bores - one for extraction and one for injection. Once the pools are initially filled, the extraction bore is only drawn upon to top up water lost through evaporation, splashing or backwash. The Department of Water have granted rights to construct both bores and, in due course, receive a water allocation in line with our utilisation projections

2.0 Site Analysis

2.3 Ecology

Existing Trees

The key existing trees have been mapped through a detailed desktop study with the purpose of identifying the canopy extent. This canopy extent will assist in informing the location of proposed key elements throughout the site.

Tree Removal

As part of the site investigations the existing trees within and adjacent to the site were reviewed. As a result of this review a number of trees in close proximity to the existing facility were identified for removal. The identified trees are predominately exotic species not in keeping with the native riverine species within the foreshore reserve or native trees in poor condition. These trees have suffered as a result of poor maintenance since the closure of the facility and by the ongoing hot dry periods in recent years which has impacted the trees health and vitality. It was decided that a tree replacement strategy with local native species that were more in keeping with the local character was a more appropriate approach, a position that was supported by the State Design Review Panel.

Tree Strategy

To improve the native biodiversity of the area, native or endemic tree species are advised to be prioritised. Existing native trees are to be retained where possible.



2.0 Site Analysis

2.4 Ecology

Vegetation

- The Vasse Complex (vegetation type) exists along the foreshore. It primarily consists of a mixture of closed melaleuca scrub to a fringing woodland of flooded gum and melaleuca species

- The area surrounding the site also includes an open forest of tuart, with some older and identifiable specimens

- Within the site boundary, there are a range of exotic species which are intended to be removed. The proposed design with prioritise the use of native or endemic species.

Below is a list of some of the species on site:

- Weeping Bottle Brush *(Callistemon viminalis)*
- Peppermint Tree *(Agonis flexuosa)*
- Grey She-oak *(Casuarina glauca)*
- River She-oak *(Casuarina cunninghamiana)*
- Horsetail Casuarina *(Allocasuarina equisetifolia)*
- Tuart *(Eucalyptus gomphocephala)*

Additional species from adjacent areas:

- **Flooded Gum** (Eucalyptus rudis)
- **Scented Paperbark** (Melaleuca squarrosa)
- **Flooded Gum** (Eucalyptus rudis)
- **River Red Gum** (Eucalyptus camaldulensis)
- **Broad-leaved Paperbark** (Melaleuca quinquenervia)
- **Swamp Honey-myrtle** (Melaleuca squamea)

This is a preliminary list, subject to a detailed survey.



Weeping Bottle Brush (Callistemon viminalis) - Poor / Average Condition



Tuart (Eucalyptus gomphocephala) - Outside site boundary



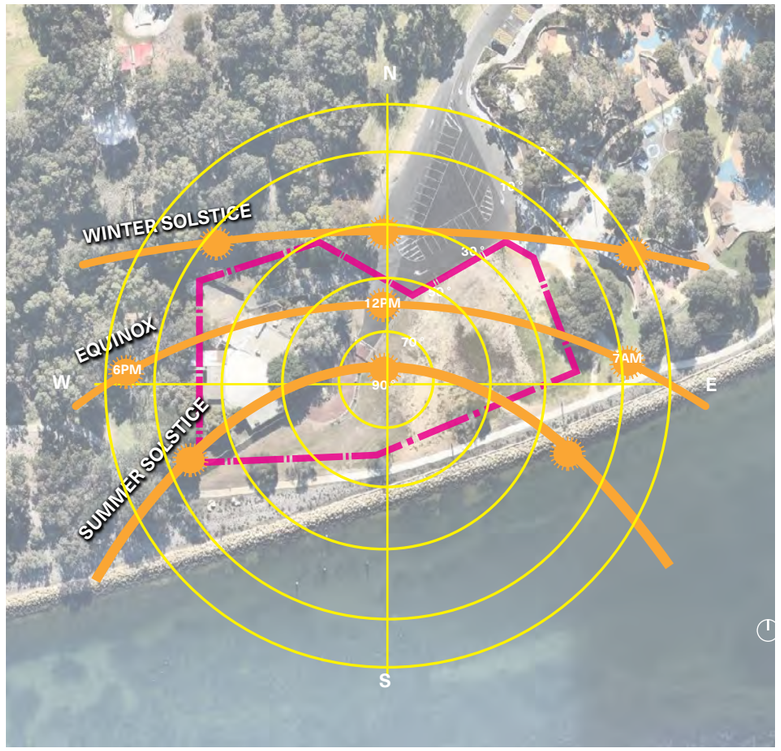


2.0 Site Analysis

2.5 Site Conditions

Sun and Shade Analysis

The site is blessed with surrounding topography and it's adjacency to the river. All these elements contribute to a dramatic light experience. Long shadows in the afternoon from the limestone escarpment provide comfortable shade at noon in the North-west region of the site and dramatic reflective light in the morning.



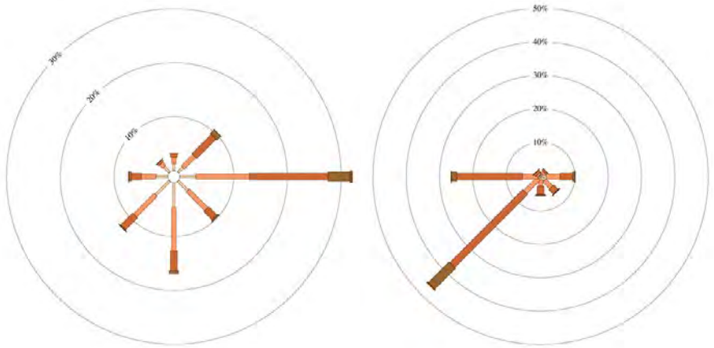
Key Information:

- North west corner of site is shaded but remaining site is exposed to direct sun

Wind

The site receives moderate to strong prevailing winds throughout the morning from a north-easterly direction. As the site is naturally sheltered from these winds. The existing vegetation will filter the winds, allowing lighter breezes to reach the site. Moderate to strong winds (Fremantle doctor) prevail in the afternoon.

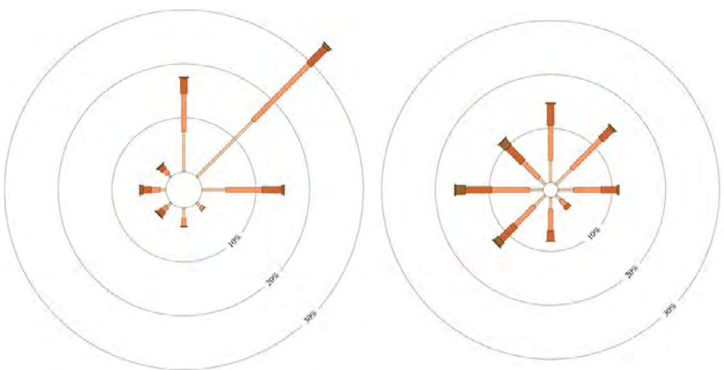
21 December
Summer Solstice



9am 3pm

Strong afternoon wind from river

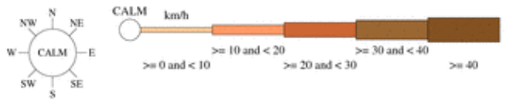
21 June
Winter Solstice



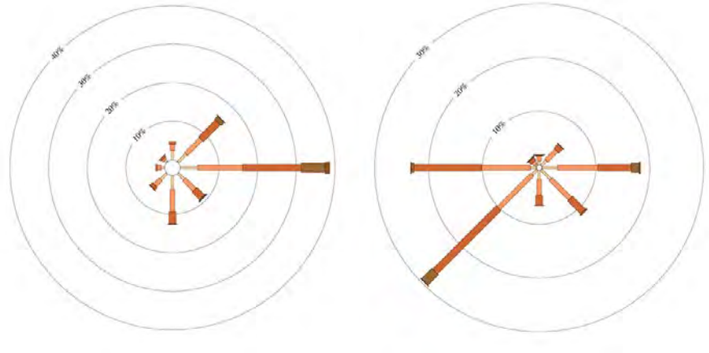
9am 3pm

Filtered cold breezes in morning from NE

LEGEND



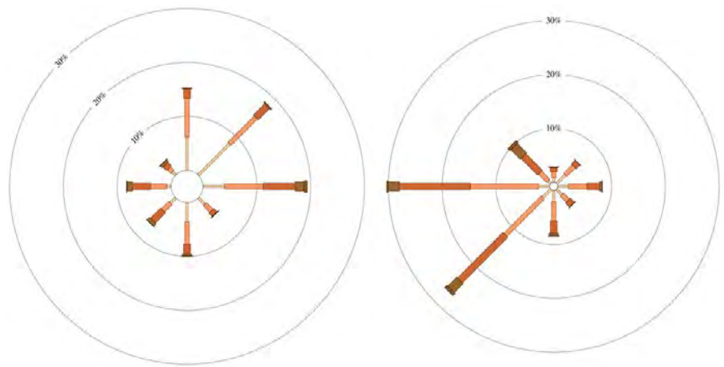
20 March
Autumn Equinox



9am 3pm

Cool breezes from the river

22 September
Spring Equinox

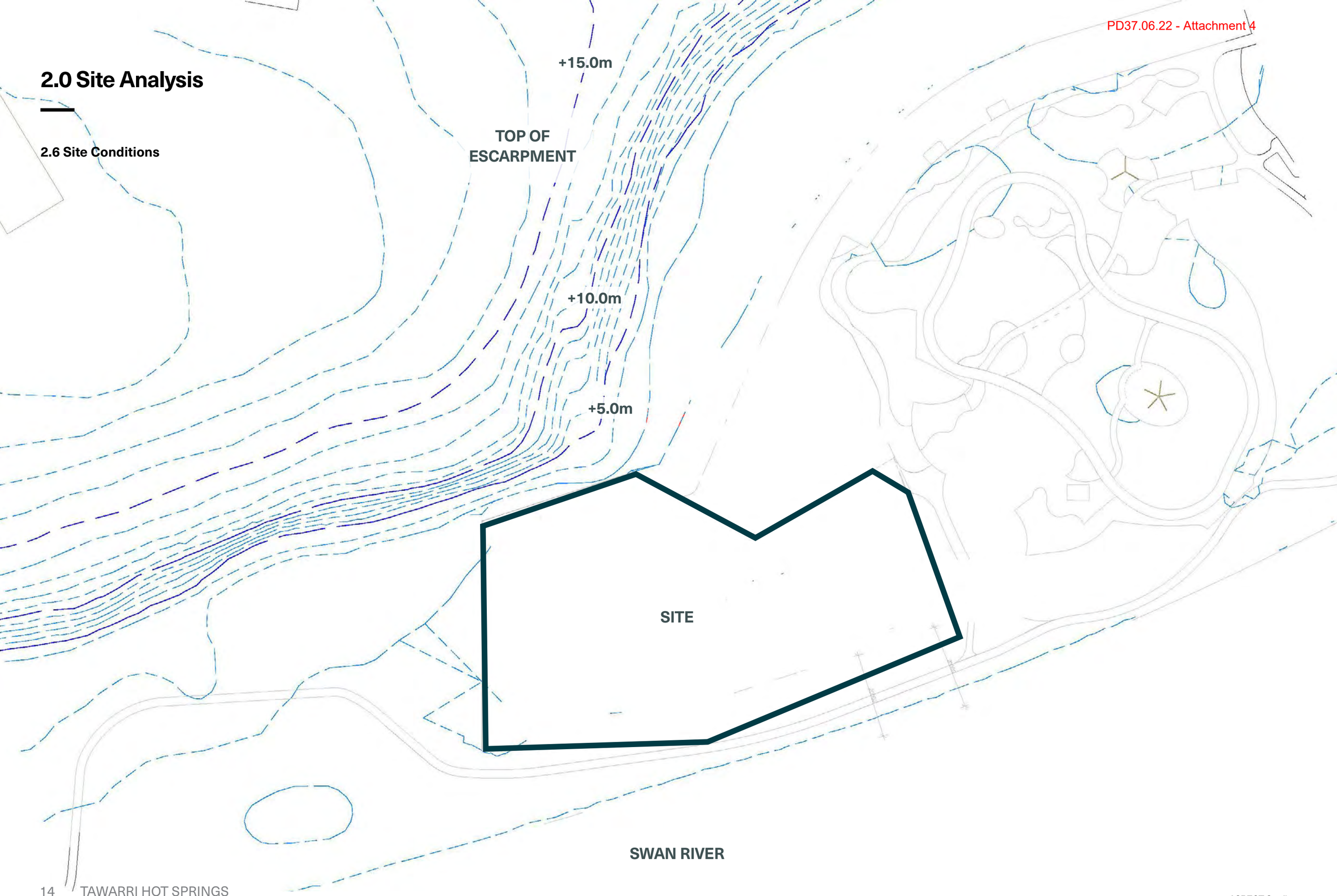


9am 3pm

Afternoon breezes from the river

2.0 Site Analysis

2.6 Site Conditions

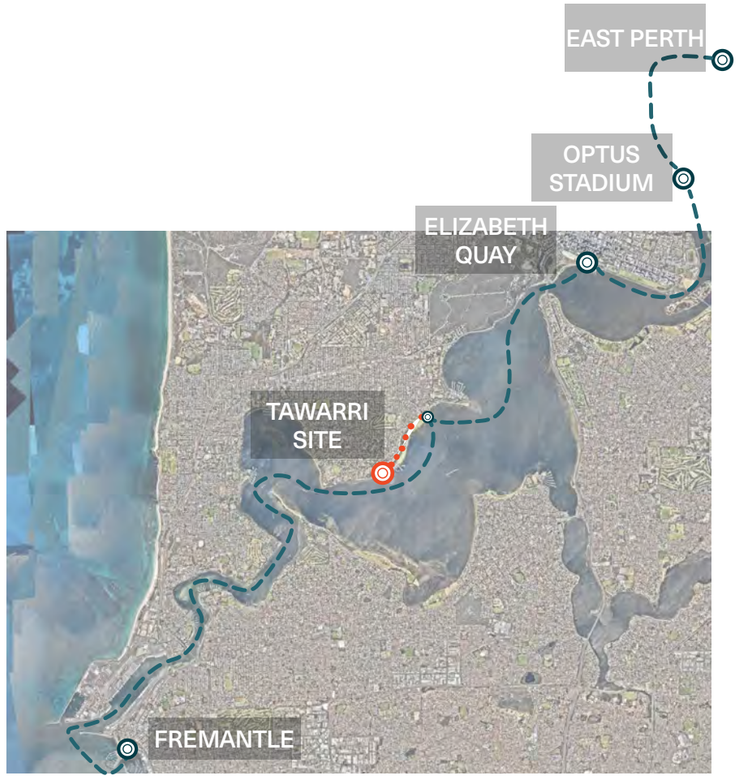


2.0 Site Analysis

2.7 Linkages

Swan River Linkages

Located at the western end of the Nedlands foreshore, the site acts as a gateway to the Sunset Heritage Precinct and the intimate beach park to the west.





2.0 Site Analysis

2.8 Linkages





Sunset Heritage Precinct - Viewed from top of escarpment



Tawarri - Primary Carpark - Open, informal carpark



Jo Wheatley Play Space - Southern frontage

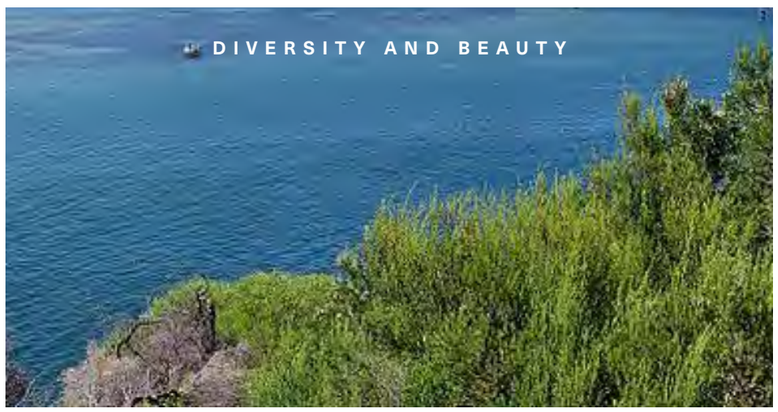
2.0 Site Analysis

2.9 Existing Landscape Character

The three open space character areas contain distinctive characteristics that define the look and feel of that particular area. Examples of these key characteristics are summarised under the images below.

The inspiration drawn from these character areas will inform the private and public realm design, specifically; form, materiality and plant species selection.





RIVER



RIVER FORESHORE



LIMESTONE ESCARPMENT

Key Characteristic's

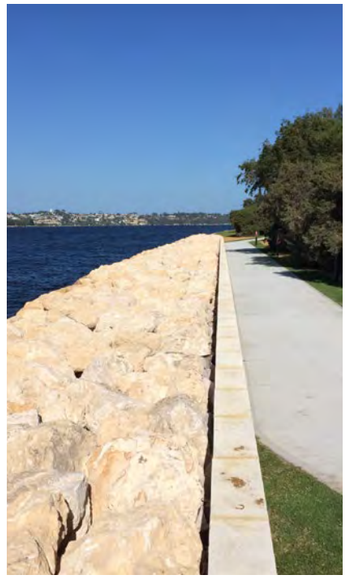
RIVER





RIVER FORESHORE









LIMESTONE ESCARPMENT





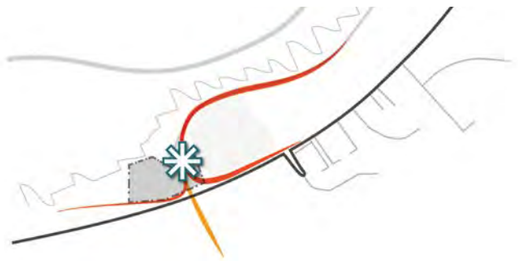


LANDSCAPE APPROACH

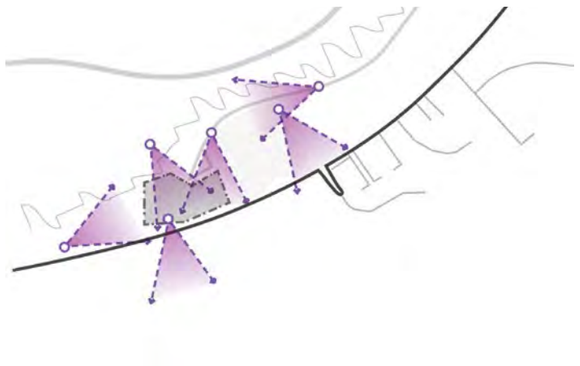
3.0 Landscape Approach

3.1 Design Principles

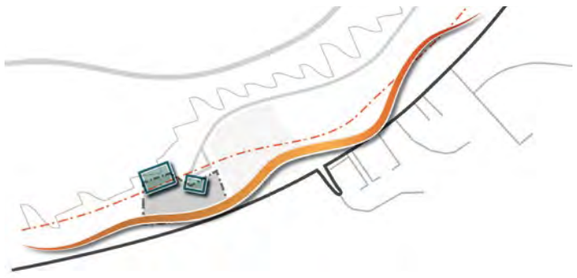
Create a destination and gateway to western end of Beaton Park



Maximise unique and attractive views to and from the development



Celebrate the site's history



Strengthen the sense of place



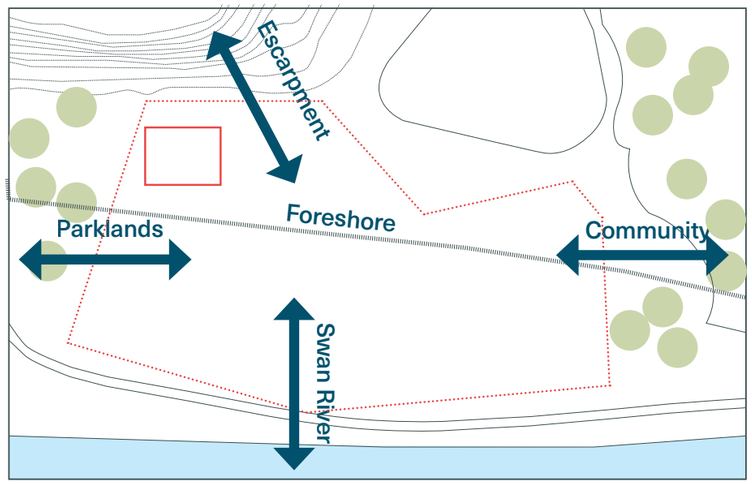
Preserve, enhance and celebrate the existing landscape



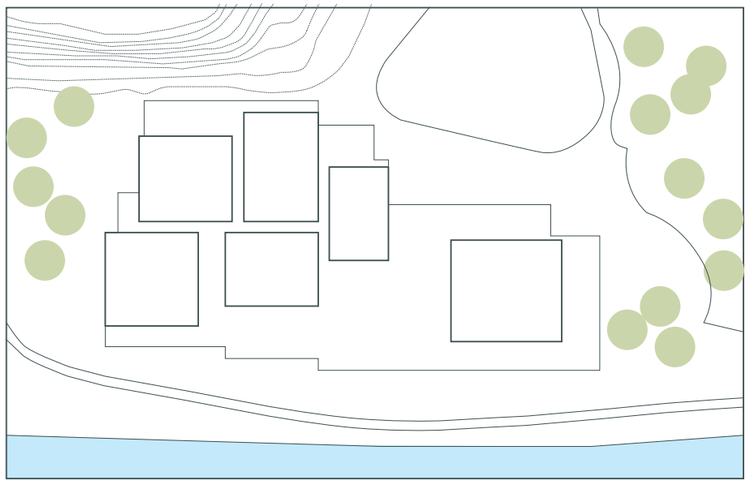
3.0 Landscape Approach

3.2 Site Planning

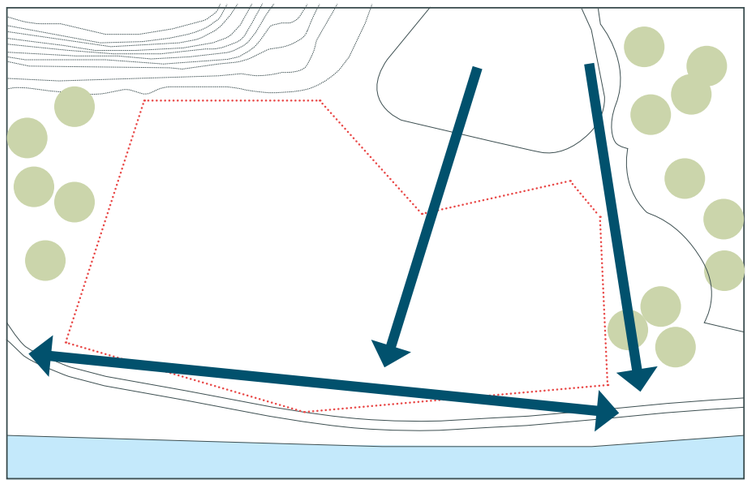
Site Influences



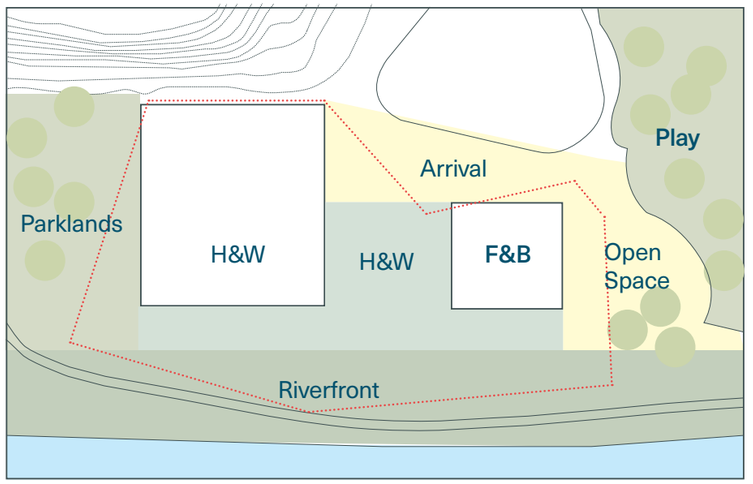
Builtform Massing



Site Views



Site Planning



3.0 Landscape Approach

3.3 Design Drivers

Environmental Design Drivers

Hydrology

- Water is a significant story for both the site and its use.
- Alignment with former foreshore – reveal the former foreshore.
- Water sensitive urban design to improve water management across site and incorporate water flow visibly, and express the story of the water cycle within the public realm.
- Plant selections reflective of the riverine and hydrological conditions. (Living indicators)
- Waterwise planting.

Vegetation

- Rejuvenate the vegetation in the area (weed management to increase biodiversity).
- Increase vegetation and biodiversity of site.
- Ecological linkages through the site and surrounds.
- Celebrate native planting (seasonality, texture, colour)
- Locally significant species of the Vasse Vegetation Complex.
- Site specific references such as the Sheoaks and Paperbarks have Indigenous spiritual significance since they rely on fresh groundwater which discharges from the limestone escarpment.

Geology

- Materiality - Tamala Limestone.
- Layered colours.
- Texture (porosity, erosion, shells)
- Stratigraphy.
- Former foreshore alignment.

Cultural Design Drivers

Indigenous

Potential inclusions for cultural interpretation include:

- Nomenclature/ Naming - Tawarri.
- Integration of the Karda Bidi Trail, interpretation and story of the Variegated Fairy-wrens.
- Bush tucker planting.
- Sculpture installation.
- Inclusion of cultural art within landscape elements.
- Signage explaining the cultural significance of the Beeliar (river).
- Planting of indigenous plants with signage including Aboriginal naming and traditional usage of the species.
- Inclusion of a yarning circle.

European

- Dalkeith hot pools (water)
- Health and wellness
- Bathing
- Recreational amenity along the foreshore
- Food and beverage
- Community Gathering
- Former jetty
- Old Mens Home

LANDSCAPE PLANS

4.0 Landscape Plans

4.1 Site Plan



- - - - - Lot Boundary. Refer Architectural Site Plan DA053 for project boundary.

4.0 Landscape Plans

4.2 First Floor Plan



Lot Boundary. Refer Architectural Site Plan DA053 for project boundary.

5.0 Detail Areas

5.1 Arrival Court

The arrival court is a relaxing, transitional public space created to facilitate access to multiple destinations. Key destinations include, Tawarri Hot Springs, Sunset Heritage Precinct, Jo Wheatley All Abilities Play Space and the Nedlands foreshore

The court was inspired by the natural geology of the site, drawing on the rugged forms of the Tamala limestone escarpment and structure of the layered aquifers beneath.

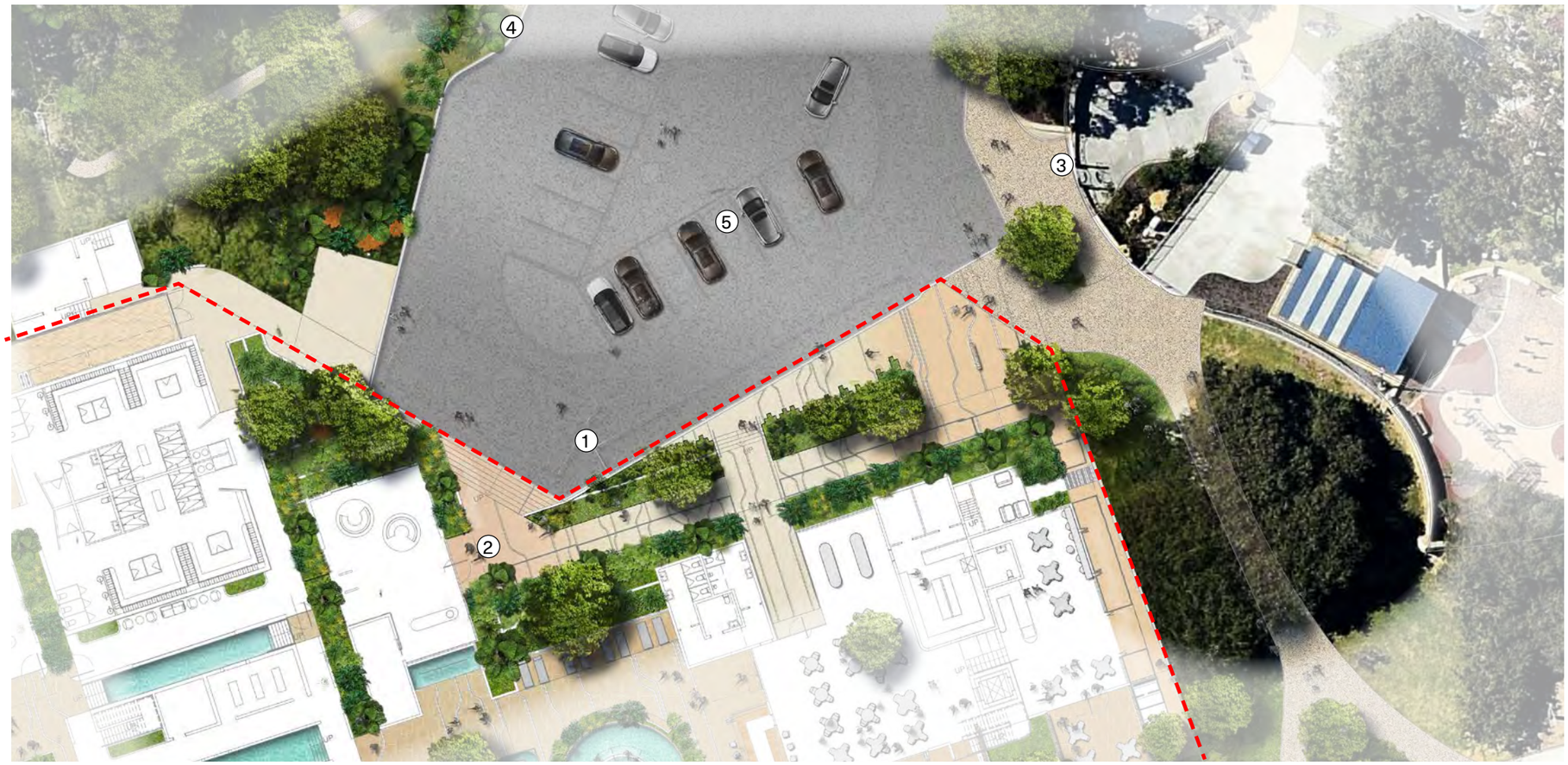
This inspiration has been translated physically into the layout and landscape forms as well as experientially into how people filter and pause as they move through the space.

Health and Wellness are one of the key drivers for the project, so the intention is to “set the tone” upon arrival for THS guests as well as the general public that are passing through the space.









KEY

1	Vehicle Drop-Off
2	Tawarri Hot Springs Entrance
3	Play Space - Main Entrance
4	Access to Sunset Heritage Precinct
5	Car Parking

Note: Final landscape details are subject to detailed design.

5.0 Detail Areas

5.2 Foreshore Promenade

The foreshore design celebrates the Swan River. Generations of West Australians have been drawn to the Nedlands foreshore due to it's beautiful outlook and access to the waters of the Swan River.

The design references the meandering nature and undulating bathymetry of the Swan River. The undulating forms have been interpreted into subtle mounding.

The mounds are planted with a selection of native riverine species. The combination of planting and mounds creates a partial visual buffer between the existing foreshore path and proposed Tawarri Hot Springs development.









KEY

1	Existing rock revetment / river wall
2	Indicative swale w/ riverine wetland planting
3	Existing foreshore footpath

Note: Final landscape details are subject to detailed design.

5.0 Detail Areas

5.3 Parklands

The existing parklands on the western boundary has a strong identity. This is mainly defined by copses of Casuarina and open turfed areas







KEY

1	Existing Trees
2	Existing Path
3	Undulating mounds, planted with riverine species

Note: Final landscape details are subject to detailed design.

ASPECT Studios

5.0 Detail Areas

5.4 Spa Facility













LANDSCAPE QUALITY

6.0 Landscape Quality

Materials Strategy

A refined palette of robust and low maintenance materials are proposed that are in keeping with the project context and architecture. The proposed landscape scheme will use a palette of high quality materials, selected to reinforce the identity of the spaces.

Materials have been selected that are sympathetic to the local context and are appropriate to their location and use. The materials detailed here form a structured palette that are coordinated to create visual unity and integrity within the landscape and with the adjoining local suburbs.

The Material strategy will:

— Use materials that are sympathetic to the local context and are appropriate to their location and use.

— Form a structured palette that is coordinated to create visual unity and integrity within the landscape but allow for variations in texture and colour that can be used to define function and character.

— Give consideration to long-term performance, durability and maintenance requirements.

— Consider impact on the environment and sourcing, cost and project sustainability.







Furniture Strategy

The fixed furniture elements are designed and organised to work with the loose alfresco furniture and encourage a broad range of social interactions. A series of generously dimensioned furniture elements are placed strategically at key locations to distinguish the site as a welcoming and social place.

The furniture strategy will:

— Reinforce the overall design concept and relationship to the architecture.

— Provide a range of fix and loose furniture that caters to large and small groups.

— Share a common material language and robust detailing.

— Locate furniture in favourable climatic zones. i.e. wind protected areas with suitable solar access

— Restrained selection of materials to be robust, vandal resistant and durable.







Note: Final landscape details are subject to detailed design.

6.0 Landscape Quality



Insitu Concrete with Stone Inlay



Natural Stone



Note: Final landscape details are subject to detailed design.

6.0 Landscape Quality









Paving

- **Natural Stone** - Utilise natural stone where possible to assist in creating a strong sense of place
- **Natural Stone Setts -** Vary sizes of paving setts to increase visual contrast
- **High Quality Fair Faced Concrete -** Raw, contemporary finishes
- **Muted Colours -** Utilise a light colour palette to emphasise the coastal tones. Only use bright colours as highlights.



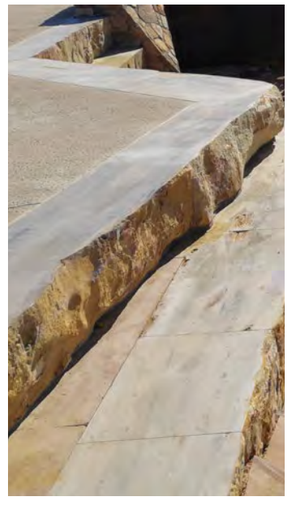


Walling

- **Natural Stone Cladding** - High quality finishes
- **High Quality Fair Faced Concrete -** Raw, contemporary finishes
- **Rubble Walls** - Incorporate highly textured walls to assist in creating visual contrast









Stairs

- Natural Finishes - Natural exposed finished to create visual contrast and texture
- **Natural Stone** - Utilise natural stone where possible to assist in creating a strong sense of place











Furniture

- **Timber** - Used for decking, furniture inserts
- **Natural Stone** - Provides natural tactile look and feel
- **Powder Coated Galvanised Steel -** Resilient in coastal environments. Use pastel tones
- **Soft Furnishing** - Use soft furnishing within the landscape to increase sense of luxury whilst making it feel more personable.

7.0 Planting Approach

Strategy

The planting strategy has been informed and wishes to pay respects to the ancient landscape, river and traditional Noongar culture of this place. The plant species selected respond to cultural associations, textures, colour, habit and their suitability to site. They are unique – adapting to the riverine conditions, the geology of the Tamala limestone escarpment and the underground freshwater aquifers.

The foreshore planting seeks to respond to and continue the dialogue with the River. The tidal movements and ebbs and flow of the water sets a rhythm and conceptually imprints sweeping gestures on the surface. Banding of planting mixes, relate in colour, texture and habit then cross, engage and contrast to corresponding bands as they meander and flow, lapping at the edge of the built form. These fluid bands also create spaces and 'wellness' nodes that provide public amenity through seating. Community members can relax and look out to the River, nestled amongst a riverine landscape.

Cultural and botanical indicator tree species of Paperbarks, Sheoaks, Marris and Flooded Gum will be represented and relate to existing plantings along the River's edge. Plant selection has been informed predominately by the Vasse Complex, with species also proposed from the Karrakatta Complex to respond to drier conditions where appropriate. Planting to the rear of this landscape area will provide screening and privacy to and from the development, with the foreground planting being low to ensure passive surveillance is maintained along and within all spaces that address the footpath.

Planting to the Arrival Court references conceptually the Tamala limestone and deep waters of the subterranean Aquifers. Planting compositions will be represented by both Vasse and Karrakatta Complexes. Plants are envisaged to both clump, meander and trail from, beside and along the proposed walling elements.

Inside the Spa Complex the planting palette responds to the hot springs, the healing, medicinal and restorative qualities of bathing.

Meandering through the development will be a living stream with sedges, rushes and suitably appropriate groundcovers / herbs that will further conceptually represent how the ancient water bodies, wetlands, and water holes were expressed.

Where appropriate Australian native and exotic plant species will create and support an aesthetic and high-quality landscape response. Lush tones of green foliage will soothe and relax visitors. Plant species will respond to different light levels and aspects, including reduced leaf litter where in close proximity to baths, to reduce maintenance requirements.

The planting is intended to:

— Use plants representative of the Vasse Complex and where appropriate the Karrakatta Complex.

— Use water wise design principles and implement hydro-zoning.

— Use plants that can adapt to as well as create pleasant micro-climates.

— Use plants that can tolerate recreational activities.

— Create attractive high-quality planting compositions to promote comfortable, enjoyable environments.

— Use plants that can establish near pools and bathing facilities.

— Enhance ecological diversity.

— Incorporate soil volume and profile to promote good plant growth within the constraints of the site.

— Reduced temperatures of external areas.

— Have low maintenance requirements and longevity.

Water Efficient Irrigation System

Trees and plants will be irrigated by a water efficient irrigation system. The irrigation water demand volumes will not be excessive, however, a constant and uninterrupted supply must be maintained especially during dry and hot periods.

Where possible, plants will be hydro- zoned according to water requirements. This allows the reticulation to the endemic plantings to be separately controlled and greatly reduced following their establishment period.

The automated irrigation system can be designed to include monitors to detect malfunctions so that rapid response rectification can be programmed before the planting is detrimentally affected by a disruption to water supply.

A holistic irrigation strategy will be prepared for the project that aims to include the following initiatives:

— Aqua monitoring to record and display water usage

— Hydro-zoning of plants

— Waterwise planting and use of local species

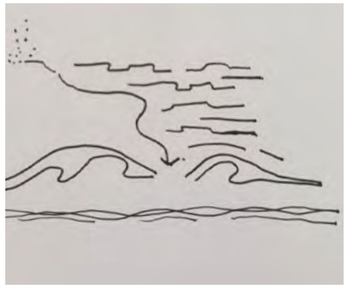
— High quality and improved soils with good moisture and nutrient holding capacity

— Organic mulch

— Rain sensors

— Soil Moisture Sensors

— Evapotranspiration Sensors



The River and the Escarpment



Reference for Arrival Court - canopy and stone



Reference for Foreshore - swathes of plants



The Foreshore - bands of planting

7.0 Planting Approach

Planting Character



Existing Planting Character



Ficinia, Myoporum, Olearia, Lepidosperma sp.



Myoporum, Eremophila, Melaleuca sp.



Corymbia calophylla





Lepidosperma , Myoporum sp.

Additional species incl. Rhagodia, Casuarina and Spinifex.



Olearia axillaris

Eremophila, Scaevola sp.















Proposed Foreshore Character





7.0 Planting Approach

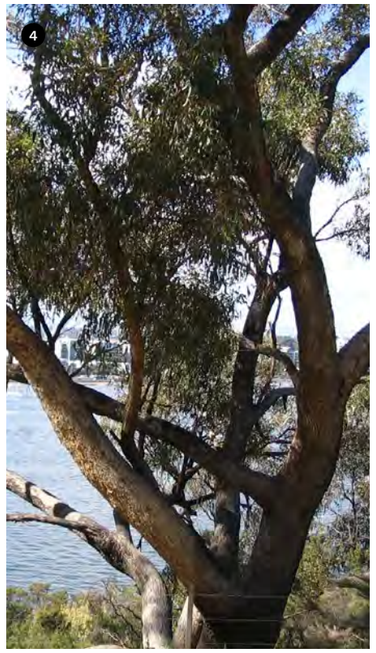
Indicative Foreshore Planting Palette

Agonis flexuosa (3)
Billardiera fusiformis (8)
Carex appressa
Casuarina obesa (7)
Conostylis aculeata
Conostylis candicans (9)
Corymbia calophylla (6)
Dianella revoluta
Eremaea pauciflora
Eremophila glabra 'Dawes'
Eucalyptus rudis (4)
Ficinia nodosa (5)
Grevillea crithmifolia (13)
Isolepis cernua
Juncus kraussii (12)
Juncus pallidus
Lepidosperma gladiatum (16)
Leptocarpus scariosus (Meeboldina scariosa) (10)
Lobelia anceps
Melaleuca cuticularis
Melaleuca lateritia
Melaleuca pressiana (15)
Melaleuca rhaphiophylla
Myoporum insulare (2)
Olearia axillaris
Regelia ciliata (1)
Rhagodia baccata (11)
Viminaria juncea (14)


1


2


3


4


5


6


7


8


9


10


11


12


13


14


15


16

7.0 Planting Approach

Indicative Planting Palette

















Plaza Planting Character















Indicative Plaza Planting Palette

Indicative Tawarri Plaza Planting Palette

Agonis flexuosa (3)

Billardiera fusiformis

Casuarina obesa (2)

Conostylis candicans

Dianella revoluta (7)

Ficinia nodosa

Grevillea crithmifolia (1)

Kennedia prostrata

Lepidosperma gladiatum (4)

Lobelia anceps

Myoporum insulare (5)

Olearia axillaris

Rhagodia baccata (6)

7.0 Planting Approach

Indicative Planting Palette



Entrance Planting Character



Indicative Entrance Planting Palette



Internal Planting Character



Indicative Internal Planting Palette





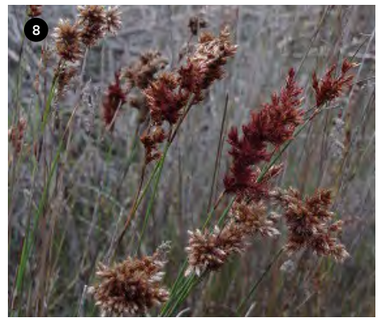
















Indicative Arrival Court Planting Palette

Agonis flexuosa (1)

Conostylis candicans

Dianella revoluta

Isolepis cernua

Kennedia prostrata

Lepidosperma gladiatum (5)

Leptocarpus scariosus (Meeboldina scariosa) (8)

Lobelia anceps (7)

Lomandra longifolia 'Tanika'

Melaleuca cuticularis

Melaleuca rhaphiophylla (6)

Olearia axillaris (9)

Poa poiformis (4)

Rhagodia baccata (3)

Viminaria juncea (10)





















Indicative Internal Planting Palette (incl. medicinal)

Alocasia macrorrhizos (8)

Alpinia caerulea (4)

Baumea preissii (10)

Billardiera fusiformis (5)

Carpobrotus virescens

Cyathea cooperi (1)

Carex appressa (2)

Ficinia nodosa

Hibbertia scandens (9)

Juncus kraussii

Macrozamia riedlei (6)

Pteridium esculentum (7)

Schoenoplectus tabernaemontani (ex. validus) (3)

ASPECT Studios

16.4 PD38.06.22 Consideration of Adoption of Local Planning Policy for Advertising – Draft Broadway Precinct Design Response

Meeting & Date	Council Meeting – 28 June 2022
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff involved in the preparation of this report and the proponents or their consultants.
Report Author	Roy Winslow – Manager Urban Planning
Director	Tony Free–Director Planning
Attachments	1. Draft Broadway Precinct Design Response Local Planning Policy 2. Summary of changes – Broadway Precinct Design Response Local Planning Policy Relationship to SPP7.3 R-Codes

Purpose

The purpose of this report is for Council to adopt for advertising the draft Broadway Precinct Design Response Local Planning Policy (the Policy), found in **Attachment 1**.

