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**Agenda**

**Council Committee Meeting**

**9 March 2021**

Dear Council Member

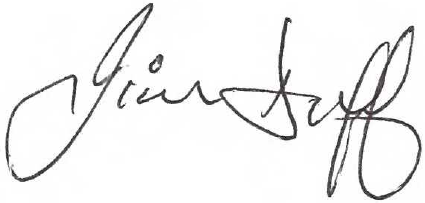
The next meeting of the Council Committee will be held on Tuesday 9 March 2021 in the Adam Armstrong Pavilion located at Beatrice Road, Dalkeith commencing at 7.00pm. This meeting will also be livestreamed.

Please be aware COVID-19 2m² restrictions with 1.5m social distancing rules apply. Once the venue is at capacity no further admission into the room will be permitted. Prior to entry, attendees will be required to register using the SafeWA App or by completing the manual contact register prior to entry - as stipulated by Department of Health mandatory requirements.

The public can continue to participate by submitting questions and addresses via the required online submission forms at:

<http://www.nedlands.wa.gov.au/intention-address-council-or-council-committee-form>

<http://www.nedlands.wa.gov.au/public-question-time>



Jim Duff

Acting Chief Executive Officer

5 March 2021

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**City of Nedlands**

**Notice of a meeting of the Council Committee to be held in the Adam Armstrong Pavilion, Beatrice Road, Dalkeith on Tuesday 9 February 2021 at 7 pm.**

###### Council Committee Agenda

# Declaration of Opening

The Presiding Member will declare the meeting open at 7 pm and will draw attention to the disclaimer below.

# Present and Apologies and Leave of Absence (Previously Approved)

**Leave of Absence** Nil.

**(Previously Approved)**

**Apologies** None as at distribution of this agenda.

**Disclaimer**

Members of the public who attend Council meetings 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.

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

# Public Question Time

A member of the public wishing to ask a question should register that interest by notification in writing to the CEO in advance, setting out the text or substance of the question.

The order in which the CEO receives registrations of interest shall determine the order of questions unless the Mayor determines otherwise. Questions must relate to a matter affecting the City of Nedlands.

# Addresses By Members of the Public (only for items listed on the agenda)

Addresses by members of the public who have completed Public Address Session Forms will be invited to be made as each item relating to their address is discussed by the Committee.

# Disclosures of Financial and/or Proximity Interest

The Presiding Member to remind Councillors 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.

# Disclosures of Interests Affecting Impartiality

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

Councillors 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.

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

Members who have not read the business papers to make declarations at this point.

# Confirmation of Minutes

## Committee Meeting 9 February 2021

The Minutes of the Council Committee held 9 February 2021 are to be confirmed.

# Matters for Which the Meeting May Be Closed

In accordance with Standing Orders and for the convenience of the public, the Committee is to identify any matter which is to be discussed behind closed doors at this meeting and that matter is to be deferred for consideration as the last item of this meeting.

# Divisional Reports

Note: Regulation 11(da) of the *Local Government (Administration) Regulations 1996* requires written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70, but not a decision to only note the matter or to return the recommendation for further consideration.

## Planning & Development Report No’s PD05.21 to PD10.21

Planning & Development Report No’s PD 05.21 to PD10.21 to be dealt with at this point (copy attached yellow cover sheet).

PD05.21 Reconsideration of Planning Application – No. 37 Strickland Street, Mount Claremont – Holiday House (Short Term Accommodation)

PD06.21 No. 14A Odern Crescent, Swanbourne – Single House

PD07.21 No. 26 Louise Street, Nedlands – 5 x Grouped Dwellings

PD08.21 Establishment of a Design Review Panel, Final Adoption of the Design Review Panel Local Planning Policy and Appointment of Panel Members

PD09.21 RFT 2020-21.09 Natural Area Weed Control 2021-2025

PD10.21 Response to Proposed Policy Framework – Cumulative Traffic Impact Assessment.

## Community Development No’s CSD01.21 to CSD02.21

Report No’s CSD01.21 to CSD02.21 to be dealt with at this point (copy attached orange cover sheet).

