



City of Nedlands

Planning and Development Reports


Committee Consideration – 8 March 2016
Council Resolution – 22 March 2016

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Council: 22 March 2016

PD08.16	No. 71 (Lot 371) Princess Road, Nedlands – Increase to Seating for Café/Restaurant (Feast Cafe)
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Committee	08 March 2016
Council	22 March 2016
Applicant	Feast Cafe
Owner	P Lampropoulos & K Kikiros
Officer	Kate Bainbridge – Senior Statutory Planning Officer
Director	Peter Mickleson – Director Planning & Development Services
Director Signature	
File Reference	PR3/71 – DA15/298
Previous Item	D51.09 – Approved at SAT 13 April 2010
Attachments	<ol style="list-style-type: none"> 1. Site/ Floor Plan 2. Applicant Submission 3. Site Photographs

1.0 Executive Summary

A development application has been received for retrospective approval to increase the seating at Feast Cafe from 20 seats to 35 seats.

In 2009, Feast Cafe obtained approval at the State Administrative Tribunal (SAT) for 25 seats. This was based on 2 car parking bays being available at the service station at the corner of Princess and Dalkeith Road. However, as part of the conditions of the SAT approval, if this car parking was no longer available, the café was to be restricted to 20 seats. The service station has since been demolished and therefore the current number of seats permitted at the Café is 20.

Notwithstanding this, the Café is currently being operated with an excess of 35 seats and as such requires retrospective approval to increase the seating.

The proposal cannot provide additional car parking to support the increased seating numbers and during community consultation conducted by the City for 14 days, 8 letters of objection were received which were mainly concerned with car parking problems in the locality.

Based on the above, the retrospective application to increase the seating from 20 to 35 seats is recommended for refusal based on the lack of car parking bays.

2.0 Recommendation to Committee

- 1. Council Refuses the retrospective application for the increase in seating to Feast Café from 20 seats to 35 seats at No. 71 (Lot 371) Princess Road, Nedlands due to the following reasons:**
 - a) In accordance with Clause 5.4.1.4 and Schedule 3 of the City's Town Planning Scheme No. 2, there is an insufficient number of car parking bays to accommodate the increase in seating, thus creating safety issues for pedestrians and road users;
 - b) The proposal does not satisfy Clause 5.5.1 of the City's Town Planning Scheme No. 2 and Clause 67 (s) and (t) of the *Planning and Development (Local Planning Schemes) Regulations 2015* as the increase in car parking has a detrimental impact on the amenity of the locality in terms of traffic congestion and hazard.
- 2. Instructs the landowner/applicant to remove additional seating above the approved 20 seats within 21 days of this resolution.**

3.0 Strategic Community Plan

KFA: Natural and Built Environment

This report addresses the Key Focus Area of Natural and Built Environment through adherence to the car parking requirements of TPS 2.

4.0 Legislation

- *Planning and Development Act 2005* (Act).
- Metropolitan Region Scheme (MRS).
- City of Nedlands Town Planning Scheme No. 2 (TPS2).
- *Planning and Development (Local Planning Schemes) Regulations 2015* (2015 Planning Regulations).
- Council Policy – Neighbour Consultation.

5.0 Budget / Financial Implications

If the applicant should appeal the City's decision at the State Administrative Tribunal, costs may be incurred by the City through this process by way of legal advice and/or representation.

6.0 Risk management

Not Applicable.

7.0 Background

7.1 Site Description

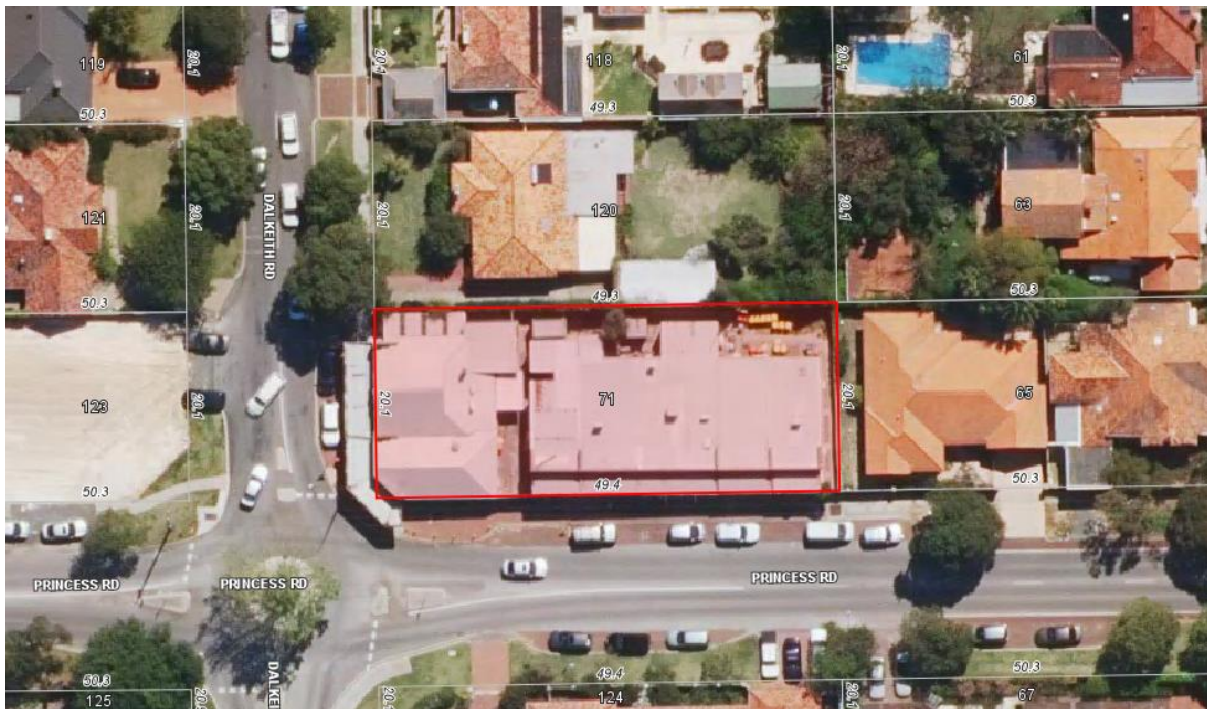
Lot area	991.5m ²
Metropolitan Region Scheme Zoning	Urban
Town Planning Scheme No. 2 Zoning	Retail Shopping
Detailed Area Plan/Outline Development Plan	No
Controlled Development Area	No

The subject tenancy is one of seven (7) tenancies in the local centre on the corner of Dalkeith and Princess Roads, Nedlands. The other tenancies include a travel agent, dog food shop, health food shop, hairdresser, clothing shop, and a beautician. The subject tenancy has no on-site car parking available, instead relying on the on-street car parking on Princess, Dalkeith and Florence Roads.

The on-street car parking bays on Princess Road and Dalkeith Roads adjacent to the site have a 15 minute time limit, on the other side of Princess Road there is a 30 minute time limit and the unmarked car parking on Dalkeith and Florence Roads have parking permitted with no time restrictions.

In 2009, an application was made to increase the seating to 48 seats from the previously approved 15 seats at the subject tenancy. This application was refused by the City and then appealed by the applicant at the time, where at SAT an approval for 25 seats was obtained based on 2 car parking bays being available for the tenancy at the service station on the corner of Dalkeith Road and Princess Road. A maximum of only 20 seats was permitted should these car parking bays no longer be available. Last year the service station was demolished and hence the cafe only has approval for 20 seats. The City investigated compliance with this requirement of the 2009 planning approval and discovered over 40 seats were available for customers of the tenancy. The tenancy had changed hands since the 2009 approval and therefore the current tenants have made a retrospective application for 35 seats but Administration has observed over 40 seats at the tenancy in recent site inspections.

An aerial image showing the location of the property follows.



8.0 Discussion

The application seeks retrospective approval to continue operating with 35 seats in lieu of the approved 20 seats.

Customers are able to purchase meals (e.g. cooked breakfasts) to consume on the premises and/or purchase sandwiches and similar foodstuffs which can be consumed on or off the premises.

As such, under Town Planning Scheme No.2 (TPS 2), the business has both restaurant (consumption of food on the premises) and lunch bar (consumption of food off the premises) components which was approved in 2009 as a cafe/restaurant. This application does not propose a change to the land use – only an increase to the seating.

The details of the application are as follows:

- a) The business operates Monday to Saturday 7am to 4pm (Closed on Sundays)
- b) The peak hours of operation are during the lunch trade times.
- c) Tables able to accommodate up to 35 persons are currently available based on plans provided by the applicant.

The applicant has not indicated staffing numbers in their application, however administration has observed 1-2 persons at the counter, 1-2 persons in food preparation and 1-2 wait staff at any given time depending on the time of day with afternoons being the quietest period.

8.1 Consultation

The development application was advertised by the City for 14 days to affected landowners for comment for the increased shortfall in car parking as a result of the increase to the seating numbers. The following is a summary of the concerns raised:

- There is no additional parking in the area to support the additional seats;
- Current parking restrictions are not adequately policed with staff and patrons of the café not abiding by these restrictions;
- Traffic congestion is a problem as a result of the excessive amount of cars parked in the area;
- Cars and delivery trucks parked on the verges are causing damage, which is left to the residents to maintain rather than the café;
- The retrospective nature of the application is confusing;
- There is no dedicated on-site car parking for the café;
- Customers and employee parking add to/create congestion around the Dalkeith Road/Princess Road/ Florence Road intersections;
- Buses have difficulty manoeuvring on Dalkeith Road due to the car parking in the locality;
- There are cars currently parked on the verge of the old service station site (illegally too close to the roundabout) and therefore when this site is undergoing construction and also at the conclusion of construction, car parking in the area may further worsen;
- Double parking is common in the area and there is also drop-off/pick-up congestion due to the shortfall of car parking in the area;
- The residential area is already well served with cafes/coffee shops at Captain Stirling Shopping Centre, Broadway & Hampden Road, Waratah Avenue and Claremont. If people are driving rather than walking, then all of these are available with better car parking facilities.
- The applicant should investigate reciprocal parking with another property (such as the old service station site) to reduce the amount of on-street and verge car parking in the area;
- The on-street and verge parking is un-safe with people having difficulties getting out of their driveways due to poor sightlines and increases in traffic;
- The increases in on-street and verge parking as a result of the loss of the service station parking and increase to the seating at least café has resulted in a loss of amenity for local residents. The 20 seat limit should be enforced;
- Parking is an issue that has never been looked at or systematically addressed. The current situation is inconvenient and dangerous – especially for pedestrians due to the reduced visibility for vehicles due to parked cars.

The impact the increased seating is having on the local area amenity is discussed in the following sections of this report.

8.2 Town Planning Scheme No. 2

8.2.1 Car Parking

The City's Town Planning Scheme No. 2 Schedule III requires that car parking is provided at a rate of 1 bay per 2 seats for Restaurants or 1 bay per 2.6m² of restaurant seating area – whichever is the greater.

Car Parking Bays Requirement	Car Parking Provision	Car Bay Shortfall/Surplus
17.5 bays for restaurant 10 bay shortfall already approved	Nil.	Increased shortfall by 7.5 bays

The area has on-street car parking available as follows:

- 2 tandem bays next to travel agency accessed from Dalkeith Road;
- 2 bays on Dalkeith Road;
- 1 loading zone;
- 7 bays on Princess Road adjacent to the subject property and neighbouring grouped dwelling;
- 6 bays on Princess Road on the opposite side to the subject property and neighbouring grouped dwelling; and
- Other unmarked bays on Dalkeith and Florence Roads north and South of Princess Road.

Technical Services has confirmed there is no capacity to provide additional formal on-street car parking bays on Princess Road to enable the City to take a cash-in-lieu car parking payment for the proposal.

These traditional corner shops would have provided basic daily services to the community such as a post office, newsagency, bakery, butcher and corner store and hence frequent but short trips would have been made by local residents either walking to or driving to these corner shops. Given the change in retail and the preference for local residents to frequent larger shopping centres, these corner shops have diversified with a range of land uses now present. These corner shops were not designed to accommodate car parking on site – with only on-street car parking usually available for short duration only. Therefore the nature of the land use coupled with the amount of seating has attracted patronage from a wider area with increased demand for car parking of a longer duration causing cars to be parked further away from the corner shops and into the back streets.

The submissions from the most impacted residents and businesses has demonstrated that the increase in seating requires additional car parking which has not been easily and safely accommodated within the existing local streets. The applicant has requested the City support the proposal based on the following to which administration has provided response:

Applicant Comment	Administration Response
<i>Since the time that the cafe opened in August 2009, there has been a significant down trend in the customer numbers. As such, it is considered appropriate to review the car parking requirements for the site.</i>	The statement that there has been a down trend in customer numbers should support the reduced seating number and the applicant has not provided statements or evidence that 35 seats are required at peak occupancy.
<i>The City of Nedlands TPS2 car parking standards are considered onerous when compared to the car parking standards from other local governments</i>	Regardless of the City's TPS2 car parking requirements, there is inadequate car parking off or on-street to support the tenancy and local centre in general.
<i>Accessibility to the Nedlands Village complex is high and it has been demonstrated that a significant proportion of visitors to Feast Café arrive by foot, bike or ride share.</i>	The accessibility to the centre by vehicle is being compromised by the on-street car parking on Dalkeith Road and Florence Road and the City cannot control access to the tenancy being by foot, bike or ride share to support the increase in seating numbers.
<i>The impact that over flow parking (in any) could have on the amenity of residents in neighbouring streets is not considered to be unreasonable.</i>	The overflow car parking is in the opinion of residents having an unreasonable impact on traffic safety and amenity.
<i>The use provides a local amenity to be enjoyed by residents in the area. Should Council not review the car parking for the Nedlands Village complex, it is likely that any future café operators will be unsuccessful based on the current 20 person customer limit.</i>	The parking restrictions in the area are supportive of a more take-away component of operation which would not be impacted by the seating numbers being limited to the 20 seats approved at the State Administrative Tribunal following extensive research into the appropriate seating numbers for the tenancy based on the locality and other businesses in the wider Nedlands area.

The City has received multiple complaints regarding the parking around Princess and Dalkeith Roads near Feast Cafe. Most of these complaints have come from a business within the complex and residents in the area. These complaints are largely focused on vehicles staying over the 15 minute and 30 minute time limit in bays around the complex.

The City has observed that the vehicles staying over the time restrictions are commonly employees of the businesses. The City has also received complaints about non-commercial vehicles parking in the loading zones on Princess Road.

Complaints have also been lodged about vehicles parking in the 'No-Stopping' and 'No-Parking' areas near the complex on Dalkeith and Princess Roads. As a result on this unauthorised parking, Transperth Buses have found it difficult driving between vehicles on Dalkeith Road.

Some parts of Dalkeith Road just north and south of Princess Road do not have timed parking restrictions. Vehicles often park on both sides of the road causing drivers to weave in and out.

8.2.2 Amenity

TPS 2 Provision	Assessment/Comment
<p>Under clause 5.5.1 Council may refuse to approve any development if in its opinion the development would adversely affect the amenity of the surrounding area having regard to the likely effect on the locality in terms of the external appearance of the development, traffic congestion and hazard, noise or any other factor inconsistent with the use for which the lot is zoned.</p>	<p>The neighbouring landowners and residents/tenants of the subject tenancy have advised the increased demand for car parking has had a negative impact on the residential amenity, traffic congestion and hazard associated with increased illegal parking activity.</p>
<p>Under clause 67 of the 'Deemed Provisions' within the 2015 Planning Regulations, the following provisions are to be taken into consideration:</p> <ul style="list-style-type: none"> (a) the adequacy of arrangements for loading, unloading, manoeuvring and parking of vehicles; (b) The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probably effect on traffic flow and safety; (c) The history of the site where the development is to be located; and (d) Any submissions received on the application. 	<p>The City acknowledges concerns regarding car parking and traffic in the area with excessive non-residential car parking along Florence Road and Dalkeith Roads as a result of the shopping centre and short-term parking restrictions for car parking adjacent to the shopping centre. This report therefore recommends refusal of the additional 15 seats and enforcement of the 20 seat limit previously approved in 2009.</p> <p>This seating limit was established after extensive mediation and research into appropriate seating numbers given the type of proposal and locality factors. No additional information indicating a change in circumstance such as increase to public transport provision, residential density or additional car parking has been provided by the applicant to support the increase in seating numbers.</p>

9.0 Conclusion

An application for 48 seats was lodged and refused by Council in 2009 for the subject tenancy, with 20 seats approved through a State Administrative Tribunal appeal with an additional 5 seats available if two (2) car parking spaces were made available at the neighbouring service station. The service station has been demolished to facilitate redevelopment and hence only 20 seats are approved for the tenancy.

The retrospective application for 35 seats was made by the applicant based on this seating number being the minimum required for profitability of the restaurant/cafe, however no additional car parking has been provided. The City also regularly received complaints regarding vehicles associated with the property parking illegally.

Therefore, the application is recommended for refusal due to the negative impact on the area's amenity as a result of car parking and congestion in the locality. Should Council seek to approve the application, appropriate wording and conditions have been recommended below.

Recommended Approval Conditions:

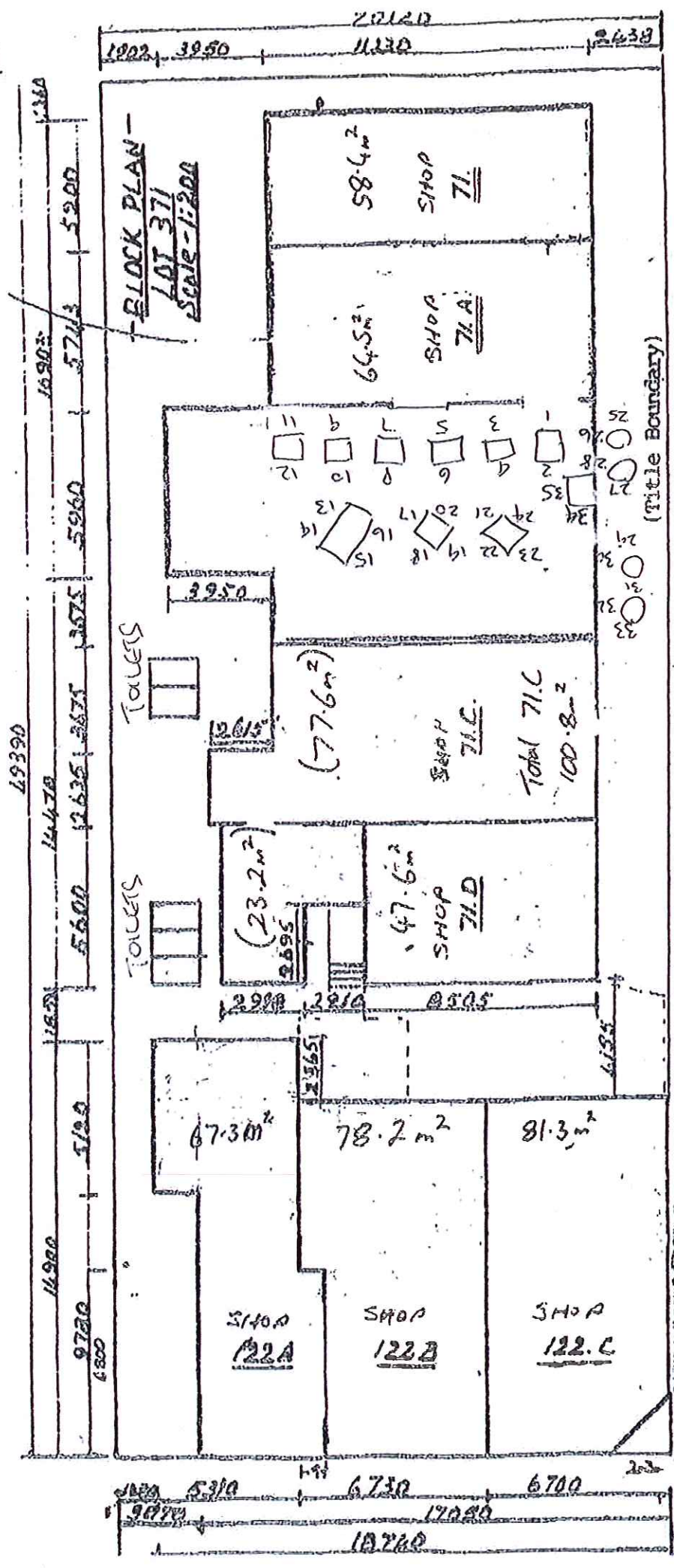
Council approves the retrospective application for increased seating of 35 seats at No. 71 (Lot 371) Princess Road, Nedlands in accordance with the application dated 21 August 2015 and plans dated 13 January 2016 subject to the following conditions and advice:

1. This application relates only to the increase in seating from 20 to 35 seats.
2. A maximum of 35 seats are permitted for the restaurant/café land use (including external seating).