Recommendation

That Council:

1. **adopts the Draft Broadway Precinct Design Response Local Planning Policy for advertising in accordance with Clause 4 of the Deemed Provisions of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015;**

2. **notes that the advertising period will be for a minimum of 28 days;**

3. **requests the Mayor to send a letter to the Minister for Planning requesting coordinated planning be undertaken at State level for the full length of the Stirling Highway Activity Corridor; and**

4. **requests the CEO to prepare a Discussion Paper to consider the merits and implications of the Policy's proposed star rating for building sustainability, which is to be discussed at a concept Forum prior to the Policy being further considered.**

Voting Requirement

Simple Majority.

Executive Summary

The Policy seeks to nuance the built form guidance of State Planning Policy 7.3 - Residential Design Codes (R-Codes), providing localised and contextually appropriate built form controls and design guidance for the Broadway Precinct. This report provides an overview of the process the City undertook to create the Policy, a breakdown of the Policy structure and its strategic intent.

The Policy process began with research into the context and character of the Precinct and built form modelling for future development provisions in consideration of this character and context. Key character drivers for the Broadway Precinct were identified as open, leafy streetscapes within the Residential zone, landscaping in the form of deep soil and trees, and areas, or 'nodes', of activity along Broadway.

The research and modelling phase was followed by an extensive community engagement program and review of the Policy provisions by industry experts. This report provides detail on the results of community engagement, and how the outcomes of this engagement have influenced the provisions of the Policy.

The Policy breaks the Broadway Precinct into four sub-precinct areas, each having its own existing and desired future character statement. The sub-precincts are detailed in a Precinct map included as Figure 1 at the end of this report. Each sub-precinct also has provisions written specifically for them that are consistent with these character statements, as well as their density code, zoning and lot orientation. The report discusses the specific aspects of the character and context research, built form modelling and engagement outcomes that have influenced these provisions.

Each modification to the planning framework is justified and assessed against the provisions of the R-Codes. This report includes information on the state planning documentation, and how this Policy relates to these documents. This report also details the legislative requirements of creating and processing the Policy, which aspects of the Policy require approval from the WAPC, and guides Council on the next steps in the policy adoption process.

Background

Built Form Modelling
In accordance with State Planning Policy 7.2 – Precinct Design Guidelines (SPP 7.2), the intent of precinct planning policies is to promote the contextually appropriate development of the areas identified for an increase in density under the Scheme. In January 2020 the City engaged consultants to undertake built form modelling for the Broadway, Nedlands Town Centre, and Waratah precincts.

The built form modelling work included the following deliverables:

1. Local distinctiveness study
2. Context analysis
3. Modelling and built form controls

Community Engagement
The final deliverables of the built form modelling work were provided to the City in April 2021. The City then proceeded to the community engagement phase of the precinct planning work, using key elements of the built form modelling completed to engage with the Community Reference Group (CRG) at workshops. Broader community engagement was also carried out in the form of an Open House (drop-in session) and a community survey. These methods allowed all residents within the City to comment on the desired future character of the Broadway Precinct. Further details of community engagement activities for this project are outlined below in the Consultation section.

The provisions within the Policy have been formulated by incorporating the outcomes of the built form modelling work and character study, community engagement outcomes, and technical input. Taking on board the community's feedback, the provisions also align with the strategic intent of the R-Codes, SPP 7.2 and the State Government's strategic plan for population growth, Perth and Peel@ 3.5 million. The Policy has been reviewed internally and externally, to ensure that the provisions translate effectively into quality-built form outcomes.

Discussion

State Planning Policy 7.2 – Precinct Design Guidelines
SPP 7.2 sets out the criteria an area should meet to require precinct planning work, and the process a local government should follow to prepare the precinct plan or policy. The Broadway Precinct is located within the UWA/QEII Specialised Activity Centre, and so is considered an Activity Centre Precinct under SPP 7.2. The precinct plan or policy for an Activity Centre Precinct should focus on the following key objectives:

- Providing an appropriate mix of land uses to enable business activity, service provision and employment opportunities.
- Guiding zoning and subdivision to achieve desired densities and land use mix to support well located and designed higher-density residential and commercial development.
- Integrating local and regional transport infrastructure and networks to ensure strong linkages between the activity centre and surrounding areas.
- Incorporating a network of streets and public spaces in a compact urban form defined by a pedestrian-dominant streetscape where the primary focus of activity is on key public streets.

The City followed the process set out in SPP 7.2 to create the Policy, including identifying the precinct area, engaging with the local community, creating a vision, ensuring the development proposal is feasible, and investigating how the precinct plan can result in benefit to the communities they are developed within. A Precinct Plan for the entirety of the UWA/QEII Specialised Activity Centre is currently being prepared by the City of Perth, in collaboration with the City of Nedlands and the Department of Planning, Lands and Heritage (DPLH).

Local Planning Strategy
The Strategy identifies the Broadway and Stirling Highway portions of the Precinct as Urban Growth Areas, which are intended to provide for the most intense forms of development within the City. Development heights within the Urban Growth Areas should be sufficient to accommodate substantial residential components. The Strategy states that for Broadway, compatible development should be focused around identified residential and non-residential pockets, acknowledging that the intensity of development will vary in response to the predominant land use. Development controls within Urban Growth Areas are to reflect the local context and be sympathetic to the existing character of the area. Noting the location of the Broadway Precinct within the UWA/QEII Specialised Activity Centre, the Strategy highlights the need for the Precinct to provide development outcomes compatible with the Health/Education/Research function of the centre, on a scale that will not detract from other centres in the hierarchy.

The areas adjoining Broadway and Stirling Highway are identified as Transition Zones, which are intended to create a buffer between high intensity and low intensity development. This buffer will visually smooth the differences in built form (such as height and bulk) and help mitigate land use conflict.

The Policy responds to the Strategy's vision for the precinct by supporting a nodal approach to development along Broadway, with preferred land uses which can support the function of the UWA/QEII Specialised Activity Centre. For the Residential sub-precinct, the Policy respects the existing character of the area by setting controls for large front setbacks, detached building frontages and increased requirements for deep soil areas and tree provision.

Local Planning Scheme No. 3
Under the Scheme, Broadway and Stirling Highway are zoned Mixed Use (R-AC3 and R-AC1 respectively), with the surrounding residential area having a density of R40 – R160.

The Policy has been prepared in accordance with clause 9 – Aims of the Scheme, in particular:

(a) Protects and enhances local character and amenity;
(b) Respect the community vision for the development of the district;
(c) Achieve quality residential outcomes for the growing population; and
(d) To develop and support a hierarchy of activity centres.

The Policy is consistent with the objectives of the relevant Zones:

Residential Zone

- Encourages a range of housing types to meet the changing needs of the community;
- Encourages high quality design and streetscapes;
- Proposes preferred land uses within the Mixed Use Zone that are complimentary to the surrounding residential development;
- Provides street specific requirements for development to be compatible with the future desired character of the area in terms of bulk, height, scale and setbacks.

Mixed Use Zone

- Encourages well-designed, high-quality development that considers the existing new development, and the future desired character of the area;
- Includes a list of preferred active uses, to be located at ground level, which provides for a mix of varied but compatible land uses that will assist in activating the streetscape and support the function of the Specialise Activity Centre.

Draft Broadway Precinct Design Response – Local Planning Policy

Informing Studies

The drafting of the Policy is the culmination of the findings of the Context and Character and Built Form Modelling studies, which have provided a sound basis for the creation of the existing future character statements. The Built Form Modelling studies have provided examples of forms of development, detailing them in a manner that informs the choices made for appropriate setbacks and massing.

The outcomes of the Community Reference Group and broader community engagement undertaken as part of this project have directly influenced and guided the built form provisions included in the Policy. These provisions have then undergone thorough testing by internal and external stakeholders to ensure that they are able to be applied effectively in a real-world development scenario.

Strategic Intent

The intent of the Policy is to nuance the requirements of the R-Codes so that they are more contextually appropriate to the existing and desired future character of the Broadway Precinct. The Policy seeks to:

- Define the future character of the area
- Facilitate high-quality design
- Facilitate land uses that support the Specialise Activity Centre
- Reinforce the existing commercial areas along Broadway
- Promote key landscape and streetscape elements from the established character
- Maintain the amenity of the area, consistent with the relevant density code
- Manage density interfaces

Character Statements

An existing character statement has been provided for each sub-precinct within the Policy. Building on these existing character statements and community vision from workshops with the CRG, survey and Open House, the Policy also defines the desired future character statement for the sub-precincts. The Design WA policy suite refers to ‘desired future character’ as an important aspect of determining whether a development meets certain objectives and, therefore, whether a development should be approved. The Policy’s character statement outlines the strategic intent of the Policy, and the expectations for new development.

Sub-Precincts

The precinct has been analysed on a street-by-street basis. Considering the zoning, density coding, lot orientation and existing landscape and streetscape characteristics, the City identified four distinct sub-precincts within Broadway Precinct. The Policy includes a map that breaks the precinct into:

- Residential Sub-Precinct
- Broadway Nodes Sub-Precinct
- Broadway Frame Sub-Precinct
- Stirling Highway Sub-Precinct

These sub-precincts are detailed in Figure 1, included in this report.

Policy Scope

Single House and Grouped Dwellings

Pursuant to clause 7.3.1(a) of the R-Codes Volume 1, the Policy amends:

- c5.1.2 – Street setbacks;
- c5.1.3 – Lot boundary setback (C3.2-3.3); and
- c5.1.6 – Building height.

The City will seek approval from the WAPC for amendments to the deemed to comply provisions for lot boundary setbacks, vehicle access and landscaping. The Policy provides further Design Guidance, which are intended to act as Housing Objectives, for developments within the Broadway Precinct.

Multiple Dwellings

In accordance with clause 1.2.2 of the R-Codes Volume 2 the Policy amends:

- Element 2.2 - Building Height;
- Element 2.3 - Street setback; and
- Element 2.4 – Side and rear setback.

The City will also seek approval from the WAPC for amendments to the Acceptable Outcomes for Element 3.3 – Tree Canopy and Deep Soil Areas and Element 3.8 Vehicle Access. Design Guidance has been developed for each modified element.

Sub-Precincts

Residential Sub-Precinct
A key component of the existing character within the Residential sub-precinct is the open, leafy streetscapes. In response, the Policy proposes increased street setbacks and increased deep soil and tree requirements. The Policy also requires boundary walls to be located away from the street, to maintain the appearance of a detached streetscape character. Rear setbacks have also been increased throughout the Residential sub-precinct.

Broadway Nodes and Frame Sub-Precincts

The entire length of Broadway is zoned Mixed Use. Clause 32.4(2) of the Scheme requires all new development within the Mixed Use zone to comprise of non-residential uses at ground level. The Scheme allows for this requirement to be varied through an approved local planning policy. The Policy identifies specific mixed-use areas of activity along Broadway (identified as 'Broadway Nodes' in Figure 1), where the Scheme requirement for non-residential land uses at ground floor is upheld. The identification of the Broadway Nodes has been informed by the City's Local Planning Strategy, City of Perth Draft Local Planning Strategy and a review of existing commercial areas on either side of Broadway.

The Policy also identifies pockets between the nodes (Broadway Frame), where non-residential uses are not required at ground level. Instead, development can provide non-active uses (e.g. office or consulting room/medical centre) or residential use (with adaptable design) at ground level. Where such development is proposed, the building height is to be reduced to five storeys, and the building is to have increased street setbacks at lower levels (similar to R160 built form). This nodal approach to development strongly aligns with the following CRG engagement outcomes:

- Support for focusing mixed-use development around existing commercial nodes on Broadway, with differing intensity of built form between node and non-node locations.
- No support for continuous 'wall' of 6 storey development along Broadway.

The nodal approach is also supported by research of other urban corridors in the Perth metropolitan area of similar length to Broadway (being 1.4km). Oxford Street (see image below), for example, runs for 1.8km from Scarborough Beach Road in Mt Hawthorn to Leederville Parade in Leederville. While there is a mix of land uses along Oxford Street, comprising both active and non-active land uses (including solely residential), there are three distinct nodes of activity (shown in blue in the image below). The southern-most node, adjacent to Leederville Trainstation, is approximately 280m in length. The proposed approach for Broadway reflects this nodal pattern of existing urban corridors. Within the Broadway Frame sub-precinct, landowners and applicants will have a choice as to whether they provide an active use at ground level. If no active use is provided, requirements for adaptable design will ensure that this sub-precinct is capable of future transition to active uses.



For all development along Broadway, the Policy provides for a two-storey podium, with increased setbacks to the street and side boundaries for development above the podium. Together with the node and frame approach, this will reduce the perception of building bulk and enclosure that new developments will have on the street. A consistent rear setback is also proposed for all development on Broadway, being 6m up to the third storey and 9m for all storeys above. This will provide space for deep soil areas and tree plantings at the rear of development, providing a buffer to the lower-coded properties to the rear.

Stirling Highway Sub-Precinct
The Policy proposes to increase the rear setback for lots fronting onto Stirling Highway, to create sufficient separation from R160 lots to the south, which accommodate existing residential development. Above the podium level, increased side setbacks are also proposed to provide space between buildings. Together, these rear and side setbacks will significantly reduce the impact of bulk and overshadowing on the properties to the rear. A consistent, increased rear setback will also allow for future two-way vehicle access connecting to Bruce Street, reducing crossovers, and resulting conflicts with pedestrians, on Stirling Highway.

The Policy proposes increased setbacks from Stirling Highway, to allow for deep soil and tree plantings within the street setback area.
The Policy introduces acceptable outcome building heights for Stirling Highway, ranging from 7 to 12 storeys. The greatest building height is proposed on the corner of Stirling Highway and Broadway, to allow for a landmark development at the entrance of both the Precinct and the City of Nedlands.

The Broadway Precinct incorporates a small portion of the Stirling Highway Activity Corridor. The remainder of the highway, and surrounding residential transition areas, within the City of Nedlands, will be planned for through the Nedlands Stirling Highway Activity Corridor (NSHAC) Design Response Local Planning Policy, which will be presented to Council separately. Care has been taken to develop provisions for the Broadway Precinct portion of the highway in line with the broader planning for NSHAC. Under SPP 7.2 the NSHAC precinct would be designated an Urban Corridor, which requires:

Understanding the existing and future function of the corridor from both a transport and land use perspective, to guide development outcomes that support the intended vision of the corridor

There is an identified need for coordinated planning of the full length of Stirling Highway, from Perth to Fremantle. This report includes a recommendation for the Mayor to write to the Minister for Planning, formally requesting that they facilitate this coordinated approach across the local government areas that the highway intersects.

General Provisions

Sustainability
The outcomes of community engagement suggested that the community expects all built form policies to incorporate sustainability measures. This outcome relates directly to a motion of Council from the 28 September 2021, when Council endorsed a Notice of Motion relating to the instigation of planning instruments that can reduce the use of non-renewable energy sources through development approvals. The Policy is a planning instrument that can be utilised to reduce non-renewable energy use via development approvals. The Policy's

General Provisions include the requirement for all multiple, grouped and mixed-use developments to provide a sustainability report that demonstrates water and energy efficiency measures. The Policy also proposes to exceed the number of electric vehicle charging stations required by the R-Codes and provides incentives for the provision of electric vehicles for shared use. Design elements that encourage sustainability have also been included, such as discouraging dark roofs and encouraging elements including eaves and verandahs that contribute to passive cooling.

A second motion of Council was made on the 21 October 2021, where Council endorsed a Notice of Motion relating to the protection of existing and future solar panels. The R-Codes have existing provisions that protect solar panels. Under R-Codes Volume 1 (Single and Grouped Dwellings), there is a maximum proportion of overshadowing that is permitted for each density code. The calculation is based on a worst-case scenario, being 12pm June 21st. Further, Design Principle P2.2 considers the impact of development on solar collectors. Under the R-Codes Volume 2 (Apartments), the form of development is constrained by its impact on adjoining properties' solar panels via Element Objective 3.2.2. There is also a maximum proportion of overshadowing permitted for each density code, under Acceptable Outcome 3.2.3. Given this, the City has not identified a need, specific to the Broadway Precinct, that would reasonably require provisions relating to solar panels, over and above those in the R-Codes.

Landscaping

The Policy requires all new developments to follow the principles of Water Sensitive Urban Design, including use of permeable surfaces and onsite water filtration and detention systems. The Policy defines tree sizes (small, medium and large) in line with the R-Codes Volume 2 and states a preference for the use of endemic species, especially ones which are drought tolerant. Where planting on structure is proposed, a landscaping plan is to be provided with development applications, detailing the design, water supply, species suitability and ongoing maintenance measures.

Facades and materials

The Policy includes an appendix which details the existing facades and materials, and key design elements, for each sub-precinct. For example, the key design elements for the Residential sub-precinct include the presence of verandahs, eaves, balconies and awnings, as well as low or open style front fencing. New development within each sub-precinct will be required to reference the existing facades and materials, and key design elements outlined in the appendix. This will facilitate new development which reflects the existing character of the Precinct.

Subdivision and public open space

The Policy states a preference for lot amalgamation to create development efficiencies and to facilitate the retention of existing trees. Where a subdivision is proposed which would create six or more residential lots, the Policy highlights the requirement for contributions (either land or cash-in-lieu) towards public open space under the WAPC's *Development Control Policy 2.3 – Public Open Space in Residential Areas*.

Vehicle access and parking

The Policy proposes to keep vehicle accessways to a functional minimal width to maximise space in the street setback area and verge for deep soil areas and tree retention and provision. The Policy classifies the Broadway Precinct as 'Location A' for the purpose of car parking assessments under the R-Codes Volume 1 and 2, for which reduced parking provision may be supported. This classification reflects the presence of the high frequency Purple CAT (Central Area Transit) bus route along Broadway, and the Broadway Precinct being located within the UWA-QEII Specialised Activity Centre. The Policy also provides parking ratios for preferred non-residential land uses within the Mixed Use zone.

Consultation

Community Engagement Program

The City established a Community Reference Group (CRG) for the Broadway Precinct in 2020. The 12 members of the CRG were selected from expressions of interest and were stakeholders from within the specified precinct area and surrounds, and represented a cross-section of age, gender and interest. The objectives of the CRG were to:

- Foster stakeholder and community awareness and understanding of the precinct planning and local planning policy process;
- Foster the City's awareness of community concerns and aspirations for the Broadway Precinct; and
- Obtain local input and knowledge for the development of the Broadway Precinct from a range of diverse perspectives

This CRG initially met in August 2020. The next CRG workshop was held in August 2021, after the built form modelling report was finalised in April 2021. The final workshop was held in September 2021. The Broadway community was afforded two opportunities to join the CRG, as there was a drop in CRG participation between the 2020 and 2021 workshops. The CRG considered background information, built form considerations and a vision for the Precinct. The workshop structure is detailed below.

Workshop 1: Background to the planning system, key urban design concepts, parameters of a policy and development of a vision.

Workshop 2: CRG rotated through activities on each theme (land use, streetscape, built form, access, parking and landscape) to provide informed and detailed feedback on their desired future character for the precinct.

Workshop 3: Communicating the collated feedback from the previous CRG workshops and ensuring that the CRG agreed with the summarised version of the feedback.
A summary of the key outcomes of the CRG workshops is provided below.

Broadway streetscape

- Support for focusing mixed-use development around existing commercial nodes on Broadway, with differing intensity of built form between node and non-node locations.
- No support for continuous 'wall' of 6 storey development along Broadway.
- Preference to 'push towards street' at ground and upper levels if this facilitated larger rear setbacks and provided street activation.

Interfaces

- Consensus that building height should be located away from lower density transitions.
- Key transitions needing further consideration were R-AC3-R60 and R160-R60.
- Communal open space to be designed and located to minimise amenity impacts on surrounding properties, and for collocating with deep soil areas.

Lot boundary setbacks

- R-AC1 – the greatest setback on the site should be to adjoining R160 lots.
- R-AC3 – the greatest setback on the site should be to the adjoining R60 lots.
- R60 and 160 – the greatest setback on the site should be to the street.
- A detached streetscape character (separation between buildings as viewed from the street) is preferred for R40, R60 and R160.
- An attached streetscape character (boundary to boundary buildings as viewed from the street) more appropriate in R-AC1 and R-AC3.
- Residential zone – street setbacks to be reflective of existing development.

Architectural elements

- Broadway
  - Developments to incorporate a high-quality palette of materials and finishes.
  - Maintain eclectic mix of architectural styles, colours and materials.
  - Awnings and canopies are important in reinforcing Broadway's function as a 'main street'.

- Residential areas
  - Verandahs, carports and pitched roofs are encouraged.
  - Dwellings to be orientated towards the street.

Land use

- Support for preferred land uses on Broadway to encourage uses that activate the street and policy settings that require active frontages.

Access and Parking

- It was generally agreed that basement parking was preferred for commercial, mixed-use and apartment developments in R-AC1 and R-AC3 locations.
- Where parking is located above ground, it should be 'sleeved'.
- Generally, less concern was raised around controlling parking outcomes for R60 and R40 developments.

- Access was generally preferred from secondary streets for corner lots.
- Concern was raised around the use of car stackers – noise, aesthetics, traffic management.
- Design of parking areas should consider existing trees on-site – trees to be retained wherever possible.
- Crossovers should be consolidated.

Survey and Open House

The broader community were provided the opportunity to review feedback gathered from the CRG and provide their own input on the precinct vision and key design considerations through a survey and open house. These engagement exercises were advertised via postcards sent to all owners and occupiers within the precinct area, plus a 200m buffer on the City of Nedlands side, as well as social media, Nedlands News, emails to local schools and P&Cs, and posters put up within, and surrounding, the precinct. Emails were also sent to members of the UWA/QEII Precinct Plan Community Advisory Panel, a group of 43 community members from both City of Nedlands and City of Perth tasked with providing input into the development of the UWA/QEII Precinct Plan.

The survey was available both online and in hard copy form between 1 – 24 October 2021. In total, 66 surveys were completed by community members.

The open house was held on 4 October 2021 from 5.00pm – 7.00pm. In total, 13 community members attended the open house.

The following documents will be made publicly available during the advertising period, to support the Policy's proposed provisions:

- Broadway Precinct Local Distinctiveness Study and Context Analysis;
- Broadway Precinct Built Form Modelling Report;
- Community Engagement Outcomes Report – encompassing all the community engagement undertaken to-date; and
- Justification Table – providing detailed analysis and justification of the changes that were made to the R-Codes provisions.

Broadway Landowners

During the policy development process, provisions were contemplated which would potentially vary built form along Broadway. Some portions of Broadway (Broadway Frame) were being considered for reduced intensity, in between existing nodes of higher intensity/mixed use development. Landowners within the potential reduced intensity areas were invited to meet with the City to discuss. Invitation letters were sent to landowners within these areas in November 2021, with notice of a meeting date set December 2021. No invited landowners were in attendance for the meeting.

Community consultation

If Council resolve to advertise the Policy, it will be advertised in accordance with the City's Consultation of Planning Proposals Local Planning Policy, which involves the following methods of consultation:

- 28-day advertising period
- Letters to notify owners and occupiers within the precinct
- Notice in the local newspaper
- Notice on the City's Notice board
- Notice on the City's Your Voice engagement portal
- Social media
- Community engagement session

Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan.

Vision Our city will be an environmentally sensitive, beautiful, and inclusive place.

Values

Great Natural and Built Environment
We protect our enhanced, engaging community spaces, heritage, the natural environment, and our biodiversity through well-planned and managed development.

Reflects Identities
We value our precinct character and charm. Our neighbourhoods are family-friendly with a strong sense of place.

Priority Area Urban form - protecting our quality living environment
Encouraging sustainable building

Budget/Financial Implications

The remaining expenses for the Policy work relate to public advertising. No additional budget is required to complete the work for the Policy.

The Policy will facilitate infill development within the Broadway Precinct. This is likely to result in a rate revenue increase.

Legislative and Policy Implications

Clause 3(1) of the Deemed Provisions of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* allows the City to prepare a local planning policy in respect to any matter related to the planning and development of the Scheme area. Once Council resolves to prepare an LPP, in accordance with Clause 4 of the Deemed Provisions it must publish a notice of the proposed policy in a newspaper circulating the area for a period

of not less than 21 days and seek submissions. Advertising will also include details being posted on the City's website and Your Voice engagement portal. Following the advertising period, the policy will be presented back to Council to consider any submissions received and to:

a. Proceed with the policy without modification; or
b. Proceed with the policy with modification; or
c. Not to proceed with the policy.

Decision Implications

If Council resolves to prepare the Policy, it will be advertised in accordance with the process above.

If Council resolves not to endorse the recommendation, the Policy will not be advertised, or progressed.

At its May 2020 meeting, Council adopted the Draft Local Planning Policy – Interim Built Form Design Guidelines – Broadway Mixed Use Zone. Though the policy was adopted, it is not currently being given weight in the assessment of development applications on Broadway, because:

- The City has received legal advice casting significant doubt over many aspects of the policy and whether they can be upheld through an appeal.
- The policy was not based on built form modelling, as recommended by the State Design Review Panel.
- The policy is considered to be inconsistent with the Scheme as it undermines the intent of the Mixed Use zone and is inconsistent with the Scheme provisions and density coding.

Therefore, if Council resolves not to endorse the recommendation of this report, there will be no viable Policy in place with specific built form controls for the Broadway Precinct.

Alterative Policy Positions

Discussions have occurred with Councillors with respect to, three key elements of the Policy, being increased building height for R60 areas, the node/frame approach along Broadway and increased building height for development at the corner of Stirling Highway and Broadway, where lot amalgamation is proposed.

Each are dealt with in term with an option provided to Council should the desire be to pursue the alterative:

a. Increased building height for R60 grouped dwellings, to incentivise additional provision of deep soil

To incentivise further provision of deep soil areas, above the already increased requirements, the Policy proposes that increased building height be supported for grouped dwellings in R60 areas (from two storeys to three storeys), and boundary walls for multiple dwellings be

supported to both side boundaries, where additional deep soil area is provided. The additional one storey for R60 grouped dwellings is considered appropriate, given that the draft building heights for R60 in the Medium Density Codes is three storeys.

If Council is not supportive of this approach, the following resolution may be made where the Draft Broadway Precinct Design Response Local Planning Policy is modified by:

Removing the option for three storey grouped dwellings (where 20% deep soil area is provided) in the Residential R60 zone.

b. Node and frame approach to development on Broadway

The Policy identifies specific mixed-use areas of activity along Broadway (identified as 'Broadway Nodes'), where the Scheme requirement for non-residential land uses at ground floor is upheld. The Policy also identifies pockets between the nodes (Broadway Frame), where non-residential uses are not required at ground level. Instead, development can provide non-active uses (e.g. office or consulting room/medical centre) or residential use (with adaptable design) at ground level. Where such development is proposed, the building height is to be reduced to five storeys, and the building is to have increased street setbacks at lower levels (similar to R160 built form).

If Council are not supportive of this nodal approach, the following resolution may be made whereby the Draft Broadway Precinct Design Response Local Planning Policy is modified by:

Removing provisions for the Broadway Frame sub-precinct, and instead having these areas subject to the provisions for the Broadway Node sub-precinct.

c. Increased building height for development at the corner of Stirling Highway and Broadway, where lot amalgamation is proposed

The Policy introduces acceptable outcome building heights for Stirling Highway, ranging from 7 to 12 storeys. The greatest building height is proposed on the corner of Stirling Highway and Broadway, to allow for a landmark development at the entrance of both the Precinct and the City of Nedlands.

If Council are not supportive of this approach, the following resolution may be made whereby the Draft Broadway Precinct Design Response Local Planning Policy is modified by:

removing provisions for the portion of the Stirling Highway sub-precinct fronting onto Broadway, and instead having this area subject to the provisions for the Broadway Node sub-precinct.

The effect of this change is that the full length of Broadway would be subject to the same provisions, including an acceptable outcome building height of six storeys.

If Council wishes to proceed with each of these modifications the wording of the Council resolution would be as follows (noting that 5 a, b and c reflect the changes outlined above)

That Council:

1. Adopts the Draft Broadway Precinct Design Response Local Planning Policy for advertising in accordance with Clause 4 of the Deemed Provisions of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015;

2. Notes that the advertising period will be for a minimum of 28 days;

3. Requests the Mayor to send a letter to the Minister for Planning requesting coordinated planning be undertaken at State level for the full length of the Stirling Highway Activity Corridor;

4. Requests the CEO to prepare a Discussion Paper to consider the merits and implications of the Policy's proposed star rating for building sustainability, which is to be discussed at a concept Forum prior to the Policy being further considered;

5. Requests the CEO to modify the Draft Broadway Precinct Design Response Local Planning Policy by:

a. Removing the option for three storey grouped dwellings (where 20% deep soil area is provided) in the Residential R60 zone;
b. Removing provisions for the Broadway Frame sub-precinct, and instead having these areas subject to the provisions for the Broadway Node sub-precinct; and
c. Removing provisions for the the portion of the Stirling Highway sub-precinct fronting onto Broadway, and instead having this area subject to the provisions for the Broadway Node sub-precinct.

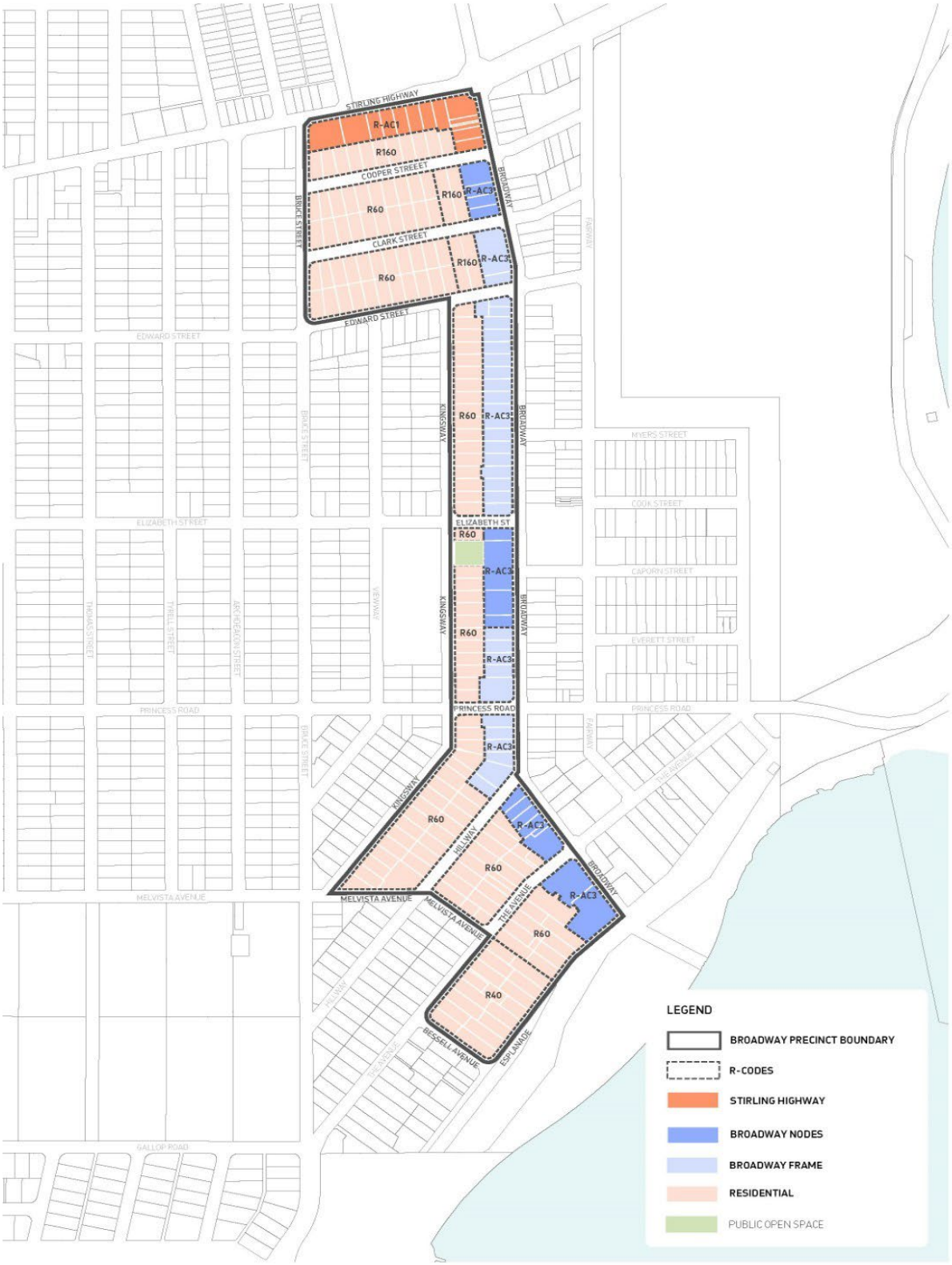
Conclusion

As a result of extensive research and consultation, the Broadway Precinct Design Response Local Planning Policy provides contextually appropriate built form outcomes for the Broadway Precinct. The Policy is the most appropriate planning instrument for influencing the built form outcomes in the Broadway Precinct. It is recommended that Council adopt the recommendation and formally advertise the Policy.

Further Information

N/A

Figure 1 – Broadway Precinct and Sub-Precincts



Draft Broadway Precinct Design Response - Local Planning Policy

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Draft Broadway Precinct Design Response - Local Planning Policy

1 APPLICATION OF POLICY

1.1 This Policy applies to the Broadway Precinct as identified in **3.1 Precinct Map**.

1.2 This Policy applies to subdivision applications and development applications for single houses, grouped dwellings, multiple dwellings, mixed use development and non-residential development.

2 RELATIONSHIP TO OTHER POLICIES AND GUIDELINES

2.1 This Policy has been prepared in accordance with Schedule 2 Part 2 Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

2.2 This Policy should be read in conjunction with the following planning instruments, and its requirements apply unless specifically stipulated elsewhere in any of the below:

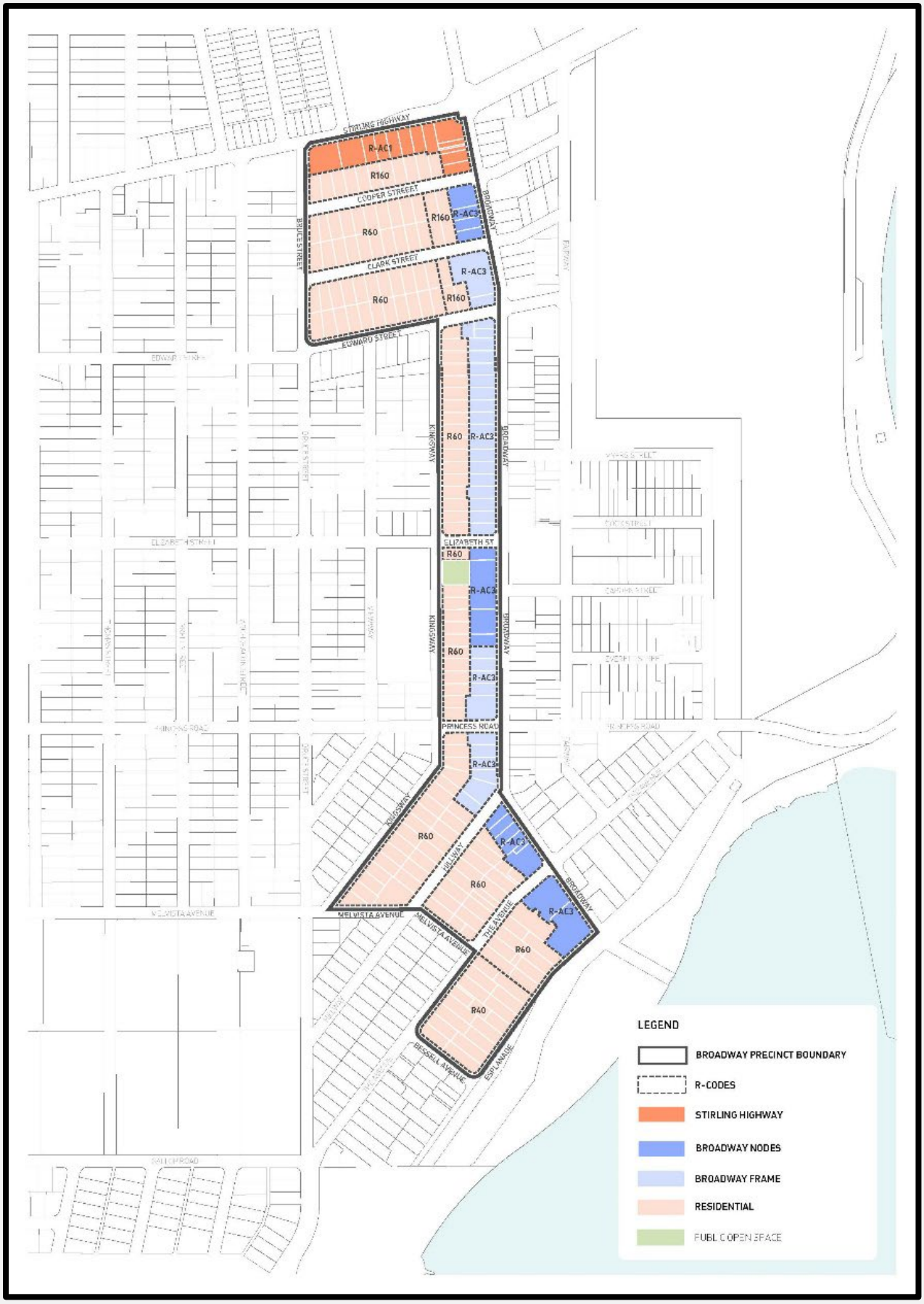
- *State Planning Policy 7.3 – Residential Design Codes Volume 1*
- *State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments*
- *State Planning Policy 7.2 – Precinct Design*
- *City of Nedlands Local Planning Scheme No. 3*
- *City of Nedlands Local Planning Policy – Residential Development*

2.3 Where this Policy is inconsistent with a Local Development Plan that applies to a specific site, area, or density code, the provisions of that Local Development Plan shall prevail over this Policy.

2.4 Where this Policy is inconsistent with the provisions of another Local Planning Policy, the provisions of this Policy shall prevail.

3 CONTEXT

3.1 PRECINCT MAP



3.2 POLICY OBJECTIVES

1. Define the desired future character of the Broadway Precinct in context with its zoning, density coding and in consideration of its function within the UWA-QEII Specialised Activity Centre.
2. Ensure that new development contributes to the desired future character of the Broadway Precinct, while respecting and reflecting existing character.
3. Facilitate a nodal approach to development along Broadway, with defined areas of higher activity and active land uses, separated by lower intensity and activity.
4. Provide appropriate built form transitions between areas of higher density and areas of lower density.
5. Facilitate housing diversity appropriate to the needs of the local community, and to encourage a permanent population, ageing in place, and more housing for students and hospital staff.
6. Facilitate high-quality development which maximises residential amenity, liveability, and enhances the amenity of streetscapes.
7. Maintain and enhance the leafy green landscape character of the Broadway Precinct, promoting growth of the urban forest.
8. Optimise comfort, energy efficiency and water efficiency of new developments through sustainable building design.
9. Reduce reliance on private vehicles and encourage alternate modes of transport.

3.3 DESIRED FUTURE CHARACTER STATEMENT

The Broadway Precinct will provide for more diverse housing options, including provision for ageing in place. New development will take advantage of being within the UWA-QEII Specialised Activity Centre, while catering to the needs of the local community. New development will follow sustainable building design principles and will feature a high-quality palette of materials and finishes that reflect the existing character.

Mixed-use and non-residential development along Broadway will be focussed around existing nodes of activity to create distinct hubs of activity. New developments within the Mixed Use zone will contribute to the creation of high amenity and attractive streetscapes at a human scale, and will interact with the street to enhance the pedestrian environment. Built form and landscaping will be designed to provide appropriate transitions from areas of higher density to areas of lower density.

The Residential area's defining attribute of open, leafy streetscapes will be maintained and enhanced by ensuring appropriate street setbacks and by prioritising tree canopy and deep soil areas in new developments.

4 GENERAL PROVISIONS

4.1 Policy Objectives and Desired Future Character Statement

4.1.1 All development applications within the Broadway Precinct shall be consistent with the Objectives of this Policy and the applicable Desired Future Character Statement.

4.2 Sustainability

4.2.1 All developments with a commercial Gross Floor Area greater than 1000m^2 shall be designed and constructed to achieve a minimum rating of 4 Green Stars under the Green Building Council of Australia Green Star rating tool.

4.2.2 An application for development approval for development with a commercial Gross Floor Area greater than 1000m^2 shall be accompanied by a statutory declaration signed by the applicant and/or landowner stating:

i. An assessor accredited by the Green Building Council of Australia formed part of the design team and contributed to the overall design of the proposal; and

ii. Acknowledging that the applicant and/or owner is aware of, and on completion will be able to meet, the requirements of clauses 4.2.1 and 4.2.2 of this Policy.

4.2.3 Where a commercial development meets the requirements of clauses 4.2.1 and 4.2.2 of this Policy, a condition shall be placed on the approval that states:

i. Within 12 months of the issue of a certificate of classification for the development, the owner is to submit to the Council a copy of documentation from the Green Building Council of Australia certifying that the development achieves a minimum Green Star Rating of 4 Stars.