CSD01.21 Community Sport and Recreation Facilities Fund Applications – Various Clubs

CSD02.21 Future use of Haldane House, 109 Montgomery Avenue, Mt Claremont

## Corporate & Strategy Report No’s CPS05.21 to CPS08.21

Report No’s CPS01.21 to CS04.21 to be dealt with at this point (copy attached green cover sheet).

CPS05.21 List of Accounts Paid – January 2021

CPS06.21 Future of Nedlands Child Health Clinic – 152 Melvista Avenue, Nedlands

CPS07.21 Swanbourne Nedlands Surf Life Saving Club – Variation to Lease at 282 Marine Parade, Swanbourne

CPS08.21 Mid-Year Budget Review – 2020/21

# Reports by the Chief Executive Officer

## Lot 538 and 539 (No. 93 and 95) Broadway, Nedlands - Amendment to Mixed Use Development - Responsible Authority Report

|  |  |
| --- | --- |
| **Committee** | 9 March 2021 |
| **Applicant** | Element |
| **Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.** | 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. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia*.* |
| **Director** | Tony Free – Director Planning & Development |
| **Acting CEO** | Jim Duff |
| **Attachments** | 1. Responsible Authority Report & Attachments |
| **Confidential Attachments** | Nil |

1. **Executive Summary**

In accordance with the *Planning and Development (Development Assessment Panels) Regulations 2011*, Administration have prepared a Responsible Authority Report for a Form 2 Application for the Metro-Inner North Joint Development Assessment Panel (JDAP) to consider. The application relates to a minor amendment to a Mixed Use Development at Lots 538 and 539 (No. 93 and 95) Broadway, which the JDAP approved on 14 September 2020.

The proposed modifications do not result in any changes to the current design, office and multiple dwelling aspects of the approved Mixed Use Development. All current conditions (except for Condition 13), advice notes and the four-year approval term remain the same.

The purpose of this report is to inform Council of the City’s recommendation to the JDAP and for Council to make its recommendation as the Responsible Authority.

**Recommendation to Committee**

**Council:**

1. **notes Administration’s recommendation that the proposed minor amendment to Mixed Use Development at Lots 538 and 539 (No. 93 and 95) Broadway, Nedlands be approved by the Metro Inner-North Joint Development Assessment Panel in the Responsible Authority Report (Attachment 1);**
2. **cnsiders the information in Attachment 1 relating to the proposed minor amendment to Mixed Use Development at Lots 538 and 539 (No. 93 and 95) Broadway, Nedlands and makes its recommendation to the Metro Inner-North Joint Development Assessment Panel as the Responsible Authority;**
3. **incorporates its recommendation into the Responsible Authority Report (Attachment 1) for the proposed minor amendment to mixed use development at Lots 538 and 539 (No. 93 and 95) Broadway, Nedlands; and**
4. **agrees to appoint Councillor (insert name) and Councillor (insert name) to coordinate Council’s submission and presentation to the Metro Inner-North JDAP.**
5. **Background**

At the Development Assessment Panel meeting held on 14 September 2020, the JDAP approved the Mixed Use Development at the site comprising of 38 Multiple Dwellings and an Office. The subject site is zoned ‘Mixed Use’ and has a density coding of R-AC3.

1. **Application Details**

An application has been made in accordance with r.17(c) of the *Planning and Development (Development Assessment Panels) Regulations 2011* as it amends an aspect of the development which does not substantially change the original development that has been approved*.* The proposed modifications subject to this amendment are summarised below:

* The applicant is seeking an amendment to the number of commercial car parking bays by reducing it from 5 to 4. A total reduction of 1 commercial bay;
* At basement level, the utilities referred to as ‘pumps and tanks’ is to be relocated to the south-western corner; and
* At ground level, an approved vacant area is to be provided with tanks and car park exhaust air duct is to be moved slightly to the east and one (1) additional motorcycle bay is to be provided in the north-west corner.