Advice Notes:

1. Any additional seating, which is not in accordance with the original application or conditions of approval, as outlined above, will result in compliance action being undertaken by Council.
2. Patron toilets for male and female persons and an accessible toilet to be provided as per the BCA.
3. Noise from service and/or delivery vehicles should be mitigated and such vehicles should not service the premises before 7.00 am or after 7.00 pm Monday to Saturday, or before 9.00 am or after 7.00 pm on Sundays and Public Holidays in order to meet the *Environmental Protection (Noise) Regulations 1997*.
4. New signage not in accordance with the City's Advertising Signs Local Planning Policy requires further planning approval.

FILE COPY



PRINCESS RD.

SKETCH PLAN: Shops 71, 71A and 71B Princess Road
Nedlands (Certificate of Title Volume 1761 Folio 954) REVISED

NO. 100 VOLUME 1989 FOLIO 167.

CITY OF NEDLANDS
RECEIVED
13 JAN 2016

Witness [Signature]
and Agents for the Council: LAWSON WILFIELD (LEGAL SECRETARY)

[Signature]

20 August 2015

Chief Executive Officer
City of Nedlands
71 Stirling Highway
NEDLANDS WA 6009



To whom it may concern,

APPLICATION FOR PLANNING APPROVAL - LOT 371, NO. 71 PRINCESS ROAD, NEDLANDS – MODIFICATIONS TO SEATING AT EXISTING RESTAURANT (FEAST CAFÉ)

In response to your compliance letter dated 30 June 2015, please find enclosed a completed Form 1 application form, a copy of the certificate of title, relevant plans and the applicable fee. This application is seeking to modify the approved maximum seating numbers for 'Feast Café' located at the abovementioned address.

Site Description and Planning Framework

Lot 371, No. 71 Princess Road, Nedlands is located at the corner of Dalkeith Road and Princess Road and contains an existing commercial centre commonly known as Nedlands Village. The premises comprises a building with seven tenancies on a typically sized and shaped original quarter acre allotment (991.5m²). The tenancies include a hairdresser, a clothing boutique, a travel agent, a cake shop/bakery, a gourmet food store and Feast Café.

The subject site is zoned 'Retail Shopping' under Town Planning Scheme No. 2 (TPS 2). It is surrounded by low density residential housing (R10 coding) in all directions. A petrol station was formerly located adjacent to the site, however this has since been demolished to make way for residential housing. There are several bus stops located within close proximity to the site on both Princess Road and Dalkeith Road. A plan showing the location of the subject site follows.



Figure 1 - Location Plan

In terms of parking, there are currently two on-site car bays provided for the exclusive use of the travel agent. The property is otherwise serviced by 19 on-street parking bays, located on either Princess Road or Dalkeith Road adjoining or adjacent to Nedlands Village. Of the 19 on-street car bays, 13 are subject to 15 or 30 minute time restrictions.

The car parking bays on Princess Road within the vicinity of the subject site are in the form of embayments on both sides of the street that effectively widening the street to enable two-way traffic. The car bays on Dalkeith Road include two marked bays on the verge area of the subject site, with the remainder of the bays being marked spaces located on one side of the street only.

History

Feast Café commenced operating in one of the tenancies of Nedlands Village in August 2009. Prior to that, the subject tenancy was occupied by a café with an approved maximum of 15 seats for customers. The operator of Feast Café at that time sought, via an application for planning approval, to increase the seating limit from 15 seats to 48 seats, comprising 32 indoor seats and 16 outside seats located on the adjoining footpath.

The application was advertised in accordance with TPS 2 provisions where 16 submissions were received, seven of which raised no objection to the proposal, and nine objected. On 1 September 2009, the application was presented to Council for consideration with a staff recommendation that the application be supported subject to a condition limiting the number of seats to 30, rather than the 48 sought. Notwithstanding, Council resolved to effectively refuse the application as no additional seats were approved for use by customers.

The applicant subsequently lodged an application for review with the State Administrative Tribunal (SAT). Pursuant to Section 31 of the *State Administrative Tribunal Act 2004*, Council were invited to reconsider its decision of 1 September 2009. In doing so, Council at its meeting of 24 November 2009 resolved to revoke its earlier decision and approve the application subject to (i) a condition limiting the maximum number of seats to 25; and (ii) arrangements being made with the landowners of the adjacent petrol station permitting two of their on-site car parking bays to be used for the purposes of the café.

The application for review proceeded to a full hearing at the SAT, where on 25 March 2010 it resolved to approve the application with 20 seats, or 25 seats providing that two car parking bays available at the adjacent petrol station site are kept available for patrons of the café. Since that time, the operators of Feast Café have changed and the car parking bays at the petrol station are no longer available for use.

Proposal

The subject application is proposing to increase the maximum seats of Feast Café from 20 seats to 35 seats. All other previous conditions of planning approval, including the limitations on the hours of operation, are not proposed to be modified.

Town Planning Scheme No. 2

Land Use Permissibility

The use is classified as a 'Restaurant' under TPS 2, which is defined as:

'Restaurant' means a building wherein food is prepared solely for sale and consumption within the building or portion thereof and (without limiting the generality of the foregoing)

the expression includes a licensed restaurant, or cafe. The expression also includes a restaurant at which food for consumption outside the building, or portion thereof, is sold where the Council is of the opinion that the sale of food for consumption outside the building is not the principal part of the business. The expression shall also include an outdoor establishment and in that case for the purpose of this definition, the outdoor eating area shall be treated as being within the building of the restaurant;

In accordance with the zoning table under TPS 2, a 'Restaurant' is an 'AA' use in Retail Shopping zone, which is not permitted unless approval is granted by the Council. Furthermore, Clause 3.5 of TPS 2 stipulates that where a use is designed as an 'AA' use in the zoning table, Council may, if it considers it desirable to do so, require the procedures laid down in Part 6 of the Scheme to be followed. More specifically, Clause 6.3.3 of TPS 2 enables the proposal to be advertised for public comment.

Matters to be Considered

Clause 6.4 of TPS 2 outlines provisions for the consideration of applications for planning approval. More generally, Clause 6.4.1 of TPS 2 stipulates that Council may have regard to the appropriateness of the proposed use and its effect on the Scheme area, and in particular the provisions of the Scheme or any by-laws in force in the district and the relationship of these to the proposed development or use. Clause 6.4.2 of TPS 2 quite specifically outlines 10 conditions and standards for consideration, of which the following are relevant:

- (b) *... parking provisions are in keeping with the general character of the locality;*
- ...
- (d) *the vehicular and pedestrian access, including on-site circulation and provision for deliveries will not create any danger;*
- (e) *the vehicle flows to and from the subject land will not be disruptive to existing traffic movements or circulation patterns;*
- (f) *that any traffic generated must be capable of being accommodated within existing streets.*

Clause 5.7.1 of TPS 2 outlines specific matters for consideration for applications for development/use of land in the Retail Shopping zone. Those considerations include:

- ...
- (f) *off-street parking is laid out to provide for both convenience and safety of shoppers;*
- (g) *vehicular access from public roads is so sited as to minimise hazards to passing traffic.*

Car Parking Standards

Schedule 3 of TPS 2 contains car parking standards for certain land uses. The car parking standard for a 'Restaurant', 'Shop' and 'Office' uses, as contained on site, are as follows:

Restaurant - 1 per each 2.6m² of restaurant seating area, or 1 per 2 persons whichever is greater.

Professional Office – 4.75 per every 100m² of gross leaseable floor area, 2 spaces in every 3 set aside for employees.

Shop – 8.3 per every 100m² of leasable floor area, 1 space in every 5 to be set aside for employees.

Based on the above standards, the following table outlines the car parking standard for the Nedlands Village complex.

Tenancy	Land Use	Parking Requirement
A	Shop (Gourmet Food Shop)	The shop has 58.4m ² gross leaseable area (GLA), generating a requirement for 4.84 bays
B/C	Restaurant (Feast Café)	The café is proposing to provide seating for 35 people, generating a requirement for 17.5 bays
D	Shop (Clothing Boutique)	The shop has 77.6m ² GLA, generating a requirement for 6.44 bays
E	Shop (Hairdresser)	The shop has 47.6m ² GLA, generating a requirement for 3.95 bays
F	Shop (Cake Shop)	The shop has 81.3m ² GLA, generating a requirement for 6.74 bays
G	Shop (Beautician)	The shop has 78.2m ² GLA, generating a requirement for 6.49 bays
H	Office (Travel Agency)	The office has 67.3m ² GLA, generating a requirement for 3.19 bays.
Total		50 bays

Figure 2- Parking Calculations

As the site has only has 21 bays available, the proposal provides for a 29 car bay shortfall. It should be noted however that without the café (i.e. the tenancy reverts to a Shop land use), the site would still be short approximately 26 bays (i.e. a three bay difference).

Clause 5.4.1.4 of TPS 2 provides Council the ability to vary the car parking standard stipulated under Schedule 3, however where such a variation is sought consideration be given to:

- (iv) *the effect on the amenity of adjoining premises, including potential effects if spaces should later be roofed or covered and the suitability or adequacy of proposed screening or natural planting;*

In considering the impact that the proposed variation will have on the amenity of adjoining premises, it is considered that Council should take into account the following:

- The peak periods of the various tenants of Nedlands Village, including Feast Café.
- The types of trips made by visitors to the site (i.e. multi-trip customers).
- Accessibility of the site from other modes of transport (i.e. bus, walking, cycling).
- The appropriateness of the car parking standards under the City of Nedlands' TPS 2, taking in account the standards of other local government areas in the Perth Metropolitan Region.
- The nature of the existing amenity and the level of amenity considered reasonable in the context of the area.
- The level of amenity that Feast Café provides for the area.
- The nature of the existing parking arrangement for the complex.

CITY OF NEDLANDS
21 AUG 2015

Discussion on these matters follows.

Site, Customer and Business Survey

In order to ascertain the peak periods of the uses at Nedlands Village and the nature of the trips made by visitors to the site, an informal survey was undertaken of the site overall, and the visitors to/operators of Feast Café. Based on the results of the survey, the following assumptions have been made:

- Feast Café is the only use within Nedlands Village which has a noticeable peak period of around lunch time on weekdays. Customers to all other uses within Nedlands Village are staggered throughout the day.
- Since the time that the café opened in August 2009, there has been a significant down trend in the customer numbers (by way of approximately 20%).
- Approximately 90% of customers are local residents or workers in the area.
- Approximately 25% of customers walk or cycle to Feast Café. As such, approximately 75% drive to the Café, and of that approximately 70% of those people car pooled.
- A number of people visiting the site are multi-trip customers. For example, a person visiting the gourmet food shop may also obtain take-away coffee from Feast Café, or a customer who went to the hairdresser will also have lunch at Feast Café after their appointment.

Accessibility

As mentioned previously, there are several bus stops located within close proximity to the site on both Princess Road and Dalkeith Road. These bus stops are served by route 25 which provides connections through to either Claremont Station/Claremont Quarter Shopping Centre and in the other direction the Perth Central Business District. The site is also within 800m of a bus stop on Stirling Highway which is serviced by numerous routes and is considered to be a high frequency bus route.

The local area is well serviced by a footpath network which follows a grid street network. Princess Road has dedicated cycle lanes on both traffic directions. Other streets within this area do not have dedicated cycle lanes given that they are typically low traffic environments. These characteristics of the area mean that there is a high level of accessibility for pedestrians and cyclists to the subject site, thereby reducing the reliance of cars travelling to the site.

Appropriateness of Car Parking Standard

As discussed previously, TPS 2 outlines car parking standards for various land uses. There is a concern that the car parking standards listed in Schedule 3 of TPS 2 are unjustifiably onerous when compared to the car parking standards for the same land uses in the town planning schemes of other local governments in the Perth Metropolitan area. The below tables outlines examples from the Subiaco, Gosnells and South Perth local town planning schemes which indicate that the City of Nedlands TPS 2 standards are significantly greater, in some cases double the requirement of other local governments.

Local Government	Land Use		
	Restaurant	Shop	Office
City of Subiaco Town Planning Scheme No. 4	1 per 4m ² of eating, drinking or lounge area.	1 per 20m ² net lettable area.	1 per 40m ² net lettable area.

City of Gosnells Town Planning Scheme No. 6	1 space for every 4 seats; 1 space for every 4 persons the building is designed to accommodate; or 1 space for every 4m ² seating area, whichever is the greater, plus 1 space for every staff member present at any one time.	1 space for every 15m ² net lettable area (6.7 spaces per 100m ² NLA) Minimum 4 spaces.	1 space for every 30m ² net lettable area, minimum 4 spaces per tenancy or office unit. Plus 1 space for every 10m ² net lettable area open to the public.
City of South Perth Town Planning Scheme No. 6	1 per 5m ² of dining area.	1 per 25m ² gross floor area.	1 per 25m ² gross floor area of which not less than 10% with a minimum of 2 bays shall be reserved for visitors.

Figure 3 - Example Local Government Parking Standards

It should be noted that *Roads and Traffic Authority Guideline: Guide to Traffic Generating Developments (2002)* recommends a 'shopping centre' (0 - 10,000m²) a parking standard of 6.1 space per 100m² gross leasable floor area. Based on this standard and an overall gross leasable floor area of approximately 600m², the site would need to provide 37 bays. It should be noted that the shopping centre standard was used as opposed to the 'restaurant' standard as it recognises multi-use trips which would be relevant in this instance.

These figures indicate that the existing car parking arrangement is deficient, somewhat regardless of the land use. Ultimately, the success of the businesses on the site will correlate to the parking demand for the area, and therefore exacerbate the parking 'problem' for the site.

Amenity

It is considered that there are two main considerations for this proposal which are relevant to the amenity of the area. These considerations are:

1. Feast Café providing a community asset to the area.
2. Overflow car parking in to neighbouring streets.

In terms of the first point, it is important to note that the reasoning behind the subject application relates to the café not being profitable when it is restricted to only having 20 customers. Simply put – should this application not be supported, Feast Café will need to be closed as it will not be profitable.

It is considered that the loss of the business in the area will have an impact on the other businesses in the Nedlands Village complex who may benefit for the peak hours of trade that Feast Café have (i.e. passer-by trade). Furthermore, it will also have an impact on the local residents and workers in the area who use Feast Café to meet/congregate.

In terms of the second point mentioned above, it is noted that a significant issue in the consideration of the previous application for the use of the site was the adequacy of the on-street parking provided to service the use, and the potential for overflow parking to occur in surrounding streets. In considering this matter, the following is considered relevant:

- It is not unreasonable to expect a differing level of amenity for residential properties located adjacent to or within close proximity to commercial premises, compared to those residential properties which are not.

- Overflow parking into residential streets is not uncommon in inner city areas where commercial land uses are constrained by historic development patterns which do not favour car dominance e.g. Victoria Park around Albany Highway, South Perth around Angelo Street.
- The surrounding streets are adequately designed to provide for on-street parking in terms of their pavement width (see Liveable Neighbourhoods). Furthermore, on-street parking is known to slow down traffic speeds and in some cases create safer traffic environments.
- Should overflow parking occur, it would occur within a defined weekday lunch time period, which is not significant in the context of an overall day or week.


Existing Parking Arrangement

As mentioned previously, the Nedlands Village complex is served by 21 car bays, comprising two on-site bays and 19 on-street bays, 13 of which are subject to 15 or 30 minute time restrictions. In terms of the time restrictions, it is considered that Council should review the existing arrangement given that it may be encouraging visitors to park in surrounding streets where time restricted bays may be available. It should be noted that the only likely beneficiaries from the 15 minute time restriction would be visitors to the cake shop or the gourmet food shop.

Conclusion

In summary, it is respectfully requested that Council support the subject application, based on the following reasons:

- Since the time that the café opened in August 2009, there has been a significant down trend in the customer numbers. As such, it is considered appropriate to review the car parking requirements for the site.
- The City of Nedlands' TPS 2 car parking standards are considered onerous when compared to the car parking standards from other local governments.
- Accessibility to the Nedlands Village complex is high and it has been demonstrated that a significant proportion of visitors to Feast Café arrive by foot, bike or ride share.
- The impact that overflow parking (if any) could have on the amenity of residents in neighbouring streets is not considered to be unreasonable.
- The use provides a local amenity to be enjoyed by residents in the area. Should Council not review the car parking for the Nedlands Village complex, it is likely that any future café operators will be unsuccessful based on the current 20 person customer limit.

PD09.16	(Lot 589) No. 35 Stirling Highway, Nedlands – Proposed Non-Illuminated Roof Sign and Projecting Signs
Committee	08 March 2016
Council	22 March 2016
Applicant	Globetrotter Corporate Travel
Owner	R Edwards
Officer	Andrew Bratley – Coordinator Statutory Planning
Director	Peter Mickleson – Director Planning & Development Services
Director Signature	
File Reference	DA2015/438 – ST6/35
Previous Item	Item E185.01 – 11 December 2001 Item E140.04 – 23 November 2004
Attachments	<ol style="list-style-type: none"> 1. Site Plan (A3) 2. Stirling Highway Elevation (A3) 3. Meriwa Street Elevation (A3) 4. Elevation for Non-Illuminated Projecting Signs on Stirling Highway facade (A3) 5. Elevation for Non-Illuminated Projecting Sign on Stirling Highway facade (A3) 6. Elevation for Non-Illuminated Projecting Signs on Meriwa Street facade (A3) 7. Artist's Impression of Proposed Signage (A3) 8. Photograph of the property as seen from Stirling Highway 9. Photograph of the property as seen from Meriwa Street 10. Municipal Heritage Inventory Place Record Form – 35 Stirling Highway, Nedlands 11. Applicant's Justification

1.0 Executive Summary

A development application has been received to install one non-illuminated roof sign and seven non-illuminated projecting signs to the southern and eastern facades of the existing building on the property (refer to Attachments 1 to 7).

The application was advertised to nearby landowners for comment due to a 9sqm roof sign in lieu of 5sqm being proposed, and due to more than one projecting sign for the same tenancy being proposed. The application was also referred to the State Heritage Office (SHO) for comment in accordance with Section 11 of the *Heritage of Western Australia Act 1990*. During the advertising period no submissions were received, however the SHO recommended that the roof sign not be supported.

The application has been referred to Council for determination, as officers do not have the delegation to refuse an application where discretion exists for Council to approve the variation(s).

The roof sign's size will have an unacceptable impact on the streetscape and also on the aesthetics of the building, which is listed on the City's Municipal Heritage Inventory (MHI), therefore it is recommended that this component of the application be refused by Council.

The sizes and locations of the projecting signs means that they will not have an unacceptable impact on the streetscapes and the building's appearance, and are therefore recommended to be approved by Council.