4.2.4 The following sustainability measures are required for Mixed Use and Residential developments:

i. When fittings and appliances are to be supplied by the developer, these should be within one level of the highest level available under the Water Efficiency Labelling and Standards (WELS) system; and

ii. Incorporate at least one significant energy efficiency initiative within the development that exceeds minimum practice (refer **Appendix 1**); OR

iii. All dwellings exceed the minimum NatHERS requirements by 1 star.

4.2.5 For all development applications proposing Grouped Dwellings and/or Multiple Dwellings, a sustainability report, completed by a suitably qualified sustainability consultant must be provided. This report must demonstrate how the requirements of clause 4.2.4 have been addressed. The efficiencies demonstrated will be required to be implemented as part of any development approval.

4.2.6 An application for development approval for a Mixed Use or Residential development shall be accompanied by a statutory declaration signed by the applicant and/or owner that acknowledges that the applicant and/or owner is aware of, and on completion will be able to meet, the requirements of clauses 4.2.4 to 4.2.6 of this Policy.

4.2.7 For all Mixed Use, Grouped Dwelling, and Multiple Dwelling development applications, electrical vehicle charging should be provided at a minimum rate of 50 per cent of total residential bays. Where this charging infrastructure has not been provided, electrical supply and car park distribution boards must allow for future capacity to supply electric vehicle charging points at a minimum rate of 50 per cent of residential bays.

4.2.8 New developments should consider selecting building material based on suitable thermal mass and lifecycle costs, and the use of sustainable and renewable material is strongly encouraged.

4.3 Public open space

4.3.1 In accordance with *Development Control Policy 2.3 – Public Open Space in Residential Areas,* a Public Open Space contribution of 10 per cent of the gross residential area or cash-in-lieu of the equivalent value, shall be required for all subdivision applications (including strata applications) where 6 or more residential lots are created.

4.4 Landscaping

4.4.1 All new developments should follow the principles of Water Sensitive Urban Design, including:

i. Maximising the use of permeable surfaces at ground level to enable groundwater recharge, and minimising impervious areas;

ii. Incorporating on-site infiltration and detention systems such as garden beds, rain gardens, tree pits, infiltration cells and detention tanks (the latter shall be sited to avoid conflict with deep soil areas); and

iii. Designing landscape treatments to slow down overland flows and minimise scouring.

4.4.2 Except for heavily shaded areas, species selection should prioritise the use of endemic species, with an emphasis on drought tolerance and provision of shade.

4.4.3 On-structure planting is encouraged in addition to the minimum DSA and tree canopy requirements. Where on-structure planting in proposed, the structure must be designed to avoid pooling of water.

4.4.4 Where on-structure planting is proposed (including planting above basement level), a landscaping plan prepared by a qualified landscape architect or similarly qualified landscape practitioner is to be provided with any development application. The landscaping plan must detail:

i. The proposed planting design, including planter box widths, depths, water supply & drainage.

ii. Suitability of plants to ensure on structure planting is viable as a long-term greening option.

iii. Reticulation and maintenance by the strata body.

4.4.5 Compliance with the landscaping plan will be conditioned (or recommended as a condition) by the City as part of any development approval issued.

4.4.6 Trees and **deep soil areas** (DSA) specified throughout this Policy are to be provided in accordance with the below:

Tree size	Indicative canopy diameter at maturity	Nominal height at maturity	Required DSA per tree	Recommended minimum DSA width
Small	4-6m	4-8m	$9m^2$	2m
Medium	6-9m	8-12m	$36m^2$	3m
Large	>9m	>12m	$64m^2$	6m

4.4.7 **Deep soil areas** require a minimum width of 2m. This may be reduced to 1.5m, where it adjoins permeable paving with a minimum width of 0.5m.

4.4.8 **Deep soil areas** are to be located against the parent lot boundaries where possible.

4.4.9 Artificial turf will not be supported where visible from the public realm and does not contribute to **deep soil areas**.

4.5	**Facades and Materials**
4.5.1	The facades and materials of new development are to reference the existing facades and materials, and key design elements, for each sub-precinct, as set out in **Appendix 2**.
4.5.2	To reduce the urban heat island effect, and to integrate with the prevailing streetscape, dark roof colours should be avoided.
4.6	**Subdivision**
4.6.1	Lot amalgamation is encouraged to create development efficiencies and to facilitate significant existing tree retention.
4.7	**Vehicle Access**
4.7.1	Driveways serving four dwellings or less are not to be narrower than 3m at the street boundary.
4.7.2	The maximum width of the driveway is 4m, unless two-way access is required in accordance with C5.4 of the R-Codes Vol. 1, or A3.8.6 of the R-Codes Vol. 2.
4.7.3	A maximum of one vehicle access per development site is permitted, including amalgamated lots.
4.7.4	Vehicle access is to be designed and located to avoid the removal of street trees.
4.7.5	Where a communal street is proposed, all proposed dwellings are to take vehicle access from that communal street.
4.8	**Car and Bicycle Parking**
4.8.1	At-ground or above-ground car parking (excluding visitor parking) it is to be sleeved behind other land uses, or other portions of the building, along the street frontage.
4.8.2	For the purpose of assessing car parking requirements under 5.3.3 of the R-Codes Volume 1 and 3.9 of the R-Codes Volume 2, the Broadway Precinct is to be classified as Location A. This classification is reflective of the Precinct being located within the UWA-QEII Specialised Activity Centre, and the presence of the Purple CAT (Central Area Transit) bus route along Broadway, which provides frequent, free connections between Elizabeth Quay Bus Station, QEII Medical Centre and the University of Western Australia.
4.8.3	In accordance with Clause 2.3 of the City of Nedlands *Local Planning Policy - Parking*, non-residential parking requirements are outlined in **Appendix 3** of this Policy.

5 SUB-PRECINCT PROVISIONS

All development within the Residential zone must be consistent with the Desired Future Character Statement for the relevant sub precinct. The Acceptable Outcomes, Design Guidance and Housing Objectives specific to each density code provide further contextual guidance for applicants.

5.1 Residential (R40, R60, R160)

5.1.1 Existing Character Statement

The Residential sub-precinct is dominated by one to two-storey single residential dwellings on lots with large areas of open space, reflective of the R10-R20 density coding under the previous Planning Scheme (TPS 2). Streetscapes are generally characterised by large front yards with well-kept, green, domestic gardens. Established trees within front yards and on verges create a shady, attractive pedestrian environment. Streetscapes are predominantly detached in nature, though some side boundary walls can be found throughout this sub-precinct. Dwellings are oriented to the street, with entries, verandahs and windows providing passive surveillance of the street. Where front fencing is present, it is typically of an open style that demarcates the private from the public realm, while maintaining passive surveillance of the street.

With the absence of rear laneways within this sub-precinct, vehicular access is predominantly taken from the primary street or, where available, from secondary streets. On-site vehicle parking is characterised by a mix of open car spaces, carports and garages.

There is a variety of traditional architectural styles throughout the sub-precinct, including Federation Cottage and Californian Bungalow. The materials associated with these dwellings are typically brick and tile, with a rich red brick and terracotta colouring with off white and cream features. Inter-War Spanish Mission-style dwellings are also present, characterised by brick and tile with a rendered finish. Roof forms are typically hipped and tiled. Rough rendered and painted walls, bands of face brick below the eaves, and timber-framed windows are also prominent.

5.1.2 Desired Future Character Statement

The Residential sub-precinct will provide for a diversity of dwelling types and configurations, accommodating a range of household types. New developments will perform an important role in transitioning from the high-density urban environment, expected along Stirling Highway and Broadway, towards the lower density Residential R10 and R12.5 areas to the south and east.

New developments will fit comfortably within the existing open, leafy streetscapes through street setbacks which achieve a balance between the prevailing street setbacks, and the expectation of the density code. The massing and scale of new developments will be proportional to lot size. Generous street setbacks will accommodate deep soil areas and tree retention and provision. Vehicle access and parking will be designed to minimise visual impact and dominance over the street, and to maximise space for deep soil and trees within the street setback and verge areas.

Large areas of deep soil will be integrated with new developments to soften the interface with the street and surrounding properties, and to provide an attractive outlook for residents of the developments. New developments will maintain and, where possible, enhance the existing urban tree canopy, across both the private and public realms.

The existing detached streetscape character will be retained by minimising the impact of boundary walls on the street. New developments will provide a contemporary interpretation of the prevailing streetscape elements and materiality, with reference to **Appendix 2 – Facades and Materials**.

5.1.3 Primary Controls

R40 – The R40 portion of the sub-precinct is located at the southern end of the Broadway Precinct, bound by The Avenue, Bessell Avenue, Esplanade and R60 lots to the north-east. The area is characterised by newer, more expansive dwellings compared to the rest of the Broadway Precinct. Street setbacks on The Avenue feature significant landscaping, with trees in the front of lots and in the verge. Comparatively, dwellings along Esplanade have minimal landscaping within private lots (other than turf) and no street trees, providing uninterrupted views of the Swan River. This sub-precinct will provide a transition from the remainder of the Broadway Precinct to the river-fronting areas of R10 to the west.

MULTIPLE DWELLINGS (R40)

AO	Primary Control	Acceptable Outcome
AO 1.1	**Building height**	Maximum 2 storeys[1]
AO 1.2	**Primary street setback**[2]	Minimum 6m
AO 1.3	**Secondary street setback**	Minimum 1.5m
	Corner truncation setback	
AO 1.4	**Side setback**[4]	**Ground floor** Minimum 1m **2 storeys** Minimum 2m
AO 1.5	**Rear setback**[4, 8]	Average 4m
AO 1.6	**Boundary walls**[4, 5, 6]	• Maximum 1 storey in height • Maximum two-thirds the length of the lot boundary • Located a minimum of 3m behind the primary street setback • May be built up to one lot boundary only OR May be built up to two lot boundaries, where a minimum 20% of the site area is provided as **deep soil area**.

SINGLE HOUSES AND GROUPED DWELLINGS (R40)

DC	Primary Control	Deemed-to-comply requirement
DC 1.1	**Building height**	Maximum 2 storeys[7]
DC 1.2	**Primary street setback**[2]	Minimum 6m
DC 1.3	**Secondary street setback**	Minimum 1.5m
	Corner truncation setback	
	Street setback for dwelling with main frontage to communal street[3]	
DC 1.4	**Side setbacks**[4]	As per R-Codes Vol. 1 (subject to boundary wall provisions of this Policy)
DC 1.5	**Rear setback**[4]	
DC 1.6	**Boundary walls**[4, 5, 6]	• Maximum 1 storey in height • Maximum two-thirds the length of the lot boundary • Located a minimum of 3m behind the primary street setback • May be built up to one lot boundary only OR May be built up to two lot boundaries, where a minimum 20% of each site area is provided as **deep soil area**.

[1] Maximum overall building height of 9m, inclusive of rooftop articulation.
[2] Minimum street setback may be reduced by up to 2m provided that the area of any building, including a garage encroaching into the setback area, is compensated for by at least an equal area of open space that is located between the setback line and line drawn parallel to it at twice the setback distance.
[3] A nil setback to a communal street or internal driveway may be considered where a deep soil area is provided elsewhere within the communal street setback area.
[4] Boundary setbacks will also be determined by provisions for building separation, deep soil areas and visual privacy within R-Codes Vol. 1, Vol. 2 and this LPP, and building separation provisions of the National Construction Codes.
[5] Walls may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions.

[6] Where the subject site and an affected adjoining site are subject to different density codes, the length and height of any boundary wall on the boundary between them is determined by reference to the lower density code.
[7] Maximum 8.5m wall or concealed roof height, 10m pitched roof height.
[8] For the purpose of assessing average setbacks, lot boundary walls and patios are to be included.

R60 - The R60 portion of the sub-precinct is the largest within the Broadway Precinct, stretching from Cooper Street in the north to Esplanade in the south. This sub-precinct provides an important transition between the higher density areas of R160 and R-AC3 to the east, and the established residential areas coded R10 and R12.5 to the west.

MULTIPLE DWELLINGS (R60)

AO	Primary Control	Acceptable Outcome	
AO 2.1	Building height	Maximum 3 storeys[1]	
AO 2.2	Primary street setback[2]	Cooper St, Clark St, Edward St, Hillway and Esplanade	Kingsway
		Minimum 6m	Minimum 5m
AO 2.3	Secondary street setback	Minimum 1.5m	
	Corner truncation setback		
AO 2.4	Side setbacks[4]	Minimum 3m	
AO 2.5	Rear setback[4]	Average 4m	
AO 2.6	Boundary walls[4,5,6]	• Maximum 1 storey in height • Maximum two-thirds the length of the lot boundary • Located a minimum of 3m behind the primary street setback • May be built up to one lot boundary only OR May be built up to two lot boundaries, where a minimum 20% of the site area is provided as **deep soil area**.	

SINGLE HOUSES AND GROUPED DWELLINGS (R60)

DC	Primary Control	Deemed-to-comply requirement	
DC 2.1	Building height	Maximum 2 storeys[7] OR Maximum 3 storeys[1] for grouped dwellings, where minimum 20% deep soil area is provided or 15% deep soil area where a **significant existing tree** is retained on site)	
DC 2.2	Primary street setback[2]	Cooper St, Clark St, Edward St, Hillway and Esplanade	Kingsway
		Minimum 6m	Minimum 5m
DC 2.3	Secondary street setback	Minimum 1.5m	
	Corner truncation setback		
	Street setback for dwelling with main frontage to communal street[3]		
DC 2.4	Side setbacks[4]	**Ground floor** Minimum 2m **≥2 storeys** Internal boundary – Nil Parent lot boundary – as per R-Codes Vol. 1	
DC 2.5	Rear setback[4, 9]	**Ground floor** Internal boundary – Nil Parent lot boundary – Average 4m **≥2 storeys** Minimum 2m Average 4m	
DC 2.6	Boundary walls[4,5,6]	• Maximum 1 storey in height • Unlimited length • Located a minimum of 3m behind the primary street setback • May be built up to two lot boundaries	

[1] Maximum overall building height of 12m, inclusive of rooftop articulation.

[2] Minimum street setback may be reduced by up to 2m provided that the area of any building, including a garage encroaching into the setback area, is compensated for by at least an equal area of open space that is located between the setback line and line drawn parallel to it at twice the setback distance.
[3] A nil setback to a communal street or internal driveway may be considered where a deep soil area is provided elsewhere within the communal street setback area.
[4] Boundary setbacks will also be determined by provisions for building separation, deep soil areas and visual privacy within R-Codes Vol. 1, Vol. 2 and this LPP, and building separation provisions of the National Construction Codes.
[5] Walls may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions.
[6] Where the subject site and an affected adjoining site are subject to different density codes, the length and height of any boundary wall on the boundary between them is determined by reference to the lower density code.
[7] 8.5m wall or concealed roof height, 10m pitched roof height.
[9] For the purpose of assessing average setbacks, lot boundary walls and patios are to be included.

R160 - The R160 portion of the sub-precinct comprises the northern side of Cooper Street, as well as portions of the southern part of Cooper Street, Clark Street and Edward Street. This sub-precinct provides an important transition between existing commercial development within the higher density areas of R-AC1 and R-AC3, and R60 properties to the south and east.

MULTIPLE DWELLINGS (R160)			
AO	**Primary Control**	**Acceptable Outcome**	
AO 3.1	**Building height**	Maximum 5 storeys[1]	
AO 3.2	**Primary street setback[2]**	**≤2 storeys** Minimum 6m **≥3 storeys** Minimum 7m	
AO 3.3	**Secondary street setback** **Corner truncation setback**	Minimum 1.5m	
AO 3.4	**Side setbacks[4]**	**Adjoining R60**	**Adjoining R160, R-AC3 or R-AC1**
		Ground floor 2m **2-4 storeys** Minimum 3m **≥5 storeys** Minimum 5m[10]	**Ground floor** 2m **≥2 storeys** Minimum 3m
AO 3.5	**Rear setback[4]**	**Adjoining R60**	**Adjoining R160, R-AC3 or R-AC1**
		≤3 stories Minimum 3m Average 4m **≥4 storeys** Minimum 6m	Minimum 3m Average 4m
AO 3.6	**Boundary walls[4,5,6]**	• Maximum 1 storey in height • Maximum two-thirds the length of the lot boundary • Located a minimum of 3m behind the primary street setback • May be built up to one lot boundary only OR May be built up to two lot boundaries, where a minimum 20% of the site area is provided as **deep soil area**	

SINGLE HOUSES AND GROUPED DWELLINGS (R160)		
DC	**Primary Control**	**Deemed-to-comply requirement**
DC 3.1	**Building height**	Maximum 2 storeys for single houses[7] Maximum 3 storeys for grouped dwellings[8]
DC 3.2	**Primary street setback[2]**	**≤ 2 storeys** Minimum 6m **≥3 storeys** Minimum 7m
DC 3.3	**Secondary street setback**	Minimum 1.5m

	Corner truncation setback **Street setback for dwelling with main frontage to communal street[3]**	
DC 3.4	**Side setbacks[4]**	**Ground floor** 2m **≥2 storeys** Internal boundary – Nil Parent lot boundary – As per R-Codes Vol. 1
DC 3.5	**Rear setback[4, 9]**	**Ground floor** Internal boundary – Nil Parent lot boundary – Average 4m **2 storeys** Minimum 2m Average 4m **3 storeys** Minimum 3m Average 4m
DC 3.6	**Boundary walls[4,5,6]**	• Maximum 1 storey in height • Unlimited length • Located a minimum of 3m behind the primary street setback • May be built up to two lot boundaries

[1] Maximum overall building height of 18m, inclusive of rooftop articulation.
[2] Minimum street setback may be reduced by up to 2m provided that the area of any building, including a garage encroaching into the setback area, is compensated for by at least an equal area of open space that is located between the setback line and line drawn parallel to it at twice the setback distance.
[3] A nil setback to a communal street may be considered where a deep soil area is provided elsewhere within the communal street setback area.
[4] Boundary setbacks will also be determined by provisions for building separation, deep soil areas and visual privacy within R-Codes Vol. 1, Vol. 2 and this LPP, and building separation provisions of the National Construction Codes.
[5] Walls may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions.
[6] Where the subject site and an affected adjoining site are subject to different density codes, the length and height of any boundary wall on the boundary between them is determined by reference to the lower density code.
[7] Maximum 8.5m wall or concealed roof height, 10m pitched roof height.
[8] Maximum overall building height of 9m, inclusive of rooftop articulation.
[9] For the purpose of assessing average setbacks, lot boundary walls and patios are to be included.
[10] Service areas (such as lifts and stairs) may intrude into the side setback area for a maximum width (parallel to the lot boundary) of 12m.

5.1.4 Multiple Dwellings – Acceptable Outcomes and Design Guidance

<table>
<tr><th></th><th>Acceptable outcomes (AO)
In accordance with section 1.2.2 and 1.2.3 of the R-Codes Vol. 2, the below provisions amend or replace acceptable outcome provisions in the R-Codes Vol. 2.</th><th>Design guidance (DG)
Design guidance provides additional direction for applicants to ensure that proposals are contextually appropriate for the specific sub-precinct.</th></tr>
<tr><td>2.3 Street setbacks</td><td>a) The minimum street setback may be reduced by 1m where a significant existing tree is retained within the street setback area, subject to an arborist report being provided which demonstrates that the building is located to avoid adversely impacting the health of the retained tree.</td><td>a) Private open space is encouraged within the street setback area, subject to:
i. Deep soil area/s being incorporated; and
ii. Any front fence meeting A3.6.6 of Element 3.6 Public domain interface of R-Codes Vol. 2.
b) Where private open space is provided within the street setback area in accordance with (a) above, additional privacy may be afforded to the private open space by providing a level change between the private open space and the street level. A maximum level difference of 1.2m may be supported for this purpose.</td></tr>
<tr><td>3.3 Tree canopy and deep soil areas</td><td>a) The development is to include the minimum number of trees outlined below.
<table><tr><th>Site area</th><th>Minimum requirement for trees</th></tr><tr><td><700m^2</td><td>2 medium trees
AND
small tree to suit area</td></tr><tr><td>700 – 1,000m^2</td><td>3 medium trees
AND
small trees to suit area</td></tr><tr><td>>1,000m^2</td><td>1 large tree
AND
1 medium tree per 400m^2

OR

1 medium tree per 400m^2
AND
2 small trees per 400m^2</td></tr></table>b) Of the trees required above, at least one is to be provided within the street setback area, either within private or communal open space.
c) A minimum of 20% of the site area is to be provided as landscaping. This shall consist of a minimum 15% deep soil area of the site area.
d) The required deep soil area may be reduced by 5% where a significant existing tree is retained on site, or if a large tree is planted on site.</td><td>a) Deep soil areas and trees plantings should be consolidated within the front and rear setback areas, creating a landscaped buffer between the proposed development and the rear adjoining site/s, and softening the interface with the street.
b) Deep soil areas within the street setback area should form part of ground floor apartment private open space.
c) Where hard surfaces are proposed within outdoor living areas, permeable finishes such as gravels or permeable paving should be considered in order to reduce stormwater run-off.
d) Where a tree is proposed within the street setback area, the required deep soil area for that tree may project into the verge, subject to a landscaping plan demonstrating that any impervious surfaces within the verge will not inhibit the growth of the tree.</td></tr>
</table>

5.1.5 Single Houses and Grouped Dwellings – Deemed-to-comply provisions and Local Housing Objectives

	Deemed to comply (DC) In accordance with section 7.3 of the R-Codes Vol. 1, the below provisions amend or replace deemed to comply provisions in the R-Codes Vol. 1.	Local Housing Objectives Housing objectives provide additional direction for applicants to ensure that proposals are contextually appropriate for the specific sub-precinct.

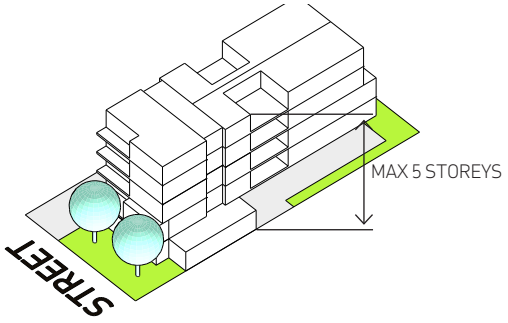
Draft Broadway Precinct Design Response - Local Planning Policy

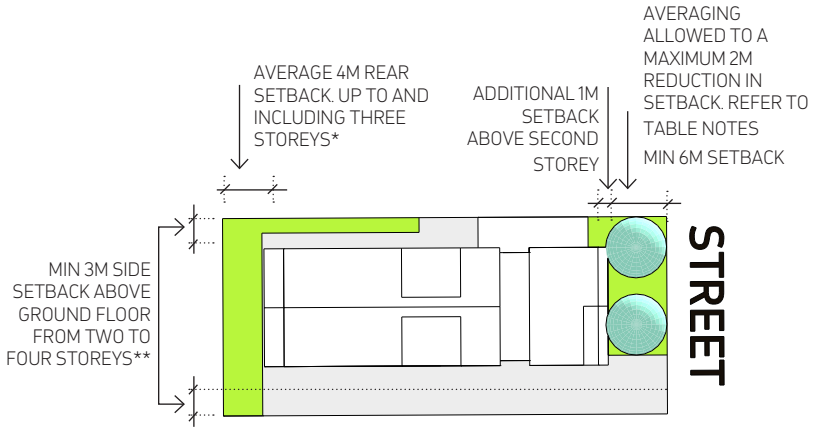
<table>
<tr>
<td>5.1.2
Street setback</td>
<td>a) The minimum street setback may be reduced by 1m where a significant existing tree is retained within the street setback area, subject to an arborist report being provided which demonstrates that the building is located to avoid adversely impacting the health of the retained tree.</td>
<td>a) Outdoor living areas are encouraged to be located within the street setback area, subject to:
i. Deep soil area/s being incorporated; and
ii. Any front fence meeting Part 5.2.4 of the R-Codes Vol. 1.
b) Where an outdoor living area is provided within the street setback area in accordance with (a) above, additional privacy may be afforded to the outdoor living area by providing a level change between the outdoor living area and the street level. A maximum level difference of 1.2m may be supported for this purpose.</td>
</tr>
<tr>
<td>5.3.2
Landscaping</td>
<td>a) The development is to include the minimum number of trees outlined below.
<table>
<tr><th>Parent lot developed simultaneously</th><th>New lots developed separately</th></tr>
<tr><td>2 medium trees per parent lot
<u>OR</u>
3 medium trees per parent lot AND 1 small tree per new lot
<u>OR</u>
1 large tree and small trees to suit the site</td><td>Per new lot:
1 medium tree
<u>OR</u>
4 small trees</td></tr>
</table>
b) Of the trees required above, at least one is to be provided within the street setback area, either within private or communal open space.
c) A minimum of 20% of each site area is to be provided as landscaping. This shall consist of a minimum 15% deep soil area of each site area.
d) The required deep soil area may be reduced by 5% where a significant existing tree is retained on site, or if a large tree is planted on site.
e) Where a development application is submitted for all grouped dwellings on the parent lot, the minimum deep soil area per site may be varied, provided that it can be demonstrated the total deep soil area allocated across the lot achieves 20% of the lot area.
f) Not more than 50 per cent of the street setback area is to consist of impervious surfaces.</td>
<td>a) Medium trees (and large trees where provided) should be provided within the front and rear of the parent lot, while small trees may be provided for internal lots.
b) Deep soil areas within the street setback area should form part of ground floor outdoor living area where possible.
c) Where hard surfaces are proposed within outdoor living areas, permeable finishes such as gravels or permeable paving should be considered in order to reduce stormwater run-off.
d) Where a tree is proposed within the street setback area, the minimum tree planting area for that tree may project into the verge, subject to a landscaping plan being provided which demonstrates that any impervious surfaces within the verge will not inhibit the growth of the tree.
e) Deep soil areas should be located against the parent lot boundary.</td>
</tr>
</table>

RESIDENTIAL SUB-PRECINCT



R160 MULTIPLE DWELLINGS (SINGLE SITE)





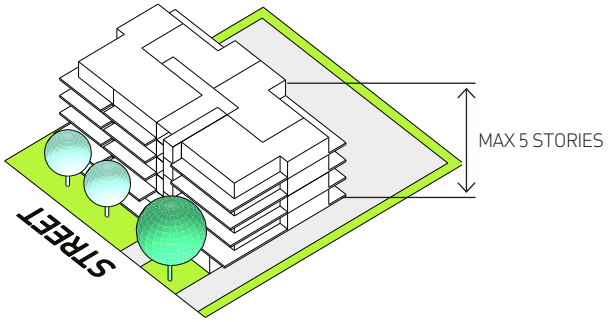
*ADDITIONAL 3M REAR SETBACK ABOVE THIRD STOREY FOR LOTS ADJOINING R60

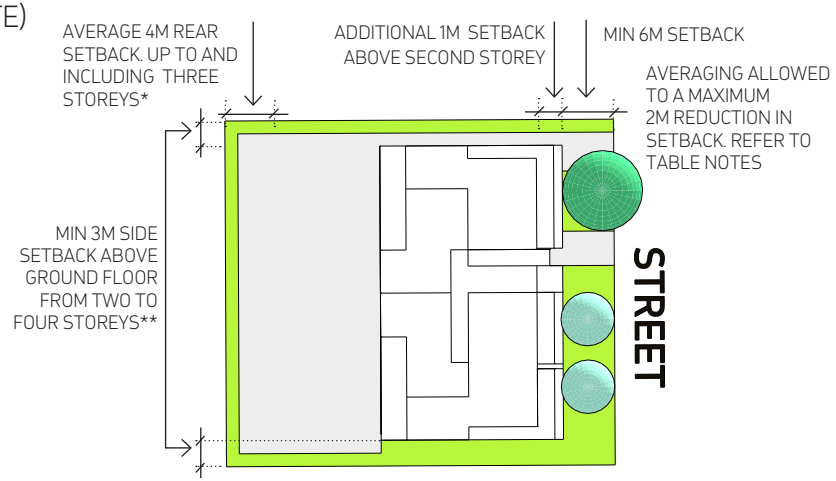
** FOR LOTS ADJOINING R60 ADDITIONAL 2M SIDE SETBACK ABOVE FOUR STOREYS APPLIES

LARGE TREE MEDIUM TREE SMALL TREE

DEEP SOIL AREAS

R160 MULTIPLE DWELLINGS (AMALGAMATED SITE)





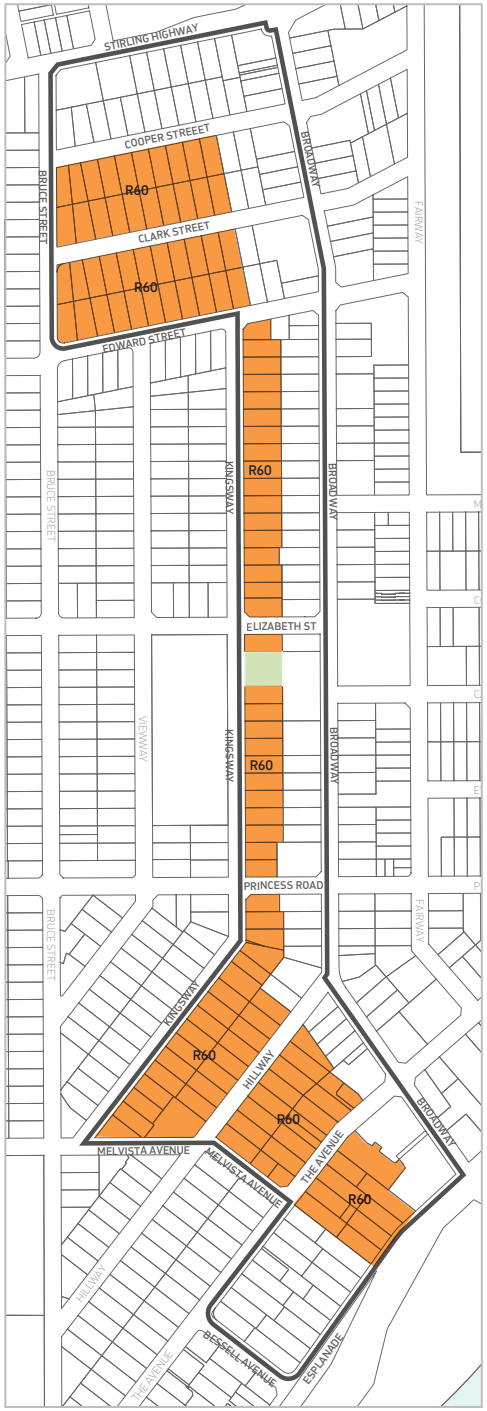
*ADDITIONAL 3M REAR SETBACK ABOVE THIRD STOREY FOR LOTS ADJOINING R60

** FOR LOTS ADJOINING R60 ADDITIONAL 2M SIDE SETBACK ABOVE FOUR STOREYS APPLIES

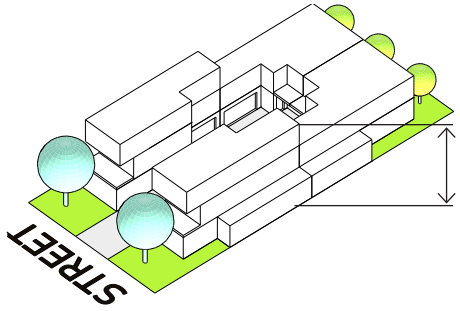
LARGE TREE MEDIUM TREE SMALL TREE

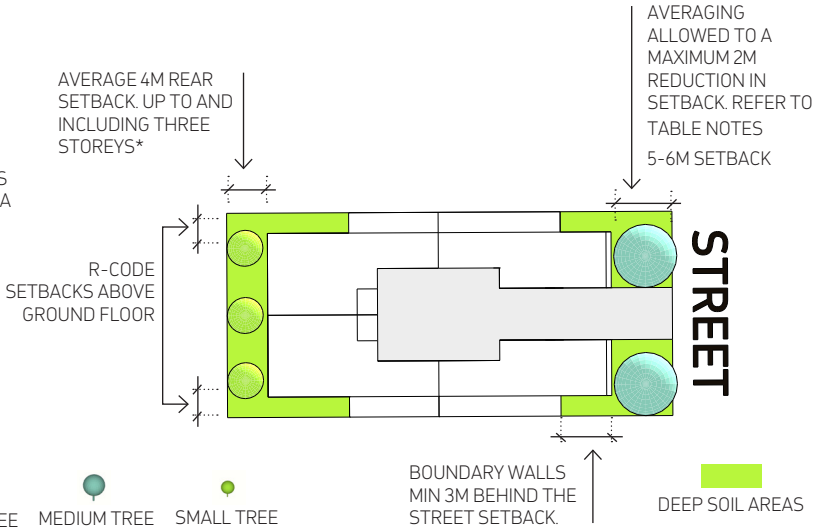
DEEP SOIL AREAS

RESIDENTIAL SUB-PRECINCT

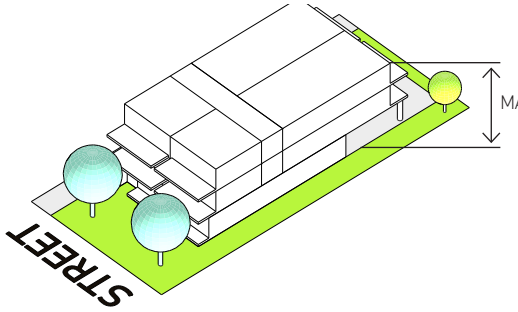


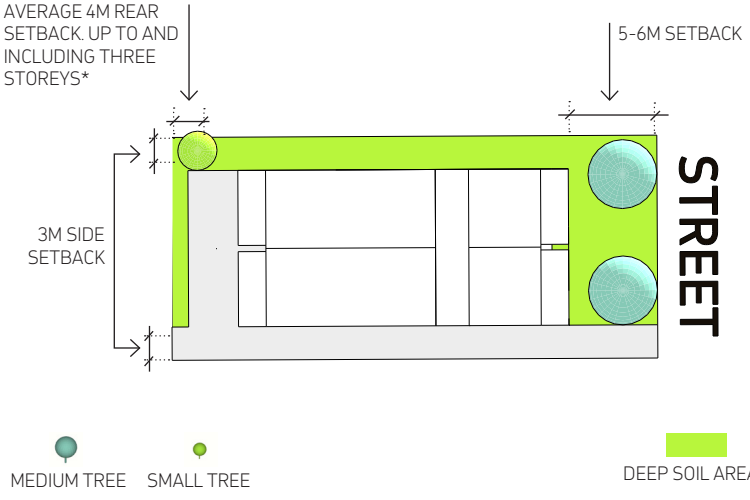
R60 GROUPED DWELLINGS





R60 MULTIPLE DWELLINGS

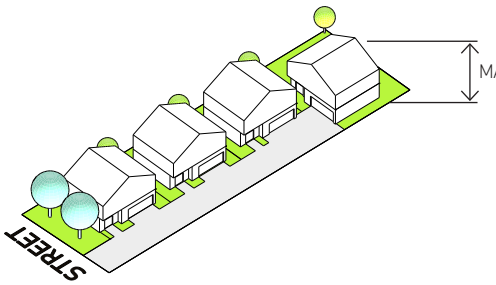


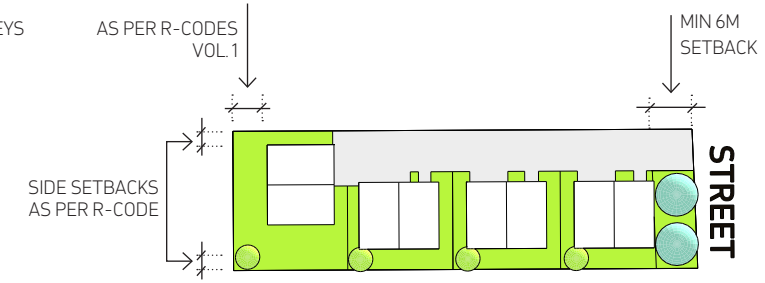


RESIDENTIAL SUB-PRECINCT

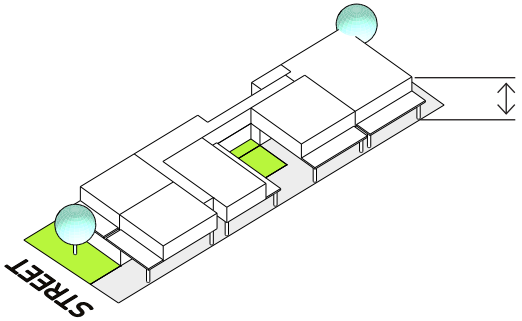


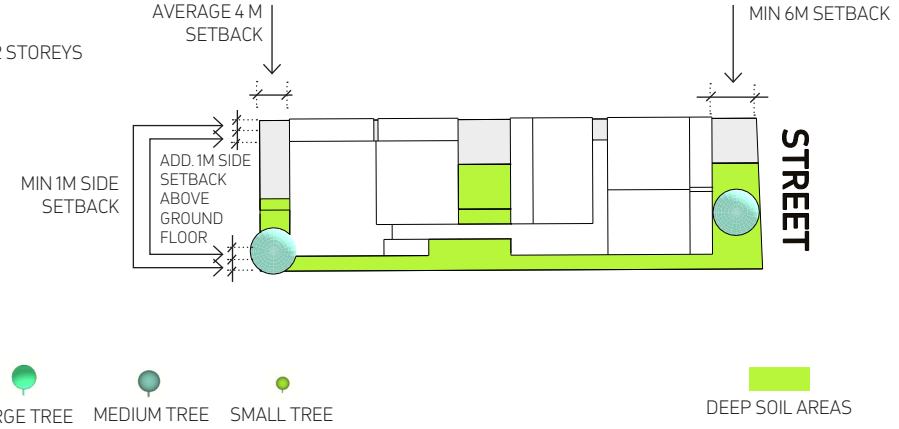
R40 GROUPED DWELLINGS





R40 MULTIPLE DWELLINGS





5.2 Stirling Highway (Mixed Use R-AC1)

5.2.1 Existing Character Statement

The R-AC1 sub-precinct is located adjacent to Stirling Highway and also encompasses the northern portion of Broadway between Stirling Highway and Cooper Street. Stirling Highway functions as a Primary Distributor road, providing a key connection between Perth and Fremantle, as well as a number of higher frequency bus services. Lots fronting Stirling Highway are impacted by a portion (approximately 7.5m in width) of Primary Regional Road Reserve, set aside for future road widening.

Lots fronting Stirling Highway

There is a mixed built form interface with Stirling Highway, comprised of:

- Mid-rise (up to four storeys), attached (nil side setbacks) contemporary office buildings, comprised of large areas of glazing, built up to the Primary Regional Road Reserve boundary;
- Low-rise traditional shop front development; and
- A service station at the corner of Broadway and Stirling Highway with extensive hardscape.

The pedestrian environment along the Stirling Highway portion of the sub-precinct is generally of low amenity, with the footpath immediately adjacent to Stirling Highway lacking shade and acoustic protection from the busy thoroughfare. While some small trees and shrubs are present in front of buildings, there is an absence of mature shade trees both within street setback areas and the road reserve. With the exception of the lot on the corner of Bruce Street, all lots take vehicle access from Stirling Highway. A consistent 17m setback to the rear, consisting predominantly of at-grade car parking, provides a substantial buffer to the existing one-to-two storey dwellings to the south.

Lots fronting Broadway

The interface with Broadway is characterised by low-rise, fine-grain traditional shop front development featuring framed windows and stall risers. Nil setbacks to Broadway provide limited opportunity for landscaping to the front of buildings. However some planters are provided as part of small alfresco dining spaces within the road reserve. There are minimal street trees provided for this portion of Broadway, though some pedestrian comfort is provided by awnings over the footpath. Parallel car parking bays within the road reserve also provide some separation between the footpath and traffic.

5.2.2 Desired Future Character Statement

Stirling Highway will continue to be a busy, high-traffic environment. New development will address both Stirling Highway and Broadway.

The Stirling Highway sub-precinct will accommodate the most intense built form within the Broadway Precinct. Podiums will provide an opportunity for creating a diversity of scale and form at lower levels, while taller elements will comprise of setbacks accommodating rooftop terraces and gardens at varying levels throughout development. Alternative means to reduce bulk and scale such as green walls and façade articulation are also encouraged. New development will be massed towards the highway to minimise building bulk and solar access impacts on the R160 properties to the rear.

A uniform 12m rear setback for properties fronting Stirling Highway will provide the opportunity for two-way vehicle access to be provided at the rear, minimising the creation of new crossovers onto the highway. Additional building height will be supported where vehicle access is provided from the rear, rather than from Stirling Highway. A uniform setback of development from Stirling Highway will allow for trees and deep soil areas within the street setback area, softening the interface with the highway and improving pedestrian amenity.

New development will utilise a palette of high-quality, diverse materials, and architectural styles to create a contemporary architectural response. Additional building height and distinctive façade design will distinguish the site at the corner of Stirling Highway and Broadway, providing a landmark entry statement to both the Broadway Precinct and the City of Nedlands.

New development and associated land uses will take advantage of being within the UWA-QEII Specialised Activity Centre. This sub-precinct is the most appropriate location for purely commercial developments, including office, provided that these developments still provide a strong connection to the public realm. Where **active land uses** are provided at ground level, they may be orientated towards a high amenity internal arcade or towards the rear setback area. Single house and grouped dwelling developments are not appropriate within this sub-precinct.