The proposed modifications only relate to internal changes to the Ground Floor and Basement Floor and do not result in any changes to the current design, office and multiple dwelling aspects of the approved mixed-use Development. All current conditions (except for Condition 13), advice notes and the four-year validity period of the 14 September 2020 approval remains the same.

1. **Consultation**

The City’s Local Planning Policy – Consultation of Planning Proposals states that the development proposal for multiple dwellings is classified as a “Complex” Application. In accordance with this policy, the application was advertised for a period of 21 days from 22 January 2021 to 13 February 2021. The following forms of notification included:

* 257 letters were sent to all City of Nedlands and City of Perth landowners and occupiers within a 200m radius of the subject site;
* A sign on site was installed at the frontage of the site for the advertising period;
* An advertisement was uploaded to the City’s website with all documents relevant to the application made available for viewing during the advertising period;
* An advertisement was placed in The Postnewspaper;
* A notice was affixed to the City’s Noticeboard at the City’s Administration Offices; and
* A community information session was held on 8 February 2021 and attended by three residents.

At the close of the advertising a total of 22 submissions were received comprising of 1 submission in support and the remaining 21 submissions objecting. The objections primarily related to non-compliance with the R-Codes, incorrect marking of boundaries, the existing mobile phone tower and health concerns and an undesirable level of traffic.

1. **Recommendation to JDAP**

An application under Regulation 17 of the *Development Assessment Panel Regulations 2011* is not an application for a review or reconsideration of the original decision. The assessment is based on the extent of the amendments sought. It is the City’s view that the proposed modifications sought are deemed as minor in nature. It is considered to appropriately address the City’s Local Planning Policy – Parking and considerations of the application by local government under clause 67(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Approval is therefore recommended.

1. **Conclusion**

The City have prepared a Responsible Authority Report to the JDAP recommending approval for a minor amendment to the Mixed Use Development at Lots 538 and 539 (No. 93 and 95) Broadway, Nedlands.

## No. 25 John XXIII Avenue, Mount Claremont – Alterations and Additions to John XXIII College – Responsible Authority Report

|  |  |
| --- | --- |
| **Committee** | 9 March 2021 |
| **Applicant** | Taylor Robinson Chaney Broderick |
| **Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.** | 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. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia. |
| **Director** | Tony Free – Director Planning & Development |
| **Acting CEO** | Jim Duff |
| **Attachments** | 1. Responsible Authority Report & Attachments |
| **Confidential Attachments** | Nil |

* 1. **Executive Summary**

In accordance with the *Planning and Development (Development Assessment Panels) Regulations 2011*, Administration has prepared a Responsible Authority Report for a Form 1 Application for the Metro-Inner North Joint Development Assessment Panel to consider. The application is for proposed alterations and additions to John XXIII College located at Lot 10629 (No.25) John XXIII Avenue, Mount Claremont.

The purpose of this report is to inform Council of Administration’s recommendation to the JDAP and for Council to make its recommendation as the Responsible Authority.

**Recommendation to Committee**

**Council:**

1. **notes Administration’s recommendation that the proposed alterations and additions to John XXIII College at Lot 10629 (No.25) John XXIII Avenue, Mount Claremont be approved by the Metro Inner-North Joint Development Assessment Panel in the Responsible Authority Report (Attachment 1);**
2. **considers the information in Attachment 1 relating to the proposed alterations and additions to John XXIII College at Lot 10629 (No.25) John XXIII Avenue, Mount Claremont and makes its recommendation to the Metro Inner-North Joint Development Assessment Panel as the Responsible Authority;**
3. **incorporates its recommendation into the Responsible Authority Report (Attachment 1) for the alterations and additions to John XXIII College at Lot 10629 (No.25) John XXIII Avenue, Mount Claremont; and**
4. **agrees to appoint Councillor (insert name) and Councillor (insert name) to coordinate Council’s submission and presentation to the Metro Inner-North JDAP.** 
   1. **Background**

The JDAP application for alterations and additions to John XXIII College was lodged on 25 November 2021. The City has previously approved the forward works component, under Delegated Authority (DA20-55823) which comprised of the new grounds and maintenance storage facility and additional car parking.