2.0 Recommendation to Committee

Council:

- 1. approves the component of the application for the installation of 7 non-illuminated projecting signs at (Lot 589) No. 35 Stirling Highway, Nedlands, subject to the following conditions and advice:**
 - a) The development shall at all times comply with the approved plans.**
 - b) The signs being maintained by the landowner to the City's satisfaction.**
 - c) All street trees in the verge are to be retained and not removed without prior written approval from the Manager Parks Services.**
 - d) The existing unauthorised 'Globetrotter' roof sign being removed within 60 days from the date of this decision, to the City's satisfaction.**
 - e) The signs shall not contain fluorescent, reflective or retro reflective colours or materials.**

Advice Notes specific to this approval:

- a) Development approval is required to be sought and obtained from the City for any proposed signage not included in this development approval.**
- b) The applicant is advised that Condition e) is based on comments received from Main Roads Western Australia. In addition, the following advice has been provided by Main Roads Western Australia in relation to the proposed development:**
 - i. The property is significantly affected by the existing Metropolitan Region Scheme (MRS). However, MRS major amendment 1210/41 proposes to decrease the current MRS land requirement as shown on Diagram No. 1.7145. However, this is still subject to the completion of the amendment process. Further information on amendment 1210/41 is available on the Department of Planning's**

website at the following link:
<http://www.planning.wa.gov.au/publications/6242.asp>

- ii. **The project for the upgrading/widening of Stirling Highway is not in Main Roads current 4 year forward estimated construction program and all projects not listed are considered long term. Please be aware that timing information is subject to change and that Main Roads assumes no liability whatsoever for the information provided.**
 - c) **This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.**
- 2. Refuses the component of the application for the installation of a non-illuminated roof sign at (Lot 589) No. 35 Stirling Highway, Nedlands, for the following reasons:**
- a) **The roof sign being visually intrusive in terms of the heritage significance of the building.**
 - b) **The roof sign having an unacceptable impact on the streetscape due to its size and their being no other existing approved roof signs within the vicinity.**

3.0 Strategic Community Plan

KFA: Natural and Built Environment

This report addresses the Key Focus Area of Natural and Built Environment through adherence to the requirements of Town Planning Scheme No. 2 (TPS 2), the MHI and the Advertisement Signs on Zoned and Reserved Land Local Planning Policy (Signs Policy).

4.0 Legislation / Policy

- *Planning and Development Act 2005 (Act).*
- Metropolitan Region Scheme (MRS).
- City of Nedlands Town Planning Scheme No. 2 (TPS 2).
- Council Policy – Neighbour Consultation.
- Advertisement Signs on Zoned and Reserved Land Local Planning Policy (Signs LPP)
- City of Nedlands Municipal Heritage Inventory (MHI)
- *Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)*

5.0 Budget / Financial Implications

The proposal is for signage to be installed on a private lot, and therefore has no immediate budget or financial implications for the City, however should Council refuse the application, there may be financial implications through an appeal of Council's decision.

6.0 Risk Management

Not applicable.

7.0 Background

Property address	(Lot 589) No. 35 Stirling Highway, Nedlands
Lot area	983m ²
MRS Reserve	Urban and Primary Regional Road
TPS 2 Zoning	Office/Showroom

The subject site contains an office building currently occupied by Globetrotter Travel Agency and is located on the Stirling Highway and Meriwa Street intersection as shown on the locality plan on the following page (also refer to Attachment 8 and 9). The topography of the land falls towards the eastern boundary of the property. Street trees exist along the adjoining portion of verge on Stirling Highway, and a 'globetrotter' roof sign exists on top of the Stirling Highway façade. Nearby properties contain single dwellings, with commercial buildings being on the opposite side of Meriwa Street and Stirling Highway.

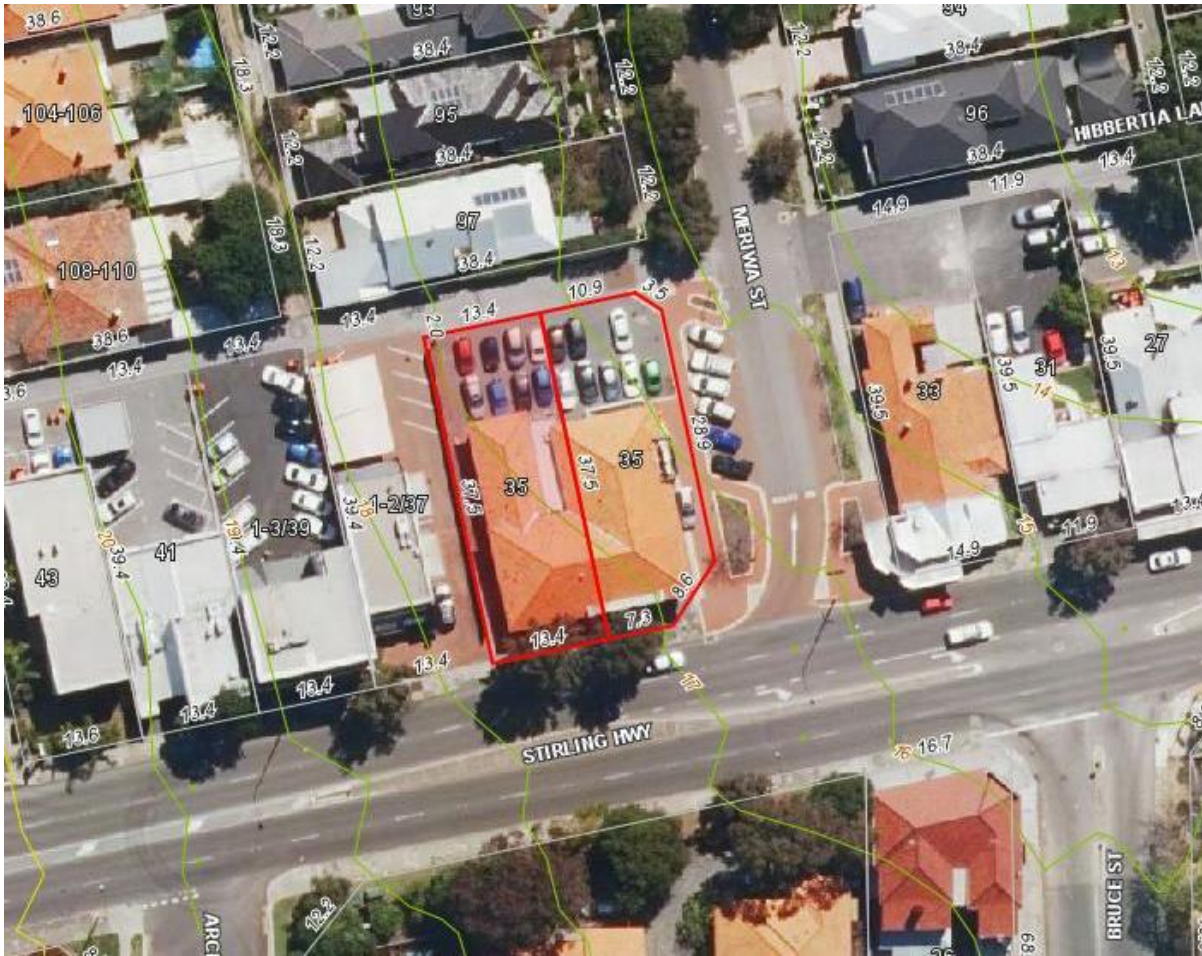
In December 2001, Council resolved to refuse an application for the installation of a roof sign on the property. Plans for which show the existing 'Globetrotter' roof sign and 'Corporate Travel' wall sign on the southern (Stirling Highway) façade.

In November 2004, Council resolved to approve an application for office additions. Whilst the existing 'Globetrotter' roof sign and 'Corporate Travel' wall sign on the southern façade are shown on the approved plans they did not form part of the approval decision. A condition of approval states that *"signs shall require separate planning and building approval"*.

No record exists of the existing 'Globetrotter' roof sign and/or 'Corporate Travel' wall sign being subsequently approved.

The property is included in the City's Municipal Inventory [MHI] (refer to Attachment 10) and has been allocated Management Category B, which means that proposed development is subject to the following:

"Worthy of a high level of protection; to be retained and conserved; provide maximum encouragement to the owner under the City of Nedlands Town Planning Scheme to conserve the significance of the place. A more detailed Heritage Assessment/Impact Statement to be undertaken before approval given for any major redevelopment. Incentives to promote heritage conservation should be considered."



8.0 Discussion

The application seeks development approval to install one non-illuminated roof sign and seven non-illuminated projecting signs to the southern and eastern facades of the existing building on the property (refer to Attachments 1 to 7).

The details of the application are as follows:

- a) The projecting signs on the eastern façade will be 0.56sqm in area, project 0.35m from the wall, and be between 2.75m and 2.89m above natural ground level.
- b) The projecting signs on the southern façade will be 0.49sqm in area, project between 0.35m and 0.4m from the wall, and be between 2.75m and 2.91m above natural ground level.
- c) The roof sign on the eastern façade will be 9sqm in area and approximately 5m above natural ground level.
- d) The signage will advertise services provided by the travel agency which currently occupies the premises.
- e) The existing roof sign and wall sign on the southern façade will be removed.

Refer to Attachment 11 for the applicant's justification in support of the proposal.

8.1 Consultation

The proposal was advertised for 14 days to nearby landowners for comment in January and February 2016 due to a 9sqm roof sign in lieu of 5sqm being proposed, and due to more than one projecting sign for the same tenancy being proposed

During the advertising period no submissions were received from nearby landowners.

The application was referred to MRWA as the property is affected by a Regional Road Reservation. MRWA advised that it has no objections to the proposal.

As the property is included in the City's MHI the proposal was also referred to the City's Heritage Consultant. The following response was provided:

“Being a Post Office, 35 Stirling Highway, as a former Federal Government building marks the recognition of the Inter-War growth of the City. From the Management Category B citation in the MHI, the subject building in the Inter-War Functionalist style, is an important component of the flush of Inter-War construction particularly evident along Stirling Highway. The building is considered to meet the established criteria for Aesthetic, Historic and Social significance, particularly in terms of the contribution of the building to the iconic Inter-War streetscape values of Stirling Highway.

Accordingly, it is considered that the proposal to install a Roof Sign on the building as per the application is intrusive to the visual values of the building, perhaps arguably imbuing it with an excess of commercial character.”

“Conclusion

- 1. From the heritage aspect, the preference for the least visual impact on the streetscape significance of this building would be to agree to the single Projecting Sign on the south eastern corner of the subject building to mark the occupancy or tenancy.*
- 2. The second preference would be to agree to all of the Projecting Signs in the proposal.*
- 3. The Roof Sign is considered visually intrusive in terms of the heritage significance of the building and should not be permitted.”*

As the property is included in the City's MHI as a Category B the proposal was also referred to the SHO. The SHO recommended that the roof sign not be supported.

The potential impact the proposal will have on the area's amenity and the building's appearance is discussed in the following sections.

8.2 Advertising Signs Local Planning Policy

The following provision of the Advertising Signs Local Planning Policy (Signs LPP) apply to such proposals:

Signs LPP Requirement	Proposed
<p>Projecting Signs</p> <ul style="list-style-type: none"> a) A maximum of one projecting sign per tenancy. b) Have a minimum clearance of 2.75m above natural ground level. c) When attached directly to a building not the underside of a verandah, is not to project more than 1m from the wall to which it is attached. d) When attached directly to a building not the underside of a verandah, is not to exceed 4sqm in area individually. e) When attached directly to a building not the underside of a verandah, is not to project above the top of the wall to which they are attached. 	<ul style="list-style-type: none"> a) Seven projecting signs. b) Will have a minimum clearance of 2.75m above natural ground level. c) Will project between 0.35m and 0.4m from the wall to which they are attached. d) Will be between 0.49sqm and 0.56sqm in area. e) Will not project above the top of the wall to which they are attached.
<p>Roof Signs</p> <ul style="list-style-type: none"> a) Not to exceed a maximum area of 5sqm. b) Not to exceed a maximum height of 2m above roof level. <p>Shall be assessed on a case by case basis having regard to the size and height above natural ground level, and the potential impact it may have on the streetscape and the amenity of nearby residential properties.</p>	<ul style="list-style-type: none"> a) Will be 9sqm in area. b) Will be 1.5m in height but not project above the roof ridgeline of the building.

The proposal complies with the Signs LPP with the exception of the number of projecting signs and the area of the roof sign proposed. The Signs LPP stipulates that if it is established to the satisfaction of the City that a particular standard or provision is unreasonable or undesirable in the particular circumstances of the case, the City may vary the standard or provision.

The individual areas of the projecting signs are significantly less than what the Signs LPP permits. The aggregate area of the signs (approximately 3.7sqm in total) is less than the 4sqm area permitted for a single projecting sign. The signs proposed on the Stirling Highway façade will be partially screened by existing street trees. The impact that the number of signs will have from a streetscape perspective is deemed acceptable.

The Statement of Significance in the MHI states that the former Nedlands Post Office building has aesthetic, historic and social cultural heritage significance (refer to Attachment 10). The visual impact the roof sign will have on the streetscape and also on the building's aesthetics is deemed unacceptable. No approved roof signs exist within the vicinity. As outlined in the Background section of this report, no record exists of the existing 'Globetrotter' roof sign being approved.

8.3 Town Planning Scheme No. 2

The following provision of TPS 2 applies to such proposals.

TPS 2 Clause	Assessment Comment
<p>In accordance with clause 5.5.1, Council may refuse to approve any development if in its opinion the development would adversely affect the amenity of the surrounding area having regard to the likely effect on the locality in terms of the external appearance of the development, or any other factor inconsistent with the use for which the lot is zoned.</p>	<p>The property has been allocated Management Category B under the MHI, meaning the building is worthy of a high level of protection; to be retained and conserved. The installation of a roof sign will have an unacceptable impact on the aesthetics of the building.</p> <p>The size of the roof sign will also have an unacceptable impact on the streetscape.</p> <p>No other authorised roof signs exist within the vicinity.</p> <p>As discussed in the previous section of this report, the projecting signs are deemed to be acceptable due to their sizes and locations.</p>

8.4 Planning and Development (Local Planning Schemes) Regulations

The following provision of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) applies to such proposals.

Regulations Clause	Assessment Comment
<p>Clause 67 under Schedule 2 (Deemed Provisions) of the Regulations stipulates that in considering a development application due regard is to be given to the following matters, amongst others:</p> <ol style="list-style-type: none"> a) Any local planning policy for the Scheme area. b) The built heritage conservation of any place. c) The likely effect of the height, bulk, scale, orientation and appearance of the development. 	<p>The property has been allocated Management Category B under the MHI, meaning the building is worthy of a high level of protection; to be retained and conserved. The installation of a roof sign will have an unacceptable impact on the aesthetics of the building.</p> <p>The size of the roof sign will also have an unacceptable impact on the streetscape.</p> <p>No other roof signs exist within the vicinity.</p>

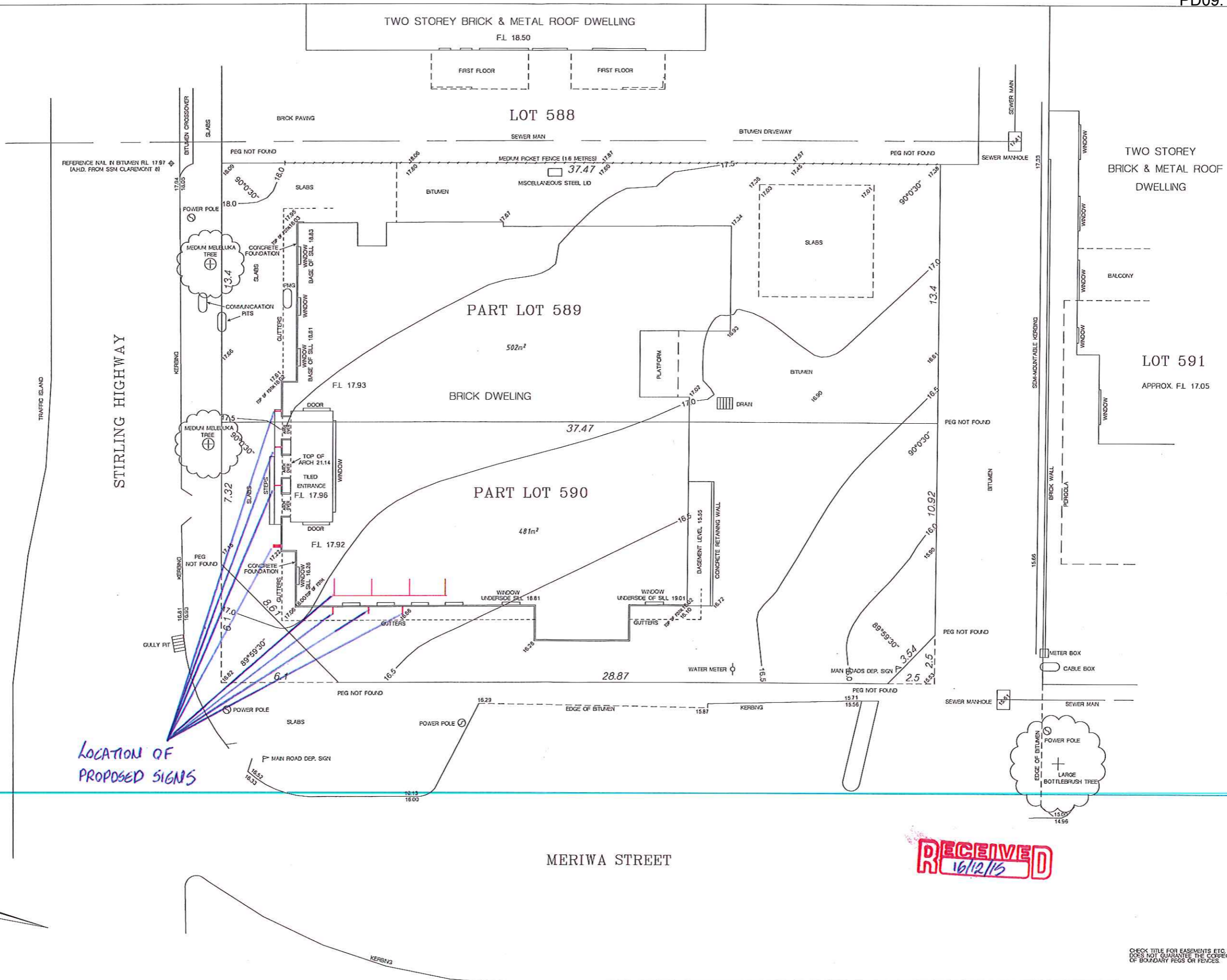
<ul style="list-style-type: none"> d) The amenity of the locality, including the locality of the area. e) The history of the site where the development is to be located. f) Any submission received on the application. g) The comments received from any authority consulted. h) Any other planning consideration considered appropriate. 	<p>As discussed previously in this report, the projecting signs are deemed to be acceptable due to their sizes and locations.</p>
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9.0 Conclusion

The proposal is to install one non-illuminated roof sign and seven non-illuminated projecting signs to the southern and eastern facades of the existing building on the property.

The roof sign will have an unacceptable impact on the streetscape due to its size and also on the aesthetics of the building which is listed on the MHI, therefore it is recommended that this component of the application be refused by Council.

The sizes and locations of the projecting signs means that they will not have an unacceptable impact on the streetscapes and the building's appearance, and are therefore recommended to be approved by Council.