5.2.3 Primary Controls

Acceptable Outcomes are likely to assist in satisfying the Objectives but are not a comprehensive ‘deemed-to-comply’ list. To achieve the outcomes described within the Desired Future Character Statements, proposals may require

additional and/or alternative design solutions in response to the site conditions, streetscape and design approach. Guidance is provided within the applicable Design Guidance section.		
Lots fronting Stirling Highway (excluding development at corner of Stirling Highway and Broadway)		
AO	**Primary Control**	**Acceptable Outcome**
AO 4.1	**Building height[1, 2]**	Minimum 3 storeys Maximum 7 storeys OR Maximum 10 storeys, where vehicle access is provided via secondary street (with no vehicle access to Stirling Highway)
AO 4.2	**Primary and secondary street setback[3]**	**≤4 storeys:** Average 2.5m **≥5 storeys** Minimum 5.5m
AO 4.3	**Side setbacks[4]**	**≤4 storeys** Nil **≥5 storeys** Minimum 6m[6]
AO 4.4	**Rear setback[2,4]**	Minimum 12m
AO 4.5	**Boundary walls[4,5]**	• Maximum 4 storeys in height • Unlimited length • To up to two lot boundaries (not including street boundaries)
Lots fronting Broadway		
AO	**Primary Control**	**Acceptable Outcome**
AO 5.1	**Building height[1]**	Minimum 3 storeys Maximum 7 storeys
AO 5.2	**Primary and secondary street setback**	**≤2 storeys:** Mandatory nil **≥3 storeys** Minimum 4m
AO 5.3	**Side setbacks[4]**	**≤2 storeys** Nil **3 – 4 storeys** Minimum 3m **≥5th storeys** Minimum 5m[6]
AO 5.4	**Rear setback[2,4]**	**≤3 storeys** 6m **≥4 storeys** 9m
AO 5.5	**Boundary walls[4,5]**	• Maximum 2 storeys in height • Unlimited length • To up to two lot boundaries (not including street boundaries)
Corner of Stirling Highway and Broadway		
AO	**Primary Control**	**Acceptable Outcome**
AO 6.1	**Building height[1]**	Minimum 3 storeys Maximum 7 storeys OR Maximum 12 storeys, where total development site area is at least 2,000m^2
AO 6.2	**Stirling Highway setback[3]**	**≤4 storeys** Average 2.5m **≥5th storeys** Minimum 5.5m **Corner truncation** Nil
AO 6.3	**Broadway setback[4]**	**≤4 storeys** Nil **≥5 storeys**

		Minimum 4m[6]
AO 6.4	**Western setback[4]**	**≤4 storeys** Nil **≥5 storeys** Minimum 6m[6]
AO 6.5	**Southern setback[4]**	**≤4 storeys** Nil **≥5 storeys** Minimum 2m
AO 6.6	**Boundary walls[4,5]**	• Maximum 4 storeys in height • Unlimited length • To up to two lot boundaries (not including street boundaries)

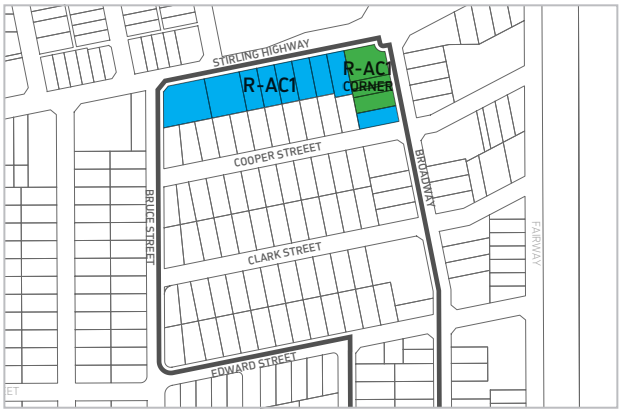
[1] Subject to indicative building heights outlined in Table 2.2 of R-Codes Vol. 2.
[2] Additional building heights and reduced rear setbacks may only be considered where 2 hours of solar access per day on 21 June is maintained for all affected rear properties.
[3] Required setbacks to Stirling Highway are to be taken from the boundary of the road widening.
[4] Boundary setbacks will also be determined by provisions for building separation, deep soil areas and visual privacy within R-Codes Vol. 2 and this LPP, and building separation provisions of the National Construction Codes.
[5] Wall may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions.
[6] Service areas (such as lifts and stairs) may intrude into the side setback area for a maximum width (parallel to the lot boundary) of 12m.

5.2.4 ACCEPTABLE OUTCOMES AND DESIGN GUIDANCE

	Acceptable outcomes (AO) In accordance with section 1.2.2 and 1.2.3 of the R-Codes Vol. 2, the below provisions amend or replace acceptable outcome provisions in the R-Codes Vol. 2 (refer to **Broadway LPP – Relationship to R-Codes**).	**Design guidance (DG)** Design guidance provides additional direction for applicants to ensure that proposals are contextually appropriate for the specific sub-precinct.
2.3 Street setbacks	a) Balconies may project into the street setback area, up to a maximum 2m intrusion.	a) Increased street setbacks to Broadway may be considered where required for the provision of streetscape amenities, including, but not limited to, seating, landscaping, tree provision, visitor bicycle parking and recessed pedestrian entries.
3.3 Tree canopy and deep soil areas	a) The development is to include the minimum number of trees outlined below. **Site area** / **Minimum requirement for trees** <700 m² — 1 medium tree and small trees to suit area 700 – 1,000 m² — 2 medium trees OR 1 large tree and small trees to suit area >1,000m² — 1 large tree AND 1 medium tree for each additional 400m² in excess of 1000m² OR 2 medium trees AND 4 small trees per 400m² b) The medium trees required above are to be provided within the street setback area.	a) Where hard surfaces are proposed within outdoor living areas, permeable finishes such as gravels or permeable paving should be considered in order to reduce stormwater run-off. b) This sub-precinct provides an opportunity to enhance canopy cover and improve pedestrian amenity along Stirling Highway.

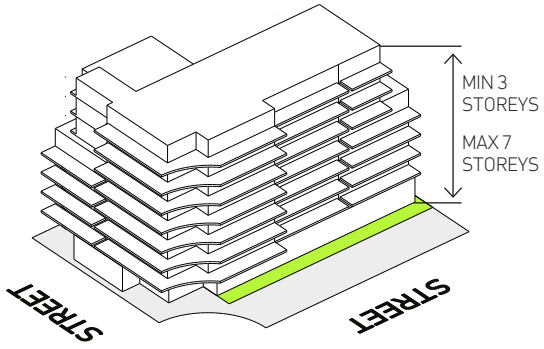
3.4 Communal open space		a) Communal open space/s should be oriented and designed to maximise northern solar access whilst also minimising direct overlooking of habitable rooms and private outdoor living areas of adjoining properties.
3.8 Vehicle access	a) A 12m rear setback is required to allow for car parking bays (adjacent and perpendicular to the rear boundary) and adjoining future two-way vehicle access connecting to Bruce Street, to reduce crossovers to Stirling Highway. b) Any site works within the rear 12m of the development site are to ensure levels at the lot boundaries are consistent with adjoining properties to the east and west. c) A condition of approval may be recommended or imposed, requiring a legal agreement relating to a vehicle access easement. d) Vehicle access for development at the corner of Stirling Highway and Broadway is to be via Broadway and located adjacent to the southern lot boundary.	
4.10 Façade design	a) The building line adjacent to Stirling Highway and Broadway is to be provided with awnings, which*: i. Are setback a minimum of 1m from the kerbline; ii. Are a minimum of 2m in depth, projecting from the building line (may be reduced to achieve 1m setback from kerbline); iii. Are a minimum height of 3m and a maximum height of 3.5m from the level of the footpath; iv. Respond to any existing/proposed trees; and v. integrate with the design of the façade. b) Façade design for development at the corner of Stirling Highway and Broadway is to emphasis the corner landmark location, through the use of articulation, or changes in height, materials and colour.	
4.14 Mixed use	a) Developments with no residential component may be supported within this sub-precinct.	

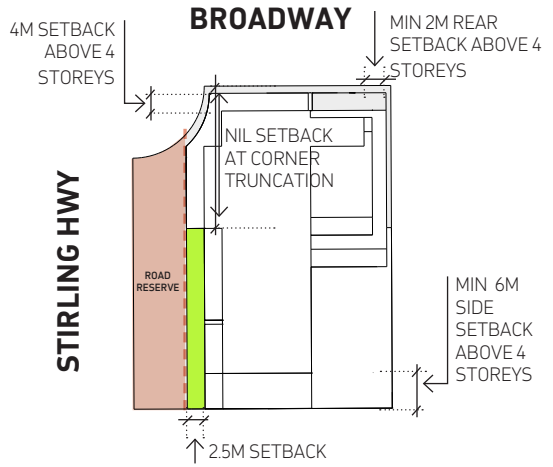
STIRLING HIGHWAY SUB-PRECINCT



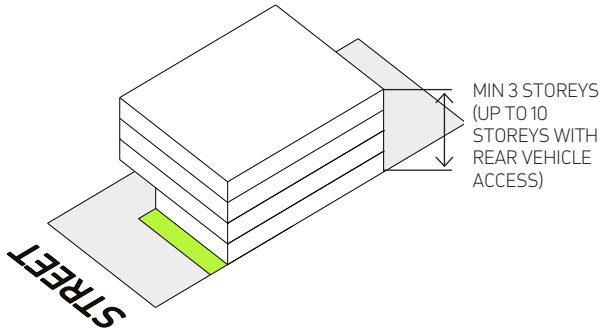
APPLICABLE R-CODES

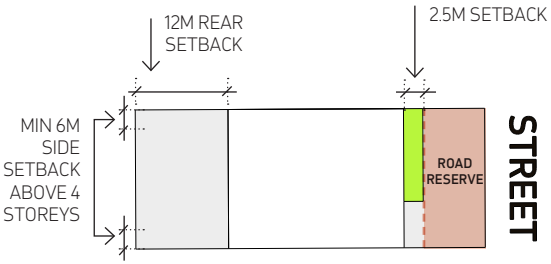
R-AC1 CORNER (SINGLE SITE)





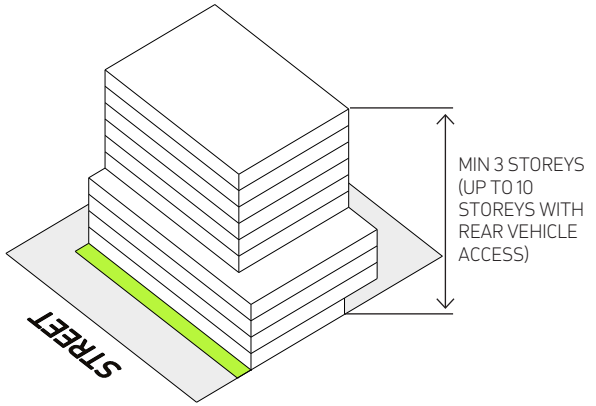
R-AC1 LOTS FRONTING STIRLING HWY (SINGLE SITE)

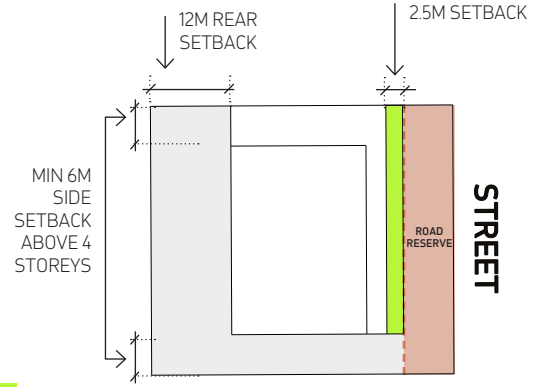




DEEP SOIL AREA

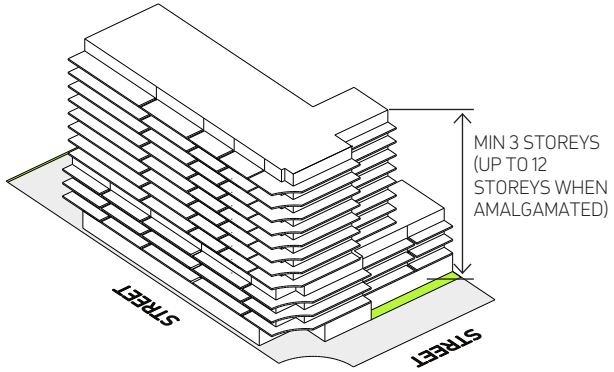
R-AC1 LOTS FRONTING STIRLING HWY (AMALGAMATED SITE)

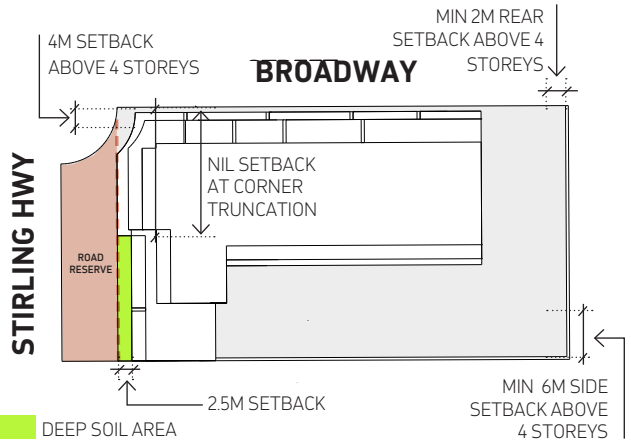




DEEP SOIL AREA

R-AC1 CORNER (AMALGAMATED SITE)





DEEP SOIL AREA

5.3 Broadway Nodes and Frame (Mixed Use R-AC3)

5.3.1 Existing Character Statement

Broadway is comprised of three existing nodes of activity, with areas of lower intensity in between (identified as the Broadway Frame). Together, these sub-precincts extend from Cooper Street in the north to Esplanade in the south and share a border with the City of Perth to the east. In addition to being serviced by two standard bus routes, Broadway forms part of the Purple CAT (Central Area Transit) bus route, which provides frequent, free connections between Elizabeth Quay Bus Station, QEII Medical Centre and the University of Western Australia.

The three existing nodes of activity along Broadway are characterised as follows:

Broadway North (includes R-AC1 lots between Stirling Highway and Cooper Street)	Low-to-medium-rise, fine-grain retail, café and office activity between Stirling Highway and Edward Street. This node generally features buildings with nil or reduced setbacks, providing limited opportunity for landscaping within the front setback. Minimal street trees are present, though pedestrian comfort is provided by awnings over footpath and separation from the road by parallel parking bays. Some alfresco dining is provided.
Broadway Central	Scattered retail and café activity in the vicinity of the Broadway Fair Shopping Centre. This node is characterised by semi-mature street trees.
Broadway South	Retail, café, office, multi-residential and hotel activity south of Hillway. Built form intensity in this node increases up to 6 storeys towards the river. Nil or reduced street setbacks generally provide limited opportunity for landscaping within the front setback, with the exception of the Steve's Hotel site at corner of The Avenue, where increased setbacks (up to 20m) provide opportunity for car parking, landscaping, and alfresco dining.

The areas between these activity nodes (Broadway Frame) are dominated by low-rise, detached single houses and grouped dwellings with increased street setbacks, where mature street trees provide shade and contribute to pedestrian amenity. Greater levels of open space, with generous front and rear setbacks, provide space for significant areas of landscaping and the presence of small to large-sized mature trees. Lots between Edward Street and Elizabeth Street experience significant level rise up from Broadway towards Kingsway (up to 10m elevation gain). This gradient, combined with large street setbacks, has created some areas with poor street interface to Broadway, where dwellings are set far back into the lot and the street interface is characterised by high retaining walls and garages.

Since the gazettal of LPS 3 in 2019, there have been several development approvals issued for mixed-use developments along Broadway. Some of those sites with development approval have undergone demolition in preparation for construction. If constructed, these developments will start to contribute to an emerging higher-density, urban character along Broadway.

5.3.2 Desired Future Character Statement

Broadway will be developed as a high density urban centre. The massing and scale of new developments will be proportional to lot size and will frame the street. New development will be massed towards Broadway and will be designed to account for topographical differences between Broadway and Kingsway, in order to minimise building bulk impacts on the R60 properties to the rear.

New mixed-use development with active ground floor uses will be focussed on existing nodes of activity, creating discrete centres along Broadway. The areas between these centres (Broadway Frame) may be developed at a slightly lower intensity, with increased street setbacks and landscaping fronting Broadway, and may provide less active land uses at ground level. The sub-precinct will provide for a diversity of dwelling configurations and sizes which provide for a range of household types.

The street interface of new developments will contribute to pedestrian comfort and will provide opportunity for passive surveillance over the street. Within centres, tenancies for ground floor non-residential uses will be suitably proportioned to provide a meaningful contribution to street activation. The interface of new development with the lower-density residential areas to the rear will be sensitively managed through generous setbacks, as well as areas of deep soil and tree plantings. Blank, imposing façades are to be avoided.

Single house and grouped dwelling developments are not appropriate within this sub-precinct.

5.3.3 Primary Controls

Acceptable Outcomes are likely to assist in satisfying the Objectives but are not a comprehensive 'deemed-to-comply' list. To achieve the outcomes described within the Desired Future Character Statements, proposals may require additional and/or alternative design solutions in response to the site conditions, streetscape and design approach. Guidance is provided within the applicable Design Guidance section.

5.3.3.1 Broadway Nodes		
AO	**Primary Control**	**Acceptable Outcome**
AO 7.1	**Building height**[1]	Minimum 3 storeys Maximum 6 storeys
AO 7.2	**Primary and secondary street setback**	**≤2 storeys** Mandatory nil **3-4 storeys** Minimum 4m **≥5 storeys** Minimum 6m
AO 7.3	**Side setbacks**[2,3]	**≤2 storeys** Nil **3 – 4 storeys** Minimum 3m **≥5th storeys** Minimum 5m
AO 7.4	**Rear setback**[2]	**≤3 storeys** Minimum 6m **≥4 storeys** Minimum 9m
AO 7.5	**Boundary walls**[2,3]	• Maximum 2 storeys in height • Unlimited length • To up to two lot boundaries (not including street boundaries)

5.3.3.2 Broadway Frame	
Built form can either be:	
A – Subject to requirements for Broadway Node, where:	**B – Subject to requirements below, where:**
Active land use/s is/are provided at the ground level of the development, which meet the minimum tenancy size outlined in **Broadway Nodes Acceptable Outcomes.**	**Active land use/s** is/are not provided at the ground level of the development, or active uses are provided which do not meet the minimum tenancy size outlined in **Broadway Nodes Acceptable Outcomes.**

AO	**Primary Control**	**Acceptable Outcome**
AO 8.1	**Building height**[1]	Minimum 3 storeys Maximum 5 storeys
AO 8.2	**Primary and secondary street setback**	**≤2 storeys** Minimum 2m **≥3 storeys** Minimum 6m
AO 8.3	**Side setbacks**[2,3]	**≤4 storeys** Minimum 3m **≥5th storeys** Minimum 5m[4]
AO 8.4	**Rear setback**[2]	**≤3 storeys** Minimum 6m **≥4 storeys** Minimum 9m
AO 8.5	**Boundary walls**[2,3]	• Maximum 2 storeys in height • Max two-thirds the length of the lot boundary • Up to one lot boundary OR Up to two lot boundaries, where 15% deep soil area is provided, or one tree is retained or provided in the street setback area and integrated into the design of the development (can contribute towards tree requirements under A3.3.5 of the R-Codes Vol. 2).

[1] Subject to indicative building heights outlined in Table 2.2 of R-Codes Vol. 2.
[2] Boundary setbacks will also be determined by provisions for building separation, deep soil areas and visual privacy within R-Codes Vol. 2 and this LPP, and building separation provisions of the National Construction Codes.
[3] Wall may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions.

[4] Service areas (such as lifts and stairs) may intrude into the side setback area for a maximum width (parallel to the lot boundary) of 12m.

5.3.4 ACCEPTABLE OUTCOMES AND DESIGN GUIDANCE

5.3.4.1 - Broadway Nodes

	Acceptable outcomes (AO) In accordance with section 1.2.2 and 1.2.3 of the R-Codes Vol. 2, the below provisions amend or replace acceptable outcome provisions in the R-Codes Vol. 2 (refer to **Broadway LPP – Relationship to R-Codes**).	**Design guidance (DG)** Design guidance provides additional direction for applicants to ensure that proposals are contextually appropriate for the specific sub-precinct.
2.3 Street setbacks	a) Balconies may project into the street setback area, up to a maximum 2m intrusion.	a) Increased street setbacks may be considered where required for the provision of streetscape amenities, including, but not limited to, seating, landscaping, tree retention or provision, visitor bicycle parking and recessed pedestrian entries.
3.3 Tree canopy and deep soil areas	a) **Deep soil areas** and trees plantings are to be provided within the rear setback area, creating a landscaped buffer between the proposed development and the adjoining lower density site/s. b) The development is to include the minimum number of trees outlined below.	a) Deep soil areas should be consolidated as much as possible, rather than being provided as multiple smaller areas. b) Where hard surfaces are proposed within outdoor living areas, permeable finishes such as gravels or permeable paving should be considered in order to reduce stormwater run-off.
3.4 Communal open space		a) Communal open space/s should be oriented and screened to maximise northern solar access whilst also minimising direct overlooking of habitable rooms and private outdoor living areas of adjoining properties. b) The preferred location for communal open space is either: i. At upper levels facing Broadway and/or a secondary street; or ii. Collocated with deep soil areas at the rear of the development
3.9 Car and bicycle parking	a) Electrical vehicle charging stations are to be provided at a minimum rate of 30% of total residential bays. In addition, electrical supply and car park distribution boards are to allow for future capacity to supply electric vehicle charging points for all residential bays.	a) The preferred location for car parking is at-grade or at basement levels, rather than being provided above-ground (even if sleeved behind other uses). b) A reduction in the number of residential car bays may be considered where electric

Site area	**Minimum requirement for trees**
<700m^2	1 medium tree and small trees to suit area
700 – 1,000m^2	2 medium trees OR 1 large tree and small trees to suit area
>1,000m^2	1 large tree AND 1 medium tree for each additional 400m^2 in excess of 1000m^2 OR 2 medium trees AND 4 small trees per 400m^2

<table>
<tr><td></td><td></td><td>vehicles are provided for shared residential use.</td></tr>
<tr><td>4.10 Façade design</td><td>b) The building line adjacent to Broadway, and secondary streets where applicable, is to be provided with awnings, which*:
i. Are setback a minimum of 1m from the kerbline;
ii. Are a minimum of 2m in depth, projecting from the building line (may be reduced to achieve 1m setback from kerbline);
iii. Are a minimum height of 3m and a maximum height of 3.5m from the level of the footpath;
iv. Respond to any existing/proposed trees; and
v. integrate with the design of the façade.
c) New developments are required to have an active frontage to Broadway, and secondary streets where applicable, in accordance with Clause 32.4 (3) of Local Planning Scheme No. 3.</td><td>a) The following guidance is provided to achieve active frontages within the Broadway Nodes.

Include:
• Articulated and detailed facades, which create finer grain detail
• Variety of façade elements, such as operable windows and doors, stall risers, sills, seating and other detailing
• Variety of materials, colours, textures and depths
• Clearly defined, recessed pedestrian entry
• Incorporation of landscaping to soften the street interface and provide screening to areas of blank facade
• Well integrated signage
• Security measures, where provided, are to be:
o Located and installed internally behind the glazing; and
o Transparent and visually permeable to allow views inside the building and enable internal light sources to be seen from the street

Avoid:
• Unarticulated floor-to-ceiling glazing
• Heavily tinted glazing which obscures views between the interior and exterior of the building (any tinting should have a minimum of 70% visible light transmission)
• Blank, monotonous facades
• Facades dominated by vehicle entries, parking areas or services/utilities (whether screened or unscreened)
• Facades dominated by advertising signage</td></tr>
<tr><td>4.14 Mixed use</td><td>a) An active land use/s is to be provided at ground level, facing Broadway.
b) Any non-active land uses are to be located above ground floor.
c) Ground floor tenancies are to be designed to allow for ease of change to other non-residential uses, including those requiring grease traps and exhaust fans.
d) The combined net lettable area of commercial ground floor spaces is to meet the requirements set out in the table below:
<table><tr><th>Development site</th><th>Minimum net lettable area</th></tr><tr><td>Single lot</td><td>70m^2</td></tr><tr><td>Two or more adjoining lots fronting Broadway</td><td>60m^2 per lot</td></tr></table>
The above requirements are in addition to the minimum tenancy depth of 10m, as per Clause 32.4 (4) Local Planning Scheme No. 3.</td><td>a) The following are the preferred active land uses within the Broadway Nodes:
• Amusement parlour
• Convenience store
• Liquor store – small
• Lunch bar
• Recreation – private
• Restaurant/café (including those with a takeaway component)
• Shop
• Small bar
• Tavern</td></tr>
</table>

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<table>
<tr><td colspan="3">* The City may impose/recommend a condition of development approval for a Deed of Indemnity being entered into between the City and the proponent, at the proponent's cost.</td></tr>
<tr><td colspan="3">C(ii) – Broadway Lower Intensity (no active land use at ground floor)</td></tr>
<tr><td></td><td>Acceptable outcomes (AO)
In accordance with section 1.2.2 and 1.2.3 of the R-Codes Vol. 2, the below provisions amend or replace acceptable outcome provisions in the R-Codes Vol. 2.</td><td>Design guidance (DG)
Design guidance provides additional direction for applicants to ensure that proposals are contextually appropriate for the specific sub-precinct.</td></tr>
<tr><td>2.3 Street setbacks</td><td>a) Balconies may project into the street setback area, up to a maximum 2m intrusion, where planting on structure is incorporated into the balconies which include vegetation visible from the street.</td><td>a) Intrusions into the street setback area may be considered where streetscape improvements are proposed, including, but not limited to, seating and landscaping.</td></tr>
<tr><td>3.3 Tree canopy and deep soil areas</td><td>a) Deep soil areas and trees plantings are to be provided within both the street setback area and the rear setback area, creating a landscaped buffer between the proposed development and street, and the adjoining lower density site/s.
b) The development is to include the minimum number of trees outlined below.
<table>
<tr><th>Site area</th><th>Minimum requirement for trees</th></tr>
<tr><td><700m^2</td><td>2 medium trees AND 2 small trees</td></tr>
<tr><td>≥700m^2</td><td>1 large tree
AND
1 medium tree per 400m^2

OR

4 medium trees
AND
4 small trees per 400m^2</td></tr>
</table></td><td>a) Deep soil areas should be consolidated as much as possible, rather than being provided as multiple smaller areas.
b) Where hard surfaces are proposed within communal or private open space, permeable finishes such as gravels or permeable paving should be considered in order to reduce stormwater run-off.
c) Deep soil areas within the street setback area should form part of ground floor apartment private open space where possible.</td></tr>
<tr><td>3.4 Communal open space</td><td></td><td>a) Communal open space/s should be oriented and screened to maximise northern solar access whilst also minimising direct overlooking of habitable rooms and private outdoor living areas of adjoining properties.
b) The preferred location for communal open space is either:
i. At upper levels facing Broadway and/or a secondary street; or
ii. Collocated with deep soil areas at the rear of the development.</td></tr>
<tr><td>3.9 Car and bicycle parking</td><td>a) Parking requirements for the preferred land uses outlined in 4.14 are outlined in Appendix 3.</td><td>a) Car parking should be provided at-grade or at basement levels, rather than being provided above-ground (even if sleeved behind other uses).</td></tr>
<tr><td>4.10 Façade design</td><td>a) New developments are required to have an active frontage to Broadway, and secondary streets where applicable, in accordance with Clause 32.4 (3) of Local Planning Scheme No. 3.</td><td>a) The following guidance is provided to achieve active frontages within the Broadway Lower Intensity sub-precinct:

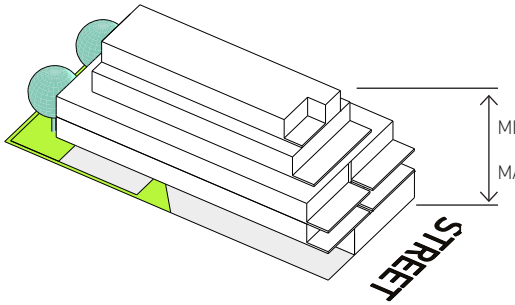
Include:
• Elements such as verandahs, eaves, louvres, balconies, window awnings and hoods that are reinterpreted in a contemporary manner
• Articulated and detailed facades, which create finer grain detail
• Variety of materials, colours, textures and depths</td></tr>
</table>

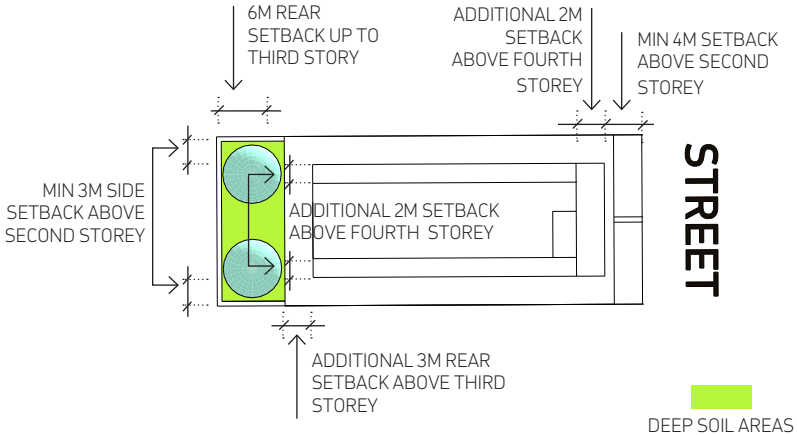
		• Incorporation of landscaping to soften the street interface and provide screening to areas of blank façade • Provision of pedestrian access to ground floor units from the street (may be accessed via associated private open space), separated from communal pedestrian entries **Avoid:** • Heavily tinted glazing which obscures views between the interior and exterior of the building (any tinting should have a minimum of 70% visible light transmission) • Blank, monotonous facades • Facades dominated by vehicle entries, parking areas or services/utilities (whether screened or unscreened)
4.14 Mixed use	a) In reference to Clause 32.4 (2) of LPS 3, residential uses are permitted on the ground floor, facing primary and secondary streets. b) Where residential uses are proposed on the ground floor, the ground floor is to be designed for future adaption to non-residential uses, including: i. Minimum 3.5m floor to ceiling height; ii. Minimum size (60m^2) and depth (10m) of ground floor units; iii. Universal access to the premises, including car parking; and iv. Car parking, delivery vehicle access, waste management and amenities to accommodate a range of retail and commercial uses.	a) Where non-residential land uses are proposed on the ground floor, the following land uses are preferred: • Art gallery • Consulting room • Educational establishment • Exhibition centre • Medical centre • Office

BROADWAY NODE AND FRAME SUB-PRECINCTS

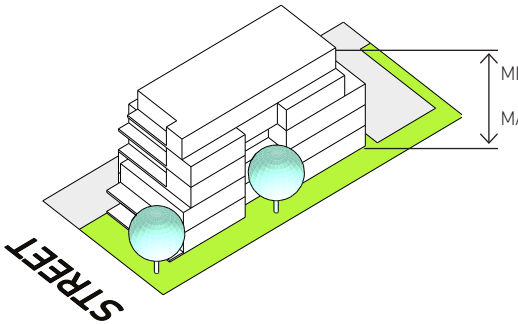


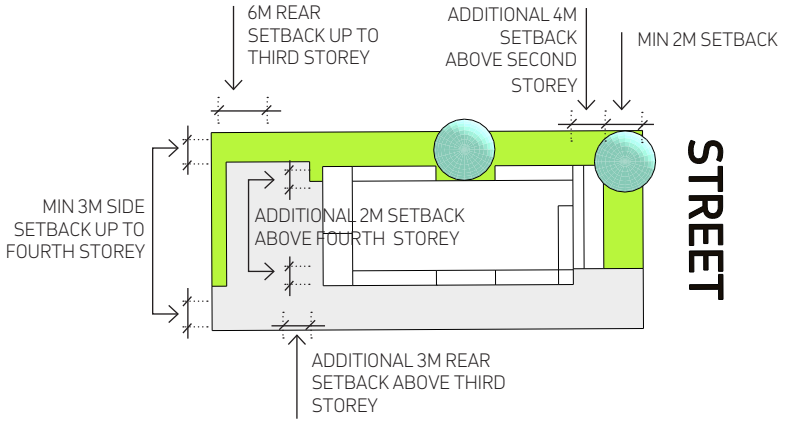
R-AC3 BROADWAY NODE





R-AC3 BROADWAY FRAME





6 Definitions

Terms used in this Policy are defined as per State Planning Policy 7.3 Residential Design Codes Volume 1 and Volume 2, unless otherwise specified below:

Active land use: Land uses which generate many visits, in particular pedestrian visits, over an extended period of the day. Active land uses provide opportunity for spontaneous encounters between neighbours and visitors to the precinct.

Active frontage: Street frontages where there is an active visual engagement between those in the street and those on the ground and upper floors of buildings. Active frontages can provide informal surveillance opportunities and often improve the vitality and safety of an area.

Deep Soil Area: Soft landscape area on lot with no impeding building structure or feature above or below, which supports growth of medium to large canopy trees and meets a stated minimum dimension. Used primarily for landscaping and open to the sky, deep soil areas exclude basement car parks, services, swimming pools, tennis courts and impervious surfaces including car parks, driveways and roof areas.

Landscaping: Land developed with garden beds, shrubs, and trees, or by the planting of lawns, and includes planting-on-structure, rockeries, ornamental ponds and any other such area approved of by the decision-maker as landscaped area.

Significant existing tree: an existing tree that meets the following criteria:
- healthy specimens with ongoing viability; and
- species is not included on a State or local area weed register; and
- height of at least 4m; and/or
- trunk diameter of at least 160mm, measured 1m from the ground; and/or
- average canopy diameter of at least 4m.

Site area: The area of land required for the construction of a dwelling to satisfy the requirements of the R-Codes.

Street setback: The horizontal distance between the street boundary and a building, measured at right angles (90 degrees) to the street boundary.

Appendix 1 – Energy efficiency initiatives

Examples of energy efficient initiatives that exceed current minimum practice are provided below. Applicants are encouraged to propose other innovative solutions where supported by evidence demonstrating how minimum practice is exceeded:

- Ceiling fans to all habitable rooms
- Hot water systems that are more energy efficient than electric storage units
- Provision of an external clothesline to every dwelling, located in an area out of direct view on an external wall or in a breezeway
- Use of a photovoltaic array for communal services
- Installation of a lift with regenerative braking
- Solar powered lighting of external open space, circulation areas and common spaces.

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Appendix 2 – Facades and materials

Residential Sub-Precinct	
Key elements	
• Verandahs, eaves, balconies and awnings • Boundary walls concealed behind streetscape • Frontages not dominated by garages • Highly articulated frontages, with minimal blank facades	• Use of contrasting façade treatments, including brick, render, timber and gable ends • Building façade uses both rectangular and arched elements • High quality, durable materials • Low or open style front fencing
Examples of key elements within the sub-precinct and surrounds	
	
Examples of key elements in new developments	
	

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Stirling Highway Sub-Precinct (excluding lots fronting Broadway)

Key elements

- Variety of colours and materials, including brick, render, glazing and cladding
- Well-defined and recessed pedestrian entries
- Incorporation of planter boxes, trees and small areas of deep soil
- Upper floors address the street and provide opportunity for passive surveillance
- Parking structures and vehicle access ways designed so that they do not dominate the street frontage

Examples of key elements within the sub-precincts and surrounds









Examples of key elements in new developments






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Broadway Node and Frame Sub-Precinct*
***including lots within Stirling Highway Sub-Precinct facing Broadway**

Key elements

- Fine-grain, pedestrian-scaled shop fronts
- Variety of colours, materials and façade elements (stall risers, sills, seating etc.) to create visual interest for the street
- Use of glazing allows for visual interaction between the building and the street
- Incorporation of planter boxes
- Well-defined and recessed pedestrian entries
- Awnings over the footpath
- Upper floors address the street and provide opportunity for passive surveillance
- Parking structures and vehicle access ways designed so that they do not dominate the street frontage

Examples of key elements within the sub-precincts and surrounds









Examples of key elements in new developments

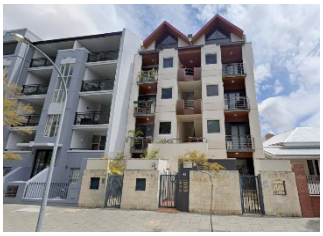
Broadway Node






Broadway Frame



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Appendix 3 – Parking requirements

Land use	Minimum number of car parking bays required		Minimum number of bicycle bays required
Amusement parlour	1 car bay per 5 patrons at capacity; and 1 car bay per 2 staff members		1 bicycle space per 50m^2 of NLA
Convenience store Liquor store – small Restaurant/café Shop	1 car bay per 30m² of NLA		1 bicycle space per 30m^2 of NLA
Recreation – private	1 car bay per 20m² of NLA		1 bicycle space per 50m^2 of NLA
Small bar Tavern	1 car bay per 20m² of NLA (inclusive of dining areas and function rooms)		1 bicycle space per 30m^2 of NLA
Art gallery Exhibition centre	1 car bay per 30m^2 of NLA		1 bicycle space per 200m^2 of NLA
Educational establishment	Pre-primary	1 car bay per staff member + 1 drop off/pick up bay per classroom	Nil
	Primary	1.25 car bays per classroom + 1 drop off/pick up bay per classroom	1 space per 5 students
	Secondary	3 car bays per classroom + 1 drop off/pick up bay per classroom	1 space per 5 students
	Tertiary / Technical	1.25 car bays per classroom + one bay per 3.5 students + 1 drop off/pick up bay per classroom	1 space per 10 students
Consulting room Medical centre	3 car bays for each practitioner In addition to the above, 2 car bays for each practitioner in excess of 2 practitioners		1 bicycle space per 10 car parking bays
Office	1 car bay per 40m^2 of NLA		1 bicycle space per 200m^2 of NLA

Notes:

- *NLA = net lettable area*
- *The number of parking spaces calculated shall be rounded to the nearest whole number.*
- *The required bicycle spaces are to be clearly visible and directly accessible from the primary street.*

Relationship of this Policy to R-Codes Volume 1

In accordance with Part 7 of the R-Codes Volume 1, this Policy contains provisions that amend or replace the Deemed to Comply criteria set out in Part 5 of the R-Codes Volume 1. The tables below detail which Deemed-to-Comply criteria of the R-Codes Volume 1 have been amended or replaced by this Policy for each sub-precinct. If an element in the R-Codes Volume 1 is not included in the table below, it is not amended or replaced by this Policy, and the applicable Deemed to Comply in the R-Codes Volume 1 remain and apply.

The Design Principles of the R-Codes Volume 1 remain and apply; however, the Housing Objectives in this Policy must be considered in addition to the Design Principles. The table below details which Housing Objectives must be considered in addition to the applicable Design Principles for each sub-precinct.

Residential Sub-Precinct (R40, R60 and R160) Grouped Dwellings/Single Houses		
Deemed-to-Comply		
R-Code Element	**Applicable Clause of this Policy**	**Applicable Deemed-to-Comply**
5.1.2 Street setback	Primary Controls R40: DC1.2 and DC1.3 R60: DC2.2 and DC2.3 R160: DC3.2 and DC3.3 Deemed-to-comply 5.1.2	C2.1(i)-(iii) of the R-Codes Volume 1 is replaced by Primary Controls (DC1.2, DC2.2 and DC3.2) and Deemed-to-comply (5.1.2) of this Policy. C2.1(iv, point 3), C2.2 and C2.3 of the R-codes Volume 1 is replaced by Primary Controls (DC1.3, DC2.3 and DC3.3) of this Policy. C2.1(iv, points 1 and 2) – (v) and C2.4 of the R-Codes Volume 1 remains and applies.
5.1.3 Lot boundary setback	Primary Controls R40: DC1.4, DC1.5 and DC1.6 R60: DC2.4, DC2.5 and DC2.6 R160: DC3.4, DC3.5 and DC3.6	C3.1(i) of the R-Codes Volume 1 is replaced by Primary Controls (DC1.4, DC1.5, DC2.4, DC2.5, DC3.4 and DC3.5) of this Policy. C3.2 of the R-Codes Volume 1 is replaced by Primary Controls (DC1.6, DC2.6 and DC3.6) of this Policy. C3.1(ii)-(vi) of the R-Codes Volume 1 remains and applies.
5.1.6 Building height	Primary Controls R40: DC1.1 R60: DC2.1 R160: DC3.1	C6 of the R-Codes Volume 1 is replaced by Primary Controls (DC1.1, DC2.1 and DC3.1) of this Policy.
5.3.2 Landscaping	General Provisions 4.4 Deemed-to-comply 5.3.2	C2.2 of the R-Codes Volume 1 is replaced by General Provisions (4.4) and Deemed-to-comply (5.3.2) of this Policy. C2.1 of the R-Codes Volume 1 remains and applies.
5.3.3 Parking	General Provisions 4.8.2	General Provisions (4.8.2) of this Policy provides guidance on the application of C3.1 of the R-Codes Volume 1.
5.3.4 Design of car	General Provisions 4.8.1	5.3.4 of the R-Codes Volume 1 is augmented by the addition of General Provisions (4.8.1) of this Policy.

parking spaces		C4.1-C4.3 of the R-Codes Volume 1 remains and applies.
5.3.5 Vehicular Access	General Provisions 4.7	C5.2 of the R-Codes Volume 1 is replaced by General Provisions (4.7) C5.1 and C5.3-C5.7 of the R-Codes Volume 1 remains and applies.

Housing Objectives		
R-Code Element	**Applicable Design Principle of this Policy**	**Applicable Design Principle**
5.1.2 Street setback	Local Housing Objectives 5.1.2	Per clause 7.3.1(b) of the of the R-Codes Volume 1, these housing objectives are provided to guide judgements about the merits of proposals. Local Housing Objectives (5.1.2) do not augment the Design Principles.
5.3.2 Landscaping	Local Housing Objectives 5.3.2	Per clause 7.3.1(b) of the of the R-Codes Volume 1, these housing objectives are provided to guide judgements about the merits of proposals. Local Housing Objectives (5.3.2) do not augment the Design Principles.

Relationship of this Policy to R-Codes Volume 2

In accordance with Clause 1.2 of the R-Codes Volume 2, this Policy contains provisions that amend or replace the Acceptable Outcomes set out in Part 2, 3 and 4 of the R-Codes Volume 2. The tables below detail which Acceptable Outcomes of the R-Codes Volume 2 have been amended or replaced by this Policy for each sub-precinct. If an element in the R-Codes Volume 2 is not included in the table below, it is not amended or replaced by this Policy, and the applicable Acceptable Outcomes in the R-Codes Volume 2 remain and apply.

The Element Objectives of the R-Codes Volume 2 remain and apply; however, Design Guidance in this Policy must be considered in addition to the Element Objectives. The table below details which Design Guidance must be considered in addition to the applicable Element Objectives for each sub-precinct.