* 1. **Application Details**

This application is for proposed works at John XXIII College which includes the following:

* A reconfigured main car park, associated landscaping and entry sequence addressing John XXIII Avenue;
* A reconfigured junior school car park;
* A new two-storey administration building and landscaping;
* Minor additions and alterations to an existing classroom building (Classroom A Building);
* Additions and alterations to the existing library building;
* Demolition of the existing Grounds and Maintenance storage facilities; and
* Minor alterations to the existing staff room.

There is no increase to student enrolments and no additional staffing will be required as part of this proposal. As part of the proposal there will be an additional 154 car parking bays consistent with the City’s Parking Policy.

* 1. **Consultation**

**Public Consultation**

In accordance with the City’s Local Planning Policy – Consultation of Planning Proposals, the application was advertised for a period of 21 days from 23 January until 13 February 2021. The following forms of notification were included:

* A total of 350 letters were sent to all City of Nedlands and City of Perth landowners and occupiers within a 200m radius of the site informing of the application and inviting comment;
* A sign on site was installed at the site’s street frontage for the duration of the advertising period;
* An advertisement was published on the City’s website with all documents relevant to the application made available for viewing during the advertising period;
* An advertisement was placed in The Post newspaper;
* A notice was place on the City’s Social Media Platform on the 22 January 2021;
* A notice was affixed to the City’s Noticeboard at the City’s Administration Offices; and
* A community information session was held by City Officers on the 28 January 2021 at the City’s Council Chambers. Two people from the same residence attended.

The City received a total of 8 submissions during the public consultation period: 4 in support, 3 stated neither object or support and 1 objected on the grounds of traffic management, insufficient number of parking bays and sight lines.

**External Agencies**

The application was referred both Water Corporation and the Department of Environmental Regulation due to the school’s proximity to the Subiaco Waste Water Treatment Plant and as there is a memorial on the subject lot related to being a contaminated site. No objections were received subject to standard conditions.

* 1. **Recommendation to JDAP**

Approve, subject to conditions.

* 1. **Conclusion**

The City has reviewed the Traffic Impact Assessment and accepts the findings and conclusions within the report. The development does not propose an increase to student numbers or staff, however, it makes improvements to vehicle access and provides for an increase of 154 bays, consistent with the City’s Parking Policy. The built form is considered sympathetic with the existing character of the school and was supported via the design review process. Approval is recommended.

## No. 87 and 89 Broadway, Nedlands –36 x Multiple Dwellings and Office – Responsible Authority Report

|  |  |
| --- | --- |
| **Committee** | 9 March 2021 |
| **Applicant** | Element |
| **Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.** | 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. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia. |
| **Director** | Tony Free – Director Planning & Development |
| **Acting CEO** | Jim Duff |
| **Attachments** | 1. Responsible Authority Report & Attachments |
| **Confidential Attachments** | Nil |

**1.0 Executive Summary**

In accordance with the *Planning and Development (Development Assessment Panels) Regulations 2011*, Administration has prepared a Responsible Authority Report in relation to the plans received on 27 November 2020 for the Metro-Inner North Joint Development Assessment Panel (JDAP) Form 1 Application at Lot 535 and 536 (No.87 - 89) Broadway, Nedlands.

The City has appointed Altus to assess and complete the Responsible Authority Report due to a perceived conflict of interest. The purpose of this report is to inform Council of the recommendation to the JDAP and for Council to make its recommendation as the Responsible Authority.

**Recommendation to Committee**

**Council:**

1. **notes Administration’s recommendation that the proposed 36 Multiple Dwellings and Office at Lot 535 and 536 (No.87 & 89) Broadway, Nedlands be approved by the Metro Inner-North Joint Development Assessment Panel in the Responsible Authority Report (Attachment 1);**
2. **considers the information in Attachment 1 relating to the proposed 36 Multiple Dwellings and Office at Lot 535 and 536 (No.87 & 89) Broadway, Nedlands, and makes its recommendation to the Metro Inner-North Joint Development Assessment Panel as the Responsible Authority;**
3. **incorporates its recommendation into the Responsible Authority Report (Attachment 1) for the proposed 36 Multiple Dwellings and Office at Lot 535 and 536 (No.87 & 89) Broadway, Nedlands; and**
4. **agrees to appoint Councillor (insert name) and Councillor (insert name) to coordinate Council’s submission and presentation to the Metro Inner-North JDAP.**