LOCATION OF PROPOSED SIGNS

RECEIVED
16/12/15

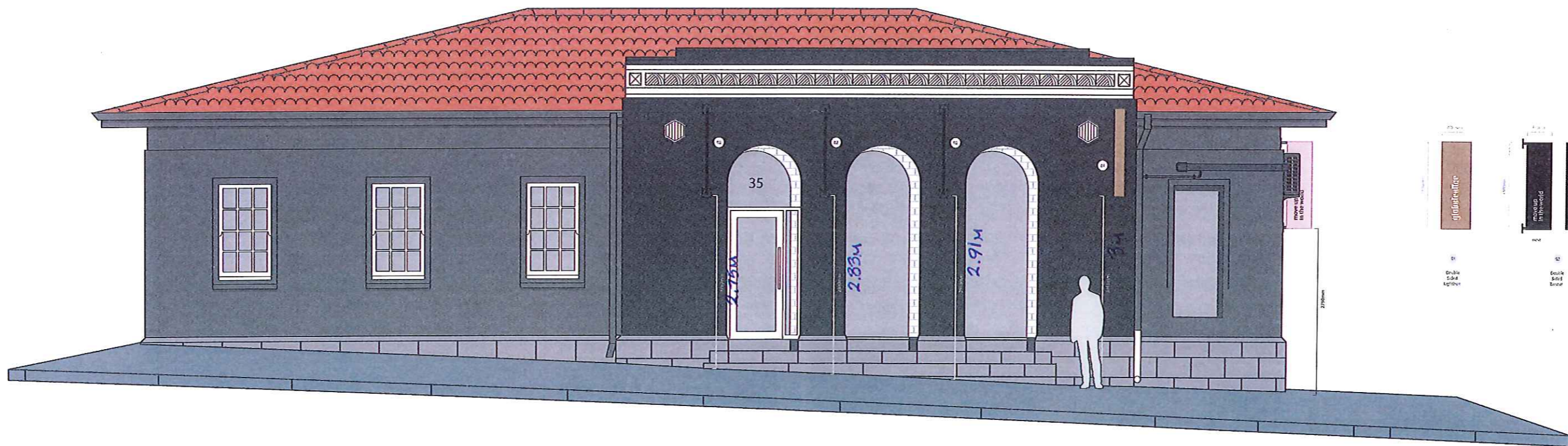
CHECK TITLE FOR EASEMENTS ETC. THIS SURVEY DOES NOT GUARANTEE THE CORRECT POSITION OF BOUNDARY PEGS OR FIXES.

CONTOUR & FEATURE SURVEY OF PART LOTS 589 & 590
STIRLING HIGHWAY & MERIWA STREET, NEDLANDS

PLAN : 2238
C/T : 1500-826
SCALE : 1 : 100
DATE : 11-6-2004
JOB : 6990

SHEET 1 OF 1 SHEET

CARLTON SURVEYS
LICENSED SURVEYORS
SUITE 4/160 BURSWOOD ROAD
BURSWOOD WA 6100
TEL 93615358 FAX 93613457

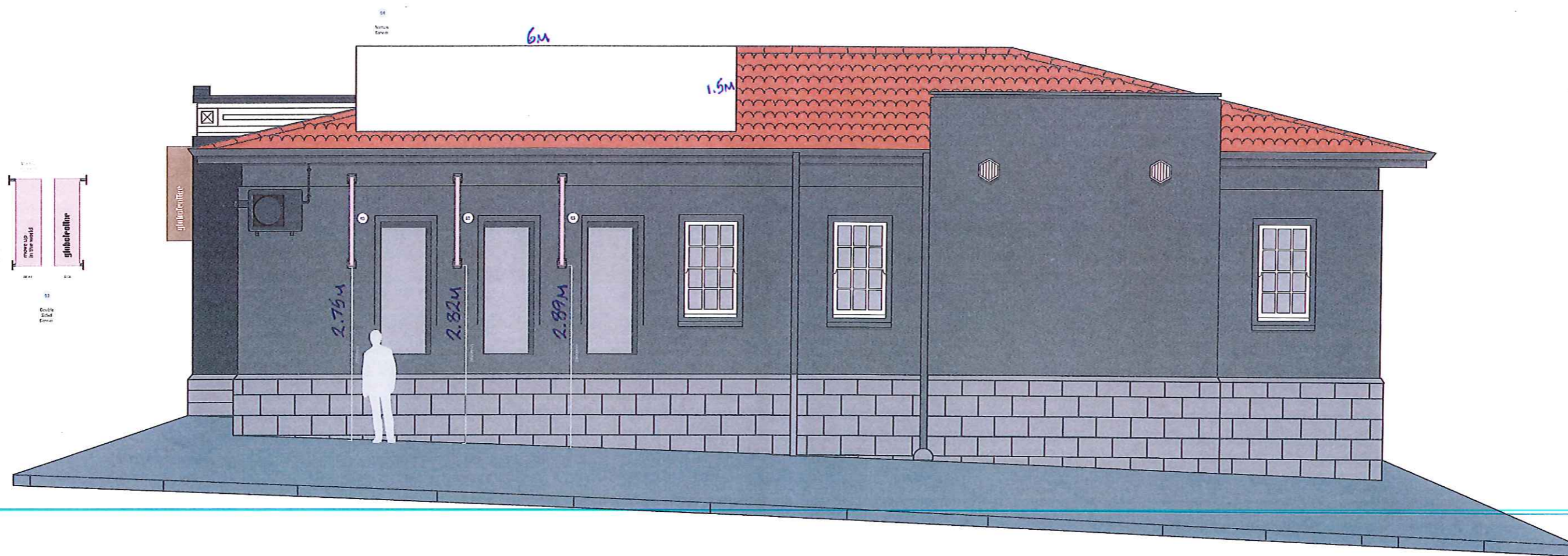


Globetrotter
External Signage

35 Stirling Hwy
Nedlands WA 6009
9442 0100

Front View (Stirling Hwy)

RECEIVED
16/12/15



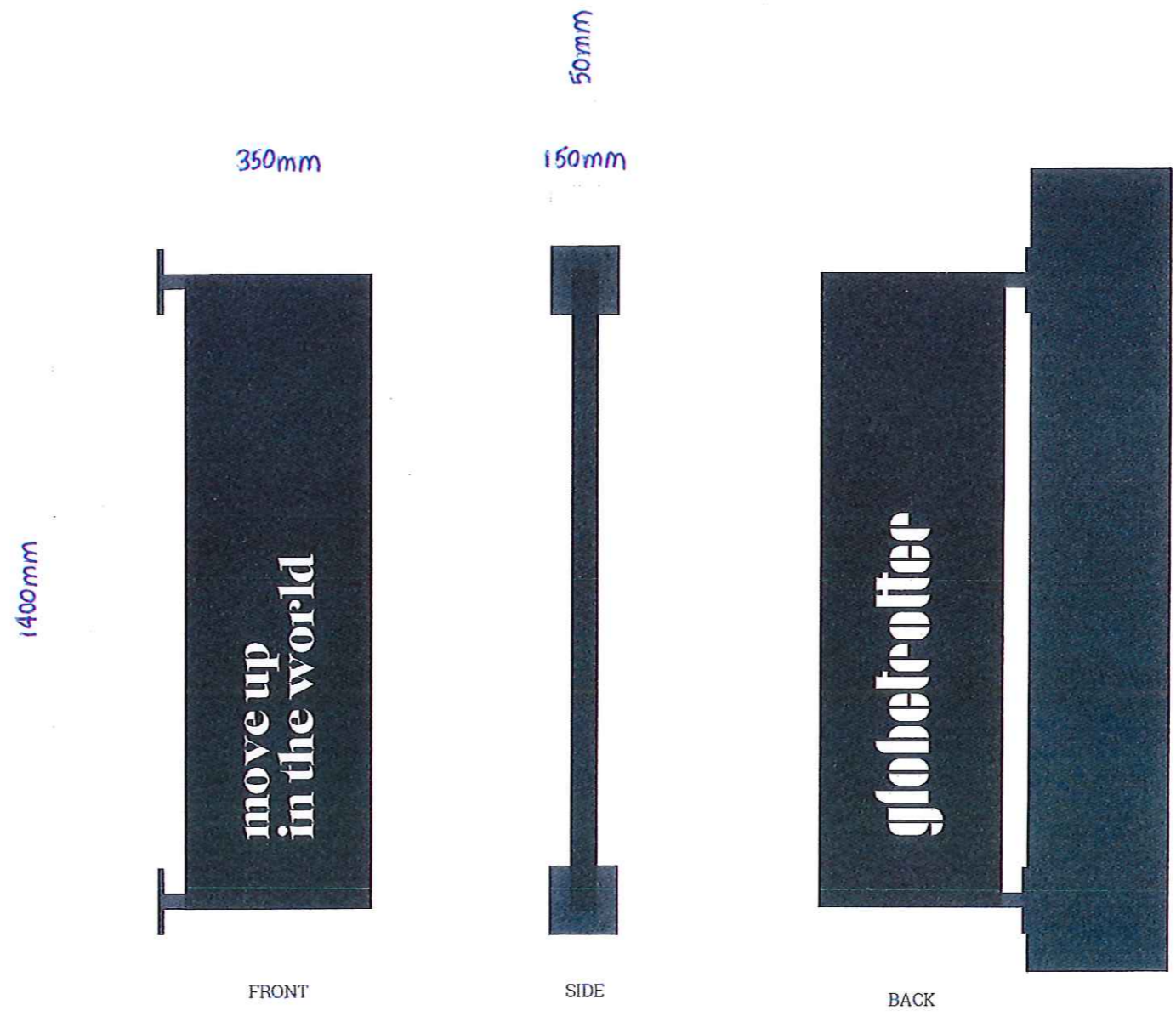
Globetrotter
External Signage

35 Stirling Hwy
Nedlands WA 6009
9442 0100

Side View (Meriwa St)

RECEIVED
16/12/15

CITY OF NEDLANDS
1 DEC 2015
RECEIVED



**Globetrotter
External Signage**

35 Stirling Hwy
Nedlands WA 6009
9442 0100

02 - Double Sided Banners - Stirling Hwy

CITY OF NEDLANDS
1 DEC 2015
RECEIVED

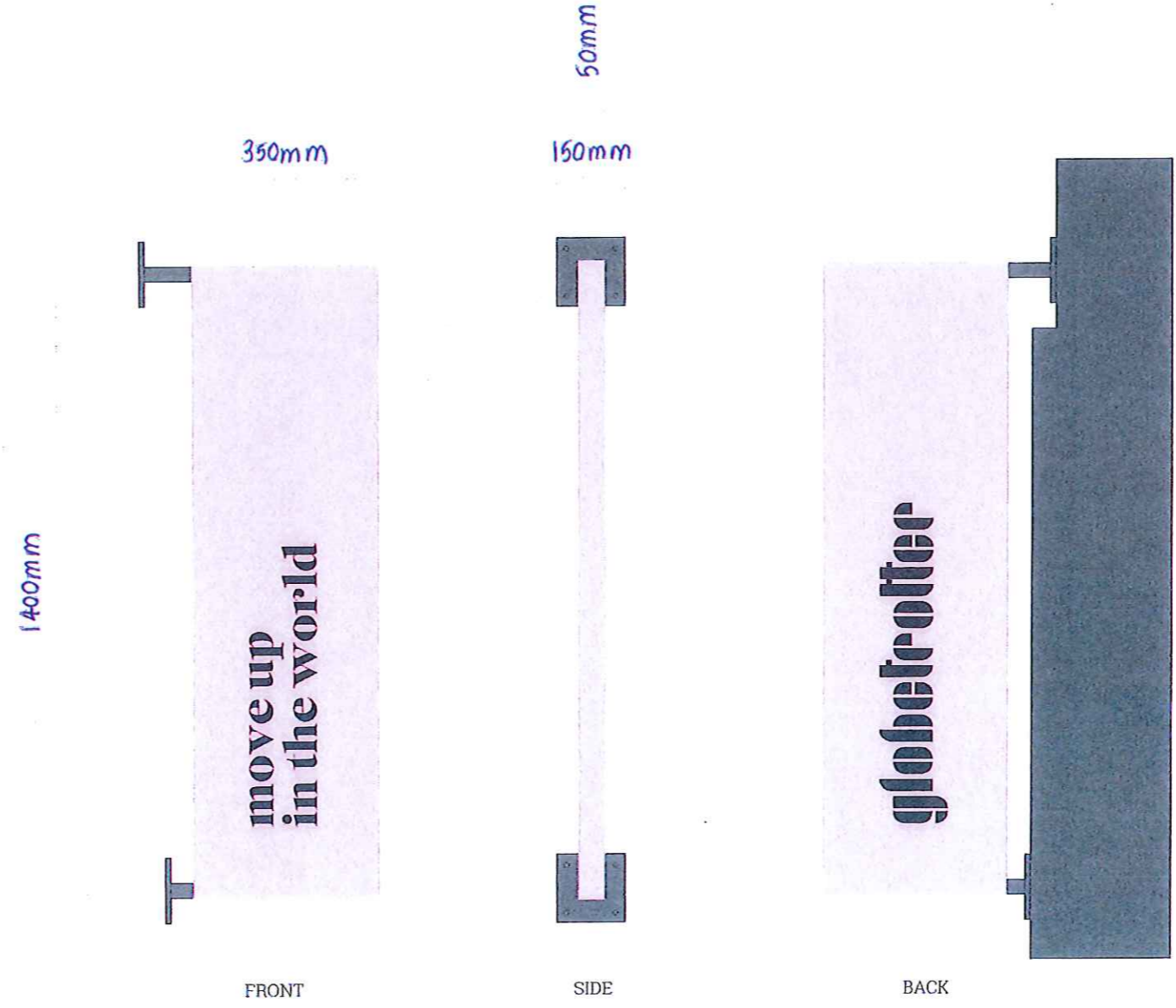


**Globetrotter
External Signage**

35 Stirling Hwy
Nedlands WA 6009
9442 0100

01 - Double Sided Lightbox - Stirling Hwy

CITY OF NEDLANDS
1 DEC 2015
RECEIVED



**Globetrotter
External Signage**

35 Stirling Hwy
Nedlands WA 6009
9442 0100

03 - Double Sided Banners - Meriwa St

RECEIVED
16/12/15





PD09.16 - Attachment 8
Photo of property from Stirling Highway



PD09.16 - Attachment 9
Photo of property from Meriwa Street

CITY OF NEDLANDS

**MUNICIPAL HERITAGE INVENTORY
PLACE RECORD FORM**

LGA Place No: N23

Nedlands Post Office

Photograph of the place



LOCATION	
HCWA Reference Number	
Other Reference Number	
Name of Place	Nedlands Post Office
Other names	
Address	35 Stirling Hwy
Suburb/Town	Nedlands
Local Government Authority	City of Nedlands

OWNERSHIP & LAND DESCRIPTION				
Owner	Address	Phone/fax	Status	No
Australian Postal Commission	GPO Box 9000 Perth WA 6000			
Reserve No.	Lot/Location No.	Plan/Diagram	Vol/Folio	No.

PERIOD	Inter-War
Design Style	Inter-War Functionalist
Construction Date	1935
Source/Details	Australia Post

USE(S) OF PLACE	
Original	Post Office
Present	Vacant
Other	

HISTORICAL NOTES

Tenders for the construction of the Nedlands Post Office were called by the Commonwealth Works Department on 11 May 1934. On 7 September 1935 the new premises were opened. This improved the postal facilities of the Nedlands, Dalkeith and Hollywood localities. Prior to 1935, the approximately 8,000 residents of the district travelled to Subiaco or Claremont for their postal needs. At the time when Perth was still recovering from the depression, the funds to build a Post Office of this architectural merit would have been difficult to find. It is thought that a lot of foresight went into the design and planning for the post office. The Nedlands Post Office served the district continuously from 1935 until 1998 when the post office was moved to a more central location.

DESCRIPTION

The Nedlands Post Office is on a corner setting on Stirling Highway. It is constructed from brick with Marseilles pattern terracotta tiles. The single storey building is of a residential scale and is set on an ashlar coursed granite plinth. The portico along the east front has been enclosed and most of the distinguishing architectural accoutrements have been progressively removed until only the street facade remains. Nevertheless, the Nedlands Post Office is included in the Art Deco Society's walks owing to its design and contribution to the Stirling Highway streetscape with its Inter-War theme. It was listed as a priority building on p14 of 'Historical and Architectural Assessment of Post Offices in WA as owned by Australia Post July 1991.'

CONDITION	Good
INTEGRITY	Fair

ASSOCIATIONS**ASSOCIATION TYPE**

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STATEMENT OF SIGNIFICANCE

The former Nedlands Post Office has aesthetic, historic and social cultural heritage significance. Though a number of interior and exterior modifications have been made, the post office still has strong streetscape value. The post office, along with the Windsor Theatre, the Persian Carpet Gallery, the Sol Café, the Maisonettes and the Nedlands Council buildings, represents a period in history when architecture was influenced by modern European design. Together these buildings have an Inter-War theme that strongly contributes to the City of Nedlands character. The post office operated continuously for approximately 63 years, providing a vital service to the Nedlands district.

HISTORIC THEME/Subtheme**CATEGORIES OF SIGNIFICANCE**

Transport and Communication /Postal Services	Aesthetic
	Historic
	Social

MANAGEMENT RECOMMENDATIONS

Management Category: B

LISTINGS

SUPPORTING INFORMATION/BIBLIOGRAPHY

- Yvonne Geneve, Art Deco Society of Western Australia. Interviewed by OBPC 29 July 1998
- Brian Pope interviewed by Cathy Day OBPC 30 July 1998
- Pope, B; Bush, F; Broomfield, W; Kelsall, D. Historical and Architectural Assessment of Post Offices in Western Australia owned by Australia Post as of 21 July 1991. November 1993 NEGP
- Information provided by Robyn Taylor.



**Nedlands Post Office prior to any changes to the exterior.
Date unknown. (Courtesy West Australian Newspapers)**



luminosity
Branding & Marketing Communications

Andrew Bratley
Acting Manger Planning
City of Nedlands
71 Stirling Highway
Nedlands WA 6009

22 January 2016

Re: Proposed roof sign – 35 Stirling Highway, Nedlands

Dear Andrew,

In response to your email 12 January 2016 requesting *“b) written justification on why you believe the proposed new roof sign is acceptable and will not have an unacceptable impact on the building’s appearance despite its heritage significance”*.

Firstly, we would like to commend the council on its desire to preserve the heritage and integrity of the streetscape. As long-term occupants, Globetrotter has been headquartered at 35 Stirling Street since 1999, first as owners of the building (faithfully restoring what was previously the post office) and more recently as tenants, so we understand and support your mission to protect and preserve.

Indeed, as we would like to explain, both Globetrotter and Luminosity (Globetrotter’s brand consultancy) share your ideals and motivations.

As you will see from our plans, the new branding for Globetrotter is complementary to the style of the building. In fact, the building’s late-art deco aesthetic and history (as Nedland’s old post office) are the key inspirations for the company’s new logo and visual identity.

Globetrotter’s success as a high-end travel agency is built on a commitment to personalised service – what you might call ‘old-fashioned personal service’, harking back to the era in which building was designed and constructed. That’s why everything – from the understated art-deco colour palette, to the choice of fonts and classic postcard-style imagery, to our plans for the exterior signage – has been conceived to capture and enhance the style and aesthetic synonymous with that era.

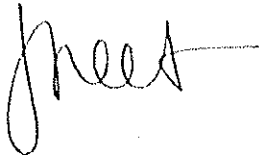
As such, instead of replacing the rather intrusive signage on the front of the building (see photo), we propose removing it and placing a new sign on the roof, facing out onto Merriwa Street (rather than the main thoroughfare of Stirling Highway) – a sign that’s similar in size/scale to the old one, but sympathetic in style, scale and placement to the architecture of the building, including the roofline.

This replacement, in addition to the proposed makeover of the rest of the exterior, and taking into account the approved removal of the tree that currently blocks the front elevation, will finally reveal the Stirling Street façade and allow the building to shine.