Residential Sub-Precinct (R40, R60 and R160) Multiple Dwellings		
Acceptable Outcomes		
R-Code Element	**Applicable Clause of this Policy**	**Applicable Acceptable Outcome**
2.2 Building height	Primary Controls R40: AO1.1 R60: AO2.1 R160: AO3.1	A2.2.1 of the R-Codes Volume 2 is replaced by Primary Controls (AO1.1, AO2.1 and AO3.1) of this Policy.
2.3 Street setbacks	Primary Controls R40: AO1.2 and AO1.3 R60: AO2.2 and AO2.3	A2.3.1 of the R-Codes Volume 2 is replaced by Primary Controls (AO1.2, AO1.3, AO2.2, AO2.3,

	R160: AO3.2 and AO3.3 Acceptable Outcomes 2.3	AO3.2 and AO3.3) and Acceptable Outcomes (2.3) of this Policy.
2.4 Side and rear setbacks	Primary Controls R40: AO1.4, AO1.5 and AO1.6 R60: AO2.4, AO2.5 and AO2.6 R160: AO3.4, AO3.5 and AO3.6	A2.4.1(a) of the R-Codes Volume 2 is replaced by Primary Controls (AO1.4, AO1.5, AO1.6, AO2.4, AO2.5, AO2.6, AO3.4, AO3.5 and AO3.6) of this Policy. A2.4.1(b) and A2.4.2 of the R-Codes Volume 2 remain and apply.
3.3 Tree canopy and deep soil areas	General Provisions 4.4 Acceptable Outcomes 3.3	A3.3.4 and A3.3.5 of the R-Codes Volume 2 are replaced by General Provisions (4.4) and Acceptable Outcomes (3.3) of this Policy. A3.3.1 - A3.3.3, A3.3.6 and A3.3.7 of the R-Codes Volume 2 remain and apply.
3.8 Vehicle Access	General Provisions 4.7	A3.8.1 of the R-Codes Volume 2 are replaced by General Provisions (4.7) of this Policy. A3.8.2-A3.8.7 of the R-Codes Volume 2 remain and apply.
3.9 Car and bicycle parking	General Provisions 4.8	Element 3.9 of the R-Codes Volume 2 is augmented by the addition of General Provisions (4.8) of this Policy.
4.15 Energy efficiency	General Provisions 4.2	A14.15.1 of the R-Codes Volume 2 are replaced by General Provisions (4.2) of this Policy.
4.16 Water management and conservation	General Provisions 4.2	Element 4.16 of the R-Codes Volume 2 is augmented by the addition of Acceptable Outcomes (4.16) of this Policy.
Design Guidance		
R-Code Element	**Applicable Design Guidance of this Policy**	**Applicable Element Objective**
2.3 Street setbacks	Design Guidance 2.3	Design Guidance (2.3) of this Policy have been developed specifically for this sub-precinct and must be considered in addition to O2.3.1 – O 2.3.4 of the R-Codes Volume 2.
3.3 Tree canopy and deep soil areas	Design Guidance 3.3	Design Guidance (3.3) of this Policy have been developed specifically for this sub-precinct and must be considered in addition to O3.3.1 – O 3.3.3 of the R-Codes Volume 2.

Stirling Highway Sub-Precinct (R-AC1)		
Acceptable Outcomes		
R-Code Element	**Applicable Clause of this Policy**	**Applicable Acceptable Outcome**
2.2 Building height	Primary Controls Stirling Hwy: AO4.1 Broadway: AO5.1	The primary control building heights for R-AC1 are included to guide decision making on development. Further work is required to

	Corner: AO6.1	implement these preferred heights as acceptable outcomes.
2.3 Street setbacks	Primary Controls Stirling Hwy: AO4.2 Broadway: AO5.2 Corner: AO6.2 and AO6.3 Acceptable Outcomes 2.3	A2.3.1 of the R-Codes Volume 2 is replaced by Primary Controls (AO4.2, AO5.2, AO6.2 and AO6.3) and Acceptable Outcomes (2.3) of this Policy.
2.4 Side and rear setbacks	Primary Controls Stirling Hwy: AO4.3, AO4.4 and AO4.5 Broadway: AO5.3, AO5.4 and AO5.5 Corner: AO6.4, AO6.5 and AO6.6	A2.4.1(a) of the R-Codes Volume 2 is replaced by Primary Controls (AO4.3, AO4.4, AO4.5, AO5.3, AO5.4, AO5.5, AO6.4, AO6.5 and AO6.6) of this Policy. A2.4.1(b) and A2.4.2 of the R-Codes Volume 2 remain and apply.
3.3 Tree canopy and deep soil areas	General Provisions 4.4 Acceptable Outcomes 3.3	A3.3.4 and A3.3.5 of the R-Codes Volume 2 are replaced by General Provisions (4.4) and Acceptable Outcomes (3.3) of this Policy. A3.3.1 - A3.3.3, A3.3.6 and A3.3.7 of the R-Codes Volume 2 remain and apply.
3.8 Vehicle Access	General Provisions 4.7 Acceptable Outcomes 3.8	A3.8.1 of the R-Codes Volume 2 are replaced by General Provisions (4.7) and Acceptable Outcomes (3.8) of this Policy. A3.8.2-A3.8.7 of the R-Codes Volume 2 remain and apply.
3.9 Car and bicycle parking	General Provisions 4.8	Element 3.9 of the R-Codes Volume 2 is augmented by the addition of General Provisions (4.8) of this Policy.
4.10 Façade design	Acceptable Outcomes 4.10	Element 4.10 of the R-Codes Volume 2 is augmented by the addition of Acceptable Outcomes (4.10) of this Policy.
4.14 Mixed Use	Acceptable Outcomes 4.14	Element 4.14 of the R-Codes Volume 2 is augmented by the addition of Acceptable Outcomes (4.14) of this Policy.
4.15 Energy efficiency	General Provisions 4.2	A14.15.1 of the R-Codes Volume 2 are replaced by General Provisions (4.2) of this Policy.
4.16 Water management and conservation	General Provisions 4.2	Element 4.16 of the R-Codes Volume 2 is augmented by the addition of Acceptable Outcomes (4.16) of this Policy.
Design Guidance		
R-Code Element	**Applicable Design Guidance of this Policy**	**Applicable Element Objective**

2.3 Street setbacks	Design Guidance 2.3	Design Guidance (2.3) of this Policy has been developed specifically for this sub-precinct and must be considered in addition to O2.3.1 – O 2.3.4 of the R-Codes Volume 2.
3.3 Tree canopy and deep soil areas	Design Guidance 3.3	Design Guidance (3.3) of this Policy has been developed specifically for this sub-precinct and must be considered in addition to O3.3.1 – O 3.3.3 of the R-Codes Volume 2.
3.4 Communal open space	Design Guidance 3.4	Design Guidance (3.4) of this Policy has been developed specifically for this sub-precinct and must be considered in addition to O3.4.1 – O 3.4.3 of the R-Codes Volume 2.
3.8 Vehicle access	Design Guidance 3.8	Design Guidance (3.8) of this Policy has been developed specifically for this sub-precinct and must be considered in addition to O3.8.1 – O 3.8.2 of the R-Codes Volume 2.

Broadway Node and Frame Sub-Precincts (R-AC3)		
Acceptable Outcomes		
R-Code Element	**Applicable Clause of this Policy**	**Applicable Acceptable Outcome**
2.2 Building height	Primary Controls Node: AO7.1 Frame: AO8.1	A2.2.1 of the R-Codes Volume 2 is replaced by Primary Controls (AO7.1 and AO8.1) of this Policy.
2.3 Street setbacks	Primary Controls Node: AO7.2 Frame: AO8.2 Acceptable Outcomes 2.3	A2.3.1 of the R-Codes Volume 2 is replaced by Primary Controls (AO7.2 and AO8.2) and Acceptable Outcomes (2.3) of this Policy.
2.4 Side and rear setbacks	Primary Controls Node: AO7.3, AO7.4 and AO7.5 Frame: AO8.3, AO8.4 and AO8.5	A2.4.1(a) of the R-Codes Volume 2 is replaced by Primary Controls (AO7.3, AO7.4, AO7.5, AO8.3, AO8.4 and AO8.5) of this Policy. A2.4.1(b) and A2.4.2 of the R-Codes Volume 2 remain and apply.
3.3 Tree canopy and deep soil areas	General Provisions 4.4 Acceptable Outcomes 3.3	A3.3.4 and A3.3.5 of the R-Codes Volume 2 are replaced by General Provisions (4.4) and Acceptable Outcomes (3.3) of this Policy. A3.3.1 - A3.3.3, A3.3.6 and A3.3.7 of the R-Codes Volume 2 remain and apply.
3.8 Vehicle Access	General Provisions 4.7	A3.8.1 of the R-Codes Volume 2 are replaced by General Provisions (4.7) of this Policy. A3.8.2-A3.8.7 of the R-Codes Volume 2 remain and apply.
3.9 Car and bicycle parking	General Provisions 4.8 Acceptable Outcomes 3.9	Element 3.9 of the R-Codes Volume 2 is augmented by the addition of General Provisions (4.8) and Acceptable Outcomes (3.9) of this Policy.

4.10 Façade design	Acceptable Outcomes 4.10	Element 4.10 of the R-Codes Volume 2 is augmented by the addition of Acceptable Outcomes (4.10) of this Policy.
4.14 Mixed use	Acceptable Outcomes 4.14	Element 4.14 of the R-Codes Volume 2 is augmented by the addition of Acceptable Outcomes (4.14) of this Policy.
4.15 Energy efficiency	General Provisions 4.2	A14.15.1 of the R-Codes Volume 2 are replaced by General Provisions (4.2) of this Policy.
4.16 Water management and conservation	General Provisions 4.2	Element 4.16 of the R-Codes Volume 2 is augmented by the addition of Acceptable Outcomes (4.16) of this Policy.

Design Guidance		
R-Code Element	**Applicable Design Guidance of this Policy**	**Applicable Element Objective**
2.3 Street setbacks	Design Guidance 2.3	Design Guidance (2.3) of this Policy have been developed specifically for this sub-precinct and must be considered in addition to O2.3.1 – O 2.3.4 of the R-Codes Volume 2.
3.3 Tree canopy and deep soil areas	Design Guidance 3.3	Design Guidance (3.3) of this Policy have been developed specifically for this sub-precinct and must be considered in addition to O3.3.1 – O 3.3.3 of the R-Codes Volume 2.
3.4 Communal open space	Design Guidance 3.4	Design Guidance (3.4) of this Policy have been developed specifically for this sub-precinct and must be considered in addition to O3.4.1 – O 3.4.3 of the R-Codes Volume 2.
3.9 Car and bicycle parking	Design Guidance 3.9	Design Guidance (3.9) of this Policy have been developed specifically for this sub-precinct and must be considered in addition to O3.9.1 – O 3.9.4 of the R-Codes Volume 2.
4.10 Façade design	Design Guidance 4.10	Design Guidance (4.10) of this Policy have been developed specifically for this sub-precinct and must be considered in addition to O4.10.1 and O4.10.2 of the R-Codes Volume 2.
4.14 Mixed use	Design Guidance 4.14	Design Guidance (4.14) of this Policy have been developed specifically for this sub-precinct and must be considered in addition to O4.14.1 and O4.14.2 of the R-Codes Volume 2.

16.5 PD39.06.22 Consideration of Adoption of Local Planning Policy for Advertising – Draft Hollywood Precinct Design Response

Meeting & Date	Council Meeting – 28 June 2022
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff involved in the preparation of this report and the proponents or their consultants.
Report Author	Roy Winslow – Manager Urban Planning
Director	Tony Free - Director Planning & Development/Bill Parker- CEO
Attachments	1. Draft Hampden Hollywood Precinct Design Response Local Planning Policy 2. Summary of changes – Hampden Hollywood Precinct Design Response LPP Relationship to SPP 7.3 R-Codes Vol. 1 & 2.

Purpose

The purpose of this report is for Council to adopt for advertising the draft Hampden Hollywood Design Response Local Planning Policy (the Policy), found in **Attachment 1**.

Recommendation

That Council:

1. **adopts the draft Hampden Hollywood Precinct Design Response Local Planning Policy for advertising in accordance with Clause 4 of the Deemed Provisions of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and**

2. **notes that the advertising period for the draft Hampden Hollywood Precinct Design Response Local Planning Policy will be for a minimum of 28 days.**

Voting Requirement

Simple Majority.

Executive Summary

The Policy seeks to nuance the built form guidance of State Planning Policy 7.3 - Residential Design Codes (R-Codes), providing localised and contextually appropriate built form controls and design guidance for the Hampden Hollywood Precinct. This report provides an overview of the process the City undertook to create the Policy, a breakdown of the Policy structure and its strategic intent.

The Policy process began with an extensive community engagement program and was followed by research into the context and character of the Precinct and built form modelling for future development provisions in consideration of this character and context. Key character drivers for the Hampden Hollywood Precinct were identified as open, leafy streetscapes within the Residential zone, landscaping in the form of deep soil and trees and the commercial function of Hampden Road. The engagement and modelling phase was followed by a review of the Policy provisions by industry experts.

This report provides detail on the results of community engagement, and how the outcomes of this engagement have influenced the provisions of the Policy.

The Policy separates the Hampden Hollywood Precinct into six sub-precinct areas, including three Mixed Use sub-precincts, and three Residential sub-precincts. Each of the Mixed Use sub-precincts have their own existing and desired future character statement, while the Residential sub-precincts share a common desired future character. The sub-precincts are detailed in a Precinct map included as **Figure 1** at the end of this report. Each sub-precinct has provisions written specifically for them that are consistent with these character statements, as well as their density code, zoning and lot orientation. The report discusses the specific aspects of the character and context research, built form modelling and engagement outcomes that have influenced these provisions.

Each modification to the planning framework is justified and assessed against the provisions of the R-Codes. This report includes information on the state planning documentation, and how this Policy interrelates with these documents. This report details the legislative requirements of creating and processing the Policy, which aspects of the Policy require approval from the WAPC, and guides Council on the next steps in the policy adoption process.

Background

Built Form Modelling and Community Engagement

In accordance with State Planning Policy 7.2 – Precinct Design Guidelines (SPP 7.2), the intent of Precinct planning policies is to promote the contextually appropriate development of the areas identified for an increase in density by the Scheme. The Hampden Hollywood Precinct Policy seeks to promote the contextually appropriate development of the Hampden Hollywood Precinct, as identified in **Figure 1**. In June 2021, the City engaged consultants to undertake community engagement and built form modelling for the Hampden Hollywood Precinct.

The Policy provisions have been informed by the outcomes of the built form modelling work, community engagement outcomes, and technical input. The Community Engagement programme is discussed in detail in the Consultation section of this report.
As well as taking on board the community's feedback, the provisions also align with the strategic intent of the R-Codes, SPP 7.2 and the State Government's strategic plan for population growth, Perth and Peel@ 3.5 million. The Policy has been reviewed internally and externally, to ensure that the provisions translate into effective and appropriate built form outcomes.

Discussion

Draft State Planning Policy 4.2 Activity Centres for Perth and Peel

The northern and eastern portion of the Precinct is identified within draft State Planning Policy 4.2 Activity Centres for Perth and Peel as part of the UWA-QEIIMC Specialised Centre. Specialised centres focus on regionally significant economic and institutional activities, such as knowledge-bases for health and tertiary education precincts. These areas are developed as places with a concentration of linked businesses and institutions providing a major contribution to the economy, with excellent transport links and potential to accommodate future growth in jobs and housing.

State Planning Policy 7.2 – Precinct Design Guidelines

SPP 7.2 sets out the criteria an area should meet to require precinct planning work, and the process a local government should follow to prepare a precinct planning policy. Given part of the Hampden Hollywood Precinct is located within the UWA/QEII Specialised Activity Centre, it is considered both an Activity Centre Precinct and a Residential/Mixed Use Precinct. Due to this context, the Policy focusses on the following key objectives:

- Providing an appropriate mix of land uses to enable business activity, service provision and employment opportunities.
- Guiding zoning and subdivision to achieve desired densities and land use mix to support well located and designed higher-density residential and commercial development.
- Guide subdivisions, amalgamation, and development to increase density and high-quality outcomes;
- Strengthening green networks through the enhancement of urban tree canopy and improved interfaces between the public and private realm; and
- Ensure the design supports safe access and encourages public transport, walking and cycling.

The City followed the process set out in SPP 7.2 to create the Policy, including identifying the precinct area, engaging with the local community, creating a vision, ensuring the development proposal is feasible, and investigating how the precinct plan can result in benefit to the communities they are developed within. A precinct plan for the entirety of the UWA/QEII Specialised Activity Centre is currently being prepared by the City of Perth, in collaboration with the City of Nedlands and the Department of Planning, Lands and Heritage (DPLH).

Local Planning Strategy

The City's Local Planning Strategy identifies the following points of relevance to the Hampden Hollywood Precinct:

- Retain and enhance the character and streetscape of the existing residential areas.
- Ensure the height, scale and bulk of redevelopment smoothly integrates back to the established residential character of the area.
- Facilitate medium rise, medium intensity predominately residential redevelopment adjoining Hampden Road, and low rise, diverse residential built form elsewhere.

- Facilitate appropriate non-residential land uses.
- Consider a range of knowledge-based uses and accommodation types that complement the function of the UWA-QEII Specialised Centre.

The Policy responds to the Strategy's vision for the Hampden Hollywood Precinct by clearly outlining the desired future character of the Hampden Hollywood Precinct. The desired future character is contextually aligned with the Precinct's zoning, density coding and consideration of its function within the UWA-QEII Specialised Activity Centre.

The gazettal of the City's Local Planning Scheme No. 3 (the Scheme) resulted in an increase in the density coding of the area surrounding the Hampden Road Mixed Use zone. In accordance with the Scheme and the Strategy, the Policy highlights the importance of quality urban design that interacts with the streetscape, protects the amenity of existing properties, and provides high quality living environments for the residents of new developments.

The Policy identifies that the Precinct's character is defined by generous setbacks, mature landscaping, and a small lot pattern with adjacent rear laneways. The Policy encourages the preservation of the Precinct's character and heritage through the maintenance of generous setbacks and mature landscaping, while also requiring developments to acknowledge the history of the area by using appropriate and high quality colour and material pallets. These requirements promote new development that is respectful of the existing character of the area, and contributes to maintaining the Precinct's unique character.

City of Nedlands Local Planning Scheme No. 3

The Scheme identifies the lots fronting Hampden Road (and two lots fronting Hardy Road), Monash Avenue and Leura Street as being within the Mixed Use zone (R-AC3). All other portions of the Precinct are zoned Residential, coded R40, R60 or R160.

The Policy has been prepared in accordance with clause 9 – Aims of the Scheme, in particular:

a) Protects and enhances local character and amenity;
b) Respect the community vision for the development of the district;
c) Achieve quality residential outcomes for the growing population; and
d) To develop and support a hierarchy of activity centres.

The Policy is consistent with the objectives of the relevant zones:

Residential zone

- Encourages a range of housing types to meet the changing needs of the community;
- Encourages high quality design and streetscapes;
- Proposes preferred land uses that are complimentary to the surrounding residential development; and
- Provides street specific requirements for development to be compatible with the future desired character of the area in terms of bulk, height, scale and setbacks.

Mixed Use zone

- Residential development preferred at all levels above ground level;
- Encourages well-designed, high-quality development that considers the existing new development, and the future desired character of the area; and
- Includes a list of preferred active uses, to be located at ground level, which also provides for a mix of varied but compatible land uses that will assist in activating the streetscape.

Draft Hampden Hollywood Precinct Design Response – Local Planning Policy

Informing Studies

The draft Policy provisions are the culmination of the findings of the Community Engagement outcomes report and Built Form Modelling studies, which have provided a sound basis for the creation of the existing future character statements. The Built Form Modelling studies have provided examples of forms of development, detailing them in a manner that informs the choices made for appropriate setbacks and massing.

The outcomes of the Community Reference Group and broader community engagement undertaken as part of this project have guided the built form provisions included in the Policy. These provisions have undergone thorough testing by internal and external stakeholders to ensure that they are able to be applied effectively in a real-world development scenario.

Strategic Intent

The intent of the Policy is to nuance the requirements of the R-Codes so that they are more contextually appropriate to the existing and desired future character of the Hampden Hollywood Precinct.

The Policy seeks to:

- Define the future character of the area;
- Facilitate high-quality design;
- Promote key landscape and streetscape elements from the established character;
- Maintain the amenity of the area, consistent with the relevant density code; and
- Manage density interfaces and transitions.

Character Statements

An existing character statement has been provided for each sub-precinct within the Policy. The existing character statements and community vision from the pre-engagement workshops, in addition to the further refined outcomes from the CRG, survey and Open House, contribute to the creation of the desired future character statement for the sub-precincts. SPP 7.2 refers to ‘desired future character’ as an important aspect of determining whether a development meets certain objectives and, therefore, whether a development should be approved. The Policy’s character statement outlines the strategic intent of the Policy, and the expectations for new development.

Sub-Precincts

Considering the zoning, density coding, lot orientation and existing landscape and streetscape characteristics, the City identified six distinct sub-precincts within the Hampden Hollywood Precinct. The Policy includes a map that separates the overall precinct into:

- Residential R40 sub-precinct;
- Residential R60 sub-precinct;
- Residential R160 sub-precinct;
- Hampden Road Mixed Use sub-precinct;
- Monash Avenue Mixed Use sub-precinct; and
- Leura Street Mixed Use sub-precinct.

These sub-precincts are detailed in **Figure 1**, attached to this report. By combining the extensive background work noted previously, as well as key existing character elements (including lot sizes, setbacks, landscape character, building heights, density transition and typology), contextually appropriate provisions for the sub-precincts have been developed.

Policy Scope

Single House and Grouped Dwellings

The draft Policy seeks to amend the deemed-to-comply provisions of the R-Codes Volume 1 for the following elements:

- c5.1.2 – Street setbacks;
- c5.1.3 – Lot boundary setback (C3.2-3.3); and
- c5.1.6 – Building height.

These elements can be modified without WAPC approval.

The City will also seek approval from the WAPC for amendments to the deemed to comply provisions for lot boundary setbacks and landscaping. The Policy provides further Design Guidance, which are intended to act as Housing Objectives, for developments within the Hampden Hollywood Precinct.

Multiple Dwellings

The Policy amends the following acceptable outcomes of the R-Codes Volume 2:

- Element 2.2 - Building Height
- Element 2.3 - Street setback
- Element 2.4 – Side and rear setback

These elements can be modified without WAPC approval.

The City will also seek approval from the WAPC for amendments to the Acceptable Outcomes for Element 3.3 – Tree Canopy and Deep Soil Areas. Design Guidance has been developed for each modified element.

Residential Sub-Precincts (R40, R60, R160)

The key considerations for this sub-precinct were identified as a leafy green streetscape and the area's unique built form character.

The western side of Leura Street (R60) serves as a transitional street from the higher density Mixed Use R-AC3 on Leura Street's eastern side to the R40 density on Clifton Street. The northern side of Hardy Road (R60) also serves as a transitional street from the higher density Mixed Use R-AC3 sites on Monash Avenue and the R40 sites on the southern side of Hardy Road. The Policy's built form provisions for these streets reflect their transitional role within the Precinct.

The R160 sites on Williams Road, Meriwa Street and Clifton Street serve as a transition between the R60 sites and the RAC-1 sites facing Stirling Highway, which are within the Nedlands Stirling Highway Activity Corridor (NSHAC) Precinct. As the R160 sub-precinct is relatively small, being only two to three sites deep, their role is pivotal in transitioning from the potentially large developments that may be established on the R-AC1 sites, to three storeys within a few lots.

A key component of the existing character within the R40, R60 and R160 Residential sub-precincts is the leafy streetscapes. The outcomes of community engagement highlighted that the leafy streetscapes were also an integral part of the desired future character of the area. In response to this, and to ensure that the transitions within this Precinct are dealt with sensitively, the Policy proposes street setbacks that are larger than the requirements of the R-Codes, allowing for increased deep soil and tree requirements. The Policy also requires boundary walls to be located away from the street, to maintain the appearance of a detached streetscape character. Rear setbacks have been increased throughout the Residential sub-precinct, to assist in maintaining the leafy character of the area.
Mixed Use Sub-Precinct's (RAC-3 - Hampden Road, Monash Avenue, Leura Street)

The R-AC3 Mixed Use zone consists of Hampden Road, Monash Avenue and Leura Street. The City's Local Planning Strategy identifies the Mixed Use sub-precincts as the best opportunities for an increase in dwelling density, as well as ideal locations for non-residential land uses. These sub-precincts are compact commercial areas, characterised by a mix of architectural styles and materials, with the original low-rise, fine-grain commercial buildings creating a contrast with newer, larger developments in the Precinct.

Each of these streets have a unique character and purpose within the Precinct. Hampden Road is the main commercial hub, comprising a mix of retail, restaurants, cafes, and related uses. Monash Avenue faces the QEII hospital precinct and, although it currently largely consists of residential dwellings, is poised through its Mixed Use zoning to provide ancillary uses that complement the hospital, such as medical and allied health services. Leura Street backs onto Hampden Road and serves as the interface between the busy commercial hub of Hampden Road, and the R60 residential sites on the western side of Leura Street. Leura Street's transitional nature lends itself to commercial uses that will be complementary to residential development, such as cafes, offices, and communal working spaces.

Street, side and rear setbacks, as well as deep soil and tree canopy provisions, have been nuanced to respect the prevailing streetscape and to manage the interface between higher and lower density development. On Hampden Road, the minimum building height proposed is two storeys, to allow for smaller buildings and developments alongside the expected larger five to six storey developments. This is to encourage a mixed built form character on the street that will allow for the organic establishment of the varying types of development and provide an authentic high-street feel.

General Provisions

Sustainability

The outcomes of community engagement suggested that the community expects all built form policies to incorporate sustainability measures. This outcome relates directly to a resolution of Council from 28 September 2021, when Council endorsed a Notice of Motion relating to the instigation of planning instruments that can reduce the use of non-renewable energy sources through development approvals. The Policy's General Provisions include the requirement for all multiple, grouped and Mixed Use developments to provide a sustainability report that demonstrates water and energy efficiency measures. All developments must also demonstrate that they exceed the minimum NATHERS or Green Star requirements. The Policy proposes to exceed the number of electric vehicle charging stations required by the R-Codes and provides incentives for the provision of electric vehicles for shared use. Design elements that encourage sustainability have also been included, such as discouraging dark roofs and encouraging elements including eaves and verandahs that contribute to passive cooling.

A second motion of Council was made on the 21 October 2021, where Council endorsed a Notice of Motion relating to the protection of existing and future solar panels. The R-Codes have existing provisions that protect solar panels. Under R-Codes Volume 1 (Single and Grouped Dwellings), there is a maximum proportion of overshadowing that is permitted for each density code. The calculation is based on a worst-case scenario, being 12pm June 21st. Further, Design Principle P2.2 considers the impact of development on solar collectors. Under the R-Codes Volume 2 (Apartments), the form of development is constrained by its impact on adjoining properties' solar panels via Element Objective 3.2.2. There is also a maximum proportion of overshadowing permitted for each density code, under Acceptable Outcome 3.2.3. Given this, the City has not identified a need, specific to the Hampden Hollywood Precinct, that would reasonably require provisions relating to solar panels, over and above those in the R-Codes.

Landscaping

The Policy requires all new developments to follow the principles of Water Sensitive Urban Design, including use of permeable surfaces and onsite water filtration and detention systems. The Policy defines tree sizes (small, medium and large) in line with the R-Codes Volume 2 and states a preference for the use of endemic species, especially ones which are drought tolerant. Where planting on structure is proposed, a landscaping plan is to be provided with development applications, detailing the design, water supply, species suitability and ongoing maintenance measures.

Subdivision and public open space

The Policy states a preference for lot amalgamation to create development efficiencies and to facilitate the retention of existing trees. Where a subdivision is proposed which would create six or more residential lots, the Policy highlights the requirement for contributions (either land or cash-in-lieu) towards public open space under the WAPC's *Development Control Policy 2.3 – Public Open Space in Residential Areas*.

Vehicle access and parking

The Policy proposes to keep vehicle accessways to a functional minimal width to maximise space in the street setback area and verge for deep soil areas and tree retention and provision. The Policy classifies the Hampden Hollywood Precinct as 'Location A' for the purpose of car parking assessments under the R-Codes Volume 1 and 2, for which reduced parking provision may be supported. This classification reflects the presence of the high frequency Purple CAT (Central Area Transit) and Transperth 950 bus routes along Hampden Road, and the Hampden Hollywood Precinct being located within the UWA-QEII Specialised Activity Centre. The Policy also provides parking ratios for preferred non-residential land uses within the Mixed Use zone.

Consultation

Community Engagement Program

A comprehensive community pre-engagement program has been completed to inform the Policy and engage on the key outputs of the Policy. On behalf of the City, engagement consultants established a focussed Community Reference Group (CRG), after community members were invited to submit an Expression of Interest. Fourteen people responded and all were selected to participate in five workshops held between August 2021 and December 2021. One CRG member withdrew before the first workshop.

The CRG program was designed to provide participants with additional knowledge and skills relating to town planning, so that they could provide meaningful feedback on built form, including (but not limited to) landscaping, tree canopy, streetscape, land use. The workshop structure is detailed below.

Workshop 1: Get to know the CRG and project team, understand the process, understand the existing context, understand the initial perspectives and values of the community.

Workshop 2: Take values established in Workshop 1 and consider these in the context of the desired future character of the area, consider built form design elements for the Precinct through a live sketching exercise, propose changes to existing State Planning controls for a successful place in accordance with community values.

Workshop 3: Present back testing results based on preliminary changes to State Planning controls by the CRG refine and confirm key recommendations for controls.

Workshop 4: Ask the CRG which character elements they wanted to see retained and what their land use preferences for the Precinct are, review and refine the R60 controls based on the project team's testing of R80 controls for the R60 lots, refine laneway controls and trade-offs.

Workshop 5: Present the final urban form element principles that would be recommended to the City for the LPP, develop a vision (objectives and aims) for the Precinct and for each of the R-Codes.

Built Form

- New developments should be of human scale at street level, set back from footpaths and reference the current residential buildings.
- Maintain the existing 'feel' of the streets, including the road widths, how buildings interact with the street (porches and front fences), increased street and rear setbacks, footpaths and limited driveways.
- Expectations for more housing for students and hospital staff, which in turn will provide a more permanent population.
- Upgrading of the Hampden Lane at the rear of the Hampden Road shops.
- Supportive of lot amalgamation to achieve better built form outcomes.

Landscaping

- Mature landscaping and tree canopy are considered fundamental components of the existing Nedlands character.
- Expectations for meaningful areas of public open space and trees to be visible from the street.
- Green space was considered important to encourage trees and gardens.

Amenity

- Value walkability, open frontages, pedestrian, family, children and dog friendly streets, and how walking creates community and neighbourliness.
- Preference to reduce the visibility of parked vehicles and to conceal parking.
- Concern with diminishing the amenity of the laneways and the adjacent green canopy.
- Retain the existing positive attributes – "village feel", a good range of shops and cafes/restaurants, walkability, human scale, accessibility by walking and cycling.
- Improve green spaces, street lighting, footpaths and cycling infrastructure.

Movement

- Consideration of residents' access to hospitals, aged care facilities and medical treatments.
- More parking and parking controls on side streets and verges, traffic speed controls.
- Concern with diminishing the amenity of the laneways and the adjacent green canopy by prioritising parking access from the laneways.
- Public transport should be prioritised, as should active transport forms through public transport links and bike paths.

- Maintain walkability of the Precinct, as walking creates community and neighbourliness.

Land Use

- Retain a good range of cafes restaurants and small, local shops that make Hampden Road an attractive and useful local street.
- Retain a good range of cafes, restaurants, services and small (local) shops that make Hampden Road an attractive and useful local street.

Sustainability

- Sustainable building design.
- Encouraging passive modes of transport such as walking and cycling.
- Consideration of water wise principles and endemic plant species in landscaping plans.

The sustainability elements were identified as being part of an important theme running through the Hampden Hollywood engagement program and have been incorporated into the Policy to provide an aspect of future proofing to the design guidelines for the Precinct.

Survey and Open House

To understand the wider community's vison for the Precinct, and to confirm that the CRG's recommendations accurately reflected their views, the community was invited to respond to a survey that was available between 5 November 2021 – 19 November 2021. In total, 7 surveys were completed by residents and business owners.

The community were also invited to attend a Community Open House on 8 November 2021 from 5.00pm – 7.00pm. Attendees were provided the opportunity to review feedback gathered from the CRG and provide their own input on key design considerations. In total, 14 community members and 3 Councillors attended the information session.

The following documents will be made publicly available during the advertising period, to support the Policy's proposed provisions:

- Hampden Hollywood Precinct Context and Character Report;
- Hampden Hollywood Precinct Built Form Modelling Report;
- Community Engagement Outcomes Report; and
- Justification Table – providing detailed analysis of the changes that were made to the R-Codes provisions, and why.

Council Briefings

Two briefings were held with the City's Councillor's in May 2022 to provide information on the Policy provisions, and receive feedback. The following modifications were made in response to the feedback received:

- Inclusion of General Provision 4.4.4: ensures that the policy does not allow for the Acceptable Outcome of a development's on-structure planting be permitted in lieu of DSA in residential areas;
- Removed the mandatory minimum height of two storeys for all Mixed Use areas. The maximum height of 6 storeys (Hampden Road and Monash Avenue) and 5 storeys (Leura Street) remain;
- Removed the mandatory nil setback for ground storey to second storey in all Mixed Use areas. Nil setback remains as the Acceptable Outcome, but is not a mandatory requirement;
- Changed the rear setback for R160 dwellings from a uniform setback to 3m for the first three storeys, then 6m for the fourth and fifth storeys;
- Inclusion of Clause 4.10.1, requiring all applications for development approval that include residential dwellings to outline how the development responds to and accommodates anticipated noise pollution from the QEII Hospital Precinct.

Community consultation

If Council resolve to adopt the draft Policy, it will be advertised in accordance with the City's Consultation of Planning Proposals Local Planning Policy, which involves the following methods of consultation:

- 28-day advertising period – this is specific to the Precinct policy projects, to ensure that interested parties have adequate time to make a submission.
- Letters to notify owners and occupiers within the Precinct of the draft Policy and to make a submission
- Notice in the local newspaper
- A notice on the City's Notice board
- A notice on the City's Your Voice engagement portal
- Social media
- Community engagement session

Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan.

Vision Our city will be an environmentally sensitive, beautiful, and inclusive place.

Values **Great Natural and Built Environment**
We protect our enhanced, engaging community spaces, heritage, the natural environment, and our biodiversity through well-planned and managed development.

Reflects Identities We value our precinct character and charm. Our neighbourhoods are family-friendly with a strong sense of place.

Priority Area Urban form - protecting our quality living environment
Encouraging sustainable building

Budget/Financial Implications

The remaining expenses for the Precinct Policy work relate to public advertising. No additional budget is required to complete the work for the Policy.

The Policy will facilitate infill development within the Hampden Hollywood Precinct, which may result in a rating revenue increase.

Legislative and Policy Implications

Clause 3(1) of the Deemed Provisions of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* allows the City to prepare a local planning policy in respect to any matter related to the planning and development of the Scheme area. Once Council resolves to prepare an LPP, in accordance with Clause 4 of the Deemed Provisions, it must publish a notice of the proposed policy in a newspaper circulating the area for a period of not less than 21 days and seek submissions. Advertising will also include details being posted on the City's website and Your Voice engagement portal. Following the advertising period, the policy will be presented back to Council to consider any submissions received and decide whether to:

a) Proceed with the Policy without modification; or
b) Proceed with the Policy with modification; or
c) Not to proceed with the Policy.

Decision Implications

If Council resolves to adopt the draft Policy, it will be advertised in accordance with the process above.

If Council resolves not to endorse the recommendation, the Policy will not be advertised, or progressed. There will be no Policy in place with specific built form controls for the Hampden Hollywood Precinct.

Conclusion

As a result of extensive research and consultation, the Hampden Hollywood Precinct Design Response Local Planning Policy provides contextually appropriate built form outcomes for the Hampden Hollywood Precinct. The Policy is the most appropriate planning instrument for influencing the built form outcomes in the Hampden Hollywood Precinct. It is recommended that Council adopt the recommendation and formally advertise the Policy.

Further Information

N/A

Figure 1 – Hampden Hollywood Precinct and Sub-Precincts



Draft Hampden-Hollywood Precinct Design Response - Local Planning Policy

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Draft Hampden-Hollywood Precinct Design Response - Local Planning Policy

1 APPLICATION OF POLICY

1.1 This Policy applies to the Hampden-Hollywood Precinct as identified in Figure 1.

1.2 This Policy applies to subdivision applications and development applications for Single Houses, Grouped Dwellings, Multiple Dwellings, Mixed Use development and non-residential development.

2 RELATIONSHIP TO OTHER POLICIES AND GUIDELINES

2.1 This Policy has been prepared in accordance with Schedule 2 Part 2 Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

2.2 This Policy should be read in conjunction with the following planning instruments and its requirements apply unless specifically stipulated elsewhere in any of the below:

- *State Planning Policy 7.3 – Residential Design Codes Volume 1* (refer appendix for modifications)
- *State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments* (refer appendix for modifications)
- *State Planning Policy 7.2 – Precinct Design*
- *City of Nedlands Local Planning Scheme No. 3*
- *City of Nedlands Local Planning Policy – Residential Development*
- *City of Nedlands Preferred Tree Species List*

2.3 Where this Policy is inconsistent with the provisions of a specific Local Planning Policy or Local Development Plan that applies to a particular site or area, the provisions of that specific Local Planning Policy or Local Development Plan prevail.

3 CONTEXT

3.1 PRECINCT MAP

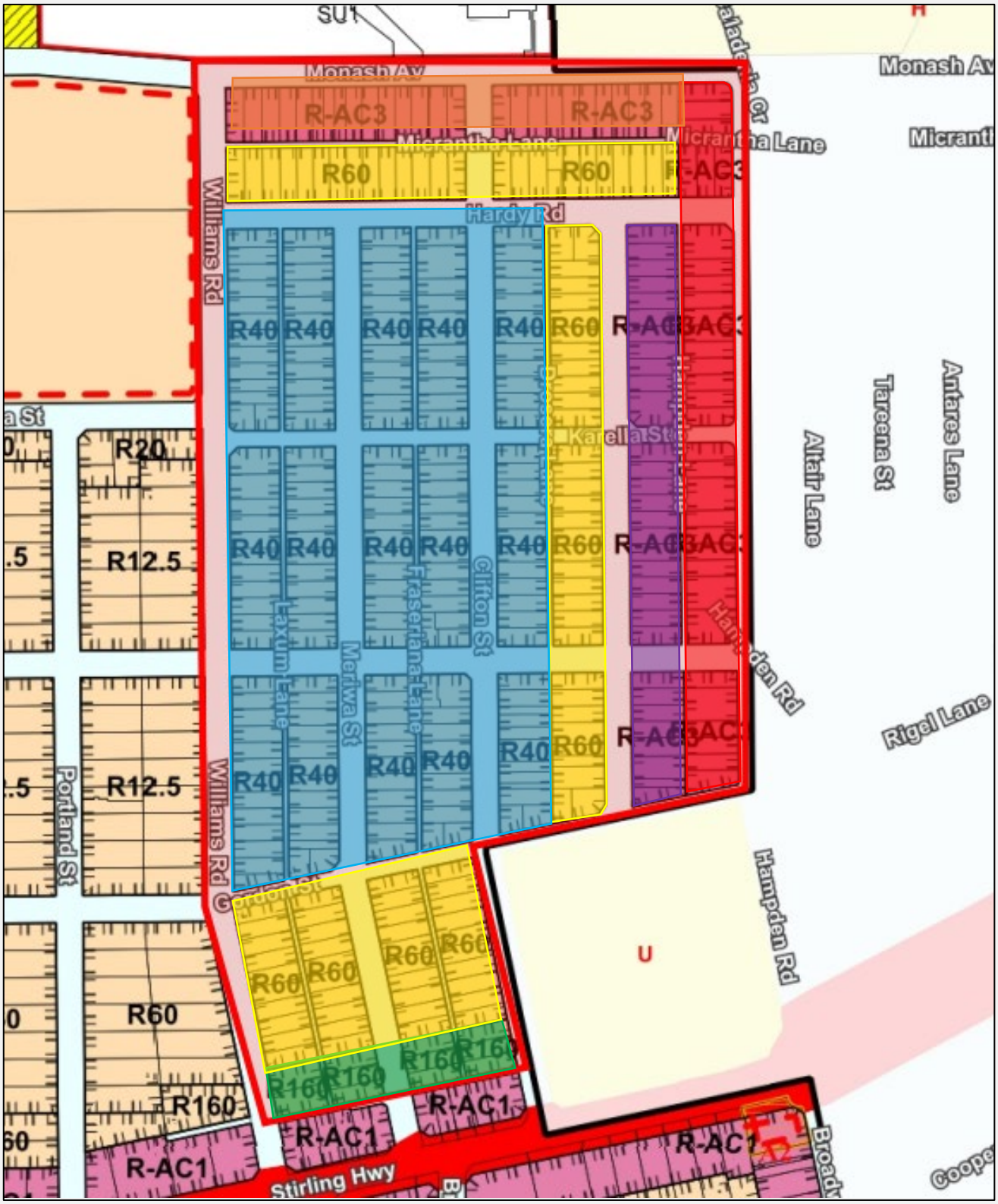


Figure 1 – Precinct Map

3.2 POLICY OBJECTIVES

1. Clearly outline the desired future character of the Hampden-Hollywood Precinct in context with its zoning, density coding and in consideration of its function within the UWA-QEII Specialised Activity Centre.
2. Ensure that new development contributes to the desired future character of the Hampden-Hollywood Precinct, while respecting and reflecting existing character.
3. Provide appropriate built form transitions between areas of higher density and areas of lower density.
4. Facilitate housing diversity appropriate to the needs of the local community, and to encourage a permanent population, ageing in place, and more housing for students and hospital staff.
5. Facilitate high-quality development which maximises residential amenity, liveability, and enhances the amenity of streetscapes.
6. Maintain and enhance the leafy green landscape character of the Hampden-Hollywood Precinct, promoting growth of tree canopies in yard spaces and setbacks, and tree canopies along Hampden Road.
7. Promote active living towards the front of the street, and onto laneways, providing variety, articulation and interest at street level and from the public realm.
8. Ensure the provision of setbacks creates a consistent streetscape and built form, and ensure buildings co-exist with neighbouring properties.
9. Optimise comfort, energy efficiency and water efficiency of new developments through sustainable building design.
10. Reduce reliance on private vehicles and encourage alternate modes of transport.