**2.0 Background**

On 27 November 2020, the City received a development application for a Mixed Use Development comprising 36 Multiple Dwellings and an Office at Lots 535 and 536 (No.87 & 89) Broadway, Nedlands which is to be determined by the Metro Inner-North Joint Development Assessment Panel. The subject lot is zoned ‘Mixed Use’ and has a density coding of R-AC3.

On 23 January 2020, the City appointed Hassell to undertake the built form modelling for the Nedlands Town Centre, Broadway and Waratah Precincts in which the subject site is located within. As Hassell is the architect on this application, there is a potential for a perception there being a conflict of interest and therefore the City sought to appoint an independent planning consultant (Altus) to undertake the assessment work and Responsible Authority Report and present at the Metro-Inner North Joint Development Assessment Panel meeting.

**3.0 Application Details**

The proposal is for a six-storey mixed use development, consisting of an Office tenancy and residential lobby/entrance on the ground floor, with all car parking, storage and service areas located within the rear undercroft/basement area. The remaining floors contain a mix of one, two and three-bedroom units, for a total of 36 apartments, with balconies and outdoor areas generally facing towards the front and rear of the site.

The main details of the development are as follows:

* 36 residential apartment dwellings.
* 126m2 Office with a 1.5m setback to Broadway.
* The removal of two existing on-street car parking bays (and associated signage) adjoining the site as well as the relocation of one existing street tree. These works are to accommodate a 6m wide vehicle crossover.
* 71 car parking bays, comprising 59 residents’ bays, six visitors’ bays and six commercial bays (including one disabled bay). With the exception of one visitors’ bay, they are otherwise all located behind a security gate.
* A communal residents’ bin store and a separate commercial bin store.
* 12 motorcycle bays.
* 42 bicycle spaces, comprising 36 residents’ spaces and six visitors’ spaces.
  1. **Consultation**

The City’s Local Planning Policy – Consultation of Planning Proposals states that the development proposal for multiple dwellings is classified as a Complex Application.

In accordance with the City’s Policy, the application was advertised for a period of 52 days, from 16 December 2020 until 6 February 2021. This extended advertising period accounted for the consultation exclusion period over Christmas/New Year. The following forms of notification were used:

* Letters to all landowners and occupiers (including City of Perth residents, on the eastern side of Broadway) within a 200m radius of the site.
* Sign installed on the frontage of the site.
* Advertisement published on the City’s website.
* Advertisement published in the “Post” local newspaper.
* Posted on the City’s social media platforms.
* Noticeboard at the City’s Administration Centre.
* Separate Community and Councillor Information Sessions, which were held on 20 and 21 January 2021 respectively. The former was open to the public and both were attended by the applicant, City officers and elected members.

At the conclusion of advertising, the City received 44 submissions on the proposal, 41 submissions objecting to the proposal and 3 in support. Due to the number of concerns raised during public consultation, a separate summary of the submissions is contained as **Attachment 1**.

**5.0 Recommendation to JDAP**

The Responsible Authority Report, prepared by Altus, recommends that the application is approved, subject to conditions. Justification for this is provided below.

**Design Review**

In October 2020, a formal pre-lodgment review was undertaken by the applicant with the City. During this process, the City sought design comments from an independent architect and landscape architect consultants.

Following lodgment of the application, the City sought design comments from the same consultants as part of the formal “post-lodgment” review against the ten design principles of *State Planning Policy 7.0 - Design of The Built Environment* (*SPP 7.0*). A full copy of these latest design comments by the City’s consultants is contained in **Attachment 1**.

Based on this post-lodgment review, a summary of the proposal against *SPP 7.0* is tabled overleaf, noting that since the original application was submitted, further information was submitted by the applicant. However, as the original development plans were assessed by the City’s consultants as being consistent with *SPP 7.0* and the additional information did not materially alter the proposal, it was not considered necessary to re-refer the proposal for further review.