In summary, our goal throughout this process has been to protect the integrity of the streetscape by promoting and accentuating the building's heritage, once again making it an attractive late-art deco landmark on Stirling Highway.

If you have any questions or require further information please don't hesitate to call me.

Kind regards,

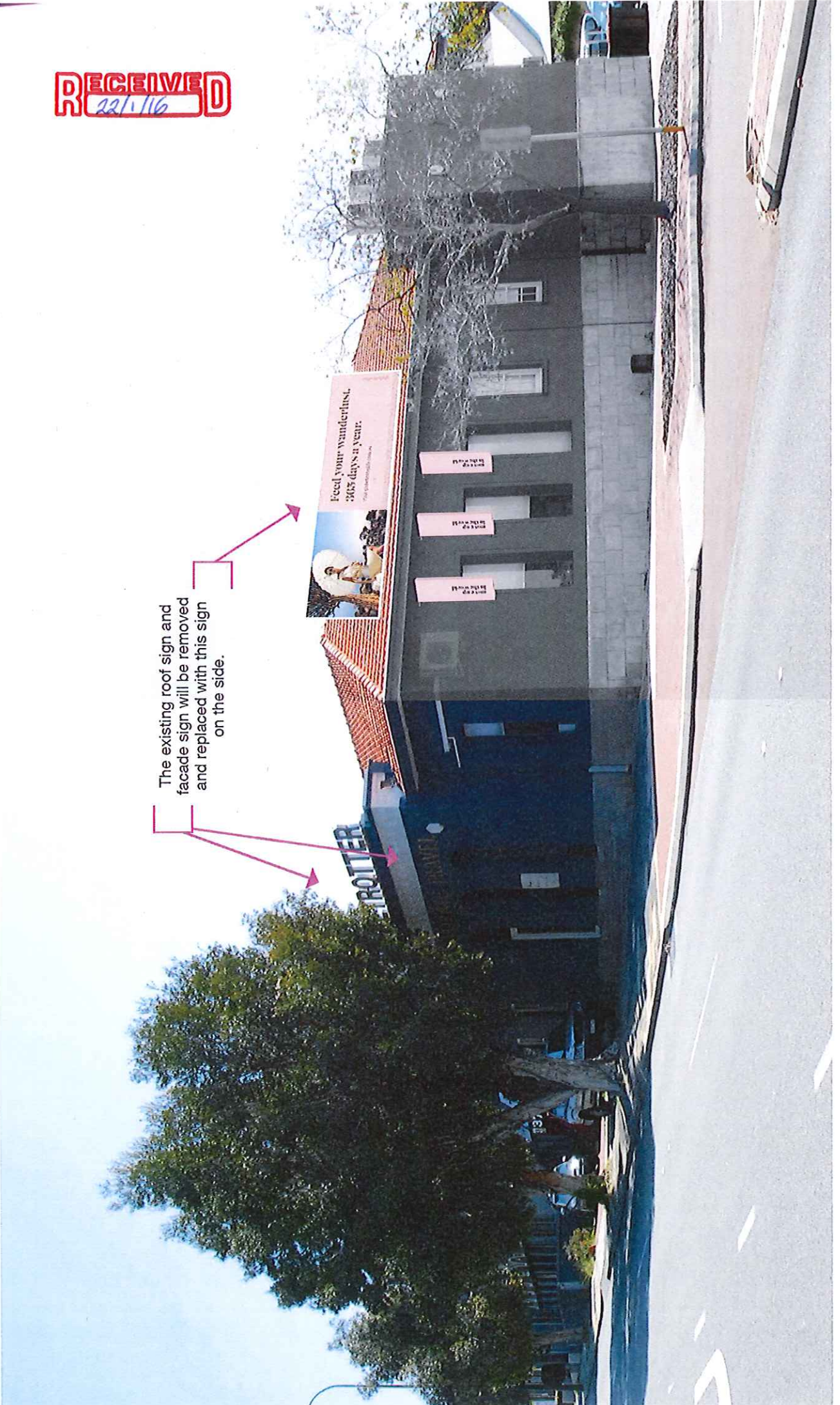


Juliet Street
Director


P.S. We have also attached another PDF with an image that better illustrates the improvements we are proposing to make to the aesthetics of the building.

RECEIVED
22/1/16

The existing roof sign and facade sign will be removed and replaced with this sign on the side.



PD10.16	(Lot 734) No. 115 Melvista Avenue, Nedlands - Two Storey Single House and Ancillary Accommodation
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Committee	08 March 2016
Council	22 March 2016
Applicant	Webb & Brown Neaves Homes
Owner	D J & E E Sargent
Officer	Kate Bainbridge – Senior Statutory Planning Officer
Director	Peter Mickleson – Director Planning & Development Services
Director Signature	
File Reference	ME2/115 DA15/389
Previous Item	Nil.
Attachments	<ol style="list-style-type: none"> 1. Survey Plan 2. Site Plan 3. Ground Floor Plan 4. Upper Floor Plan 5. Elevations 1 & 2 6. Elevations 3 & 4 7. Ancillary Accommodation Elevations 8. Fencing Plan 9. Fencing Elevations 10. Applicant Justification 11. Site photographs

1.0 Executive Summary

The proposal is for a new two storey single house with detached ancillary accommodation. The proposal is compliant with the deemed-to-comply provisions for the Residential Design Codes (R-Codes) with the exception of:

- a) The dwelling's proposed ground and upper floor setback to the northern side boundary;
- b) The rear setback to the ancillary accommodation;
- c) Solid portions of front fencing;
- d) The height of the piers within the secondary street fence; and
- e) The amount of fill and retaining to the northern side and rear boundaries.

One (1) submission was received during the consultation period raising concerns in relation to the height of the fill and retaining and objections to the rear setback variation to the ancillary accommodation.

Where an objection has been received, administration does not have the delegation to determine the application and therefore the application is referred to Council for determination.

The variations are considered to comply with the design principle provisions of the R-Codes and therefore it is recommended that the application be approved by Council.

2.0 Recommendation to Committee

Council approves the development application to construct a two storey single house and ancillary accommodation at (Lot 734) No. 115 Melvista Avenue, Nedlands, in accordance with the application received on 22 October 2015 subject to the following conditions and advice notes:

- 1. The development shall at all times comply with the approved plans.**
- 2. The existing outbuilding and patio in the north-west corner of the subject property shall be demolished/dismantled and materials removed from the site prior to occupation of the dwelling and ancillary accommodation.**
- 3. The use of the Ancillary Accommodation building shall be occupied only by persons related to the occupiers of the main dwelling.**
- 4. The landowner shall execute and provide to the City a notification pursuant to section 70A of the *Transfer of Land Act 1893*, to be registered on the title to the land as notification to prospective purchasers that the use of the ancillary accommodation building is subject to the restriction set out in this approval. The full costs of the notification shall be borne by the landowner; and this condition shall be fulfilled prior to the Building Permit being issued.**
- 5. The dividing fencing shall be 1.8m above the retained level at the lot boundary.**
- 6. All footings and structures to retaining walls shall be constructed wholly inside the site boundaries of the Certificate of Title.**
- 7. Front walls and fences in the primary street setback area, shall be:**
 - a) With regard to walls, a maximum height of 1.8m above Natural Ground Level at the base of the wall;**
 - b) With regard to brick piers, a maximum height of 2.1m above Natural Ground Level at the base of the wall;**
 - c) With regard to walls, visually Permeable above 1.2m in accordance with the Residential Design Codes 2013 and Council Policy with the exception of the approved solid section of front fence; and**
 - d) With regard to walls, truncated or reduced to no higher than 750mm within 1.5m of where walls and fences adjoin vehicle access points, including neighbouring properties with the exception of the fence piers.**

8. The existing redundant crossover to Melvista Avenue shall be removed and the verge reinstated to the City's satisfaction
9. Any construction in the verge will require a Nature-Strip Development Application (NSDA) to be lodged with, and approved by, the City's Technical Services, prior to construction. The following is to be demonstrated as part of the NSDA:
 - a) All crossovers being constructed and drained to the City's specifications;
 - b) The footpath in the verge adjacent to the subject property being retained with modification in accordance with Council Nature Strip / Verge Development Policy;
 - c) All street trees in the verge being retained and not being removed without prior written approval from the Manager Parks Services; and
 - d) All development in the verge complying with the Council's Nature Strip / Verge Development Policy.
10. All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite.

Advice Notes specific to this approval:

1. Prior to any construction, the applicant is required to obtain a building approval from the City of Nedlands.
2. A grated channel strip-drain should be constructed across the driveway, aligned with and wholly contained within the property boundary, and the discharge from this drain to run to a soak-well situated within the property.
3. All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite by draining to soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m³ for every 80m² of calculated surface area of the development.
4. All downpipes from guttering shall be connected so as to discharge into drains, which shall empty into a soak-well; and each soak-well shall be located at least 1.8m from any building, and at least 1.8m from the boundary of the block.
5. All internal water closets and ensuites without fixed or permanent window access to outside air or which open onto a hall, passage, hobby or staircase, shall be serviced by a mechanical ventilation exhaust system which is ducted to outside air, with a minimum rate of air change equal to or greater than 25 litres / second.
6. The applicant is advised to consult the City's *Visual and Acoustic Privacy Advisory Information* in relation to locating any mechanical equipment (e.g. air-conditioner, swimming pool or spa) such that noise, vibration and

visual impacts on neighbours are mitigated. The City does not recommend installing any equipment near a property boundary where it is likely that noise will intrude upon neighbours.

Prior to selecting a location for an air-conditioner, the applicant is advised to consult the online fairair noise calculator at www.fairair.com.au and use this as a guide to prevent noise affecting neighbouring properties.

Prior to installing mechanical equipment, the applicant is advised to consult neighbours, and if necessary, take measures to suppress noise.

7. Prior to the commencement of any demolition works, any Asbestos Containing Material (ACM) in the structure to be demolished, shall be identified, safely removed and conveyed to an appropriate landfill which accepts ACM.
 - a) Removal and disposal of ACM shall be in accordance with *Health (Asbestos) Regulations 1992*, Regulations 5.43 - 5.53 of the *Occupational Safety and Health Regulations 1996*, *Code of Practice for the Safe Removal of Asbestos 2nd Edition*, *Code of Practice for the Management and Control of Asbestos in a Workplace*, and any Department of Commerce Worksafe requirements.
 - b) Where there is over 10m² of ACM or any amount of friable ACM to be removed, it shall be removed by a Worksafe licensed and trained individual or business.
8. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.

3.0 Strategic Community Plan

KFA: Natural and Built Environment

This report addresses the Key Focus Area of Natural and Built Environment through adherence to the design requirements of TPS 2, contributing to well-planned and managed development in the City of Nedlands.

4.0 Legislation

- *Planning and Development Act 2005* (Act).
- *Planning and Development (Local Planning Schemes) Regulations 2015* (2015 Regulations)
- Metropolitan Region Scheme (MRS).
- City of Nedlands Town Planning Scheme No. 2 (TPS2).
- Residential Design Codes WA 2013 (R-Codes).
- Council Policy – Fill and Fencing.
- Council Policy – Neighbour Consultation.

5.0 Budget / Financial Implications

The proposal is for works to be constructed on a private lot, and therefore has no immediate budget or financial implications for the City, however should Council refuse the application, there may be financial implications through an appeal of Council’s decision.

6.0 Risk management

Nil.

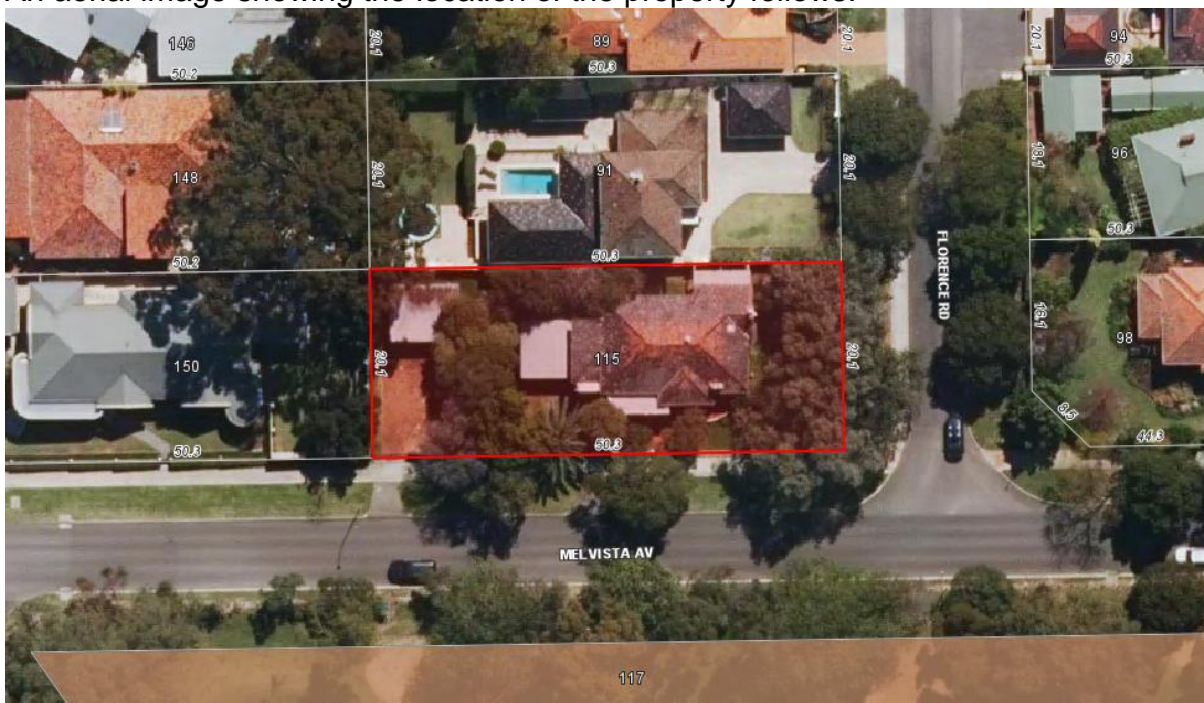
7.0 Background

7.1 Site Description

Lot area	1011.7m ²
Metropolitan Region Scheme Zoning	Urban
Town Planning Scheme No. 2 Zoning	Residential R10
Detailed Area Plan/Outline Development Plan	No
Controlled Development Area	No

The proposal is to demolish the existing single storey house and construct a two storey house and detached ancillary accommodation.

An aerial image showing the location of the property follows.



8.0 Discussion

The proposal includes the following

- Two storey dwelling with:
 - Garage access to Florence Road;
 - A 9m front setback to Florence Road; and
 - The porch/entry to the dwelling facing Melvista Avenue.
- Detached ancillary accommodation in the south west corner of the subject property with:
 - The existing single crossover to Melvista Avenue to be retained for the ancillary accommodation;
 - Less than 60m² floor area;
 - 2 living spaces; and
 - West facing entry. The ancillary accommodation complies with all aspects of the City's TPS2 in regard to the lot area, ancillary accommodation floor area, number of bedrooms and occupation by family of the main dwelling.
- Front and Secondary Street fencing with:
 - The fencing facing Florence Road being visually permeable; and
 - The fencing to Melvista Avenue having a mixture of solid and visually permeable sections.

The proposal complies with the TPS2 and the deemed to comply provisions of the R-Codes and Council Policy, with the exception of the following:

- a) The ground floor is proposed to be setback 2.1m in lieu of the required 4.5m to the northern side boundary;
- b) The upper floor is proposed to be setback 2.1m in lieu of the required 2.3m to the northern side boundary;
- c) The ancillary accommodation is proposed to be setback 3m in lieu of the required 6m to the western rear boundary;
- d) A portion of fencing within the front setback area is proposed to be solid to 1.8m in lieu of the permitted 1.2m;
- e) The secondary street fencing has piers at 2.1m in lieu of the permitted maximum 1.8m height; and
- f) Fill and retaining is proposed up to 0.67m to the northern side boundary and 0.63m to the western rear boundary in lieu of the permitted 0.5m.

By way of justification in support of the development application the applicant has provided justification (Refer to Attachment 10).

8.1 Consultation

The development application was advertised to impacted neighbouring landowners by the City for 21 days seeking comment on the proposal. The following is a summary of the concerns raised:

- a) *In relation to the reduced setback of the ancillary accommodation to the western rear boundary:*
 - i. *The ancillary space habitable space (not a garage or store etc. without noise).*
 - ii. *The variation is not necessary as there is sufficient space to provide a compliant setback;*
 - iii. *The roofing should be non-reflective; and*
 - iv. *A reduction of the setback is not required.*

- b) *In relation to the additional fill and retaining adjacent to the western rear boundary:*
 - i. *The proposed 3m setback between the ancillary dwelling and the western boundary is intended to be a car parking area for the ancillary accommodation;*
 - ii. *The request for excess fill along this boundary means that persons standing in the car parking area could overlook the western neighbouring property;*
 - iii. *The need to raise the level of the ground to the western rear boundary is not necessary and will contribute to some loss of amenity to neighbouring landowners.*
 - iv. *Access from the ancillary dwelling via proposed door on the west side which can be accessed with steps or moved to reduce the amount of fill and retaining required to the western rear boundary; and*
 - v. *There is no objections to the rear retaining if visual privacy screening is provided on top of the retaining.*

- c) *The neighbour has no objection to variation request for excessive height street boundary wall.*

The potential impact the proposal will have on the neighbour’s amenity is discussed in the following sections.

8.2 State Planning Policy 3.1 – Residential Design Codes

8.2.1 Lot Boundary Setbacks

The proposal is compliant with the Deemed-to-Comply provisions of the R Codes with the exception of the following:

Deemed-to-Comply Requirement	Proposed
A 6m rear setback is required.	The ancillary accommodation has a 3m setback.
4.5m provided to the north for the ground floor.	The ground floor is setback 2.1m to the north.
2.3m provided to the north for the upper floor.	The upper floor is setback 2.1m to the north.