3.3 DESIRED FUTURE CHARACTER STATEMENT

New development and associated land uses within the Hampden-Hollywood Precinct will respond to its location within the UWA-QEII Specialised Activity Centre, while also catering to the needs of the local community. The Precinct will provide diverse housing options for residents and the medical-related workforce, including dwellings for families, young professionals, and provision for ageing in place. Housing will be within high amenity and attractive streetscapes, retaining the Precinct's leafy green character by enhancing and prioritising tree canopy and landscaping in new developments.

Development within the Residential zone will include elements that positively contribute to the existing residential character, using a high-quality palette of diverse, sustainable materials and architectural styles. New homes will be encouraged to address the street and laneways, with courtyards, balconies, low fences and front gates to reinforce the residential character and passive surveillance.

Built form and landscaping will be designed to provide appropriate transitions from areas of higher density to areas of lower density. Architecture and building forms shall respond to the evolving local context, reflecting elements of neighbourhood character, including (but not limited to) leafy, green streetscapes, space for mature trees to grow within attractive gardens and a variety of building materials.

New developments within the Mixed Use zone will contribute to the creation of attractive and green streetscapes at a human scale and will interact with the street to enhance the pedestrian environment. Land uses on the ground floor within this zone will connect the private and public realms, interacting with the street through open and unobscured frontages and/or alfresco dining options. The Mixed Use zone will accommodate active land uses at street level (such as cafés, restaurants and shops) with non-active commercial (such as offices) and apartments above. Demarcation between the private and public realms will enhance the pedestrian environment on Hampden Road, Monash Avenue and Leura Street, promoting an active, vibrant and liveable local centre.

4 GENERAL PROVISIONS	
4.1 Policy Objectives and Desired Future Character Statements	
4.1.1	All development applications within the Hampden-Hollywood Precinct shall be consistent with the Objectives of this Policy and the applicable Desired Future Character Statement.
4.2 Sustainability	
4.2.1	All developments with a commercial Gross Floor Area greater than 1000m^2 shall be designed and constructed to achieve a minimum rating of 4 Green Stars using the relevant Green Building Council of Australia Green Star rating tool.
4.2.2	An application for development approval with a commercial gross floor area greater than 1000m^2 shall be accompanied by a statutory declaration signed by the applicant and/or landowner stating: i. An assessor accredited by the Green Building Council of Australia formed part of the design team and contributed to the overall design of the proposal; and ii. Acknowledging that the applicant and/or owner is aware of, and on completion will be able to meet, the requirements of clauses 4.2.1 and 4.2.2 of this Policy.
4.2.3	Where a commercial development meets the requirements of clauses 4.2.1 and 4.2.2 of this Policy, a condition shall be placed on the approval requiring the applicant to provide documentation from the Green Building Council of Australia, certifying that the development achieves a minimum Green Star Rating of 4 Stars. This documentation shall be required to be submitted to the city within 12 months of issue of a certificate of classification.
4.2.4	The following sustainability measures are required for Mixed Use and Residential developments: i. Fittings and appliances should be within one level of the highest level available under the Water Efficiency Labelling and Standards (WELS) system; and ii. Incorporate at least one significant energy efficiency initiative within the development that exceeds minimum practice (refer Appendix 1); OR iii. All dwellings exceed the minimum NatHERS requirements by 1 star.
4.2.5	For all development applications proposing Grouped Dwellings and/or Multiple Dwellings, a sustainability report, completed by a suitably qualified sustainability consultant must be provided. This report must demonstrate how the requirements of clause 4.2.4 have been addressed. The efficiencies demonstrated will be required to be implemented as part of any development approval.
4.2.6	An application for development approval for a Mixed Use or Residential development shall be accompanied by a statutory declaration signed by the applicant and/or owner that acknowledges that the applicant and/or owner is aware of, and on completion will be able to meet, the requirements of clauses 4.2.4 to 4.2.6 of this Policy.
4.2.7	In Multiple Dwelling and Mixed Use developments, a reduction in the number of residential car bays may be considered where electric vehicles are provided for shared use. Where proposed, a parking management plan may be required to be submitted as part of the application.
4.2.8	For all Mixed Use, Grouped Dwelling, and Multiple Dwelling development applications, electrical vehicle charging should be provided at a minimum rate of 50 per cent of total residential bays. Where this charging infrastructure has not been provided, electrical supply and car park distribution boards must allow for future capacity to supply electric vehicle charging points at a minimum rate of 50 per cent of residential bays.
4.2.9	New developments should consider selecting low embodied energy building materials with low lifecycle costs. The use of materials that are sustainably resourced or recycled is strongly encouraged.
4.2.10	Further sustainability and energy efficiency initiatives are provided in Appendix 1.
4.3 Public Open Space	
4.3.1	In accordance with *Development Control Policy 2.3 – Public Open Space in Residential Areas,* a Public Open Space contribution of 10 per cent of the gross residential area or cash-in-lieu of the equivalent value, shall be required for all subdivision applications (including built strata applications) where 6 or more residential lots are created.

4.3.2 The Commission may require an open space contribution of a lesser amount than 10% where a proposal to create five lots or less is located within a locality where a number of lots could be similarly subdivided, in the expectation of an equivalent cash-in-lieu contribution being made by the applicant under Section 20C.

4.4 Landscaping

4.4.1 Minimum 20% of the site area (area of parent lot/s) to be provided as **Landscaped Area**. Of the Landscaped Area, 15% is required to be provided as **Deep Soil Area** (DSA). The DSA may be reduced to 10% of the site area if a **Significant Existing Tree** is retained on site.

4.4.2 All new developments should follow the principles of Water Sensitive Urban Design, including:

i. Maximising the use of permeable surfaces at ground level to enable groundwater recharge, and minimising impervious areas;

ii. Incorporating on-site infiltration and detention systems such as garden beds, rain gardens, tree pits, infiltration cells and detention tanks (the latter shall be sited to avoid conflict with deep soil areas); and

iii. Designing landscape treatments to slow down overland flows and minimise scouring.

4.4.3 Except for heavily shaded areas, species selection should prioritise the use of endemic species, with an emphasis on drought tolerance and provision of shade.

4.4.4 The provision of planting on structure in lieu of deep soil areas, in accordance with A3.3.7 of the R-Codes Vol. 2, is not supported within the Residential zone.

4.4.5 On-structure planting is encouraged in addition to the minimum DSA and tree canopy requirements. Where on-structure planting in proposed, the structure must be designed to provide suitable drainage to root systems.

4.4.6 A landscaping plan prepared by a qualified landscape architect or similarly qualified landscape practitioner is to be provided with all development applications for grouped, multiple or mixed use dwellings. Where on-structure planting is proposed (including planting above a basement level), the landscaping plan must detail:

i. The proposed planting design, including planter box widths, depths, water supply & drainage.

ii. Suitability of plants to ensure on structure planting is viable as a long-term greening option.

4.4.7 Compliance with the landscaping plan will be conditioned (or recommended as a condition) by the City as part of any development approval issued.

4.4.8 Trees and DSA specified throughout this Policy are to be provided in accordance with the below:

Tree size	Indicative canopy diameter at maturity	Indicative height at maturity	Minimum width of DSA dimensions per tree	Minimum planting area per tree
Small	4-8m	4-8m	2m x 2m	$9m^2$
Medium	8-12m	8-12m	3m x 3m	$36m^2$
Large	>12m	>12m	6m x 6m	$64m^2$

4.4.9	Any new development is to include the following minimum number of trees (per parent lot or amalgamated parent lots being developed): i. Site area <700m^2: 2 medium trees and small trees to suit area. ii. Site area 700m^2 – 1,000m^2: 3 medium trees and small trees to suit area OR 1 large tree and small trees to suit area. iii. Site area >1,000m^2: In addition to the above, 1 large tree OR 2 medium trees OR 5 small trees for each additional 400m^2 in excess of 1,000m^2.
4.4.10	Of the trees required above, a minimum of 1 **Medium Tree** or 1 **Large Tree** is required to be planted and maintained in each street setback area for each street facing dwelling, and each rear setback area (either within private or communal open space) for each laneway-facing dwelling. **Small Trees** are required to be provided for internal lots or central areas of the site.
4.4.11	Where a **Medium Tree** or **Large Tree** is proposed within the street setback area, the minimum tree planting area for that tree may project into the verge by 40%. DSA is to be on site and may not project into the verge.
4.4.12	Deep Soil Areas require a minimum width of 2m. This may be reduced to 1.5m where it adjoins where it adjoins rootable soil zones with a minimum dimension of 1m (not including soil beneath built structures).
4.4.13	Deep soil areas are to be located against the parent lot boundaries where possible.
4.4.14	Artificial turf will not be supported where visible from the public realm and does not contribute to DSA.
4.5 Public Domain Interface	
4.5.1	Where a development adjoins a laneway, a minimum of one major opening, balcony, or terrace is required to overlook the laneway for passive surveillance. One pedestrian access point is also required
4.5.2	Solid portions of Primary Street fences should be a maximum height of 1.2m. Solid portions of Secondary Street fences should be a maximum height of 1.5m where that part of the fence is dividing the resident's primary open space areas from the street.
4.5.3	Where a fence occurs on a structure that is raised above the adjacent street level (e.g., where there is a half-basement), the fence should be a minimum of 50% transparent above 1.2m from the street level.
4.6 Urban Design and Materiality	
4.6.1	High quality materials and finishes are to be used to maintain and enhance the existing character of the Hampden-Hollywood Precinct. Materials and colours shall respond to existing site character palettes. Natural warm-toned materials, including (but not limited to) rendered masonry, face brick, stone, timber and contemporary cladding are encouraged to be integrated into design outcomes.
4.6.2	Façade design must include design elements such as verandahs, eaves, louvres, balconies, window awnings and hoods that are reinterpreted in a contemporary manner to integrate into the streetscape. These elements should also enhance the solar passive design of all the building's elevations, to minimise summer glare and heat gain, and maximise winter sun to improve energy efficiency of the development and reduce reliance on auxiliary cooling and heating devices.
4.6.3	The design of the built form should consider the constraints of the site and provide articulated forms with vertical proportions.
4.6.4	Dark roof and wall colours on western and eastern aspects should be avoided to reduce the urban heat island effect and integrate with the prevailing streetscapes. Highly reflective materials and fluorescent colours for roofs/facades that could cause glare and discomfort shall be avoided.
4.6.5	Blank imposing façades shall be avoided, with any boundary wall to be finished to the same quality as the elevation to the Primary Street frontage where it faces a neighbouring lot. Blank façades shall not be visible from the public realm (including streets, laneways and public open space).
4.6.6	All balcony balustrades shall be a minimum of 50 per cent visually permeable.

4.7	**Subdivision**
4.7.1	Where a laneway provides access to a site, battle-axe subdivision will not be supported.
4.7.2	Lot amalgamation is encouraged to create development efficiencies and to facilitate significant existing tree retention.
4.8	**Vehicle Access**
4.8.1	A maximum of one Primary Street crossover is permitted per development site, including amalgamated lots.
4.8.2	Where vehicle access is required to the site from the street, a single lane driveway is to be a maximum of 3.5m wide at the crossover point to the street. This does not apply to laneways. The width of two-way access is required in accordance with the R-Codes.
4.8.3	Where vehicles are required to enter the street in forward gear in accordance with A3.8.6 of the R-Codes Vol. 2, this is to be facilitated through passing points within the lot boundaries.
4.8.4	A maximum total crossover width of 5.5m is permitted within the rear (laneway) setback area.
4.9	**Car and Bicycle Parking**
4.9.1	When assessing car parking requirements under 5.3.3 of the R-Codes Volume 1 and 3.9 of the R-Codes Volume 2, the Precinct is to be classified as Location A. This classification is reflective of the precinct being located within the UWA-QEII Specialised Activity Centre, and the presence of the Purple CAT (Central Area Transit) bus route along Hampden Road, which provides frequent, free connections between Elizabeth Quay Bus Station, QEII Medical Centre and the University of Western Australia.
4.9.2	In accordance with Clause 2.3 of the City of Nedlands *Local Planning Policy - Parking*, non-residential parking requirements are outlined in Appendix 2 of this Policy.
4.10	**Noise Mitigation**
4.10.1	All applications for development approval that include residential dwellings must outline how the development responds to and accommodates anticipated noise pollution from the QEII Hospital Precinct.

5 BUILT FORM PROVISIONS

All development within the Residential zone must be consistent with the Desired Future Character Statement for the relevant sub precinct. The Acceptable Outcomes, Design Guidance and Housing Objectives specific to each density code provide further contextual guidance for applicants.

5.1 RESIDENTIAL SUB-PRECINCT (R40, R60, R160)

5.1.1 Existing Character Statement

The Residential sub-precinct generally comprises one and two storey single residential dwellings on lots with substantial open space, with the occasional three storey house. Streetscapes are characterised by generous front setbacks, with well-kept, green, and often native domestic gardens. The trees and vegetation within front yards and on verges strongly contribute to the leafy green character of the Precinct, creating a shady, attractive pedestrian environment.

Streetscapes are predominantly detached in nature, with dwellings, verandahs and open car ports oriented to the street. Side setbacks are generally 0 -1 metres from the boundary, creating a comfortable separation between buildings. The majority of lots are considered ‘fine grain development’ due to the small street frontage of the single houses.

There is a variety of traditional architectural styles throughout the sub-precinct, including Federation Cottage’s and Californian Bungalow’s. The materials associated with these dwellings are typically rich red brick and terracotta tile, with off white and cream features. Roof forms are generally hipped and tiled or corrugated iron. Rough rendered and painted walls, bands of face brick below the eaves, and timber-framed windows are also prominent. Entries, verandahs and windows provide passive surveillance of the street. Where front fencing is present, it is typically of a low and open style that demarcates the private and public realm but maintains passive surveillance of the street. On-site vehicle parking is characterised by a mix of open car spaces, carports and garages. Enclosed garages facing the Precinct’s laneways are also common.

5.1.2 Desired Future Character Statement

The Residential sub-precinct will provide for a diversity of dwelling types and configurations, to accommodate a range of demographics and household types. New dwellings will perform an important role in transitioning from the high-density urban environment expected along Hampden Road, Monash Avenue and Leura Street, towards the existing lower density Residential R10 and R12.5 areas to the west.

New developments should fit comfortably within the existing leafy streetscapes, achieved through generous street setbacks, striking a balance between the prevailing street setbacks and the expectation of the density code. Street and rear (laneway) setbacks will accommodate deep soil areas for tree retention and tree provision. Vehicle access and parking will be designed to minimise visual impact to the street and maximise space for deep soil areas and trees within the street setback area and verge.

Substantial areas of landscaping will be integrated with new developments to soften the interface with the street and surrounding properties, and to provide an attractive outlook for residents of the developments. New developments will maintain and enhance the existing urban tree canopy, across both the private and public realms. The existing detached streetscape character will be retained by minimising the impact of boundary walls on the street and by providing a large consistent setback to one side of the developments.

New developments will provide a contemporary interpretation of the prevailing streetscape elements and materiality. A range of high-quality materials and architectural styles are encouraged to maintain the varied nature of development within this sub-precinct.

5.1.3 Deemed-to-comply requirements and Acceptable Outcomes (Residential Sub-Precinct)

R40 -The R40 portion of the Residential sub-precinct comprises most of the Hampden-Hollywood Precinct area, and is bound by Williams Road to the west, Gordon Street to the south, Drosera Lane and R60 lots to the east and Hardy Road to the north. This sub-precinct will provide a transition from the higher densities within the Precinct to the established residential areas coded 12.5 to the west.

SINGLE HOUSES AND GROUPED DWELLINGS (R40)		
DC	**Primary Control**	**Deemed-to-comply requirement**
DC 1.1	**Building Height**[2]	Maximum 2 storeys
DC 1.2	**Primary Street setback**[3,5,7]	Minimum 4m (Ground floor to 2nd storey)
DC 1.3	**Secondary Street or Communal Street setback** [3,5,6,7]	Minimum 1.5m
DC 1.4	**Side setbacks**[3,5,7]	Minimum 3m to the northern lot boundary Minimum Nil to the southern lot boundary (ground floor) Minimum 1.5m to the southern lot boundary (2nd storey)
DC 1.5	**Rear setback**[3,5,7]	Minimum 3m
DC 1.6	**Lot Boundary Walls**[1,3]	Maximum 1 storey in height (2 storeys for internal lot boundaries) Permitted to the southern side boundary of the parent lot and internal lot boundaries only Located a minimum of 3m behind the Primary Street setback line
MULTIPLE DWELLINGS (R40)		
AO	**Primary Control**	**Acceptable Outcome**
AO 1.1	**Building Height**[1,4,5]	Maximum 2 storeys
AO 1.2	**Primary Street setback**[3,6,8]	Minimum 4m (Ground floor to 2nd storey)
AO 1.3	**Secondary Street or Communal Street setback**[3,6,7,8]	Minimum 1.5m
AO 1.4	**Side setbacks**[3,6,8]	Minimum 3m to the northern lot boundary Minimum Nil to the southern lot boundary (ground floor) Minimum 1.5m to the southern lot boundary (2nd storey)
AO 1.5	**Rear setback**[3,6,8]	Minimum 3m
AO 1.6	**Lot Boundary Walls**[1,3]	Maximum 1 storey in height (2 storeys for internal lot boundaries) Permitted to the southern side boundary of the parent lot and internal lot boundaries only Located a minimum of 3m behind the Primary Street setback line

[1] Subject to indicative building heights outlined in Table 2.2 of R-Codes Vol. 2.

[2] 8.5m wall or concealed roof height, 10m pitched roof height.

[3] Boundary setbacks will also be determined by provisions for building separation, deep soil areas and visual privacy within this Policy and building separation provisions of the National Construction Codes.

[4] Subject to the provision of half basement car parking, maximum 2.5 storeys.

[5] Reduced setbacks may be considered where a significant existing tree is retained within that setback area or elsewhere on site.

[6] A Nil setback to a communal street or internal driveway may be considered where DSA is provided elsewhere within the communal street setback area.

[7] Unwalled carports are supported in the front setback area, and at a nil-setback to one side of the lot, where the carport's car spaces align with the crossover.

R60 - The R60 portion of the Residential sub-precinct is south of Gordon Street (north of R160 lots), south of Micrantha Lane (north of Hardy Road) and west of Leura Street (east of Drosera Lane). It provides an important transition between the higher density areas of R160 to the south, R-AC3 to the north and east, and the R40 areas.

SINGLE HOUSES AND GROUPED DWELLINGS (R60)		
DC	**Primary Control**	**Deemed-to-comply requirement**
DC 2.1	**Building Height**[10]	Maximum 2 storeys
DC 2.2	**Primary Street setback**[3]	Minimum 4m (Ground floor to 2nd storey)
DC 2.3	**Secondary or Communal Street setback**[3]	Minimum 1.5m
DC 2.4	**Side setbacks**[3,4] (Parent lot oriented east/west)	Minimum 3m to the northern lot boundary Minimum Nil to the southern lot boundary (ground floor) Minimum 1.5m to the southern lot boundary (2nd storey and above)
DC 2.5	**Side setbacks**[3,4] (Parent lot oriented north/south)	Minimum 3m to the western lot boundary Minimum Nil to the eastern lot boundary (ground floor) Minimum 1.5m to the eastern lot boundary (2nd story and above)
DC 2.6	**Rear setback**[3]	Minimum 3m
DC 2.7	**Lot Boundary Walls**[5, 9]	Maximum 1 storey in height Permitted to the southern lot boundary (east/west oriented lots) or eastern lot boundary (north/south oriented lots) only Located a minimum of 2m behind the Primary Street setback line
MULTIPLE DWELLINGS (R60)		
AO	**Primary Control**	**Acceptable Outcome**
AO 2.1	**Building Height**[1,2]	Maximum 3 storeys (12m)
AO 2.2	**Primary Street setback**[3]	Minimum 4m (ground floor and 2nd storey) Minimum 5m (3rd storey and above)
AO 2.3	**Secondary or Communal Street setback**[3]	Minimum 1.5m
AO 2.4	**Side setbacks**[3,4] (Parent lot oriented east/west)	Minimum 3m to the northern lot boundary Minimum Nil on the southern lot boundary (ground floor) Minimum 1.5m on the southern lot boundary (2nd storey and above)
AO 2.5	**Side setbacks**[3,4] (Parent lot oriented north/south)	Minimum 3m to the western lot boundary Minimum Nil to the eastern lot boundary (ground floor) Minimum 1.5m to the eastern lot boundary (2nd storey and above)
AO 2.6	**Rear setback**[3]	Minimum 3m
AO 2.7	**Lot Boundary Walls**[5,9]	Maximum 1 storey in height (2 storeys for internal lot boundaries) Permitted to the southern lot boundary (east/west oriented lots) or eastern lot boundary (north/south oriented lots) only Located a minimum of 2m behind the Primary Street setback line

[1] Subject to indicative building heights outlined in Table 2.2 of R-Codes Vol. 2.

[2] Subject to the provision of half basement car parking, maximum 3.5 storeys.

[3] Boundary setbacks will also be determined by provisions for building separation and visual privacy within this LPP and building separation provisions of the National Construction Codes.

[4] If the parent lot is amalgamated, the required side setback is a minimum 6m.

[5] Where the subject site and an adjoining site are subject to different density codes, the length and height of any boundary wall is determined by reference to the lower density code.

[6] Reduced setbacks may be considered where a significant existing tree is retained within that setback area or elsewhere on site.

[7] A Nil setback to a communal street or internal driveway may be considered where DSA is provided elsewhere within the communal street setback area.

[8] Unwalled carports are supported in the front setback area, and at a nil-setback on one side of the lot, where the carport's car spaces align with the crossover.

[9] May be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions.

[10] 8.5m wall or concealed roof height, 10m pitched roof height (2 storey height).

R160 - The R160 portion of the Precinct comprises the northern side of Hibbertia Lane, west of Clifton Street, east of Williams Road and adjoining the R60 zoned lots south of William Street. This sub-precinct provides an important transition between the higher density areas of R-AC1 adjacent to Stirling Highway, and R60 properties to the north.

SINGLE HOUSES AND GROUPED DWELLINGS (R160)		
DC	**Primary Control**	**Deemed-to-comply requirement**
DC 3.1	**Building Height**[1,9]	Maximum 2 storeys
DC 3.2	**Primary Street setback**[3,6]	Minimum 4m (Ground floor to 2nd storey)
DC 3.3	**Secondary Street setback (Hibbertia Lane) or Communal Street**[3,6,7]	Minimum 1.5m
DC 3.4	**Side setbacks**[3,4,6]	Minimum 3m to northern lot boundary Minimum Nil to southern lot boundary (ground floor) Minimum 1.5 to southern boundary (2nd storey and above)
DC 3.5	**Rear setback**[3,6]	Minimum 3m
DC 3.6	**Boundary Walls**[3,4,8]	Maximum 1 storey in height (2 storeys for internal lot boundaries) Permitted to southern boundary of parent lot only Located a minimum of 2m behind the Primary Street setback line
MULTIPLE DWELLINGS (R160)		
AO	**Primary Control**	**Acceptable Outcome**
AO 3.1	**Building Height**[1,2]	Maximum 5 storeys (18m)
AO 3.2	**Primary Street setback**[3,6]	Minimum 4m (Ground floor to 2nd storey) Minimum 6m (3rd storey and above)
AO 3.3	**Secondary Street setback (Hibbertia Lane) or Communal Street** [3,6,7]	Minimum 1.5m
AO 3.4	**Side setbacks**[3,4,6]	Minimum 3m to northern lot boundary Minimum Nil to southern lot boundary (ground floor) Minimum 1.5m to southern boundary (2nd storey and above)
AO 3.5	**Rear setback**[3,6]	Minimum 3m (Ground floor to 3rd storey) Minimum 6m (4th storey and above)
AO 3.6	**Lot Boundary Walls**[3,4,8]	Maximum 1 storey in height (2 storeys for internal lot boundaries) Permitted to southern side boundary of parent lot only Located a minimum of 2m behind the Primary Street setback line

[1] Subject to indicative building heights outlined in Table 2.2 of R-Codes Vol. 2.

[2] Subject to the provision of half basement car parking, maximum 5.5 storeys.

[3] Boundary setbacks will also be determined by provisions for building separation and visual privacy within this LPP and building separation provisions of the National Construction Codes.

[4] If the parent lot is amalgamated, a minimum 6m setback is required to the northern lot boundary.

[5] Where the subject site and an affected adjoining site are subject to different density codes, the length and height of any boundary wall between them is determined by reference to the lower density code.

[6] Reduced setbacks may be considered where a significant existing tree is retained within that setback area or elsewhere on site.

[7] A Nil setback to a communal street or internal driveway may be considered where DSA is provided elsewhere within the communal street setback area.

[8] May be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions.

[9] 8.5m wall or concealed roof height, 10m pitched roof height (2 storey height).

5.1.4 Design Guidance – Multiple Dwellings
Design Guidance provides additional direction for applicants to ensure that proposals are contextually appropriate for the specific sub-precinct.
2.4 Side and rear setbacks
DG 1.1 Lot boundary walls are permitted on the southern parent lot boundary (for R40, R60 and R160 lots oriented east/west) and the western parent lot boundary (for R60 lots oriented north/south) to provide a useable consolidated area of open space on one side of the site.
3.3 Tree canopy and deep soil areas
DG 1.2 The front and rear setbacks areas should be utilised for the inclusion of DSA's and trees plantings. This allows for a landscaped buffer between the proposed development and the rear adjoining site/s, softening the interface with the street. Where possible, DSA's should be located against lot boundaries.
DG 1.3 Upper floors or balconies of buildings may extend over portions of **Landscape Area** (up to a maximum of 20% of that area), subject to a landscaping plan demonstrating the proposed species are capable of long-term growth within a shaded environment. This does not apply to south facing elevations.
DG 1.4 Where hard surfaces are proposed within outdoor living areas or adjacent to DSA's, permeable surfaces are encouraged to reduce stormwater run-off and allow infiltration to rootable soil zones.
DG 1.5 DSA's within the street setback area should be co-located with apartment private open space.
3.8 Vehicle access
DG 1.6 The following can reduce the visual impact of vehicle access and dominance at the street frontage: i. Keeping crossovers a functional minimal width to maximise space in the street setback area and verge for deep soil areas and tree retention / provision. ii. Providing sole vehicle access from a laneway or communal street. iii. Alternative colours/treatments of crossovers i.e., not asphalt.
5.1.5 Housing Objectives – Grouped and Single Dwellings
Housing Objectives proves additional direction for applicants to ensure that proposals are contextually appropriate for the specific sub-precinct.
Lot boundary setbacks
HO 1.1 Lot boundary walls are permitted on the southern parent lot boundary (for R40, R60 and R160 lots oriented east/west) and the western parent lot boundary (for R60 lots oriented north/south) to provide a useable consolidated area of open space on one side of the site.
HO 1.2 Outdoor living areas are encouraged to be located within the street setback area, subject to: i. DSA's also being incorporated within the street setback area; and ii. Any visually permeable front fence meeting Part 5.2.4 of the R-Codes Vol. 1 (unless a half basement is provided); and iii. Providing a level change between the outdoor living area and the street level. A maximum level difference of 1.2m may be supported for this purpose.

5.2 MIXED USE ZONE SUB-PRECINCT

5.2.1 Character Statements

A- Hampden Road (R-AC3)

Existing Character

The Hampden Road sub-precinct is located at the eastern edge of the Precinct and adjoins the City of Perth municipality. Hampden Road is oriented north to south and functions as a retail main street, with smaller office buildings dispersed throughout. Hampden Road provides a key connection between Stirling Highway, Hollywood Hospital and QEII Medical Centre, and is serviced by high frequency Transperth buses.

The northern portion of Hampden Road features a cluster of low-rise office and retail buildings that form the start of a small main street precinct. The central interface with Hampden Road is characterised by low-rise, fine-grain traditional shop front development. Buildings built to the boundary (no side setbacks) create a continuous and consistent edge. Nil front setbacks with awnings enable an engaging street frontage but provide limited opportunity for any trees at the front of buildings. Some buildings are set back, with others contributing awnings and dining spaces to the street. Some landscaped planter boxes are provided as part of small alfresco dining spaces within the road reserve, and a collection of significant trees adjacent to the Lot 276 (No.15) Hampden Road car park shades a portion of the street. The northern portion of Hampden Road comprises a residential edge that connects to QEII Medical Centre.

There are limited through-links between Hampden Road and Hampden Lane, reducing any opportunity for laneway activation. Rear lane access to commercial tenancies is common. Parallel car parking bays within the road reserve provide some separation between the footpath and traffic.

Desired Future Character

Hampden Road can become one of Perth's great neighbourhood streets, one that is centred around the community. Future development shall enhance Hampden Road, creating a unique and vibrant place to live, work, recreate and visit. Hampden Road's north to south orientation is conducive to optimal urban design outcomes. Accordingly, street design, new development, public spaces, and businesses should contribute to an enjoyable experience for everyone. This will create a lively gathering place that serves the local neighbourhood, including residents and its workforce.

Hampden Road will continue to be a bustling, mixed-use main street environment, with the sub-precinct accommodating the most intense built form within the Precinct. Podium style developments two-way access is required in accordance with A3.8.6 of the R-Codes Vol. 2. shall be designed to the human scale, while taller elements are encouraged to be set back from the street, with rooftop terraces and gardens at varying levels throughout the development. Alternative methods of reducing and softening building bulk and scale are strongly encouraged.

New development will utilise a palette of high-quality, natural materials, and diverse architectural styles to create a contemporary built form response. New development should address both Hampden Road and Hampden Lane. A uniform rear setback for properties fronting Hampden Lane will maintain the provision of vehicle access and servicing at the rear and will provide opportunities for trees and deep soil areas. The existing mature trees on Lot 276 (No.15) Hampden Road should be retained and incorporated as part of a landscaped alcove or alfresco area. On-structure planting will add greenery and soften any built form. Pedestrian linkages from Hampden Road to Hampden Lane will promote activation, interests, landscaping and improve connectivity within the Precinct.

B - Monash Avenue (R-AC3)

Sub-Precinct Existing Character

The Monash Avenue sub-precinct is located at the northern edge of the Precinct. Monash Avenue provides a key connection between Smyth Road to the west and Winthrop Avenue to the east, with Hollywood Hospital and QEII Medical Centre located in between. Monash Avenue provides a residential edge to the precinct, with intermittent medical professional services located within the former residential dwellings. Micrantha Lane is located directly to the south, providing opportunities for rear vehicle access. Houses are generally single storey in height and are an example of a largely intact Inter-War streetscape of modest, well-maintained dwellings, lined with mature street trees.

Monash Avenue (between Williams Road and Clifton Street) comprises a large proportion of California Bungalows with a repetitive asymmetrical form. Dwellings are predominantly masonry, commonly with tuck pointed brick to sill height and rough rendering above. Prominent architectural details in the Character Area include tapered columns, exposed rafters, brick arches and recessed entries. Most properties in this section of Monash Avenue have visually permeable fences, ranging from timber picket fences to hedging. Most properties have open driveways, with some new developments having garages that address the street.

The section of Monash Avenue between Clifton Street and Hampden Road differs to the road's western end. The QEII campus and Hollywood Private Hospital are situated on the opposite side of Monash Avenue, and this influences the area with most properties having high perimeter fences. There is evidence of alterations to Inter-War dwellings, with many roofs now consisting of contemporary corrugated steel in place of traditional terracotta tiles. The area is predominately residential, however there is a new build at the corner of Monash Avenue and Hampden Road that is utilised for commercial activities.

Sub-Precinct Desired Future Character

Future development of Monash Avenue should reflect its location and function in the context of Hollywood Hospital and QEII Medical Centre, with new development to address Monash Avenue. New mixed-use development with less active ground floor uses and medical related uses are anticipated along Monash Avenue to support Hollywood Hospital and QEII Medical Centre. A diversity of dwelling types which provide for a range of household configurations is encouraged on the upper floors. New development will be massed towards Monash Avenue to minimise building bulk impacts on the R60 properties south of Micrantha Lane.

The street interface of new developments will contribute to pedestrian comfort and will provide opportunity for passive surveillance of the streetscape. A rear setback will encourage vehicle access, car parking and servicing to be provided at the rear. A setback will also provide opportunities for landscaping, to soften the higher density development fronting Monash Avenue from the R60 lots south of Micrantha Lane.

C - Leura Street (R-AC3)

Existing Character

Leura Street comprises a diverse range of land uses and activities of varying urban forms, including various health and medical services. Single residential dwellings are generally located on its western side and the southern portion of the eastern side, with commercial uses and grouped dwellings located to the north. Leura Street functions as a street of transition between the commercial development to the east and the residential dwellings to the west.

Desired Future Character

Future development on Leura Street should reflect its proximity to Hampden Road and R60 lots to the west, with new development to address Leura Street and Hampden Lane. New mixed-use development with less active ground floor uses and medical related uses are anticipated along Leura Street to support Hollywood Hospital and QEII Medical Centre, while being respectful of residential dwellings to the west. A diversity of dwelling types which provide for a range of household configurations is encouraged. Podium style development will seek to minimise building bulk impacts on the R60 properties on the western side of Leura Street.

The street interface of new developments will provide opportunity for passive surveillance of the streetscape and deep soil area to accommodate growth of trees, softening the higher density development from the R60 lots west of Leura Street.

5.2.2 ACCEPTABLE OUTCOMES

Acceptable Outcomes are likely to assist in satisfying the Objectives but are not a comprehensive ‘deemed-to-comply’ list. To achieve the outcomes described within the Desired Future Character Statements, proposals may require additional and/or alternative design solutions in response to the site conditions, streetscape and design approach. Guidance is provided within the applicable Design Guidance section.

Draft Hampden-Hollywood Precinct Design Response - Local Planning Policy

Hampden Road (R-AC3)		
AO	**Primary Control**	**Acceptable Outcome**
AO 4.1	**Building Height[1]**	Maximum 6 storeys (21m)
AO 4.2	**Primary Street Setback[2,4,6]**	Nil (ground to 2nd storey) Minimum 4m (3rd, 4th and 5th storeys) Minimum 6m (6th storey)
AO 4.3	**Secondary Street setback[2,6]**	Minimum 1.5m (all storeys)
AO 4.4	**Side setbacks[2,5]**	Minimum Nil (ground to 3rd storey) Minimum 3m (4th storey and above)
AO 4.5	**Rear setback[2]**	Minimum 3m (all storeys)
AO 4.6	**Lot Boundary Walls[3]**	Maximum 3 storeys (12m) in height, permitted to two side boundaries
Monash Avenue (R-AC3)		
AO	**Primary Control**	**Acceptable Outcome**
AO 5.1	**Building Height[1]**	Maximum 6 storeys (21m)
AO 5.2	**Primary Street Setback[2,6]**	Nil (ground to 2nd storey) Minimum 4m (3rd, 4th and 5th storeys) Minimum 6m (6th storey)
AO 5.3	**Secondary Street setback[2,6]**	Minimum 1.5m (ground to 2nd storey) Minimum 3m (3rd storey and above)
AO 5.4	**Side setbacks[2,5]**	Minimum Nil (ground to 3rd storey) Minimum 3m (4th storey and above)
AO 5.5	**Rear setback[2]**	Minimum 3m (up to 5th storey) Minimum 4.5m (6th storey)
AO 5.6	**Lot Boundary Walls[3]**	Maximum 3 storeys (12m) in height, permitted to two side boundaries
Leura Street (R-AC3)		
AO	**Primary Control**	**Acceptable Outcome**
AO 6.1	**Building Height[1]**	Maximum 5 storeys (18m)
AO 6.2	**Primary Street Setback[2,6]**	Minimum 2m (ground to 2nd storey) Minimum 4m (3rd and 4th storeys) Minimum 6m (5th storey)
AO 6.3	**Secondary Street setback[2,6]**	Minimum 1.5m (ground to 2nd storey) Minimum 3m (3rd storey and above)
AO 6.4	**Side setbacks[2,5]**	Minimum Nil (ground to 3rd storey) Minimum 3m (4th storey and above)
AO 6.5	**Rear setback[2]**	Minimum 3m (all storeys)
AO 6.6	**Lot Boundary Walls[3]**	Maximum 3 storeys (12m) in height, permitted to two side boundaries

[1] Subject to indicative building heights outlined in Table 2.2 of R-Codes Vol. 2.

[2] Boundary setbacks will also be determined by provisions for building separation and visual privacy within this LPP and building separation provisions of the National Construction Codes.

[3] Wall may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions.

[4] A Nil Primary Street setback is required to Hampden Road, except when a DSA or landscaped alcove is provided within the setback area.

[5] Where a side setback greater than Nil is proposed, it must accommodate DSA, activation, or provide a meaningful pedestrian connection to Hampden Lane or Micrantha Lane.

[6] Residential balconies may project into the street setback area, up to a maximum 2m intrusion, where on-structure planting is incorporated into the balconies which include vegetation visible from the street.

5.2.3 DESIGN GUIDANCE

Design Guidance provides additional direction for applicants to ensure that proposals are contextually appropriate for the specific sub-precinct.

3.3 Tree canopy and deep soil areas

DG 2.2 The retention of the significant existing trees at Lot 276 (No.15) Hampden Road is strongly encouraged, with possible incentives able to be discussed with the City.

DG 2.3 Deep soil areas and tree plantings should be provided within the rear setback area, creating a landscaped buffer between the proposed development and the adjoining lower density site/s.

DG 2.4 Upper floors of the building may extend over portions of deep soil area, subject to a landscaping plan being provided which demonstrates the selection of appropriate species within the covered area.

DG 2.5 Where hard surfaces are proposed within outdoor living areas, permeable finishes such as gravel or permeable paving should be considered in order to reduce stormwater run-off.

DG 2.6 Where a nil setback is proposed to the Primary Street, DSAs and trees plantings required under Element 3.3 of the R-Codes Vol. 2 should be provided within the rear setback area.

DG 2.7 Deep soil areas should be consolidated as much as possible, resulting in larger, more useable spaces, rather than multiple smaller areas.

DG 2.8 Basement levels should not intrude into the front or rear setback areas, to provide sufficient space for deep soil areas.

3.4 Communal open space

DG 2.9 Communal open space/s should be oriented and screened to maximise northern solar access, while minimising direct overlooking of habitable rooms and private outdoor living areas of adjoining properties.

DG 2.10 The preferred location for communal open space is either:

i. At upper levels facing Hampden Road or Hampden Lane or Leura Street or Monash Avenue and/or a secondary street; or

ii. Co-located with deep soil areas at the rear of the development.

3.8 Vehicle access

DG 2.11 Driveway and crossover widths should be kept to a functional minimal width to maximise space in the street setback area and verge for deep soil areas and tree retention and provision.

DG 2.12 Vehicle access is required to be from Hampden Lane for developments on Hampden Road and Leura Street, and from Micrantha Lane for developments on Monash Avenue.

3.9 Car and bicycle parking

DG 2.13 Vehicle parking should be provided at-grade or at basement levels, rather than being provided above-ground (even if sleeved behind other uses).

4.10 Façade design

DG 2.14 New developments should have an **active frontage** to Hampden Road, Monash Avenue, Leura Street, and secondary streets where applicable, in accordance with Clause 32.4 (3) of LPS3.

DG 2.15 The following guidance should be considered to achieve active frontages in the sub-precinct:

Include	Avoid
• Variety of façade elements, including articulation, openable windows and doors, stall risers, sills, seating and other fine grain detail. • Variety of materials, colours, textures and depths. • Clearly defined, recessed pedestrian entries. • Landscaping to soften the street interface and provide screening to areas of blank façade. • Where required, well integrated and unobtrusive signage. • Security measures, where provided, are to be:	• Unarticulated floor-to-ceiling glazing. • Heavily tinted glazing which obscures views between the interior and exterior of the building (any tinting should have a minimum of 70% visible light transmission). • Blank, monotonous facades. • Facades dominated by vehicle entries, parking areas or services/utilities (whether screened or unscreened). • Facades dominated by advertising signage.

<table>
<tr><td>

Located and installed internally behind the glazing;
Transparent and visually permeable to allow views inside the building and enable internal light sources to be seen from the street; and
High level of passive surveillance to the street.

</td><td></td></tr>
<tr><td colspan="2">Mixed Use</td></tr>
<tr><td colspan="2">DG 2.16 Active land use/s are to be provided at ground level, facing Hampden Road and Monash Avenue More non-active commercial uses and/or residential uses are preferred on Leura Street.</td></tr>
<tr><td colspan="2">DG 2.17 Any non-active land uses are to be located above the ground floor, with residential land uses such as multiple dwellings (apartments) preferred.</td></tr>
<tr><td colspan="2">DG 2.18 The following land uses are preferred within the Mixed Use sub-precincts:</td></tr>
<tr><td colspan="2">
<table>
<tr>
<td><u>Hampden Road</u>
Consulting rooms
Convenience store
Liquor store – small
Lunch bar
Recreation – private
Residential
Restaurant/café
Serviced apartment
Shop
Small bar
Tavern</td>
<td><u>Monash Avenue</u>
Consulting rooms
Convenience store
Lunch bar
Medical centre
Office
Recreation – private
Residential
Restaurant/café
Serviced apartment
Shop</td>
<td><u>Leura Street</u>
Consulting rooms
Medical centre
Office
Residential
Serviced apartment</td>
</tr>
</table>
</td></tr>
<tr><td colspan="2">DG 2.19 The combined net lettable area (NLA) of commercial ground floor space should be met:
i. Single lot: Minimum net lettable area of 70m^2
ii. Two or more adjoining lots: Minimum net lettable area of 60m^2 per lot</td></tr>
<tr><td colspan="2">DG 2.20 The above NLA requirements are in addition to the minimum tenancy depth of 10m, as per Clause 32.4 (4) of Local Planning Scheme No. 3.</td></tr>
<tr><td colspan="2">DG 2.21 Where new development is proposed which includes an active land use at ground level and does not require a grease trap and exhaust fan, the application for development approval is to demonstrate that these can be retrofitted in the future if required.</td></tr>
</table>

6 Definitions

Terms used in this Policy are defined as per *State Planning Policy 7.3 Residential Design Codes Volume 1 and Volume 2*, unless otherwise specified below:

Active land use: *Land uses which generate many visits, in particular pedestrian visits, over an extended period of the day. Active land uses provide opportunity for spontaneous encounters between neighbours and visitors to the precinct.*

Active frontage: *Street frontages where there is an active visual engagement between those in the street and those on the ground and upper floors of buildings. Active frontages can provide informal surveillance opportunities and often improve the vitality and safety of an area.*

Design Excellence: *Design Excellence is a requirement or expectation of a standard of design quality that is 'above and beyond' the minimum expectations set out in SPP 7.0 and other relevant State planning policies. In exceeding the requirements of these policies, a project is recognised to have surpassed typical industry practice and market standards. It results in outcomes that are innovative, distinctive and memorable.*

Landscape Area: *Land developed with garden beds, shrubs and trees, or by the planting of lawns, and includes such features as rockeries, ornamental ponds, swimming pools, barbecue areas or playgrounds and any other such area approved of by the decision-maker as landscaped area.*

Significant existing tree: *an existing tree that meets the following criteria:*

i. healthy specimens with ongoing viability; and
ii. species is not included on a State or local area weed register; and
iii. height of at least 4m; and/or
iv. trunk diameter of at least 160mm, measured 1m from the ground.