It is considered that the table also provides an overview as to how the proposal has progressed through the design review process from its initial concept to formal lodgment as a development application.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Legend:** | | | |
|  | Supported | | | |
|  | Supported with conditions | | | |
|  | Pending further attention | | | |
|  | Not yet supported | | | |
|  | Yet to be addressed | | | |
|  | | Pre-lodgement Development Plans  (October 2020) | Original Lodged Development Plans  (27 November 2020) | Further Information  (9 February 2021) |
| P1: Context and Character | |  |  | Re-referral not required |
| P2: Landscape Quality | |  |  |
| P3: Built Form and Scale | |  |  |
| P4: Functionality and Built Quality | |  |  |
| P5: Sustainability | |  |  |
| P6: Amenity | |  |  |
| P7: Legibility | |  |  |
| P8: Safety | |  |  |
| P9: Community | |  |  |
| P10: Aesthetics | |  |  |

With respect to the context, character and scale of the proposal, the relevant comments of the City’s architect consultant are as follows:

Context and Character:

“The overall design submission demonstrates a sensitive and thoughtful consideration of its physical and historical context. The integration of extensive vegetation is an acknowledgement of the green character of the area. The development has used the existing landform to assist with concealment of the parking areas and reduction of the overall height of the development. This helps mediate the size of the new development relative to the surrounding residential buildings. The quality of the units and the extensive balconies demonstrates an appreciation of the Nedlands context for generous living spaces, inside and out. Materially the development proposes a combination of textured masonry and ribbed metal cladding. The charcoal colour of the cladding is not an established material in the area. However, it is reflective of creating a contemporary character and will be a positive contribution to the area.”

Built Form and Scale:

“The proposal sensitively considers the impact that a high-density development will have upon surrounding lower density areas. They have used the sloping site to hide services and parking while also keeping the building significantly under the permissible heights. The outcome is a considerable reduction of the overall bulk of the buildings. The articulation of the massing has been broken into 4 parts that helps reduce bulk while a finer grain of detail is achieved through careful vertical layering. Deep recesses along the elevations also help to reduce the bulk and scale.”

Whilst the City acknowledges that an individual architectural and landscape architectural review is not a substitute for a formal DRP, the comments from its consultants have nonetheless assisted the City in the consideration of the application against *SPP 7.0*.

Based on these comments, the proposal is considered consistent with the 10 design principles of *SPP 7.0*.

**Assessment against Residential Design Codes Volume 2**

An assessment of the proposal against the *R-Codes Volume 2* is detailed in full in **Attachment 1**. Those elements that were raised as the main areas of concern during public consultation or which require the imposition of conditions are addressed in the table below. Further discussion of these issues, as well as all other relevant issues, is provided in **Attachment 1**.