Variations to the Deemed-to-Comply requirements can be considered subject to satisfying the following Design Principle provisions:

Design Principles	Assessment/Comment
<p>Reduce impact of building bulk</p>	<p><u>Rear boundary</u> The ancillary accommodation is proposed to be setback 3m to the rear with a wall length of 5.96m and will be adjacent to a landscaped area of the neighbour’s property. The ancillary accommodation will not be visible from the neighbouring dwelling should they retain vegetation on their property and hence the impact of building bulk is minimised. The dividing fence will further screen the development.</p> <p>The lot configuration has two street frontages and hence the appearance of the rear boundary is similar to a side boundary over a rear boundary. Additionally, the size of the dwelling is similar to an outbuilding which could be located in the same location and would be compliant with the ‘deemed to comply’ lot boundary setback provisions of the R-Codes.</p> <p><u>Northern boundary</u> The increased setback required for the ground floor is namely due to the wall height slight exceeding 3.5m at 3.66m and the presence of major openings. The additional height is for 7m of the wall length which is mainly the alfresco area of the dwelling which is an open structure.</p> <p>The upper floor setback variation of 0.2m can be considered minor in nature. The majority of the upper floor has a height less than 6.5m – the slope towards the western rear boundary is the main cause of the setback variation. If the wall length and height were slightly reduced to 17m and 6.5m wall height (or average height able to be applied, rather than maximum), the setback provided would be compliant.</p> <p>The impacted neighbouring landowner to the north provided no comment or objection to the proposed lot boundary setback variations.</p>
<p>Adequate direct sun and ventilation to the building and open spaces on the property and those adjoining</p> <p>Minimise the extent of overlooking and loss of privacy on adjoining properties.</p>	<p><u>Rear boundary</u> The ancillary accommodation has the entry into the kitchen/living area facing the western rear boundary where there is a 3m setback to the rear. The adjacent area on the neighbour’s property is a large landscaped area with mature vegetation screening the</p>

	<p>development as viewed from the western neighbour’s dwelling and outdoor living areas. Additionally the fencing on the lot boundary will screen the major opening facing the rear boundary. Therefore the neighbour’s dwelling will not be impacted in terms of access to sunlight and ventilation nor have any loss of privacy.</p> <p><u>Northern boundary</u> The lot boundary variations being to the northern lot boundary ensures that the northern neighbouring landowner is not impacted as a result of the reduced setbacks. The 2.1m setback for the subject dwelling will allow adequate ventilation and sunlight into the dwelling throughout the year.</p> <p>The ground floor major openings are proposed to be screened by the dividing fence above the proposed retaining and the upper floor does not contain any major openings. Therefore privacy will be maintained between the properties.</p> <p>The impacted neighbouring landowner to the north provided no comment or objection to the proposed lot boundary setback variations.</p>
--	---

8.2.2 Site Works and Setbacks of Retaining Walls

The proposal is compliant with the Deemed-to-Comply provisions of the R Codes with the exception of the following:

Deemed-to-Comply Requirement	Proposed
Fill and retaining is permitted to be 0.5m in height up to the lot boundary.	<p>0.67m of fill and retaining is proposed to the northern side boundary.</p> <p>0.63m of fill and retaining is proposed to the western rear boundary.</p>

Variations to the Deemed-to-Comply requirements can be considered subject to satisfying the following Design Principle provisions:

Design Principles	Assessment/Comment
<p>Considers and responds to the natural features of the site and requires minimal fill.</p> <p>Where fill is necessary, all finished levels respecting the natural ground level at the lot boundary of the site and as viewed from the street.</p>	<p><u>Rear boundary</u> The fill and retaining to the rear lot boundary up to 0.67m is to provide screening to the ancillary accommodation which has the FFL 0.535m higher than the natural ground level and to also provide a level area for the dwelling's outdoor living area. As viewed from Melvista Avenue, the ancillary accommodation is lower or level with the street and the retaining to the northern side boundary is only marginally over the 0.5m permitted.</p> <p><u>Northern boundary</u> The house is positioned 1m below the level at the front setback line (9m) with a maximum of 0.65m of fill and retaining proposed to the northern side boundary adjacent to the dwelling, showing more cut than fill to reduce the impact of height and fill on neighbouring properties.</p> <p>The northern neighbour provided no comment or objection to the proposed variation.</p>
<p>Retaining walls that result in land which can be effectively used for the benefit of residents and do not detrimentally affect adjoining properties and are designed, engineered and landscaped having due regard to clauses 5.3.7 and 5.4.1</p>	<p>The retaining is only marginally over the permitted 0.5m fill and retaining height permitted at 0.63m to the west and 0.67m to the north. The retaining permits a greater level of functionality for outdoor living areas and will not result in a loss in privacy or amenity for neighbouring landowners given the location of dividing fencing above the retaining walls.</p>

8.3 Council Policy – Fill and Fencing

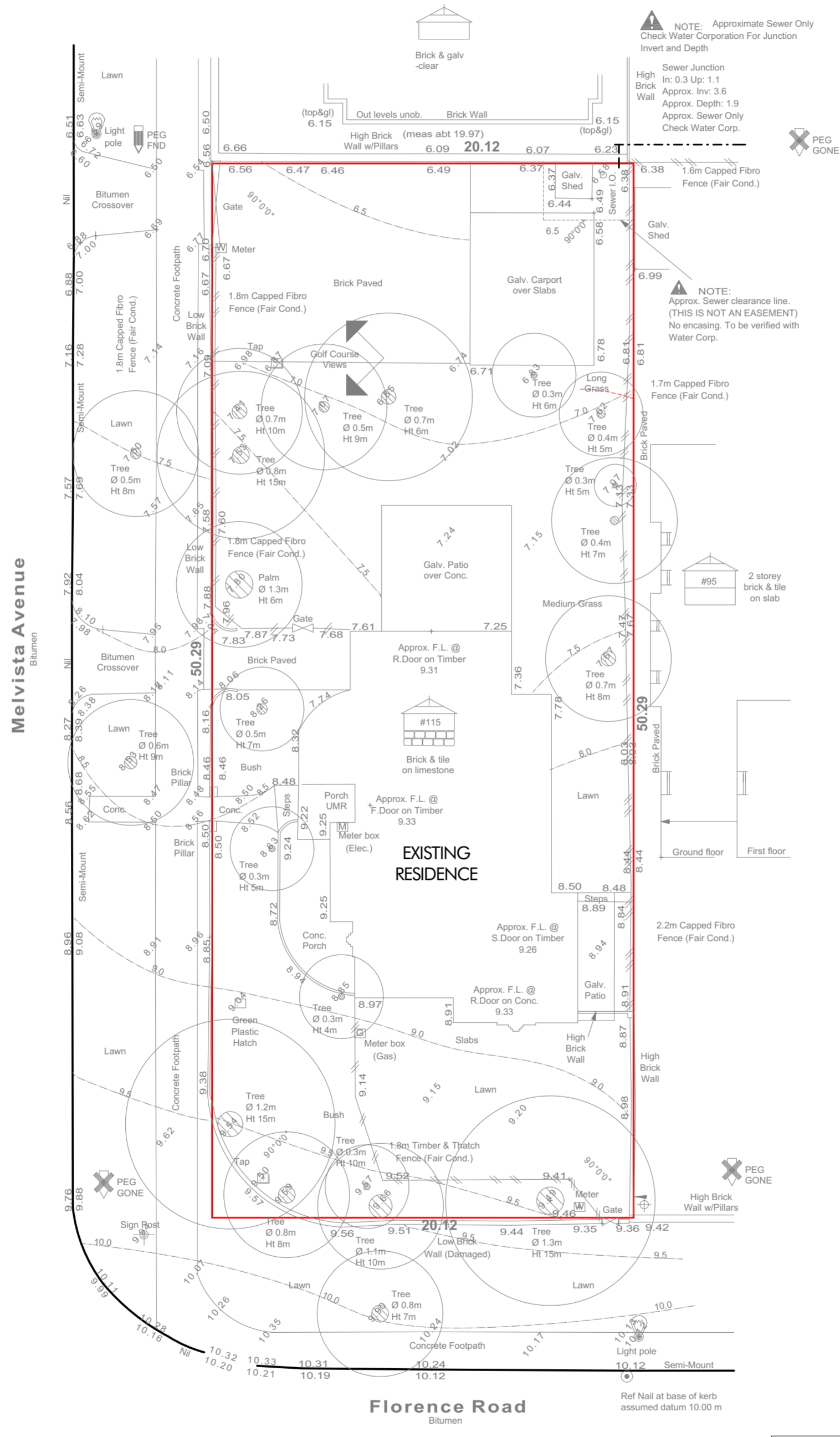
The proposal is compliant with the provisions of Council Policy – Fill and Fencing with the exception of the following:

Policy Provision	Proposed	Assessment/Comment
<p>Fencing to be visually permeable above 1.2m.</p>	<p>A solid section of fencing is at 1.8m to facilitate the provision of a meter box within the front fencing.</p>	<p>The solid wall at 1.8m height and meter box are proposed to be perpendicular to the street to reduce the visibility of the wall and meter box. This variation will still ensure passive surveillance is maintained from the dwelling to the street and the fence</p>

		will still have the appearance of visual permeability as viewed from the primary street.
Secondary street fencing to be 1.8m above natural ground level.	Piers to the secondary street fencing are 2.1m in height	The additional pier height is to tie in with the primary street fencing. The secondary street fencing has a number of permeable sections to allow greater levels of passive surveillance to Melvista Avenue and the fencing is proposed to be constructed of high quality materials to match the front fence.

9.0 Conclusion

The proposal is to construct a two storey single house and ancillary accommodation on the subject property. The proposal involves variations to the deemed-to-comply provision of the R-Codes being the reduced side and rear lot boundary setbacks, and over-height fill and retaining to the northern and western side boundaries and a variation to the Council Policy – Fill and Fencing for the primary and secondary street fencing. The variations are considered to be compliant with the relevant design principles of the R-Codes and policy objective. Accordingly, the application is recommended to Council for approval.



NOTE:
TELSTRA/COMMS. PIT NOT LOCATED
ADJACENT TO LOT AT TIME OF SURVEY.
VERIFY AVAILABILITY WITH TELSTRA.

LOT MISCLOSE
0.000 m

SOIL DESCRIPTION
Sand
Refer to Survey

DISCLAIMER:
Due to lack of survey marks/pegs, all building offset dimensions & features are approximate only and positioned from existing pegs/fences and walls which may not be on the correct alignment and are to be verified when repegged. Any design that involves additions to any structures shown or portion of structures remaining after any demolition has taken place requires boundaries to be repegged and exact offsets provided to your designer/architect before any works are produced and before any work is started on site.

DISCLAIMER:
Lot boundaries drawn on survey are based on landgate plan only. Survey does not include title search and as such may not show easements or other interests not shown on plan. Title should be checked to verify all lot details and for any easements or other interests which may affect building on the property.

DISCLAIMER:
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DISCLAIMER:
Cottage & Engineering surveys accept no responsibility for any physical on site changes to the parcel or portion of the parcel of land shown on this survey including any adjoining neighbours levels and features that have occurred after the date on this survey. All Sewer details plotted from information supplied by Water Corporation.



EXISTING SITE PLAN

**FOR PROPOSED RESIDENCE
REFER TO SITE PLAN**

**PROPOSED
MR D. & MRS E. SARGENT
RESIDENCE**
LOT 734 (#115) MELVISTA AVE
NEDLANDS
DATE: 12/01/16
DRAWN: NS
REP: AM
JOB No: 16234 Planning 6
SPECIAL

BUILDING SITE INSPECTION REPORT SERVICE AND CONTOUR SKETCH		MSD REF 371 18/41	
Client	Sargent	House No.	115
Date	13 Feb 15	Street	Melvista Avenue
Lot No.	734	Area	1012m ²
Suburb	Nedlands	Shire	CITY OF NEDLANDS
Plan	1747	C/T Vol.	1402
		Fol	308

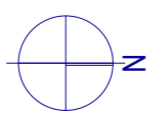
Road Descr.	Services:	Phone Comms.
Kerbing	Gas	Yes
Condition	Water	Yes
Footpath	Alinta Gas Map Indicates Gas In Area	Sewer
Condition	Check Your Lot call 131358	Yes
Soil	Electricity	U/Ground
Drainage	Coastal Zone (Scaled from StreetSmart Directory Only)	NO
Vegetation	Fencing and other improvements	AS SHOWN
	Special Features	AS SHOWN

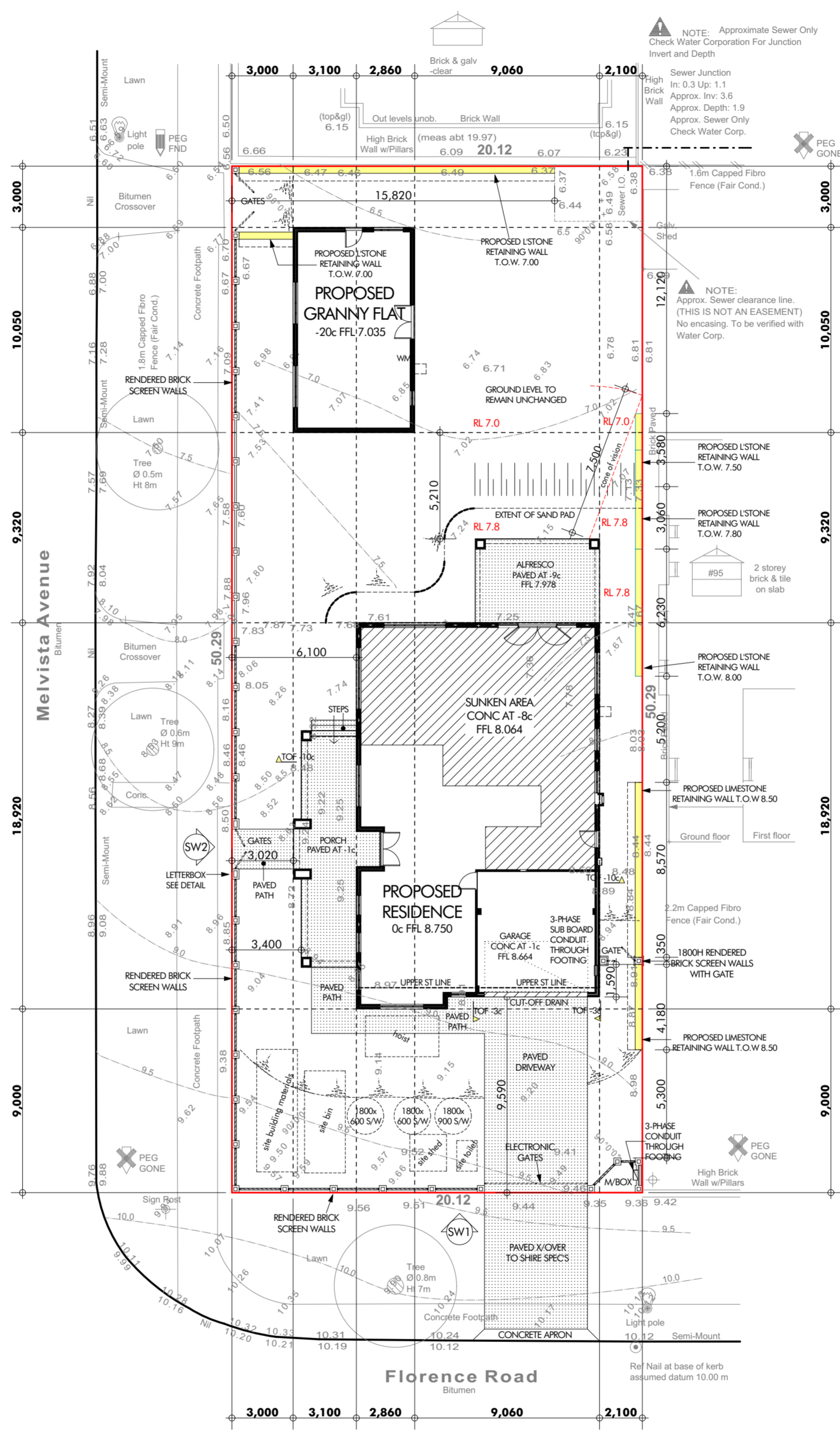
COTTAGE & ENGINEERING SURVEYS
Licensed Surveyors

87-89 Gullhrle Street, Osborne Park, Western Australia
Telephone: (08) 9446 7361 Facsimile: (08) 9445 2998
Email: perth@cottage.com.au Website: www.cottage.com.au

J/N:	DATE:	SCALE:	DRAWN:
362783	13 Feb 15	1:200	C. Weightman

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DESIGN SKETCHES MAY REQUIRE MODIFICATIONS TO COMPLY WITH THE ENERGY EFFICIENCY REQUIREMENTS OF THE BCA.





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ADJACENT TO LOT AT TIME OF SURVEY.
VERIFY AVAILABILITY WITH TELSTRA.

LOT MISCLOSE
0.000 m

SOIL DESCRIPTION
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Refer to Survey

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CLIENT NOTE
-FLOOR LEVELS ON PLAN CAN VARY 100mm EITHER WAY

SITWORKER NOTE
-PERIMETER CUT AREAS ARE TO BE DISHED TO ALLOW FOR EXCESS SAND FROM FOOTINGS

PLUMBER NOTE
-ASSESS SOAKWELL SIZE & LOCATION
SEE SCREENWALL SETOUT

NOTE: Approximate Sewer Only
Check Water Corporation For Junction
Invert and Depth

Sewer Junction
In: 0.3 Up: 1.1
Approx. Inv: 3.6
Approx. Depth: 1.9
Approx. Sewer Only
Check Water Corp.

NOTE:
Approx. Sewer clearance line.
(THIS IS NOT AN EASEMENT)
No encasing. To be verified with
Water Corp.

BRICKLAYER / CONCRETOR NOTE
110mm BRICKWORK AS SHOWN DASHED TO FLOOR PLAN
TO CREATE 20mm BASE PROJECTION FROM MAIN FACE
REFER TO ELEVATIONS FOR HEIGHTS.
-SETBACKS AND SETOUTS ON SITE PLAN SHOWN TO MAIN
FACE OF BRICKWORK NOT TO BASE BRICKWORK PROJECTION
ENSURE PROJECTING 20MM PROJECTING BASE BRICKWORK
IS ALLOWED FOR IN SETOUT / SETBACK OF RESIDENCES

FOR EXISTING FEATURES
REFER TO ORIGINAL SURVEY

SITE PLAN

**PROPOSED
MR D. & MRS E. SARGENT
RESIDENCE**
LOT 734 (#115) MELVISTA AVE
NEDLANDS
DATE: 12/01/16
DRAWN: NS
REP: AM
JOB No: 16234 Planning 6
SPECIAL

BUILDING SITE INSPECTION REPORT SERVICE AND CONTOUR SKETCH		MSD REF 371 18/41
Client	Sargent	(OLD AREA)
Date	13 Feb 15	House No. 115
Lot No.	734	Area 1012m ²
Suburb	Nedlands	Street Melvista Avenue
Plan	1747	Shire CITY OF NEDLANDS
	C/T Vol. 1402	Fol 308

Road Descr.	Bitumen	Services: Gas	Phone Comms.
Kerbing	Semi-Mount	Water Yes	Sewer Yes
Condition	GOOD	Alinta Gas Map Indicates Gas In Area	Check Your Lot call 131358
Footpath	Concrete	Electricity	U/Ground
Condition	GOOD	Coastal Zone	NO
Soil	Sand	(Scaled from StreetSmart Directory Only)	
Drainage	Good	Fencing and other improvements	AS SHOWN
Vegetation	Refer to Survey	Special Features	AS SHOWN