Appendix 1 – Sustainability and Energy Efficiency Initiatives

Examples of energy efficient initiatives that exceed current minimum practice are provided below. Applicants are encouraged to propose other innovative solutions where supported by evidence demonstrating how minimum practice is exceeded:

- Ceiling fans to all habitable rooms
- Hot water systems that are more energy efficient than electric storage units
- Provision of an external clothesline to every dwelling, located in a secure area, out of direct view on an external wall or in a breezeway
- Use of a photovoltaic array for communal services
- Installation of a lift with regenerative braking
- Solar powered lighting of external open space, circulation areas and common spaces
- Battery backup for PV generated power
- Embedded network for power distribution
- Grey-water recycling
- On-site green waste recycling and/or power generation
- Electric vehicle charging
- Shared electric vehicles
- Rainwater harvesting

Appendix 2 - Parking Requirements - Mixed Use Zone (Preferred Active Land Uses)

1. For any, at grade, uncovered carparks, a minimum of one medium tree for every four bays or one large tree for every 6 bays.
2. Car parking is to be in accordance with the rates specified within Table 1 below. Where a land use is not listed, is it to be in accordance with the City's *Local Planning Policy - Parking*.
3. The City will consider a reduction in the provision of visitor parking in instances where:
   i. a significant existing tree is retained in the front setback area; OR
   ii. the development achieves or exceeds the required deep soil area, tree canopy and landscaping provisions of this Policy and R-codes to the satisfaction of the City.

Table 1 – Parking requirements - Mixed Use zone (Preferred Active Land Uses)

Land use	Minimum number of car parking bays required	Minimum number of bicycle bays required
Convenience store Liquor store – small Restaurant / café Shop	1 car bay per 30m² NLA	1 per 30m^2 of NLA
Recreation – private	1 car bay per 20m² NLA	1 per 50m^2 of NLA
Small bar Tavern	1 car bay per 20m² of NLA (inclusive of dining areas and function rooms)	1 per 30m^2 of NLA
Consulting rooms Medical centre	3 car bays for each practitioner In addition to the above, 2 car bays for each practitioner in excess of 2 practitioners	1 per 10 car parking bays
Office	1 per 40m^2 NLA	1 per 200m^2 of NLA

Notes:

- *NLA = net lettable area*
- *The number of parking spaces calculated shall be rounded to the nearest whole number.*
- *The required bicycle spaces are to be clearly visible and directly accessible from the Primary Street.*
- *Bicycle spaces should be provided in convenient, secure and undercover locations.*

Relationship of this Policy to R-Codes Volume 1

In accordance with Part 7 of the R-Codes Volume 1, this Policy contains provisions that amend or replace the Deemed to Comply criteria set out in Part 5 of the R-Codes Volume 1. The tables below detail which Deemed to Comply criteria of the R-Codes Volume 1 have been amended or replaced by this Policy for each sub-precinct. If an element in the R-Codes Volume 1 is not included in the table below, it is not amended or replaced by this Policy, and the applicable Deemed to Comply in the R-Codes Volume 1 remain and apply.

The Design Principles of the R-Codes Volume 1 remain and apply; however, the Housing Objectives in this Policy must be considered in addition to the Design Principles. The table below details which Housing Objectives must be considered in addition to the applicable Design Principles for each sub-precinct.

General Provisions – Deemed to Comply Applicable to All Grouped Dwellings and Single Houses		
R-Code Element	**Applicable Clause of this Policy**	**Applicable Deemed-to-Comply**
5.3.2 Landscaping	General Provisions 4.4.1 - 4.4.13	C2.2 of the R-Codes Volume 1 is replaced by General Provisions 4.4.1-4.4.13. C2.1 of the R-Codes Volume 1 remains and applies.
5.3.5 Vehicle Access	General Provisions 4.8.1 – 4.8.4	C5.2 of the R-Codes Volume 1 is replaced by General Provisions 4.8.1-4.8.4. C5.1, C5.3-5.7 of the R-Codes Volume 1 remains and applies.

Applicable to Residential (R40) Sub-Precinct Grouped Dwellings/Single Houses		
Deemed to Comply		
R-Code Element	**Applicable Clause of this Policy**	**Applicable Deemed-to-Comply**
5.1.2 Street setback	Deemed-to-Comply DC 1.2 – DC 1.3	C2.1(i)-(iii) of the R-Codes Volume 1 is replaced by DC 1.2 of this Policy. C2.1(iv) and C2.2 of the R-Codes Volume 1 is replaced by DC 1.3 of this Policy. C2.1(v), C2.3 and C2.4 of the R-Codes Volume 1 remains and applies.
5.1.3 Lot boundary setback	Deemed-to-Comply DC 1.4 – DC 1.5	C3.1(i) is replaced by DC 1.4 and DC 1.5 of this Policy. C3.1(ii)-(vi) of the R-Codes Volume 1 remains and applies.
	Deemed-to-Comply DC 1.6	C3.2(i)-(iv) is replaced by DC 1.6 of this Policy.

Housing Objectives		
R-Code Element	**Applicable Design Principle of this Policy**	**Applicable Design Principle**
5.1.3 Lot boundary setbacks	Housing Objective 1.1	Per clause 7.3.1(b) of the of the R-Codes Volume 1, these housing objectives are provided to guide judgements about the merits of proposals. Housing Objective 1.1-1.2 do not augment the Design Principles.
5.3.1 Outdoor living areas	Housing Objective 1.2	

Applicable to Residential (R60) Sub-Precinct Grouped Dwellings/Single Houses		
Deemed to Comply		
R-Code Element	**Applicable Clause of this Policy**	**Applicable Deemed-to-Comply**
5.1.2 Street setback	Deemed-to-Comply DC 2.2 -DC 2.3	C2.1(i)-(iii) of the R-Codes Volume 1 is replaced by DC 2.2 of this Policy. C2.1 (iv) and C2.2 of the R-Codes Volume 1 is replaced by DC 2.3 of this Policy. C2.1(v), C2.3 and C2.4 of the R-Codes Volume 1 remains and applies.
5.1.3 Lot boundary setback	Deemed-to-Comply DC 2.4 – DC 2.6	C3.1(i) is replaced by DC 2.4, DC 2.5 and DC 2.6.
	Deemed-to-Comply DC 2.7	C3.2(i)-(iv) is replaced by DC 2.7.
Housing Objectives		
R-Code Element	**Applicable Design Principle of this Policy**	**Applicable Design Principle**
5.1.3 Lot boundary setbacks	Housing Objective 1.1	Per clause 7.3.1(b) of the of the R-Codes Volume 1, these housing objectives are provided to guide judgements about the merits of proposals. HO1.1-1.2 do not augment the Design Principles.
5.3.1 Outdoor living areas	Housing Objective 1.2	

<table>
<tr><th colspan="3">Applicable to Residential (R160) Sub-Precinct Grouped Dwellings/Single Houses</th></tr>
<tr><th colspan="3">Deemed to Comply</th></tr>
<tr><th>R-Code Element</th><th>Applicable Clause of this Policy</th><th>Applicable Deemed-to-Comply</th></tr>
<tr><td>5.1.2 Street setback</td><td>Deemed-to-Comply
DC 3.2 – DC 3.3</td><td>C2.1(i)-(iii) of the R-Codes Volume 1 is replaced by DC 3.2 of this Policy.

C2.1 (iv) and C2.2 of the R-Codes Volume 1 is replaced by DC 3.3 of this Policy.

C2.1(v), C2.3 and C2.4 of the R-Codes Volume 1 remain and applies.</td></tr>
<tr><td rowspan="2">5.1.3 Lot boundary setback</td><td>Deemed-to-Comply
DC 3.4 – DC 3.5</td><td>C3.1(i) is replaced by DC 3.4 and DC 3.5 of this Policy.

C3.1(ii)-(vi) of the R-Codes Volume 1 remain and applies.</td></tr>
<tr><td>Deemed-to-Comply
DC 3.6</td><td>C3.2(i)-(iv) is replaced by DC 3.6.</td></tr>
<tr><th colspan="3">Housing Objectives</th></tr>
<tr><th>R-Code Element</th><th>Applicable Design Principle of this Policy</th><th>Applicable Guidance</th></tr>
<tr><td>5.1.3 Lot boundary setbacks</td><td>Housing Objective
1.1</td><td rowspan="2">Per clause 7.3.1(b) of the of the R-Codes Volume 1, these housing objectives are provided to guide judgements about the merits of proposals. Housing Objectives 1.1-1.2 do not augment the Design Principles.</td></tr>
<tr><td>5.3.1 Outdoor living areas</td><td>Housing Objective
1.2</td></tr>
</table>

Relationship of this Policy to R-Codes Volume 2

In accordance with Clause 1.2 of the R-Codes Volume 2, this Policy contains provisions that amend or replace the Acceptable Outcomes set out in Part 2, 3 and 4 of the R-Codes Volume 2. The tables below detail which Acceptable Outcomes of the R-Codes Volume 2 have been amended or replaced by this Policy for each sub-precinct. If an element in the R-Codes Volume 2 is not included in the table below, it is not amended or replaced by this Policy, and the applicable Acceptable Outcomes in the R-Codes Volume 2 remain and apply.

The Element Objectives of the R-Codes Volume 2 remain and apply; however, Design Guidance in this Policy must be considered in addition to the Element Objectives. The table below details which Design Guidance must be considered in addition to the applicable Element Objectives for each sub-precinct.

General Provisions - Applicable to Multiple Dwellings		
Acceptable Outcomes		
R-Code Element	**Applicable Clause of this Policy**	**Applicable Acceptable Outcome**
3.3 Tree Canopy and Deep Soil Areas	General Provision 4.4	A3.3.4 and A3.3.5 of the R-Codes Volume 2 are replaced by General Provision 4.4 of this Policy. A3.3.1-A3.3.3, A3.3.6, A3.3.7 of the R-Codes Volume 2 remain and apply.
3.8 Vehicle Access	General Provision 4.8	A3.8.1 of the R-Codes Volume 2 are replaced by General Provision 4.8 of this Policy. A3.8.2-A3.8.7 of the R-Codes Volume 2 remain and apply.
3.9 Car and bicycle parking	General Provision 4.9	Element 3.9 of the R-Codes Volume 2 is augmented by the addition of General Provision 4.9 of this Policy.
4.7 Noise Mitigation	General Provisions 4.10.1	Element 4.7 of the R-Codes Volume 2 is augmented by the addition of General Provision 4.10.1 of this Policy. A4.7.1-A4.7.3 of the R-Codes Volume 2 remain and apply.
4.15 Energy efficiency	General Provision 4.2	A4.15.1 of the R-Codes Volume 2 is replaced by General Provision 4.2 of this Policy.
4.16 Water management and conservation	General Provision 4.2	Element 4.16 of the R-Codes Volume 2 is augmented by the addition of General Provision 4.2 of this Policy.

Applicable to Residential (R40) Sub Precinct - Multiple Dwellings		
Acceptable Outcomes		
R-Code Element	**Applicable Clause of this Policy**	**Applicable Acceptable Outcome**
2.2 Building height	Acceptable Outcome AO 1.1	A 2.2.1 of the R-Codes Volume 2 remains and applies.
2.3 Street setback	Acceptable Outcome AO 1.2	A 2.3.1 of the R-Codes Volume 2 is replaced by AO 1.2 of this Policy.

2.4 Side and rear setbacks	Acceptable Outcome AO 1.3 – AO 1.6	A2.4.1(a) of the R-Codes Volume 2 is replaced by AO 1.3 of this Policy. A2.4.1(b) and A2.4.2 of the R-Codes Volume 2 remains and applies.
Design Guidance		
R-Code Element	**Applicable Design Guidance of this Policy**	**Applicable Element Objective**
2.4 Side and rear setbacks	Design Guidance 1.1	DG 1.1 of this Policy has been developed specifically for this precinct and must be considered in addition to O2.4.1 – 2.4.4 of the R-Codes Volume 2.
3.3 Tree canopy and deep soil areas	Design Guidance 1.2 – 1.5	DG 1.2-1.5 of this Policy have been developed specifically for this precinct and must be considered in addition to O3.3.1 – 3.3.3 of the R-Codes Volume 2.
3.8 Vehicle access	Design Guidance 1.6	DG 1.6 of this Policy has been developed specifically for this precinct and must be considered in addition to O3.8.1-3.8.2 of the R-Codes Volume 2.

Applicable to Residential (R60) Sub Precinct - Multiple Dwellings		
Acceptable Outcomes		
R-Code Element	**Applicable Clause of this Policy**	**Applicable Acceptable Outcome**
2.2 Building height	Acceptable Outcome AO 2.1	AO 2.2.1 of the R-Codes Volume 2 remains and applies.
2.3 Street setback	Acceptable Outcome AO 2.2	AO 2.3.1 of the R-Codes Volume 2 is replaced by AO 2.2 of this Policy.
2.4 Side and rear setbacks	Acceptable Outcome AO 2.3 – AO 2.7	AO 2.4.1(a) of the R-Codes Volume 2 is replaced by AO 2.4-2.7 of this Policy. AO 2.4.1(b) and AO 2.4.2 of the R-Codes Volume 2 remains and applies.
Design Guidance		
R-Code Element	**Applicable Design Guidance of this Policy**	**Applicable Element Objective**
2.4 Side and rear setbacks	Design Guidance 1.1	DG 1.1 of this Policy has been developed specifically for this precinct and must be considered in addition to O2.4.1 – 2.4.4 of the R-Codes Volume 2.

3.3 Tree canopy and deep soil areas	Design Guidance 1.2 – 1.5	DG 1.2-1.5 of this Policy have been developed specifically for this precinct and must be considered in addition to O3.3.1 – 3.3.3 of the R-Codes Volume 2.
3.8 Vehicle access	Design Guidance 1.6	DG 1.6 of this Policy has been developed specifically for this precinct and must be considered in addition to O3.8.1-3.8.2 of the R-Codes Volume 2.

Applicable to Residential Zone (R160) – Multiple Dwellings		
Acceptable Outcomes		
R-Code Element	**Applicable Clause of this Policy**	**Applicable Acceptable Outcome**
2.2 Building height	Acceptable Outcome 3.1	AO 2.2.1 of the R-Codes Volume 2 remains and applies.
2.3 Street setback	Acceptable Outcome 3.2	AO 2.3.1 of the R-Codes Volume 2 is replaced by AO 3.2 of this Policy.
2.4 Side and rear setbacks	Acceptable Outcome 3.3-3.6	AO 2.4.1(a) of the R-Codes Volume 2 is replaced by AO 3.3-3.6 of this Policy. AO 2.4.1(b) and AO 2.4.2 of the R-Codes Volume 2 remains and applies.
Design Guidance		
R-Code Element	**Applicable Design Guidance of this Policy**	**Applicable Element Objective**
2.4 Side and rear setbacks	Design Guidance 1.1	DG 1.1 of this Policy has been developed specifically for this precinct and must be considered in addition to O2.4.1 – 2.4.4 of the R-Codes Volume 2.
3.3 Tree canopy and deep soil areas	Design Guidance 1.2 – 1.5	DG 1.2-1.5 of this Policy have been developed specifically for this precinct and must be considered in addition to O3.3.1 – 3.3.3 of the R-Codes Volume 2.
3.8 Vehicle access	Design Guidance 1.6	DG 1.6 of this Policy has been developed specifically for this precinct and must be considered in addition to O3.8.1-3.8.2 of the R-Codes Volume 2.

Applicable to RAC-3 Mixed Use Sub-Precinct		
Hampden Road Mixed Use Zone (R-AC3)		
Acceptable Outcomes		
R-Code Element	**Applicable Clause of this Policy**	**Applicable Acceptable Outcome**
2.2 Building height	Acceptable Outcome AO 4.1	AO 2.2.1 of the R-Codes Volume 2 is replaced by AO 4.1 of this Policy.
2.3 Street setbacks	Acceptable Outcome AO 4.2	AO 2.3.1 of the R-Codes Volume 2 is replaced by AO 4.2 of this Policy.
2.4 Side and rear setbacks	Acceptable Outcome AO 4.3 – AO 4.6	AO 2.4.1(a) of the R-Codes Volume 2 is replaced by AO 4.3 – AO 4.6 of this Policy. AO 2.4.1(b) and AO 2.4.2 of the R-Codes Volume 2 remains and applies.
Monash Avenue Mixed Use Zone (R-AC3)		
Acceptable Outcomes		
R-Code Element	**Applicable Clause of this Policy**	**Applicable Acceptable Outcome**
2.2 Building height	Acceptable Outcome AO 5.1	AO 2.2.1 of the R-Codes Volume 2 is replaced by AO 5.1 of this Policy.
2.3 Street setbacks	Acceptable Outcome AO 5.2	AO 2.3.1 of the R-Codes Volume 2 is replaced by AO 5.2 of this Policy.
2.4 Side and rear setbacks	Acceptable Outcome AO 5.3 – AO 5.6	AO 2.4.1(a) of the R-Codes Volume 2 is replaced by AO 5.3 – AO 5.6 of this Policy. AO2.4.1(b) and AO2.4.2 of the R-Codes Volume 2 remains and applies.
Leura Street Mixed Use Zone (R-AC3)		
Acceptable Outcomes		
R-Code Element	**Applicable Clause of this Policy**	**Applicable Acceptable Outcome**
2.2 Building height	Acceptable Outcome AO 6.1	AO2.2.1 of the R-Codes Volume 2 is replaced by AO 6.1 of this Policy.

2.3 Street setbacks	Acceptable Outcome AO 6.2	AO2.3.1 of the R-Codes Volume 2 is replaced by AO 6.2 of this Policy.
2.4 Side and rear setbacks	Acceptable Outcome AO 6.3 – AO 6.6	AO2.4.1(a) of the R-Codes Volume 2 is replaced by AO 6.3-6.6 of this Policy. AO2.4.1(b) and AO2.4.2 of the R-Codes Volume 2 remains and applies.
Mixed Use Zone (R-AC3) Design Guidance		
R-Code Element	**Applicable Design Guidance of this Policy**	**Applicable Element Objective**
2.3 Street setbacks	Design Guidance 2.1	DG 2.1 of this Policy have been developed specifically for this precinct and must be considered in addition to O2.3.1 – 2.3.4 of the R-Codes Volume 2.
3.3 Tree canopy and deep soil areas	Design Guidance 2.2 – 2.8	DG 2.1-2.8 of this Policy have been developed specifically for this precinct and must be considered in addition to O3.3.1 – 3.3.3 of the R-Codes Volume 2.
3.4 Communal open space	Design Guidance 2.9 – 2.10	DG 2.9-2.10 of this Policy have been developed specifically for this precinct and must be considered in addition to O3.4.1-3.4.3 of the R-Codes Volume 2.
3.8 Vehicle access	Design Guidance 2.11 – 2.12	DG 2.11-2.12 of this Policy have been developed specifically for this precinct and must be considered in addition to O3.8.1-3.8.2.
3.9 Car and bicycle parking	Design Guidance 2.13	DG 2.13 of this Policy have been developed specifically for this precinct and must be considered in addition to O3.9.1-3.9.4.
4.10 Façade design	Design Guidance 2.14 – 2.15	DG 2.14-2.15 of this Policy have been developed specifically for this precinct and must be considered in addition to O4.10.1 – 4.10.2.
4.14 Mixed use	Design Guidance 2.16 – 2.21	DG 2.16-2.21 of this Policy have been developed specifically for this precinct and must be considered in addition to O4.14.1-4.14.2 of the R-Codes Volume 2.

16.6 PD40.06.22 Initiation of Scheme Amendment No. 12 – Tree Retention on Private Land

Meeting & Date	Council Meeting – 28 June 2022
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff involved in the preparation of this report and the proponents or their consultants.
Report Author	Roy Winslow – Manager Urban Planning
Director	Tony Free–Director Planning & Development
Attachments	1. Scheme Amendment No 12 – Justification Report 2. Outline of Supporting Local Planning Policy

Purpose

The purpose of this report is for Council to provide consent to prepare (adopt for advertising) the proposed Scheme Amendment No 12, which would require development approval for the removal of trees meeting certain criteria from Residential lots with a coding of R20 or lower.

Recommendation

That Council:

1. Pursuant to Section 75 of the *Planning and Development Act 2005*, adopt Amendment No. 12 to Local Planning Scheme No. 3 by inserting the following provisions into Schedule 1 – Supplemental Provisions:

60. Requirement for development approval

60A. No person shall cause or permit the removal, destruction, or damage to any tree that meets the following criteria on a lot zoned Residential with a density code of R20 or below unless development approval has been granted in accordance with Part 8 of the Deemed Provisions:

- **a) Canopy diameter of 6m or greater; or**
- **b) Height of 8m or greater; or**
- **c) In the case of a tree with a single trunk, a trunk circumference of 1.5m or greater, measured 1.4m above the ground; or**
- **d) In the case of a tree with multiple trunks, a total trunk circumference of 1.5m or greater, with an average trunk circumference of 625 millimeters or greater, measured 1.4m above the ground.**

61. Development for which development approval is not required

	Column 1 Works	Column 2 Conditions

22.	**The removal, destruction or damage to a tree which meets the criteria set out in Clause 60A.**	**Either -** **a) The tree is identified in a local planning policy as an unwanted species; or** **b) Tree pruning in accordance with Australian Standards for Pruning of Amenity Trees (AS4373); or** **c) Tree pruning or removal required for bushfire management purposes, in accordance with the Bush Fires Act 1954; or** **d) Tree pruning or removal to achieve necessary clearances from utilities; or** **e) Cutting back overhanging branches or roots of a tree on a neighbouring property, back to the shared property boundary.**

2. In accordance with Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the City is of the opinion that Amendment No. 12 to Local Planning Scheme No. 3 is a Complex Amendment, as it aligns with the definition specified under Regulation 34 as follows:

r34 (b) an amendment that is not addressed by any local planning strategy; and
r34 (c) an amendment relating to development that is of a scale, or will have an impact, that is significant to development in the locality.

3. Pursuant to Section 81 of the *Planning and Development Act 2005*, refers Amendment No. 12 to Local Planning Scheme No. 3 to the Environmental Protection Authority.

4. In accordance with Regulation 37(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* submit two (2) copies of the proposed Scheme Amendment No. 12 to the West Australian Planning Commission for approval to advertise.

5. Subject to Section 84 of the *Planning and Development Act 2005* advertises Amendment No. 12 to Local Planning Scheme No. 3 in accordance with Regulation 38 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City of Nedlands Local Planning Policy – Consultation of Planning Proposals.

Voting Requirement

Simple Majority.

Executive Summary

The purpose of this report is for Council to consider the merits of preparing a scheme amendment to require development approval to remove trees on private land meeting specific criteria. The report also discusses a supporting local planning policy to guide the discretion and process for the determination of such an application for development approval. Both planning instruments have been proposed in response to the 14 December 2021 Council decision relating to the retention of trees on private land.

Background

At the 14 December 2021 Ordinary Council Meeting (OCM), Council resolved that an amendment to Local Planning Scheme No. 3 (the Scheme) be prepared, for the purpose of requiring development approval for the removal of trees that meet certain criteria on lots with a coding of R20 or less (the Amendment).

The December OCM report included draft scheme amendment provisions, however, it was noted that the criteria would be refined in the subsequent report to Council. The tree criteria for the scheme amendment have now been refined based on further research relating to the tree protection criteria used by other jurisdictions and advice from relevant specialists.

Discussion

Gaps Analysis

Since the Scheme was gazetted in April 2019, several ‘gaps’ have been identified by Administration in the City’s strategic planning framework. These gaps have become apparent through the City’s difficulty in negotiating outcomes in the development application process that are satisfactory in terms of the local area’s context and character.

In consultation with the Department of Planning, Lands and Heritage (DPLH), the City undertook a strategic analysis of the existing local planning framework, and developed a list of the key planning issues arising from the implementation of the Scheme, referred to as the Gaps Analysis. The intent of the Gaps Analysis is to:

- Secure agreement on the nature, priority and associated objectives of the perceived gaps; and
- Identify the investigations required to substantiate the extent of the gap and demonstrate need for a new planning instrument to resolve the gap.

The Gaps Analysis was endorsed by Council at the February 2021 OCM. The Amendment is intended to address Item 3 of the Gaps Analysis, being ‘loss of existing trees on private land’. The required investigations for this item included review of other local government

planning instruments to deal with the issue, which has now been undertaken to inform the preparation of the Amendment.

The detail and planning justification for the Amendment, and supporting local planning policy, is provided in the Scheme Amendment No 12 – Justification Report, included as **Attachment 1**.

An outline of the supporting local planning policy is included as **Attachment 2**. It is proposed that this local planning policy will be presented to Council for their consideration at a future council meeting.

Consideration as a Complex Amendment
The proposed Amendment is consistent with the City's endorsed Local Planning Strategy. Notwithstanding, the Amendment is considered to be a Complex Amendment as defined by Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations). This is due to sub-regulation 34(b), with the matter not being addressed by the City's Urban Forest Strategy, and sub-regulation 34(c), the significant departure it proposes from the existing requirements for development approval. This classification will also allow for the most rigorous community consultation period to be undertaken.

Community consultation

The application is required to be advertised in accordance with Regulation 38 of the Regulations, and the City of Nedlands Local Planning Policy – Consultation of Planning Proposals. Advertisement of a Complex Amendment is as follows:

- The City must prepare a notice in a form approved by the WAPC giving details of the purpose of the Amendment, where the Amendment may be inspected and to whom and during what period submissions can be made.
- The City must then advertise the Amendment by:
- Publishing the notice on the City's website;
- Publishing the notice in a newspaper circulating throughout the scheme area;
- Publishing the notice via the City's social media channels;
- Providing letters to affected owners and occupiers;
- Providing a community information session;
- Displaying the notice in the Administration building; and
- Providing a copy of the notice to all public authorities which are likely to be affected by the Amendment.
- The advertising period can be no less than 60 days, commencing on the day that the notice is published in a newspaper circulating in the scheme area.

In addition to the regulatory advertising of the amendment, opportunities to provide meaningful engagement with the community on this matter will be explored. In the event the amendment is initiated, a community engagement plan will be prepared prior to formal

advertising commencing. This plan will consider other forms of engagement, such as providing an easy-to-use portal to make a brief submission.

Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan.

Vision Our city will be an environmentally sensitive, beautiful, and inclusive place.

Values

Great Natural and Built Environment
We protect our enhanced, engaging community spaces, heritage, the natural environment, and our biodiversity through well-planned and managed development.

Reflects Identities
We value our precinct character and charm. Our neighbourhoods are family-friendly with a strong sense of place.

Budget/Financial Implications

If Council were to proceed with the Amendment, there would be no immediate cost to the City other than those associated with advertising.

If the Amendment were to be approved, implementation costs associated with staff resourcing would depend upon the number of development applications received for tree removal. Staff resourcing would include planning officers to assess development applications, technical services officers for assisting with arboriculture aspects of development applications and compliance officers for enforcing tree retention and provision requirements. Quantifying additional staff resources required at this stage is not feasible, and this matter could be reviewed during implementation.

Legislative and Policy Implications

As outlined in Schedule 7 of the Planning and Development Act 2005, the "conservation of the natural environment of the scheme area including the protection of natural resources, the preservation of trees, vegetation and other flora and fauna, and the maintenance of ecological processes and genetic diversity" are matters which may be dealt with by a planning scheme.

The intent of the Amendment is to provide an improved framework for the protection of the City's urban tree canopy. The Amendment is therefore within the limitations of what may be dealt with by the Scheme.

Decision Implications

In accordance with Regulation 37 of the Regulations, the Council, upon consideration of the Amendment, must resolve:

a) to proceed to advertise the amendment to the local planning scheme without modification;
b) to proceed to advertise the amendment to the local planning scheme with modifications; or
c) not to proceed to advertise the amendment to the local planning scheme.

If the Amendment is granted consent to advertise by Council as per Regulation 37(a) OR (b) above, the City must, within 21 days of the Council resolution, refer the application to the Western Australian Planning Commission (WAPC) for approval to advertise in accordance with Regulation 37 of the Regulations. The WAPC then has 60 days to advise the City whether any modifications to the documents are required before the Amendment is advertised.

The City must also refer the application to the Environmental Protection Agency (EPA) in accordance with Section 81 of the *Planning and Development Act 2005*.

If the Amendment is granted consent to advertise by the WAPC, the City will advertise the Amendment as outlined in the 'Community Consultation' section of this Report.

At the close of the submission period, the City must acknowledge in writing the receipt of each submission on the Amendment. A 90-day consideration period for a complex scheme amendment applies after the end of the submission period, in which the City must consider all submissions and Council must pass a resolution to support, support with modifications or not support the Amendment.

Once Council has made their decision on the Amendment, all documents will be referred to the WAPC. The WAPC will consider the proposed Amendment and submissions before delivering a recommendation to the Minister for Planning. The Minister will then make the final decision on whether the Amendment will proceed to be Gazetted and placed in the Scheme, or if it will not be supported.

If Council choose not to proceed with the Amendment as per Regulation 37(c) above, the City must provide a copy of the Resolution to the WAPC within 21 days of the decision. No further action will be taken with the Amendment after the Resolution is provided to the WAPC.

Conclusion

The Amendment creates a mechanism within the Scheme for development approval to be required for the removal of trees from private land in certain circumstances. The intent of the Amendment is to provide an improved framework for the protection of the City's urban tree

canopy, which aligns with the vision for the City of Nedlands, as set out in the Local Planning Strategy.

The Amendment is considered to be a Complex Amendment under section (b) and (c) of r.34 of the Regulations due to the matter not being considered by the City's Urban Forest Strategy, and the significant departure it proposes from the existing requirements for development approval. The classification of the Amendment as complex will also allow for the most rigorous community consultation process to be undertaken, ensuring that affected agencies and residents are provided with ample opportunity to comment on the proposal.

Further Information

N/A

City of Nedlands

Local Planning Scheme No. 3

Amendment No. 12

Scheme Amendment requiring a development application be lodged for the removal of trees meeting certain criteria from Residential lots with a density coding of R20 or lower.

FORM 2A

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT TO LOCAL PLANNING SCHEME

City of Nedlands Local Planning Scheme No. 3
Amendment No. 12

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act* 2005, amend the above Local Planning Scheme by:

Inserting the following provision into Schedule 1 – Supplemental Provisions:

61. Development for which development approval is not required

	Column 1 **Works**	**Column 2** **Conditions**
22.	The removal, destruction or damage to a tree.	Development approval is not required where all the following criteria is met: a) The tree is located on a lot with a density coding of greater than R20. b) The tree has a canopy diameter of less than 6m. c) The tree has a height of less than 8m. d) In the case of a tree with a single trunk, that trunk has a circumference of less than 1.5m, measured 1.4m above the ground; or In the case of a tree with multiple trunks, a total trunk circumference of 1.5m or less, with an average trunk circumference of less than 625 millimeters.

Dated this _____ day of _____ 20___

_____
(Chief Executive Officer)

City of Nedlands

Local Planning Scheme No. 3 – Scheme Amendment No. 12

Scheme Amendment Report

1.0 INTRODUCTION

Scheme Amendment No. 12 (the Amendment) to the City of Nedlands Local Planning Scheme No. 3 (the Scheme) proposes to insert a new clause requiring development approval to be obtained prior to the removal, destruction or damage of trees meeting certain criteria from Residential lots with a density coding of R20 or lower. It is proposed that the Amendment will be supported by a local planning policy, which will provide guidance on the exercise of discretion and process of determination for such applications.

The intent of the Amendment is to provide an improved framework for the protection of the City's urban tree canopy. Protecting the urban tree canopy provides a range of environmental and community benefits, which includes:

- Mitigating the urban heat island effect;
- Mitigating and adapting to the effects of climate change;
- Enhancing and supporting biodiversity; and
- Maintaining the City's 'leafy green' character.

2.0 BACKGROUND

The City of Nedlands resolved at its Meeting on 14 December 2021 to propose an amendment to the Scheme to require development approval for the removal of trees that meet certain criteria on lots with a density coding of R20 or lower.

3.0 LOCAL PLANNING CONTEXT

State & Regional Planning Context

Perth and Peel @3.5 Million

The Perth and Peel@3.5 Million strategic suite of documents has been developed to provide a long-term growth strategy for land use and infrastructure for the Perth and Peel regions. The framework outlines a number of overarching objectives in relation to urban form, economy and employment, community and social infrastructure, movement and access, service infrastructure, environment and landscape, and natural resources.

Relevant to the Amendment, the document states the following objective:

> *Environment and Landscape: to preserve and enhance the existing environmental and landscape value of the subregions for future generations to enjoy.*

The framework acknowledges that "*trees in urban areas have social, environmental and recreation benefits, including reducing air pollution, minimising the impact of heat islands, encouraging outdoor activity, providing habitat and support to biodiversity and enhancing local amenity*". It further states that "*the urban forest is a valuable asset fundamental to the amenity of Perth and the wellbeing of the community"* and that "*increasing tree canopy cover is the most effective way to reduce the effects of the urban heat island in communities*".

The Central Sub-Regional Planning Framework (the Framework) forms an integral part of the Perth and Peel@3.5 Million documents. The Framework has been developed to guide detailed planning and decision-making by State Government agencies and local government. The key principle of the Framework relevant to this Amendment is to:

> "*Preserve and enhance, where appropriate, the green network of parks, rivers, sport/recreation areas, facilities for active open space, conservation and biodiversity areas, and areas with a high level of tree canopy coverage, considered important for the health and wellbeing of the community*".

The Amendment is aligned with the strategic intent of the broad green network principles and objectives of the Perth and Peel@3.5 Million documents.

Planning and Development Act 2005

As outlined in Schedule 7 of the *Planning and Development Act 2005*, the "*conservation of the natural environment of the scheme area including the protection of natural resources, the preservation of trees, vegetation and other flora and fauna, and the maintenance of ecological processes and genetic diversity*" are matters which may be dealt with by a local planning scheme.

The intent of the Amendment is to provide an improved framework for the protection of the City's urban tree canopy. The Amendment is therefore within the bounds of matters that may be dealt with under the Scheme.

Local Planning Strategy

The City of Nedlands Local Planning Strategy is guided by the City's vision for the future, as outlined in *Nedlands 2023 Strategic Community Plan*. The following is included as part of this vision:

> "*Our gardens, streets, parks will be well maintained, green and tree-lined and we will live sustainably within the natural environment…We will live in a beautiful place*".

For the residential areas subject to the Amendment, the Local Planning Strategy identifies the retention and enhancement of their character and streetscape as one of its key strategies.

This Amendment is therefore aligned with the overall vision for the City of Nedlands, as well as the strategies outlined for City's existing residential areas.

Local Planning Scheme No. 3

Under the Scheme, the objectives of the Residential zone are:

- *To provide for a range of housing and a choice of residential densities to meet the needs of the community.*
- *To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.*
- *To provide for a range of non-residential uses, which are compatible with and complementary to residential development.*
- *To ensure development maintains compatibility with the desired streetscape in terms of bulk, scale, height, street alignment and setbacks.*

The Amendment would assist in facilitating and encouraging high quality streetscapes throughout residential areas and is therefore considered to align with the objectives of the Residential zone.

4.0 PROPOSAL

It is proposed that LPS3 be amended by inserting the following provision into Schedule 1 – Supplemental Provisions:

61. Development for which development approval is not required

Under the existing planning framework, trees can be legally removed from development sites, prior to an application being lodged for development or subdivision.

	Column 1 **Works**	**Column 2** **Conditions**
22.	The removal, destruction or damage to a tree.	Development approval is not required where all the following criteria is met: a) The tree is located on a lot with a density coding of greater than R20. b) The tree has a canopy diameter of less than 6m. c) The tree has a height of less than 8m. d) In the case of a tree with a single trunk, that trunk has a circumference of less than 1.5m, measured 1.4m above the ground; or In the case of a tree with multiple trunks, a total trunk circumference of 1.5m or less, with an average trunk circumference of less than 625 millimeters.

Clause 60 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) sets out the requirements for development approval, while Clause 61 sets out the types of development for which development approval is not required. On the advice of the Department of Planning, Lands and Heritage (DPLH), the Amendment has been drafted as a supplemental provision to Clause 61. The effect of this is that the removal, destruction or damage to a tree which does not meet the associated conditions in Column 2 would require development approval from the City.

It is proposed that a local planning policy be prepared separately to the Amendment, to guide the assessment of development applications received for tree removal, destruction or damage. It will not mandate the retention of all trees subject to the Amendment.

The key elements of the supporting local planning policy are as follows:

- Guidance on what is classified as removal, destruction or damage of a tree, including exemptions for appropriate pruning;
- Exemptions for inappropriate tree species (species which are a potential environmental weed species, or are susceptible to unwanted pests and disease);

- Requirement for an arboriculture report to be provided with an application for tree removal;
- Criteria against which development applications for tree removal will be assessed;
- Requirements for replacing existing trees, where removal is supported by the City; and
- Requirements for the protection of retained and planted trees.

Planning Justification

Trees on private land

The Western Australian Planning Commission's (WAPC) *Better Urban Forest Planning; A guide to support the enhancement of urban forests in Western Australia* emphasises the importance of considering the urban forest across both public and private land.

Between 2009 and 2016, there was a net increase in canopy cover in the City's public parks and road reserves. The City's Urban Forest Strategy 2018-2023 provides goals, objectives and actions to achieve a target of 20% urban canopy on public land by 2028.

The City's Urban Forest Strategy does not consider the removal of trees on private land, and there has been a 58% decline in canopy cover on the 244 private lots which have undergone significant development or subdivision from 2009 to 2016. Protection of tree canopy on private property forms an essential part of maintaining the overall urban forest canopy within the City. The Amendment responds to the need for the local planning framework to be updated to effectively manage the removal and retention of trees on private land.

Planning mechanism

Preparation of the Amendment was informed by research into the tree retention approaches of other local governments within the State and across Australia. A major finding from this research was that mechanisms which rely on voluntary nominations of trees from the public, such as significant tree registers, do little to maintain and enhance tree canopy on a City-wide level. This can be seen in the table below, which demonstrates that this mechanism results in a relatively small number of trees being protected on private land, irrespective of whether landowner consent is required.

Significant Tree Registers
Description: The significant tree register approach involves establishing the criteria of a significant tree, the process for nominating a tree for the register, and the statutory protections for those trees. The criteria typically focus on trees which are considered exceptional for reasons of rarity, aesthetics, ecology or cultural/social significance. Some local governments require consent from the affected landowner for a tree to be nominated and placed on the list, while others allow nominations without landowner consent.

Local government	Landowner consent required	Number of listed trees on private land
Bassendean	No	16
Cockburn	No	3
Fremantle	Yes	7
Mandurah	No	25
South Perth	Yes	2
Victoria Park	No	10
Vincent	Yes	6

To impact on the retention of the urban forest on a City-wide level, a planning mechanism is required which takes a broader approach to tree protection, rather than prioritising a small list of exceptional specimens. By applying to all trees which fit the outlined criteria, the Amendment achieves this requirement.

Trees in low density residential areas

Tree retention is already addressed by the planning framework for:

- Single houses and grouped dwellings in areas R30 or higher (Draft Medium Density Code – due to be gazetted 2022);
- Apartments in areas R30 to R60 (Draft Medium Density Code); and
- Apartments in areas R80 or higher (R-Codes Volume 2).

The Amendment is intended to apply to areas that are not captured by the existing and draft State planning framework. While the City has small pockets of land coded Residential R25, the lots in these areas are generally not of a sufficient size to feasibly retain existing trees without unreasonably limiting development. The Amendment is therefore only applicable to land zoned Residential R20 and below.

Tree criteria

The Amendment is intended to apply to trees which, due to the nature of their size and species, contribute substantially to the urban forest. The following tree criteria have been developed following research of other jurisdictions, advice from relevant specialists, and consultation with local community group, the Nedlands Tree Canopy Advocates.

The following tree criteria is proposed:

a) Canopy diameter of 6m or greater;
b) Height of 8m or greater;
c) In the case of a tree with a single trunk, a trunk circumference of 1m or greater, measured 1.4m above the ground; and/or
d) In the case of a tree with multiple trunks, a total trunk circumference of 1m or greater, with an average trunk circumference of 625 millimeters or greater, measured 1.4m above the ground.

The canopy diameter and height criteria have been selected to align with the threshold of a medium-sized tree under the Residential Design Codes Volume 2 – Apartments (R-Codes Volume 2).

Trunk circumference, for both a single trunk and multiple trunk tree, has also been included in the criteria. Whilst the canopy diameter and height of a tree may be modified by pruning and lopping, the trunk circumference is more difficult to alter. Measuring the trunk circumference at breast height (1.4m above the ground) is consistent with Australian Standards for Protection of Trees on Development Sites (AS4970).

Consideration as a complex amendment

The Amendment has been considered against the criteria for a complex amendment as per Regulation 34 of the Regulations.

r.34 Criterion	Response
(b) an amendment that is not addressed by any local planning strategy;	The City's Urban Forest Strategy does not address the removal of trees on private land, and there has been a significant decline in canopy cover on the City's privately owned land. Protection of tree canopy on private property forms an essential part of maintaining the overall urban forest canopy within the City. The Amendment fills a gap within the local planning framework that is not currently managed by any local planning strategy. The Amendment responds to the need for the City's local planning framework to be updated to effectively manage the removal and retention of trees on private land.
(c) an amendment relating to development that is of a scale, or will have an impact, that is significant relative to development in the locality.	The Amendment is a significant departure from the existing local planning framework, as it is introducing a requirement to obtain development approval which does not currently exist. The Amendment is also likely to attract significant interest from the local community, and therefore warrants the most rigorous amendment pathway, with the most thorough community consultation process.

5.0 CONCLUSION

The information and justification provided in this report is submitted to support a mechanism being created within the Scheme for development approval to be required for the removal of trees from private land in certain circumstances, as specified in the report above.