|  |  |
| --- | --- |
| **Element** | **How it is addressed** |
| 2.1 Building Height | Meets element objectives.  The development considers and responds to the approximate 8m east-west rise across the site by “cutting” a large portion of the ground floor into the land. This results in the building presenting as five storeys to the side boundaries and four storeys to the rear. |
| 2.3 Street Setbacks | Meets element objectives.  The proposed street setbacks are considered appropriate for the streetscape, provides a clear transition between the public and private realm and balances the need for visual privacy to upper floor apartments with opportunities for passive surveillance and outlook over the street. |
| 2.4 Side and Rear Setbacks | The development meets the element objectives, subject to a condition requiring privacy screening and obscure glazing. |
| 2.5 Plot Ratio | The development proposes a plot ratio of 2.16, in lieu of 2.0 specified by Table 2.1. This translates to approximately 289m2 (8%) of additional floor space. Notwithstanding, the element objective is achieved for the reasons outlined in **Attachment 1**. |
| 2.7 Building Separation | Meets element objectives.  The building separation is proportionate to the overall building height due to the proposed “podium” built form (i.e., the building’s setbacks increase as its height increases). |
| 3.3 Tree Canopy and Deep Soil Areas | Meets element objectives.  An approximate 160m2 DSA is provided along the western boundary of the site, outside of the area required for the under croft/basement parking. This exceeds minimum requirements by 36.7m2 (approximately 30%). In this regard, the City’s consultant landscape architect advised of the following:   * The provided DSA and numbers of trees exceeds minimum R-Code requirements. * The mix of native and exotic trees and understorey plants respond to the varied light levels across the site. |
| 3.4 Communal Open Space | Meets element objectives.  As per R-Codes Vol. 2, 216m2 of communal open space is required. Approximately 250m2 has been provided at the rear of the development and is accessed via the residents’ ‘Garden Room’. |
| 3.5 Visual Privacy | Meets element objectives, subject to a condition requiring privacy screening and obscure glazing. |
| 3.6 Public Domain Interface | Meets element objectives.  The development has numerous opportunities for passive surveillance and presentation/outlook opportunities to the street. The residential entry is well defined with a small setback and distinctive planting which contributes to the greening of the streetscape. A street tree is proposed to be relocated and communal bench seating is to be integrated within the planters. This provides opportunities for casual interaction between residents and visitors/the public. |
| 3.7 Pedestrian Access and Entries | Meets element objectives, subject to conditions for directional signage. |
| 3.9 Car and Bicycle Parking | Meets element objectives, subject to condition for a Parking Management Plan. |
| 4.7 Managing the Impact of Noise | Meets element objectives, subject to condition for compliance with Acoustic Report. |
| 4.9 Universal Design | Meets element objectives, subject to condition for compliance of nominated apartments with the *Liveable Housing Design Guidelines*. |
| 4.10 Façade Design | Meets element objectives.  The building façades provide articulation, achieved through varying boundary setbacks and the use of different building materials and detailing (e.g., balustrades, landscaped planter boxes and a podium style design, whereby the central core of the building is generally setback further as the building height increases). |
| 4.12 Landscape Design | Meets element objectives.  The landscaping is generally spread evenly along the frontage of the building and is located either side of the various entry points to the development and the amount of landscaping is considered appropriate having regard to the scale of the overall development and its location underneath apartments on the upper floors.  In this regard, the City’s landscape consultant also advised that “*The development presents well to the street. New garden planters at street level will soften built form…*”  In terms of the apartments themselves, the landscape planter boxes are highly visible from habitable rooms and are easily accessible from the terraces/balconies of apartments.  The substantial landscaped deep soil area at the rear of the property enhances the main communal open space on the site. |
| 4.15 Energy Efficiency | Meets element objectives, subject to condition for compliance with Sustainability Strategy (sans battery inverters due to feasibility/economics). |
| 4.16 Water Management and Conservation | Meets element objectives, subject to condition for stormwater management. |
| 4.17 Waste Management | Meets element objectives, subject to condition for compliance with Waste Management Plan. |
| 4.18 Utilities | Meets element objectives, subject to condition for provision of clothes dryers. |

**6.0 Conclusion**

The Responsible Authority Report, prepared by Altus, recommends that the application is approved, subject to conditions.

The proposal provides an appropriate transition from its R-AC3 to the abutting rear R60 coded lots. The built form of the proposal meets the elements of the *R-Codes Volume 2*, particularly with respect to the building envelope and central massing on-site, courtesy of the podium design of the development. This is consistent with the intended scale of future development for the Mixed Use zone along Broadway.

The active pedestrian-scale ground floor frontage to Broadway is considered desirable and meets the objectives and additional development requirements of the Scheme. Amenity considerations such as overshadowing and visual privacy have been afforded due regard in the context of recent changes to State legislation. The latter is addressed via proposed planter box design solutions, supplemented by additional privacy screening being conditioned. Other relevant considerations such as traffic and waste generation have also been satisfactorily addressed.

# Urgent Business Approved by the Presiding Member or By Decision

Any urgent business to be considered at this point.

# Confidential Items

Any confidential items to be considered at this point.

# Declaration of Closure

There being no further business, the Presiding Member will declare the meeting closed.