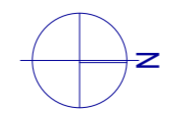
Services: Gas	Phone Comms.
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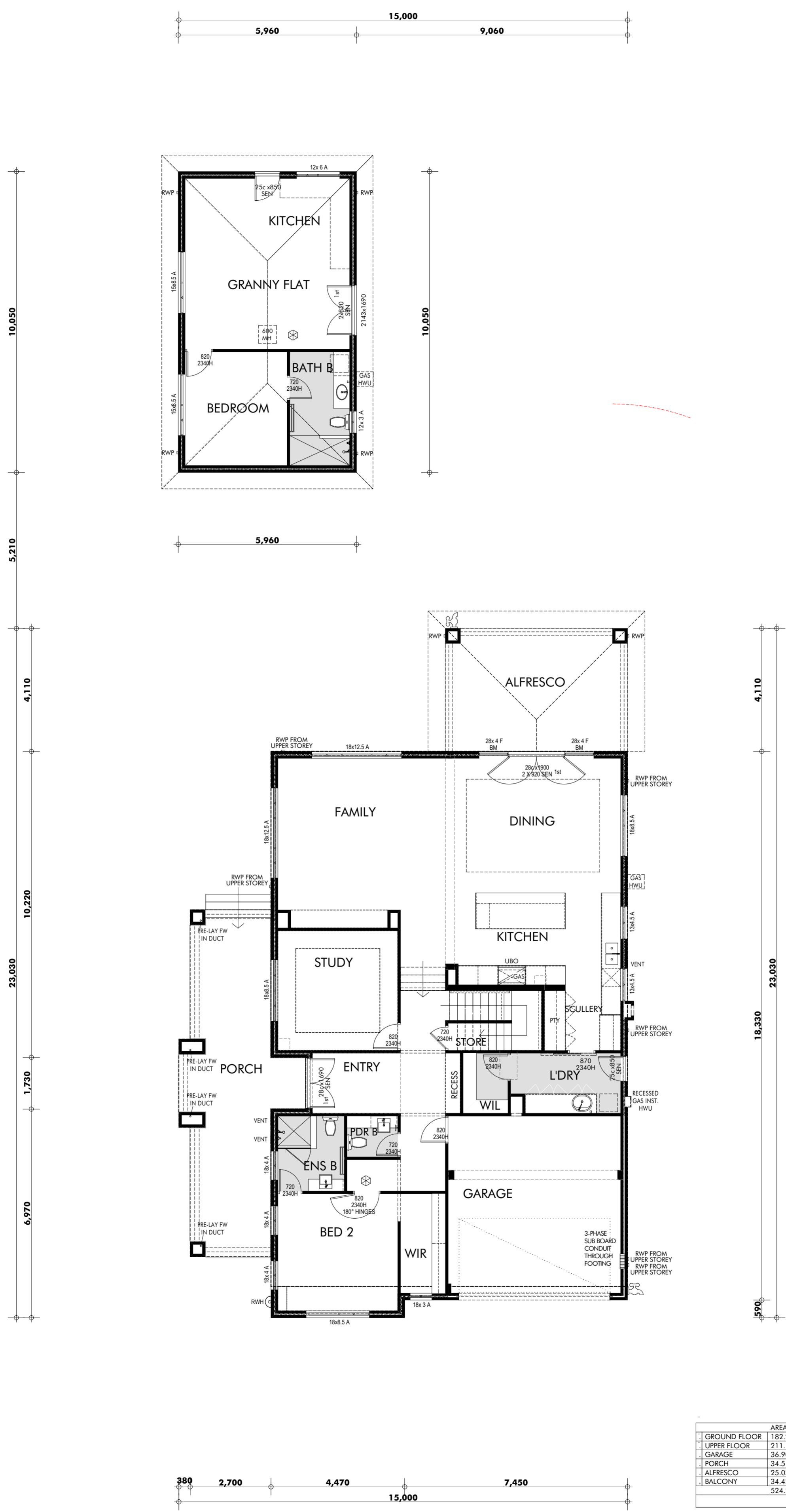
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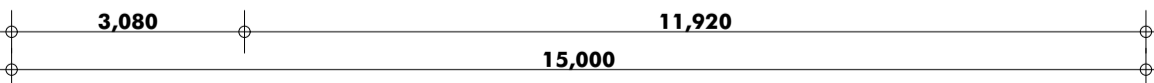
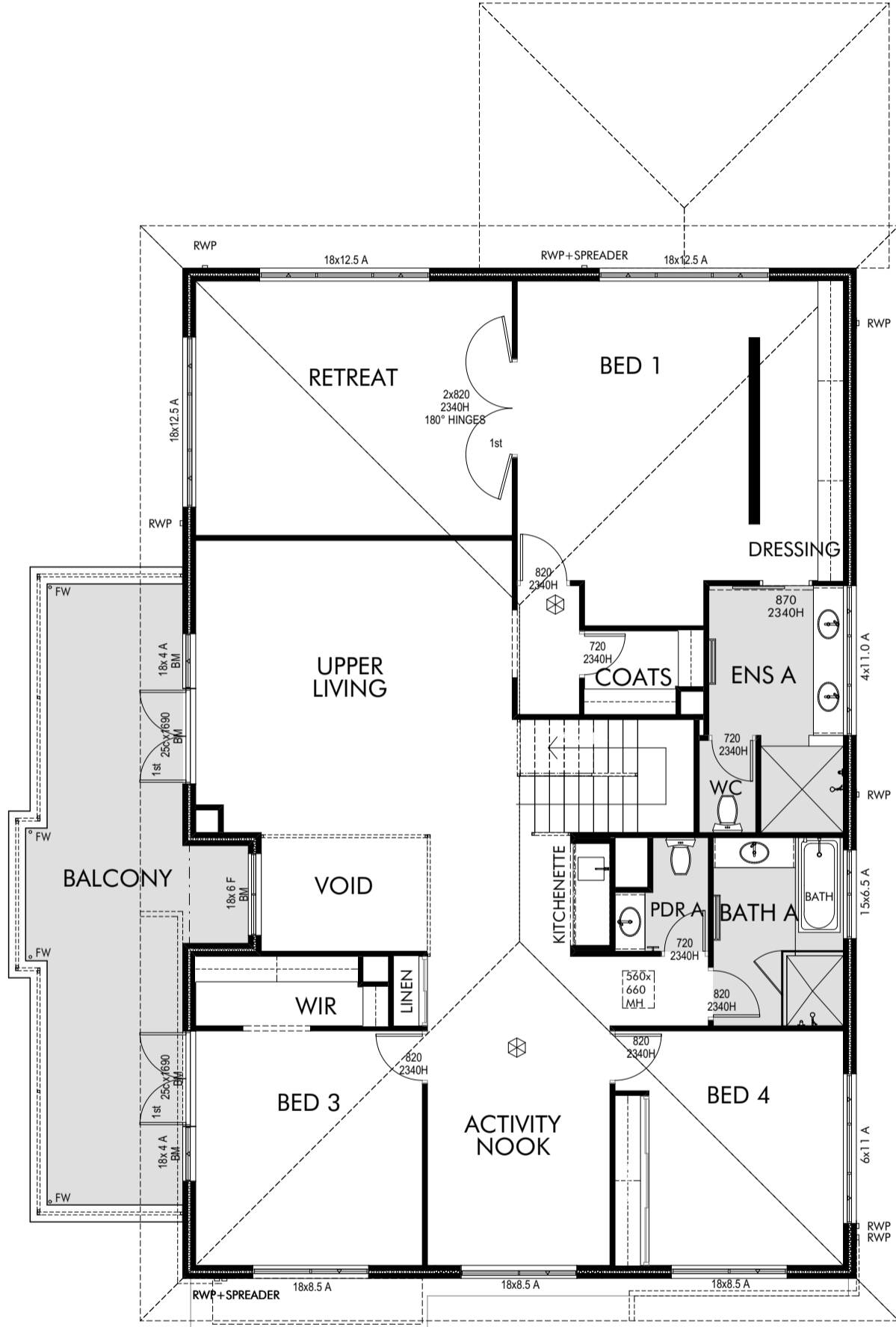
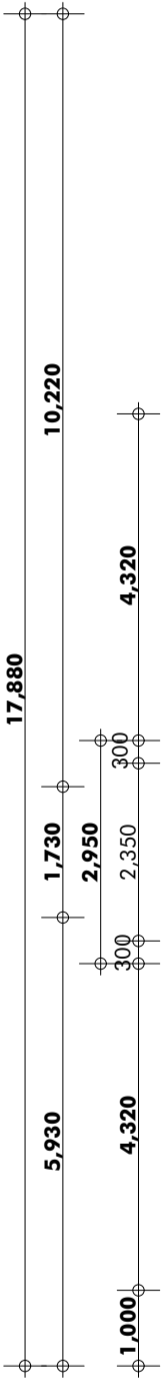
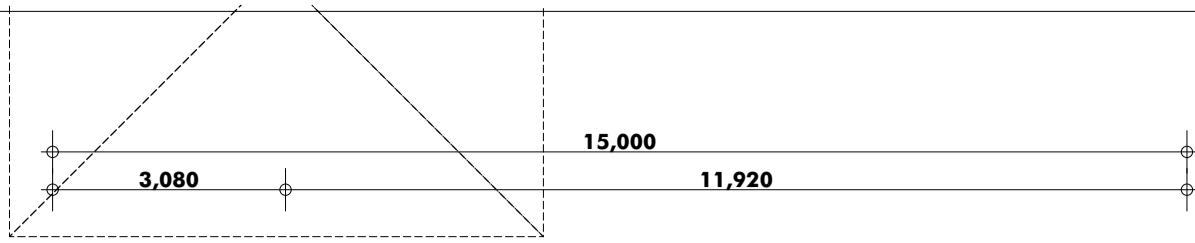




PROPOSED
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RESIDENCE
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 ROOM DIMENSIONS ARE APPROXIMATE.
 DETAILS SUBJECT TO STRUCTURAL REQUIREMENTS. PROVISION OF FULL SITE SURVEY AND LOCAL COUNCIL APPROVAL.
 DESIGN SKETCHES MAY REQUIRE MODIFICATIONS TO COMPLY WITH THE ENERGY EFFICIENCY REQUIREMENTS OF THE BCA.

	AREA	PERIMETER
GROUND FLOOR	182.22	(64.000m)
UPPER FLOOR	211.12	(61.920m)
GARAGE	36.90	
PORCH	34.51	
ALFRESCO	25.03	
BALCONY	34.42	
	524.20 m ²	



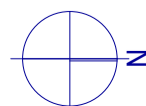
PROPOSED MR D. & MRS E. SARGENT RESIDENCE

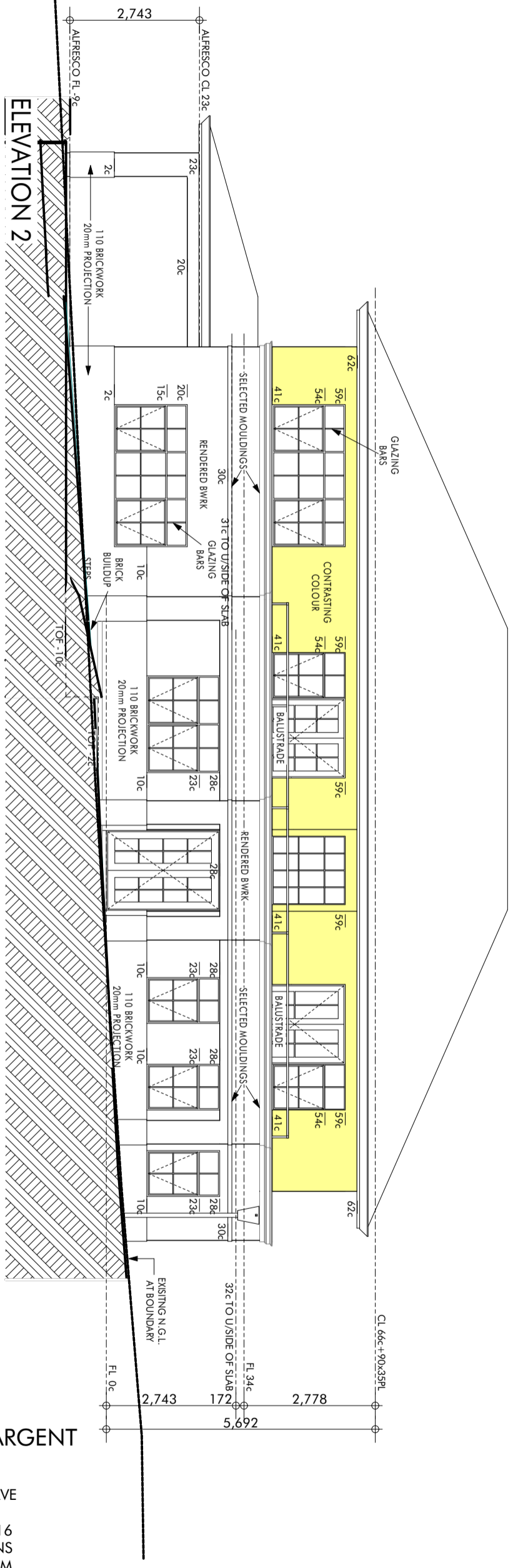
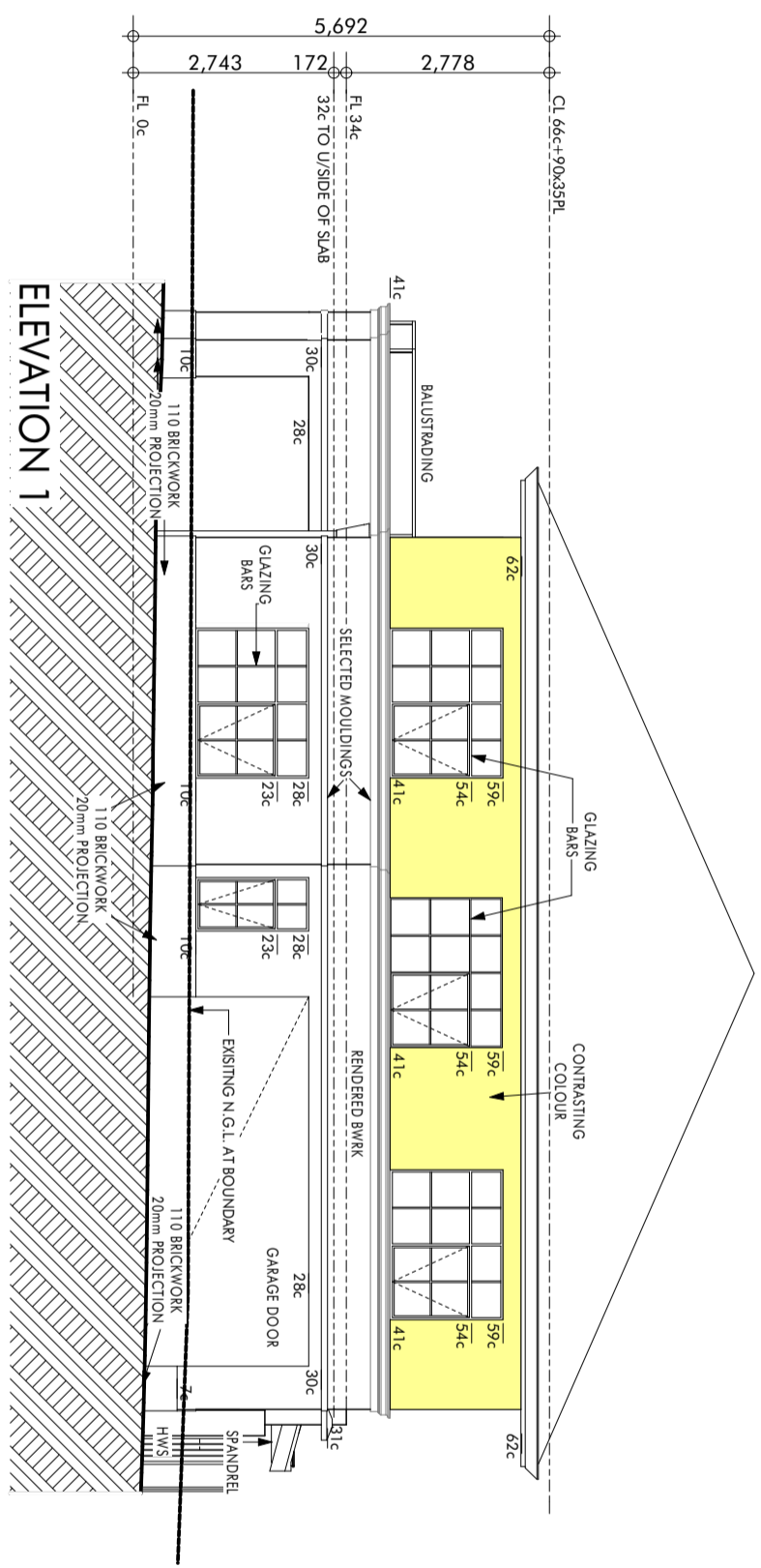
LOT 734 (#115) MELVISTA AVE
NEDLANDS

DATE: © 12/01/16
DRAWN: NS
REP: AM

JOB No: 16234 **Planning 6**
SPECIAL

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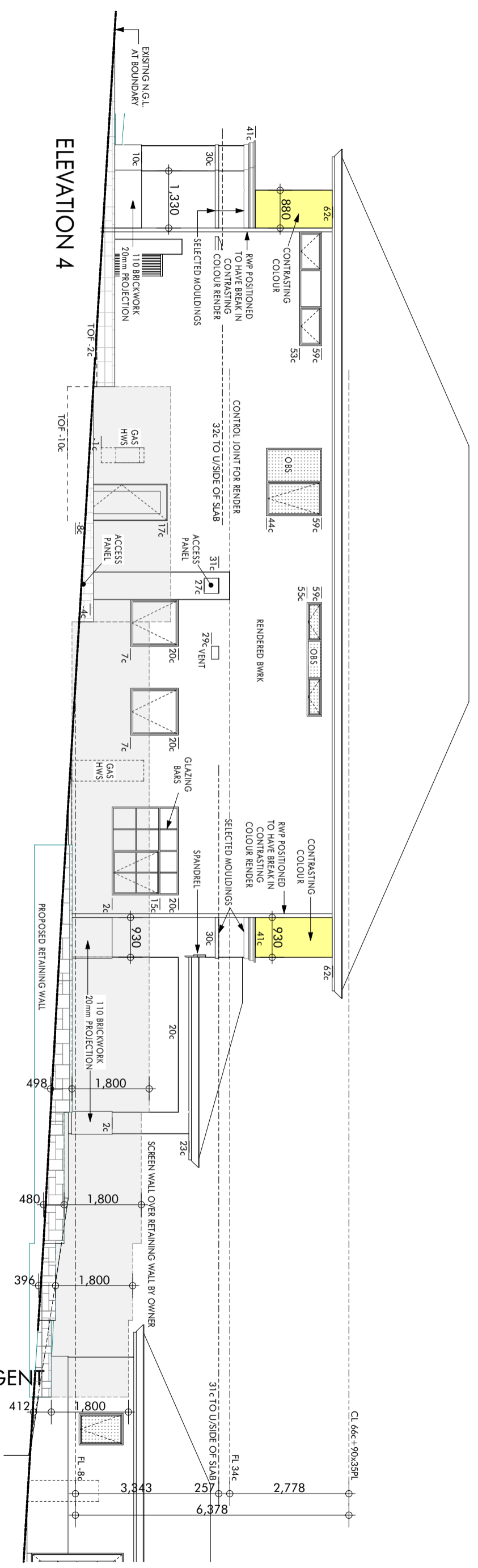
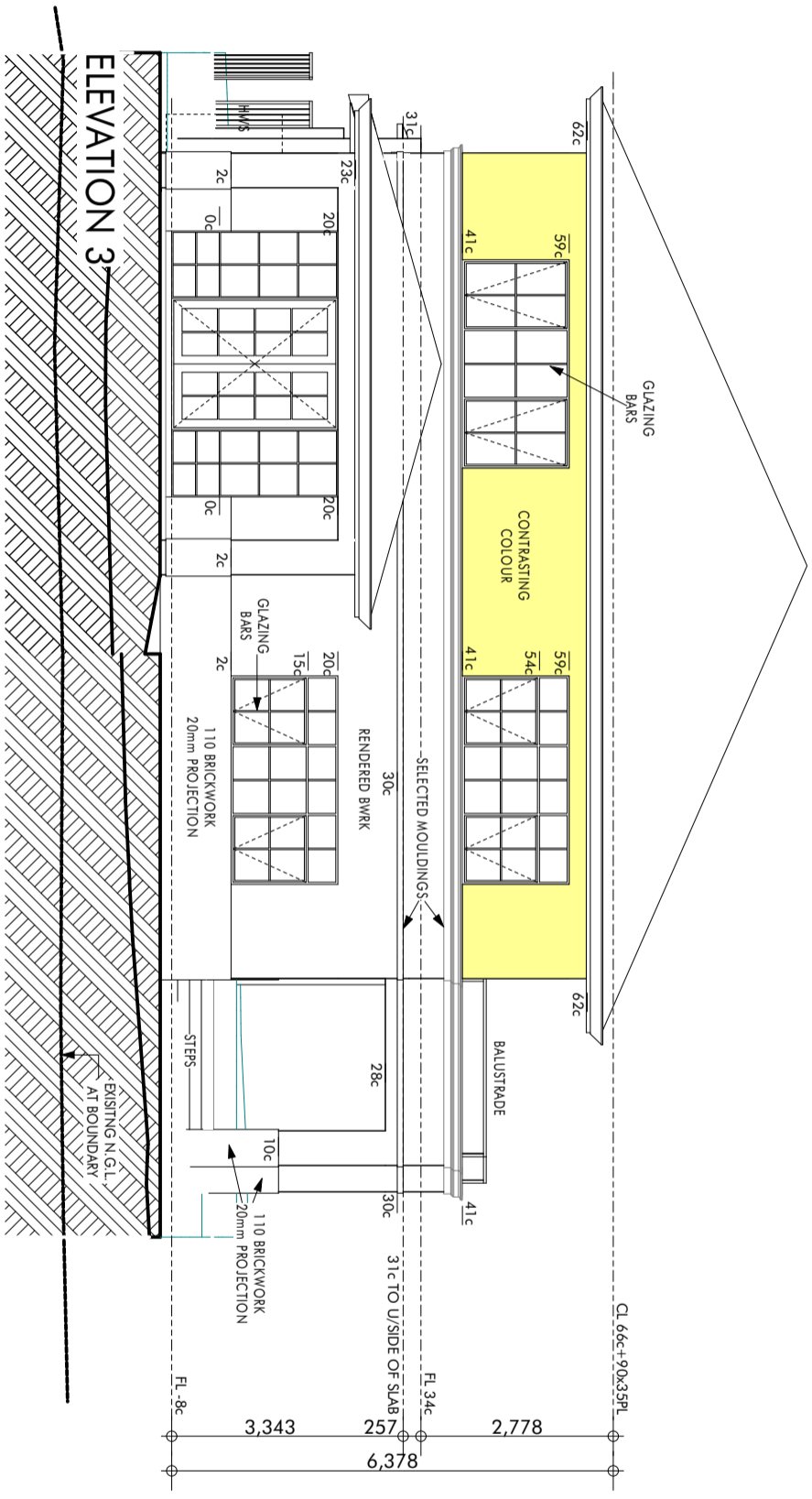