The proposed Amendment is consistent with the City's endorsed Local Planning Strategy. Notwithstanding, the Amendment is considered to be a Complex Amendment as defined by section (b) and (c) of r.34 of the Regulations due to the matter not being considered by the City's Urban Forest Strategy, and the significant departure it proposes from the existing requirements for development approval. The classification of the Amendment as complex will also allow for the most rigorous community consultation process to be undertaken, ensuring that affected agencies and residents are provided with ample opportunity to comment on the proposal.

Planning and Development Act 2005

RESOLUTION TO AMEND LOCAL PLANNING SCHEME

City of Nedlands Local Planning Scheme No. 3
Scheme Amendment No. 12

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act* 2005, amend the above Local Planning Scheme by:

Inserting the following provision into Schedule 1 – Supplemental Provisions:

61. Development for which development approval is not required

Dated this _____ day of _____ 20___

	Column 1 **Works**	**Column 2** **Conditions**
22.	The removal, destruction or damage to a tree.	Development approval is not required where all the following criteria is met: e) The tree is located on a lot with a density coding of greater than R20. f) The tree has a canopy diameter of less than 6m. g) The tree has a height of less than 8m. h) In the case of a tree with a single trunk, that trunk has a circumference of less than 1.5m, measured 1.4m above the ground; or In the case of a tree with multiple trunks, a total trunk circumference of 1.5m or less, with an average trunk circumference of less than 625 millimeters.

_____

(Chief Executive Officer)

FORM 6A

COUNCIL ADOPTION

This Complex Amendment was adopted by resolution of the Council of the City of Nedlands at the Ordinary Council Meeting of the Council held on the 28th day of June 2022.

.....

MAYOR

.....

CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the City of Nedlands at the Ordinary Council Meeting of the Council held on the 28th day of June 2022, proceed to advertise this Amendment.

.....

MAYOR

.....

CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended for support by resolution of the City of Nedlands at the Ordinary Meeting of the Council held on 28th day of June 2022 and the Common Seal of the City of Nedlands was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....

MAYOR

.....

CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....

DELEGATED UNDER S.16 OF THE P&D ACT 2005

DATE.....

FORM 6A - CONTINUED

APPROVAL GRANTED

.....

MINISTER FOR PLANNING

DATE.....

16.7 PD41.06.22 West Melvista Precinct Parking Restriction

Meeting & Date	Council – 27 June 2022
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Report Author	Jessica Bruce A/Manager Health & Compliance
Director	Tony Free Director Planning and Development
Attachments	1. Current West Melvista Precinct Parking Restrictions 2. Proposed West Melvista Precinct Parking Restrictions

Purpose

To seek community consultation within the West Melvista Precinct to introduce timed parking restrictions. This is to alleviate parking impacts on residents and business in response to increased construction activities particularly around the Oryx Development.

Recommendation

That Council approves the proposed consultation with residents, businesses, and community/sporting organisations to introduce timed parking for the streets surrounding the development.

Voting Requirement

Simple Majority.

Background

Oryx Developments will be shortly commencing construction of 'The Melvista Nedlands' at 16-18 Betty Street & 73-75 Doonan Road Nedlands. This four-storey development will provide 80 aged care rooms and suites.

The majority of on-street parking surrounding the development is currently unrestricted and primarily used for residential purposes with very few commercial entities operating within the vicinity. It is anticipated that the demand for on street parking will increase markedly when the development begins its construction phase.

Discussion

The Administration will continue to require builders to address parking as part of their construction management plans. However, the City is limited in its ability to encourage and enforce builders to manage their parking associated with their development without changes to the existing parking restrictions. It is expected that vehicles associated with the construction will predominately park in the residential areas close to the building sites leading to potential concerns from residents being unable to have access to parking in their street if no parking restrictions are implemented. By taking this proactive action on this issue it is expected this will reduce the likelihood of impact on residents.

In order to alleviate the impact of this on residents of the area the City is proposing the temporary implementation of two hour time restricted parking on one side of the streets in precinct with No Parking applying to the other side surrounding this development. A section of verge on College Park on Melvista Avenue will be allocated to the construction company at a cost and designated as 'Authorised Vehicles Only.' It is anticipated that this will ensure equitable use of the on street parking surrounding the development. This reflects similar arrangements recently adopted by Council in February 2022 for the Broadway Precinct Parking Restrictions and the allocation of land on Bruce Street for trades vehicle parking.

In support, the City currently offers parking permits to residents in accordance with the *City of Nedlands Parking and Parking Facilities Local Law 2017*. This allows residents and their visitors to park over the time limitation on streets near their property when displaying a valid permit. Residents will be advised through this consultation process of this option and how they can apply.

The current parking restrictions for the West Melvista Precinct are illustrated in the maps below (Attachment 1). The proposed parking restrictions in this precinct will be largely uniform from Monday to Saturday (Attachment 2). Table 1 provides a list of current restrictions and proposed restrictions.

Table 1: Current and Proposed Restrictions

Street	Section	Current Restriction	Proposed Restriction (either side)
Bostock Road	Melvista Ave – Princess Road	No Restriction	No Parking Mon – Sat 2P Mon – Sat No Parking – Auth Only
Leopold Street	Melvista Ave – Princess Road	No Restriction	No Parking Mon – Sat 17. 2P Mon - Sat
Betty Street	Princess Road – Granby Street	No Parking	2P Mon – Sat No Parking (ongoing)
	18. Granby St – Melvista Ave	No Stopping	2P Mon – Sat No Stopping
Doonan Rd	Princess Rd – Melvista Ave	No Parking	2P Mon – Sat No Parking
Vincent St	Princess Rd – Melvista Ave	No Restriction	No Parking Mon – Sat
Louise Street	Princess Road – Melvista Avenue	No Restriction	No Parking Mon – Sat 2P Mon - Sat

Stone Road	Melvista Avenue– Goldsmith Road	No Restriction	No Parking Mon – Sat 2P Mon - Sat
Sherwood Road	Melvista Avenue – Goldsmith Road	No Restriction	No Parking Mon – Sat 2P Mon - Sat
Hackett Road	Watkins Road – Melvista Avenue	No Restriction	No Parking Mon – Sat 2P Mon - Sat
Garland Road	Watkins Road – Kathryn Crescent	No Restriction	No Parking Mon – Sat 2P Mon - Sat
Sutcliffe Street	Melvista Avenue – Hotchin Street	No Restriction	No Parking Mon – Sat 2P Mon - Sat
Melvista Avenue	Loton Road – Stone Road	No Restriction	No Parking Mon – Sat 2P Mon – Sat
	Stone Road – Bostock Road	No Restriction	No Parking – Auth Only 2P Mon - Sat
	Bostock Road – Sherwood Road	No Restriction	No Parking Mon – Sat 2P Mon - Sat
	Sherwood Road – Sutcliffe Street	No Restriction	No Parking Mon – Sat 2P Mon - Sat
Adelma Road	Melvista Avenue – Stephanie Street	No Restriction	No Parking Mon – Sat
Riley Road	Stone Road – Hackett Road	No Restriction	No Parking Mon – Sat 2P Mon - Sat
Goldsmith Road	Stone Road – Garland Street	No Restriction	No Parking Mon – Sat 2P Mon - Sat
Stephanie Street	Garland Street – Adelma Road	No Restriction	No Parking Mon – Sat 2P Mon - Sat
Hotchin Street	Adelma Road – Sutcliffe Street	No Restriction	No Parking Mon – Sat 2P Mon - Sat

Consultation

The City will consult residents, businesses and sporting/community groups in the areas affected by letter to explain proposed parking restrictions along with the impacts if these parking measures are not in place. As part of the consultation residents would be advised of their option to apply for parking permits in line with the current scheme to allow them or their visitors on street parking where posted restrictions are proposed to be implemented.

Further information regarding the changes to the parking restrictions will be communicated to the UWA Nedlands FC, Westside Wolves Hockey Club, Western Suburbs Cricket Club, Aim Archery Group, Claremont Nedlands Cricket Club (Juniors) and Kidz Galore. The City will work with the clubs and groups to consult alternative use of land within the management area or other facilities for parking during competitions and events.

The Community Consultation of the proposal will include a targeted letter campaign to the residents of the precinct likely to be affected by the changes along with an online community engagement through Your Voice on the City website. This will be advertised for two weeks following a resolution by Council. This will be undertaken in accordance with the Community

Engagement Council Policy as it relates to engagement processes with respect to consultation.

This feedback obtained through the consultation period will be then collated and the information presented to Council for adoption.

Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan.

Values

Great Natural and Built Environment
We protect our enhanced, engaging community spaces, heritage, the natural environment, and our biodiversity through well-planned and managed development.

Easy to Get Around
We strive for our City to be easy to get around by preferred mode of travel, whether by car, public transport, cycle, or foot.

Priority Area Managing parking

Budget/Financial Implications

The consultation will be budgeted through the already existing operational accounts.

Legislative and Policy Implications

City of Nedlands Parking and Parking Facilities Local Law 2017.

Conclusion

Increased demand for parking is anticipated in the West Melvista Precinct due to increased building construction activity resulting from the adoption of Local Planning Scheme 3.

The Administration, therefore, recommends Council approve a consultation period to obtain feedback to introduce parking restrictions in the surrounding streets and progress parking arrangements with builders for the exclusive use of a section of verge on College Park.

Further Information

N/A.

EXISTING PARKING RESTRICTIONS LEGEND

- NO STOPPING (EITHER SIGNPOSTED OR CONTROLLED BY ROAD TRAFFIC CODE 2000)
- NO PARKING
- BUS ZONE



AMENDMENTS					
REVISION			DESCRIPTION	APPROVED	
A	S.F	19/05/22	Issued for Review	J.B	20/05/22
No.	DRN	DATE		BY	DATE

ORIENTATION

City of Nedlands

NTS

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MELVISTA PARKING PRECINCT

EXISTING PARKING RESTRICTIONS

DESIGNED BY	S.F	19/05/22
DRAWN BY	S.F	19/05/22
CHECKED BY	J.B	20/05/22
APPROVED BY	J.B	20/05/22

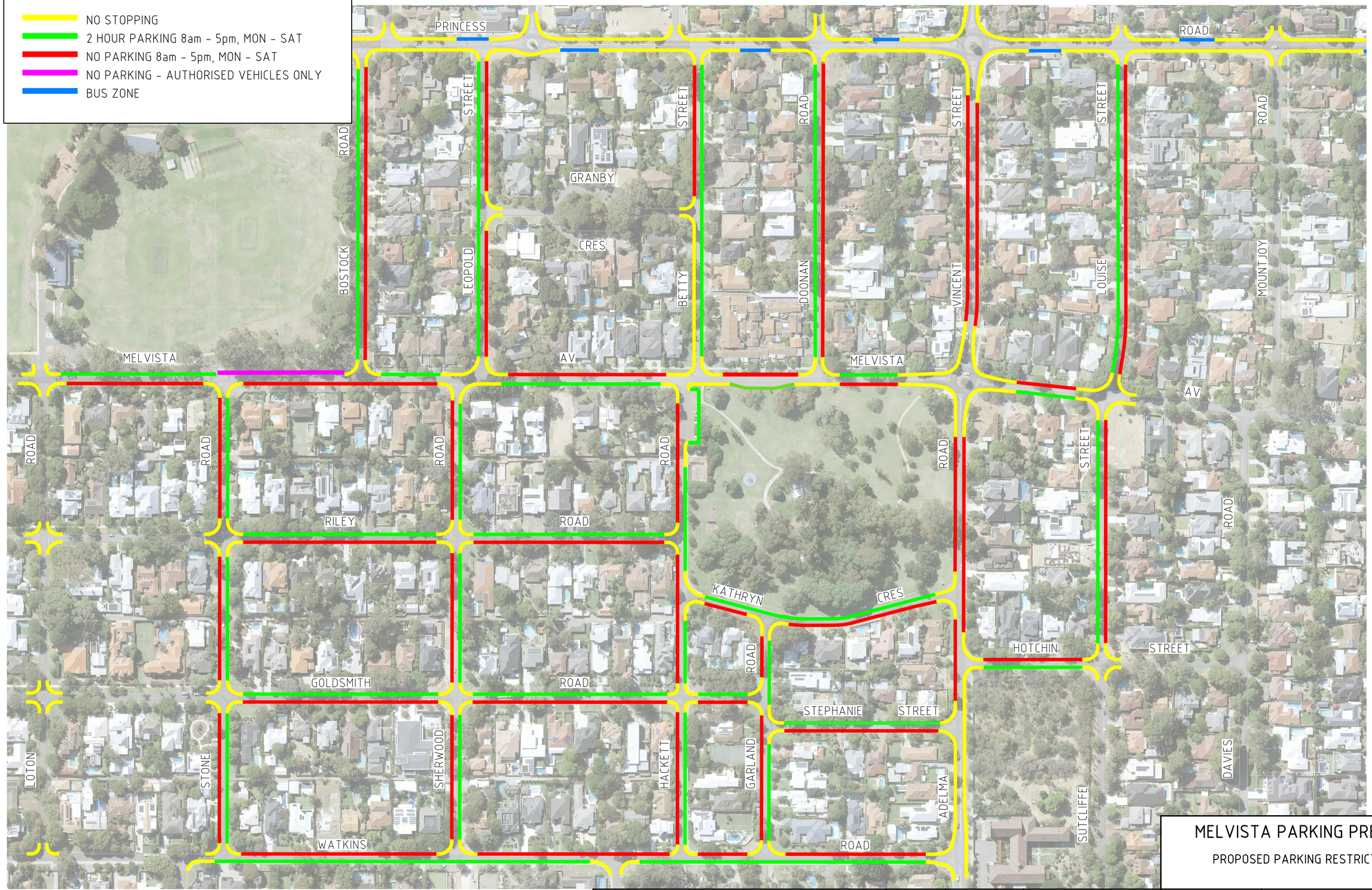
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A1 | SHEET 1 OF 2 | REVISION A

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PROPOSED PARKING RESTRICTIONS LEGEND

- NO STOPPING
- 2 HOUR PARKING 8am - 5pm, MON - SAT
- NO PARKING 8am - 5pm, MON - SAT
- NO PARKING - AUTHORISED VEHICLES ONLY
- BUS ZONE



AMENDMENTS					
REVISION			DESCRIPTION	APPROVED	
A	S.F	19/05/22	Issued for Review	J.B	20/05/22
No.	DRN	DATE		BY	DATE

ORIENTATION

City of Nedlands

NTS

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MELVISTA PARKING PRECINCT

PROPOSED PARKING RESTRICTIONS

DESIGNED BY	S.F	19/05/22
DRAWN BY	S.F	19/05/22
CHECKED BY	J.B	20/05/22
APPROVED BY	J.B	20/05/22

DRAWING NUMBER: -

A1 | SHEET 2 OF 2 | REVISION A

L:\FWP Forward Works Programmes\2022\MELVISTA PARKING PRECINCT\DESIGN\CONCEPT\Melvista Parking Precinct Plan.dwg 19/5/2022 - 2:56pm sfletcher

16.8 PD42.06.22 Bird Watering Stations

Meeting & Date	Council Meeting – 28 June 2022
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Report Author	Jessica Bruce – Acting Manager Health and Compliance
Director	Tony Free - Director Planning and Development
Attachments	Nil.

Purpose

The purpose of this report is to respond to Council's request to investigate the installation of bird watering stations and to consult with BirdLife Australia to establish a regular bird census similar those conducted for the Lake Claremont Advisory Committee.

Recommendation

That Council:

1. **notes the purchase of a bird watering station for Hollywood Reserve in the 2021/22 financial year utilising $2,000 donation funding from the Friends of Hollywood Reserve;**

2. **notes the donation from the Friends of Hollywood Reserve towards of the provision of the bird watering station;**

3. **lists for consideration six bird watering stations in the 10 year forward works plan as part of consideration of the 2023/24 Capital budget subject to supporting grant funding; and**

4. **notes that the City has regular bird census data available through the Birdata platform provided by BirdLife Australia.**

Voting Requirement

Simple Majority.

Background

Council at its meeting on 22 March 2022 under item 22.5 agreed to investigate the installation of bird watering stations, appropriate locations, possible grants and funding options, and consult with BirdLife Australia to establish a regular bird census similar to those conducted for the Lake Claremont Advisory Committee.

Discussion

Nedlands Bird Survey Data

The City of Nedlands manages approximately 63 hectares (ha) of remnant bushland for conservation purposes. The bushland areas within the City consist of six main bushlands and a number of smaller bush blocks and greenways. All the City's bushlands are actively managed and contain a variety of bird species which are supported by varied vegetation types and habitats such as coastal, estuarine and woodlands areas.

There are a number of ongoing bird surveys being undertaken within Nedlands which include:

- Bird banding at Shenton Bushland by Edith Cowan University (ECU) in conjunction with BirdLife Australia at monthly intervals for more than a decade;
- Ongoing regular surveys at Allen Park, Point Resolution and Hollywood Reserve; and
- Irregular surveys at Mt Claremont Oval and Birdwood Parade bushlands.

Some of the surveys are undertaken by community 'Friends of' groups and the survey information is only accessible to the volunteer groups who have undertaken the surveys. Other surveys are reported in Birdata which is an online platform that enables volunteers and researchers to enter bird survey data into a web portal.

Birdata was established to help protect Australian birds and the program links with other bird conservation programs including the Atlas Program, Shorebirds 2020, WA Black-Cockatoos and Birds in Backyards. Birdata can be accessed online at Explore | Birdata (birdlife.org.au).

To ensure increased reporting of Nedlands bird survey data, the City's Administration have liaised with the five City of Nedlands 'Friends of' groups to raise awareness of the Birdata platform. After liaising with the Friends of Point Resolution some of their members who are responsible for undertaking the bird census for the Lake Claremont Advisory Committee have kindly agreed to survey Point Resolution quarterly and update the survey results into Birdata.

In addition to raising awareness of the Birdata platform and additional surveys being undertaken at Point Resolution, the City asked if BirdLife Australia could engage their volunteers to undertake regular bird surveying at Allen Park, Mt Claremont Oval, Hollywood Reserve and Birdwood Parade bushlands. BirdLife Australia have agreed to survey these bushland areas at regular intervals provided they have volunteers available.

Bird Watering Stations

Bird watering stations have been installed in parks and reserves across a number of local governments in the metropolitan area. They provide clean drinking water for birds and a safe environment for them to drink where there is a consistent water supply during warmer months. Many bird species benefit from bird watering stations including the *Endangered* Carnaby's Black-Cockatoo and the *Threatened* Forest Red-tailed Black-Cockatoos that have roost sites in Nedlands and regularly frequent the City's bushland areas.

Car strikes are another threat to Black-Cockatoos within Nedlands especially where they forage close to the roadside. Drinking from puddles along roadsides are also leading to car strikes. Bird watering stations help protect the birds by providing a reliable water source away from dangerous road ways.

The bird watering stations are designed and supplied by the Town of Victoria Park and in addition to providing a clean reliable water source they are also attractive and are a way of incorporating artwork into public areas.

There are potentially seven suitable locations including six within the City's six main bushland areas and one in the bushland protection zone at Montario Quarter. The total cost to supply each bird watering station is approximately $6,100 (ex gst) which includes $4,100 for supply and between $1,000 - $2,000 for installation which is dependent on the distance they are installed from a Mains water source. With approximately seven possible locations to install bird watering stations within the City, it would cost a total of approximately $42,700 (ex gst).

The City's Administration has been liaising with the Friends of Hollywood Reserve to install a bird watering station at Hollywood Reserve since the unplanned fire in January 2022. The Friends of Hollywood Reserve received a number of donations after the unplanned fire at Hollywood Reserve and they would like to offer $2,000 of their donation money to the City to assist with the purchase of a bird watering station for Hollywood Reserve.

Provided Council agrees to accept the Friends of Hollywood Reserve's donation money then Administration can move ahead with purchasing one bird watering station in the 2021-22 financial year by utilising $2,000 donation money and $2,100 of operational funding. The remaining $2,000 for installation of the bird watering station could be completed in the 2022-23 financial year.

With regards to the remaining six potential bird watering stations these would cost approximately $36,600 and therefore need to be included in the ten year forward works program. There are two possible grants that could be applied for including the State Natural Resource Management (NRM) grants and Lotterywest grants which are highly competitive and vary in available grant value. Both grant funding bodies require joint funding contribution and sufficient scientific evidence that the watering stations are needed in addition to their normal feeding and watering activities in order to be eligible. Furthermore, the City is not in a position to apply for the current grant rounds as budget contribution has not been allocated towards the grant project and applications have closed.

If the Council approves funding of $30,000 in the 2023/24 Capital budget then the City would be in a position to apply for a grant for multiple bird watering stations to support the costs and install.

Consultation

The City's Environmental Conservation program actively engages with the five 'friends of' groups in the management of the City's bushland areas and has raised awareness of the Birdata platform and the bird watering stations with the groups.

Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan.

Vision Our city will be an environmentally-sensitive, beautiful and inclusive place.

Values

Great Natural and Built Environment
We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

Great Governance and Civic Leadership
We value our Council's quality decision-making, effective and innovative leadership, transparency, accountability, equity, integrity and wise stewardship of the community's assets and resources. We have an involved community and collaborate with others, valuing respectful debate and deliberation.

Great Communities
We enjoy places, events and facilities that bring people together. We are inclusive and connected, caring and support volunteers. We are strong for culture, arts, sport and recreation. We have protected amenity, respect our history and have strong community leadership.

Reflects Identities
We value our precinct character and charm. Our neighbourhoods are family-friendly with a strong sense of place.

Priority Area Retaining remnant bushland and cultural heritage

Budget/Financial Implications

The bird watering stations cost approximately $6,100 to supply and install. There is currently $2,100 in the 2021-22 operational budget which can be utilised along with $2,000 of the Friends of Hollywood Reserve's donation money to purchase one bird watering station prior to the end of the 2021-22 financial year.

As the outcome of this report item will only be known on the 28 June and close to the end of the 2021-22 financial year, the installation costs of $2,000 of the bird watering station would need to be paid for out of the 2022-23 operational budget.

In order to seek grant funding to purchase six additional bird watering stations totalling $30,000, this will need to be included in the 2023/24 Capital budget.

Legislative and Policy Implications

The following legislative and policy implications relate to this item:

- Greenways Council Policy.docx (live.com)
- Natural Areas Management Council Policy.docx (live.com)

Decision Implications

N/A

Conclusion

The City of Nedlands is committed to protecting bird species and will continue to assist volunteers to survey and record bird data within the City through the City's 'Friends of' activities and BirdLife Australia's Birdata platform.

There is funding available in the 2021-22 Council budget to purchase one bird watering station using $2,000 donation money from the Friends of Hollywood Reserve and $2,100 from the operational budget. It is recommended that the City purchase a bird watering station for Hollywood Reserve this financial year and seek Council and grant funding for an additional six bird watering stations by including $30,000 in the 2023/24 Capital budget.

Further Information

N/A.

17 Divisional Reports - Corporate & Strategy Report No's CPS23.06.22 to CPS26.06.22

17.1 CPS23.06.22 Differential Rates 2022/23 – Approval for Advertising

Meeting & Date	Council Meeting – 28 June 2022
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Report Author	Stuart Billingham – Manager Financial Services
Director	Michael Cole – Director Corporate Services
Attachments	1. Statement of Objects and Reasons for imposing the Differential Rates for 2022/23

Purpose

The purpose of this report is to seek Council approval for the advertising of the proposed differential rates and minimum rates for the 2022/23 financial year in accordance with *Section 6.36 of the Local Government Act 1995*.

Recommendation

That Council:

1. approves the advertising of the proposed differential rates for 2022/23 for:

a. for a period of 21 days by local public notice, in accordance with *Section 6.36(1)* of the *Local Government Act 1995*; and
b. post on the City's website, in accordance with *Section 6.36(3)(c)(ii)* of the *Local Government Act 1995*;

2. endorses proposed differential rates and minimums as follows:

a. Residential 0.06558 and minimum $1,521;
b. Residential Vacant 0.09042 and minimum $2,000;and
c. Non-residential 0.07314 and minimum $2,006; and

3. endorses the Statement of Objects and Reasons for each differential rate and minimum rate as detailed in Attachment 1.

Voting Requirement

Simple Majority.

Background

Each year where the City of Nedlands seeks to impose differential rates, it is required under section 6.36 of the *Local Government Act 1995* to advertise the proposed differential rates by local public notice for a period of at least 21 days, seeking submissions. Any submissions received are to be considered by Council.

Change in City of Nedlands Landgate Valuations

GRV Category	2021/22	2022/23	% change
Residential	$299,553,429	$301,771,849	0.74
Residential Vacant	$9,964,800	$10,859,650	8.98
Non-Residential	$53,129,577	$55,994,977	5.39

Number of assessments

GRV Category	2021/22	2022/23	% change
Residential	8,304	8,301	-0.036
Residential Vacant	275	331	20.363
Non-Residential	554	558	0.722

Discussion

The City imposes differential rates based on the purpose for which the land is zoned or for which the land is held or used. This allows the City the opportunity to levy different rates in the dollar on the Gross Rental Value (GRV) of different property classifications to reflect the differing levels of demand placed on City services and infrastructure in each differential category. Currently, the City uses 3 differential rate classifications as detailed following:

1. Residential
2. Residential Vacant
3. Non-Residential

The City also establishes a minimum rate for each differential rating classification to ensure that all ratepayers make a reasonable contribution to the cost of providing services and infrastructure by the City.

The draft Annual Budget for 2022/23 has been developed in consultation with Elected Members and it is proposed to bring the Annual Budget to a Special Council Meeting in early August 2022. In order to meet the statutory requirements under Section 6.36 of the Local Government Act 1995, the City proposes the following differential rates to be advertised for public comment:

Proposed increase from the 2021/22 Budget of 2.5% in the rate in the dollar and minimum rates for Residential and Non-residential categories. Proposed an increase of 2.5% in the rate in the dollar Residential Vacant category however -7.6% reduction in minimum to ensure compliance with less than 50% of the Residential Vacant Land category on a minimum.

Differential Rate	Minimum Rate 2021/22	Minimum Rate Proposed	Rate in the Dollar ($) 2021/22	Rate in the Dollar ($) Proposed
Residential	$1,484	$1,521	0.06558	0.06722
Non-Residential	$1,957	$2,006	0.07314	0.07496
Residential Vacant	$2,165	$2,000	0.09042	0.09268

The proposed rates have been achieved through a critical review of operational costs to continue delivering services and achieving a capital program that matches delivery capacity.

In accordance with *Section 6.36 of the Local Government Act 1995*, the City is required to give local public notice of its intention to impose differential rates prior to adopting its budget for the 2022/23 financial year.

Consultation

The Council was presented with the draft budget information at a series of Councillor Briefings held during April, May, and June 2022. Proposed rates have been included in these discussions.

Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan.

Vision Our city will be an environmentally-sensitive, beautiful and inclusive place.

Values

High standard of services
We have local services delivered to a high standard that take the needs of our diverse community into account.

Great Governance and Civic Leadership
We value our Council's quality decision-making, effective and innovative leadership, transparency, accountability, equity, integrity and wise stewardship of the community's assets and resources. We have an involved community and collaborate with others, valuing respectful debate and deliberation.

Priority Area

- Urban form - protecting our quality living environment
- Renewal of community infrastructure such as roads, footpaths, community and sports facilities
- Underground power
- Encouraging sustainable building
- Retaining remnant bushland and cultural heritage
- Providing for sport and recreation
- Managing parking
- Working with neighbouring Councils to achieve the best outcomes for the western suburbs as a whole

Budget/Financial Implications

The proposed differential rates for 2022/23 budget ($26,036,164) will provide additional revenue of $1,058,509 compared to the 2021- 22 budget ($24,977,655) to the City.

Can we afford it? The proposed differential rates have been rate modelled in order to achieve the optimum level of service and infrastructure delivery for the City.

Legislative and Policy Implications

Section 6.36 of the Local Government Act 1995

Decision Implications

Should Council endorse the recommendation then the City will fulfill its Statutory obligations under *s6.36 of the Local Government Act 1995* to advertise proposed differential rates for 2022/23 by giving Local Public Notice for 21 days and consider any submissions received. Should council not endorse the recommendation, this would result in delays to the adoption of the final budget for 2022/23.

Conclusion

Council's approval of the proposed differential rates and the supporting Statement of Objects and Reasons for Differential Rates will allow the City to meet its statutory obligation to advertise the proposed rate in the dollar and minimum rates for 21 days for public comments.

Further Information

N/A

City of Nedlands

Objects and Reasons for Imposing Differential Rates for 2022/23

The following Objects and Reasons are provided in accordance with Section 6.36 of the *Local Government Act 1995* and the Council's "Notice of Intention to Levy Differential Rates" for the 2022/23 Financial Year on various categories of properties within the City.

The differential rates are to be levied in accordance with Sections 6.33 of the *Local Government Act 1995*. This document outlines the objects and reasons for implementing differential general rates.

Overall rating objective

The overall objective of the proposed rates in the 2022/23 Budget is to provide for the net funding requirement of the City of Nedlands' various programs, services, and facilities.

Pursuant to Section 6.36 (1) of the Act, the City has given local public notice of its intention to apply differential general rates and minimum payments in respect of each differential rating category.

Differential General Rating

The purpose of imposing a GRV differential rating for residential, residential vacant land and non-residential is to obtain a fair and equitable form of revenue raising from all categories of properties in the City.

Under the *Local Government Act*, Section 6.33 Differential general rates, a local government may impose differential general rates according to any, or a combination, of the following characteristics —

(a) the purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the *Planning and Development Act 2005*; or

(b) a purpose for which the land is held or used as determined by the local government; or

(c) whether or not the land is vacant land; or

(d) any other characteristic or combination of characteristics prescribed

The differential rates categories for Residential, Residential Vacant and Non-Residential for 2022/23 are proposed as:

Differential Rate	Minimum Rate Proposed	Rate in the Dollar ($) Proposed
Residential	$1,521	0.06722
Non-Residential	$2,006	0.07496
Residential Vacant	$2,000	0.09268

Following are the objects and reasons for each of the differential rates: -

1. **Residential Differential Rate**

   The rate in the dollar and minimum rate have been set on the basis that ratepayers make a reasonable contribution to the cost of local government and facilities.

2. **Residential Vacant Differential Rate**

   The rate in the dollar and minimum rate have been set in an effort to promote development of properties thereby stimulating growth and development in the Community.

3. **Non-Residential Differential Rate**

   The rate in the dollar and minimum rate have been set to provide for a reasonable contribution towards infrastructure and the cost of local government.

Electors and ratepayers of the City of Nedlands are invited to submit their comments on the above rates in writing by 25 July 2022. Submissions should be addressed to the Chief Executive Officer, City of Nedlands, PO Box 9, Nedlands WA 6909 or council@nedlands.wa.gov.au, with “Differential Rates” in the subject line.

Bill Parker
Acting Chief Executive Officer

17.2 CPS24.06.22 Monthly Financial Report – May 2022

This item will be dealt with at the Ordinary Council Meeting.

17.3 CPS25.06.22 Monthly Investment Report – May 2022

This item will be dealt with at the Ordinary Council Meeting.

17.4 CPS26.06.22 List of Account Paid – May 2022

This item will be dealt with at the Ordinary Council Meeting.

18 Reports by the Chief Executive Officer CEO05.06.22

18.1 CEO05.06.22 Review of Local Laws under section 3.16 of the Local Government Act 1995

Meeting & Date	Council – 28 June 2022
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Report Author	Chris Liversage – Consultant- Conway Highbury
Officers	Nicole Ceric – Executive Officer Sam Curulli – Governance Officer
Attachments	Nil

Purpose

Section 3.16 of the *Local Government Act 1995* requires local governments to undertake a review of their local laws every eight years. The City's local laws are due for review.

This involves a process of calling for public comment, after which any changes required can then be made or redundant local laws repealed.

Recommendation

Council approves that:

1. **local public notice be given stating that the City proposes to review its local laws under s3.16 of the *Local Government Act 1995*;**

2. **a copy of the local laws may be inspected or obtained at the City offices or from its website;**

3. **submissions about the local laws may be made to the City before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and**

4. **the results of the above advertising be presented to Council for consideration of any submissions received.**

Voting Requirement

Absolute Majority.

Background

Section 3.16 of the Local Government Act 1995 requires Local Governments to undertake a review of their local laws every eight years.

A number were made after 2013 but it will be more efficient to undertake a review of all local laws at once so that the exercise does not need to be repeated for individual local laws in future.

All local laws that the City has in place, when they were made, and comments about them are shown below. Without pre-empting the outcome of the review, possible action that may be required is also shown to assist:

Title	Gazettal date(s)	Comments	Possible outcome
Health Local Law 2017	Date: 9-1-2018; Page: 69-111	Repeals the City of Nedlands Health Local Law 1997 published 9 February 1998	Leave as is
Waste Local Law 2016	Date: 7-6-2017; Page: 2837-2844		Leave as is
Waste Amendment Local Law 2017	Date: 20-4-2018; Page: 1313-1317	Amends the City of Nedlands Waste Local Law 2016 as published in the Government Gazette on 7 June 2017	No change; this is an Amendment local law.
Repeals Local Law	Date: 4-10-2016 Page: 4240	Repeals the City of Nedlands Signs Local Law 2007 published in the Government Gazette on 13 February 2008, Fencing Local Law 2007 published in the Government Gazette on 13 February 2008.	Leave as is
Parking and Parking Facilities Local Law 2013	Date: 23-10-2013 Page: 4777-4796		Update to reflect changes to Regulations regarding disabled persons parking
Parking and Parking Facilities Amendment Local Law 2016	Date: 27-1-2017 Page: 1037	Amends Parking Local Law gazetted on 23/10/2013	No change; this is an Amendment local law.

Title	Gazettal date(s)	Comments	Possible outcome
Halls, Council	Date: 1-9-2000 Page: 5016-5018		Repeal and combine into potential new Local Government Property and Public Places Local Law
Long Service Leave	Date: 25-7-1988	Covered by Local Government (LSL) regulations	Repeal
Eating Areas In Streets & Public Areas	Date: 5-2-1988 Page: 2836		Repeal and combine into potential new Local Government Property and Public Places Local Law
Refuse Removal of	Date: 4-6-1982 Page: 1833		Check if covered by s3.25 etc of Local Government Act 1995; likely repeal
Old Refrigerators - Cabinets	Date: 15-1-1982 Page: 97		Repeal and combine into potential new Local Government Property and Public Places Local Law
Bathing Boundaries Extension of - Metric Conversion	Date: 5-9-1975 Page: 3243		Repeal and combine into potential new Local Government Property and Public Places Local Law
Fencing - Metric Conversion	Date: 25-7-1975 Page: 2745		Repeal
Footpaths Prevention of Damage - Metric Conversion	Date: 25-7-1975 Page: 2746		Repeal and combine into potential new Local Government

Title	Gazettal date(s)	Comments	Possible outcome
			Property and Public Places Local Law
Signs, Blinds, Awnings, Advert Hoardings & Bill Posting - Metric Conversion	Date: 25-7-1975 Page: 2476-8		Check if Signs covered under Local Planning Scheme; otherwise repeal
Amusements	Date: 8-11-1974 Page: 5026-28		Repeal
Long Service Leave	Date: 13-1-1971 Page: 80	Covered by *Local Government (LSL) Regulations*	Repeal
Reserve Fees To Be Charged For Admission To Point Resolution	Date: 29-11-1962 Page: 3822		Dealt with in annual budget - repeal
Buildings - Application of Part XV Municipal Corp Act to Whole	Date: 18-5-1956 Page: 1226	Dealt with by Building Act	Repeal
Reserves Foreshores and Beaches	Date: 19-3-2001; Page: 1409-1417		Repeal and combine into potential new Local Government Property and Public Places Local Law
Trading in Public Places	Date: 13-3-2001; Page: 1373	Crosscheck against 2000 Local Law below	Repeal and combine into potential new Local Government Property and Public Places Local Law
Thoroughfares Local Law	Date: 10-11-2000; Page: 6219-6230		Repeal and combine into potential new Local Government Property and Public Places Local Law

Title	Gazettal date(s)	Comments	Possible outcome
Trading in Public Places Local Law 2000	Date: 11-7-2000 Page: 3809	Crosscheck against Local Law above	Repeal and combine into potential new Local Government Property and Public Places Local Law
Refuse Removal of	Date: 9-5-2000 Page: 2235	Check content but repeal if covered by Waste Local Law and/or s3.25 LG Act	Repeal
Stalls	Date: 2-3-1990 Page: 1313		Repeal and combine into potential new Local Government Property and Public Places Local Law
Street Alignment New - Aberdare Rd	Date: 19-10-1978 Page: 3804/5	Check if still required/ used.	Repeal
Fencing - Metric Conversion (29.12.33)	Date: 25-7-1975 Page: 2748		Repeal
Building Line Stirling Highway - Metric Conversion	Date: 25-7-1975; Page: 2748		Repeal
Old Refrigerators & Cabinets - Metric Conversion	Date: 25-4-1975; Page: 1228/9		Repeal
Halls Control & Management of	Date: 22-5-1972; Page: 1334		Repeal and combine into potential new Local Government Property and Public Places Local Law
Footpaths	Date: 4-5-1971 Page: 1326/8		Repeal and combine into potential new Local Government Property and Public Places Local Law

Title	Gazettal date(s)	Comments	Possible outcome
Old Refrigerators & Cabinets - Draft Model By-Law No. 8	Date: 12-10-1962 Page: 3439	Check content but repeal if covered by Waste Local Law and/or s3.25 LG Act	Repeal
Refuse Removal of	Date: 17-8-1960; Page: 2485/6	Check content but repeal if covered by Waste Local Law and/or s3.25 LG Act	Repeal
Television	Date: 25-3-1960 Page: 896	Not used	Repeal
Petrol Pump	Date: 11-12-1959 Page: 3027/9	Superseded by State legislation	Repeal
Signs Blinds, Awnings, Advertising, Hoardings & Bill Posting	Date: 11-12-1959; Page: 3030-7	Check controls in Local Planning Scheme and other places (eg MRWA Regulations re advertising devices Stirling Highway)	Repeal
Superannuation	Date: 19-9-1957	Dealt with by Local Government (Long Service Leave) Regulations	Repeal
Schedule XI	Date: 3-8-1956; Page: 1928	Unclear what by-law relates to	Repeal
Standing Orders Local Law 2009	Date: 13-5-2009 Page: 1601-1621		Amend as required by Council
Standing Orders Amendment Local Law 2016	Date: 19-8-2016 Page: 3571-3572	Amends Standing Orders - 13/5/2009	Nil
Standing Orders Amendment Local Law 2014	Date: 14-3-2014 Page: 630	Amends Standing Orders - 13/5/2009	Nil
Standing Orders Amendment Local Law 2011	Date: 8-3-2011 Page: 800-1	Amends Standing Orders - 13/5/2009	Nil
Site Erosion and Sand Drift Local Law 2014	Date: 5-8-2014 Page: 2827-9		Leave as is

Title	Gazettal date(s)	Comments	Possible outcome
City of Nedlands Dogs Local Law	Date: 11-10-2012 Page: 4837-4847	Repeals City of Nedlands Local Law Relating to Dogs that was gazetted on 10 November 2000.	Review to ensure provisions relating to dog exercise areas are correctly made
City of Nedlands Dogs Amendment Local Law 2013	Date: 5-7-2013 Page: 3012	Amends the City of Nedlands Dogs Local Law gazetted on 11 Oct 2012.	Nil
Reserves Foreshores and Beaches	Date: 20-11-2001 Page: 6012		Repeal and combine into potential new Local Government Property and Public Places Local Law
Old Refrigerators and Cabinets	Date: 9-5-2000 Page: 2235	Check if dealt with by Waste Local Law	Repeal
Street Lawns & Gardens & Laying of Pipes Under Carriage Ways	Date: 23-12-1994 Page: 7101-2		Repeal and combine into potential new Local Government Property and Public Places Local Law
Street Alignment New - Stirling Hwy	Date: 15-9-1989 Page: 3431		Repeal and combine into potential new Local Government Property and Public Places Local Law
Stalls	Date: 15-4-1983; Page: 1214/6		Repeal and combine into potential new Local Government Property and Public Places Local Law

Title	Gazettal date(s)	Comments	Possible outcome
Footpaths Prevention of Damage	Date: 4-7-1980; Page: 2188		Repeal and combine into potential new Local Government Property and Public Places Local Law
Roads Regulate Laying of Pipes & Pipelines Beneath - Metric Conversion	Date: 25-7-1975; Page: 2749		Repeal and combine into potential new Local Government Property and Public Places Local Law
Signs, Blinds, Awnings	Date: 29-11-1962; Page: 3821	Check if dealt with by Local Planning Scheme.	Repeal

Consultation

As part of a review of local laws under section 3.16 of the *Local Government Act 1995*, a local government is required to give local public notice, inviting submissions for a period of not less than 6 weeks.

Any feedback from the public consultation process will be presented to council; and in addition any changes to local laws must then be undertaken under s3.12 of the Act to make a new, amendment or repeal local law.

Strategic Implications

Keeping local laws up to date ensures the City is well placed to deal with any issues that may arise.

Budget/Financial Implications

There are costs associated with the review and advertising of the City's local laws for public comment, as well as any costs that may arise as a result of any amendments that may then be required. Funds have been allocated in the budget.

To reduce these costs, local laws used by local governments of a similar nature to the City or models developed by the WA Local Government Association can be used.

Legislative and Policy Implications

Under section 3.16 of the Local Government Act 1995 Local Laws are required to be reviewed within 8 years from the day when a local law commenced.

Section 3.12 of the Local Government Act 1995 outlines the procedure to be followed when making or reviewing local laws.

Decision Implications

Council is required under the Local Government Act 1995 to review all of its local laws periodically within 8 years of the adoption date. Should Council decide not to proceed with a local law review the City would be in breach of the Local Government Act 1995.

In addition to fulfilling its statutory obligation under the Act to regularly review its local laws, keeping local laws up to date ensures the City is well placed to deal with any issues that may arise, as well as the community benefit of removing redundant or unnecessary regulation.

Conclusion

Therefore, it is recommended that Council approve to commence the review process as required under the Local Government Act.

Further Information

N/A

19. Council Members Notice of Motions of Which Previous Notice Has Been Given

This item will be dealt with at the Ordinary Council Meeting.

20. Urgent Business Approved by the Presiding Member or by Decision

This item will be dealt with at the Ordinary Council Meeting.

21. Confidential Items

Confidential items to be discussed at this point.

22. Declaration of Closure

There being no further business, the Presiding Member will declare the meeting closed.