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 MR D. & MRS E. SARGENT
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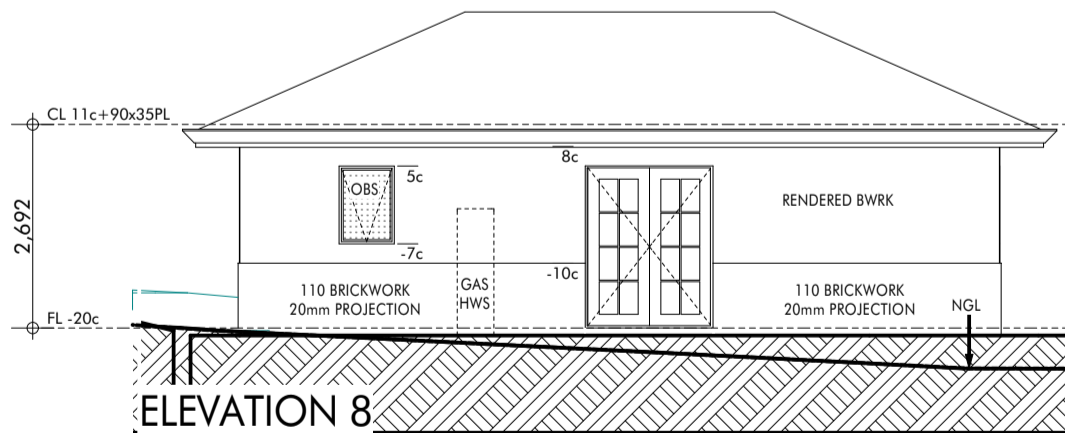
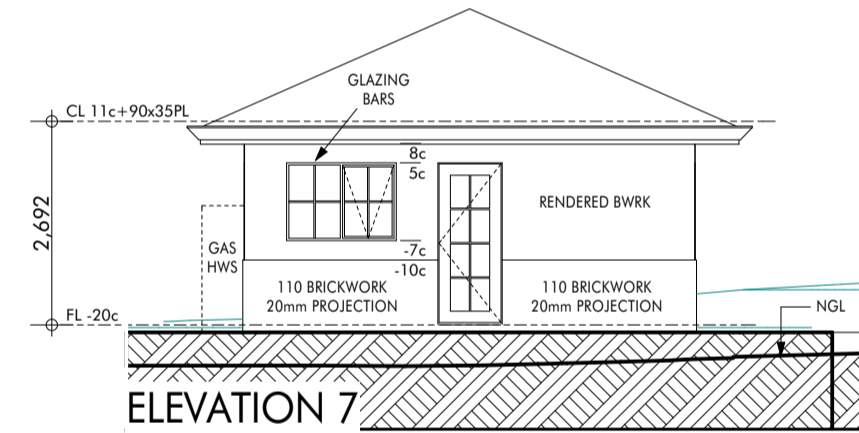
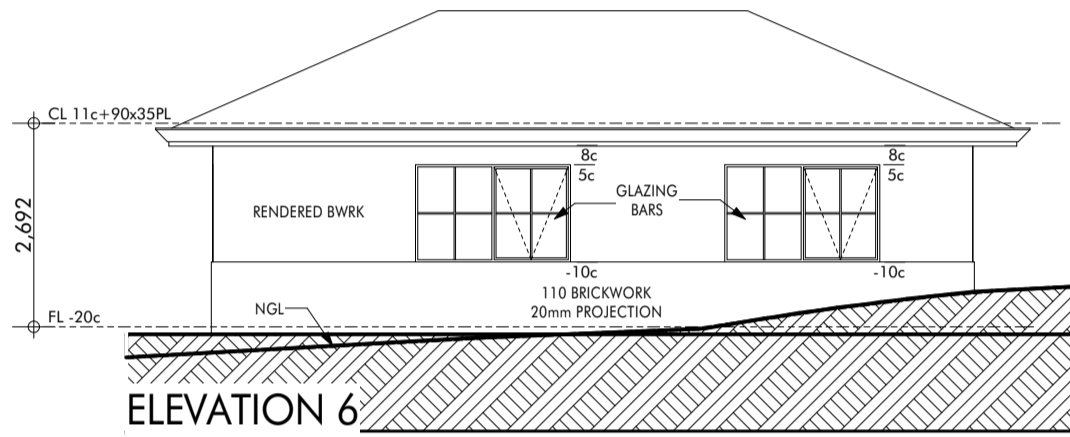
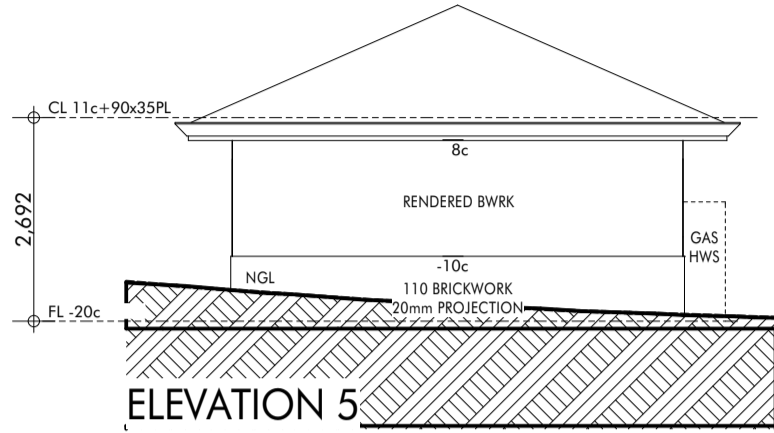
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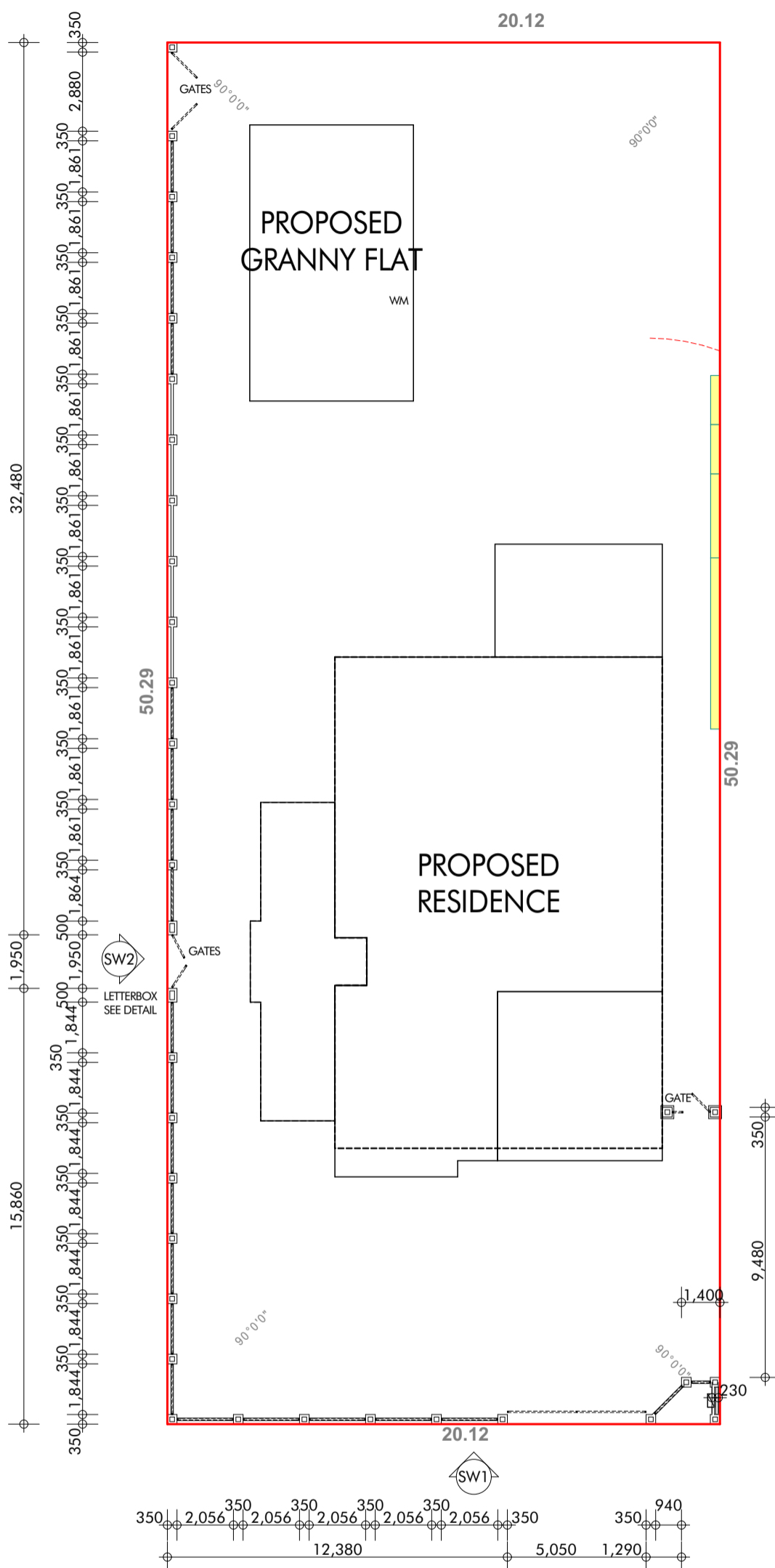
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Melvista Avenue
Bitumen



SCREEN WALL PLAN

Florence Road
Bitumen

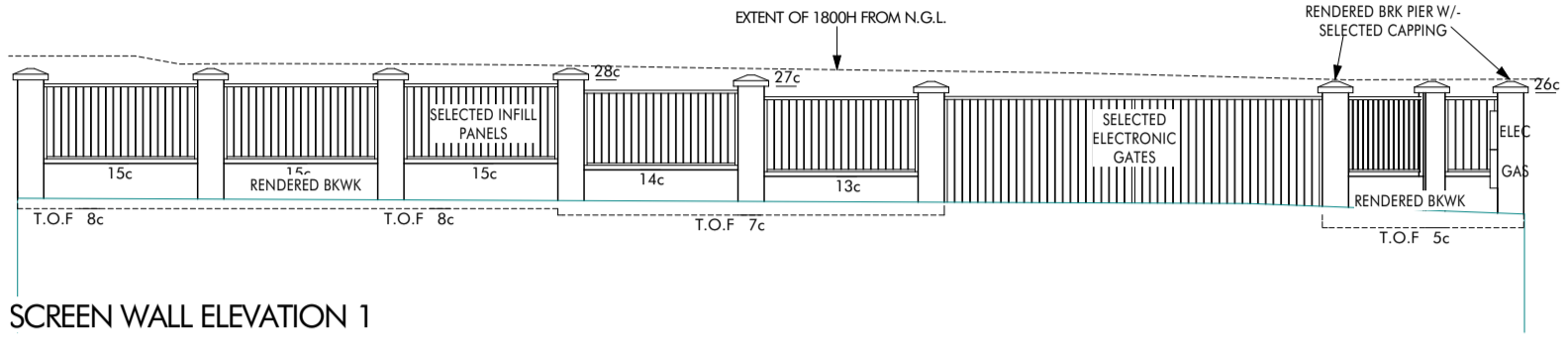
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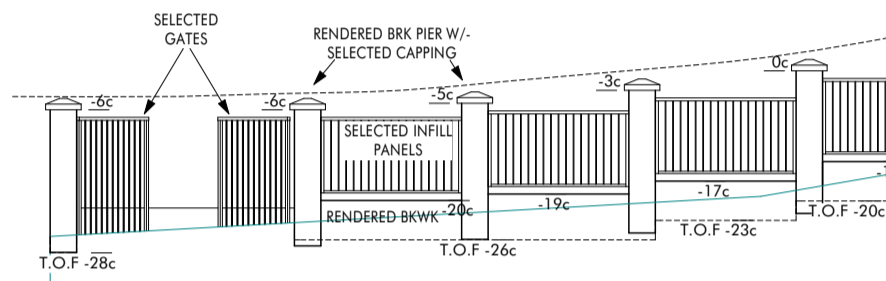
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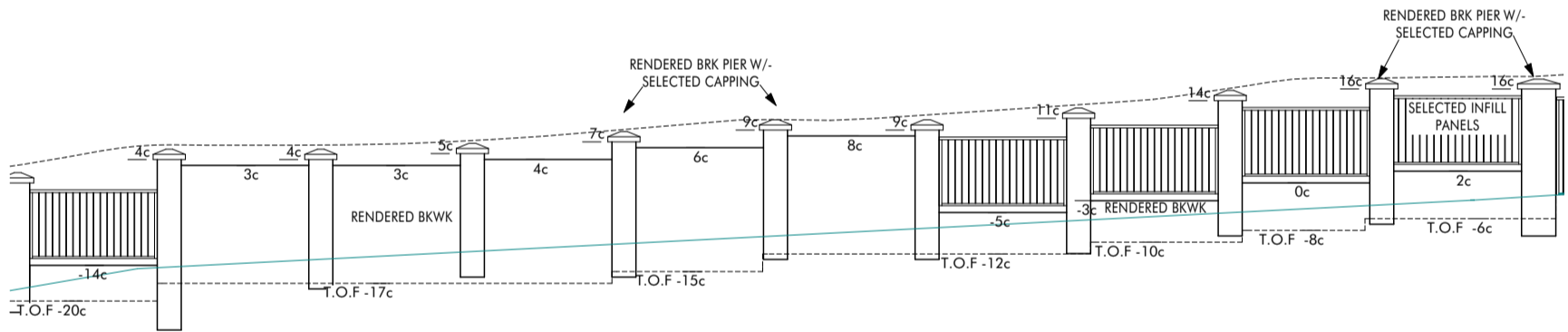
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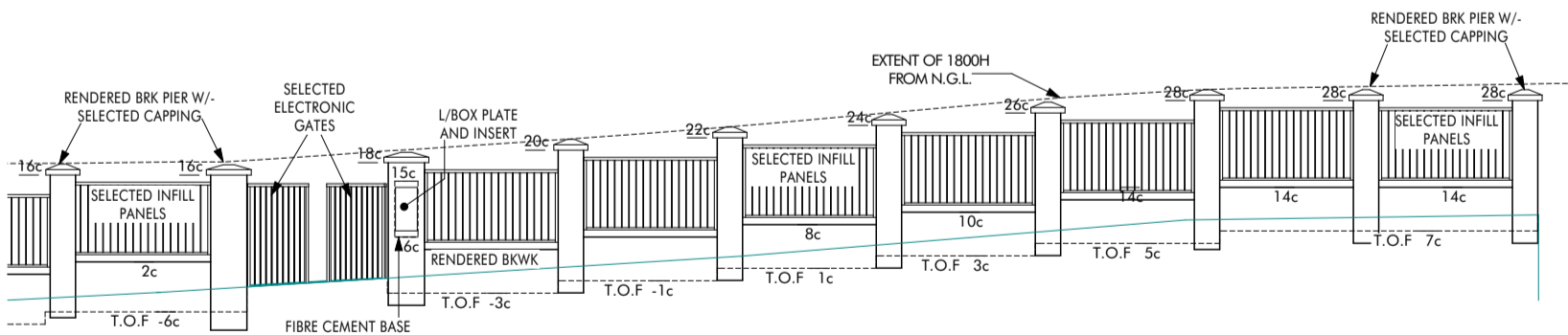
SCREEN WALL ELEVATION 1



SCREEN WALL ELEVATION 2



SCREEN WALL ELEVATION 2



SCREEN WALL ELEVATION 2

PROPOSED
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12 February 2016

City of Nedlands Received
12 February 2016Postal Address:
PO Box 104
WEST PERTH 6872Chief Executive Officer
City of Nedlands
PO Box 9
NEDLANDS WA 6909ACN 008 867 230
ABN 14 311 076 348**Attention: Ms Kate Bainbridge, Planning Department**

Dear Madam

RE: No. 115 (Lot 734) Melvista Avenue, Nedlands

Thank you for undertaking advertising of the development application for the above mentioned property. We are pleased to note there was only one submission from a neighbouring property owner and we provide the following comments in response:

Neighbour Submission – Ancillary Accommodation

The ancillary space is intended as a habitable dwelling (not a garage or store etc. without noise). The variation is not necessary as it has more than sufficient space and unobstructed opportunity to be compliant (e.g Move the proposed dwelling east or rotate 90 degrees and move east).

1. Clause 5.3.4 of Town Planning Scheme No. 2 (TPS2) provides Council with the ability to approve ancillary accommodation, with more strenuous conditions than the R Codes. The proposed ancillary accommodation complies with the Scheme and its development is therefore considered reasonable.
2. The ancillary accommodation is a minor building, which is low in profile (single storey) and only 5.96m wide in the western elevation, as proposed. Rotation of the structure 90 degrees will increase the bulk of the building from the western neighbour's perspective, thereby having a much larger impact.
3. The ancillary accommodation is to be constructed in similar materials to the main dwelling, providing a visually cohesive design. Design elements such as glazing bars on openings and a horizontal brickwork banding feature will create visual interest, articulation and consequently minimise building bulk.
4. The ancillary accommodation will replace an existing galvanised car port which is in poor condition and is a visually unattractive structure. As such, it will be a visual improvement for the locality and the neighbour.
5. The carport is currently closer to the rear boundary than the ancillary accommodation will be. In an amenity context, the ancillary building will be an improvement.

Further, any roofing materials to the dwelling (there were not shown in the documents presented for the DA) should not be reflective in any way according to the Scheme and Code.

6. It can be confirmed that the roof material for the main dwelling, alfresco and ancillary dwelling is to be tiles (this is noted in the top right corner of the elevation plan). Tiled roof

materials are generally less reflective than metal surfaces and given that the subject site is higher than the adjoining property to the west, any reflectivity is unlikely to impact on the neighbouring dwelling.

A reduction of the setback is not required.

7. In terms of site planning, a reduction in the rear setback is required. The existing home on the subject site currently fronts and has a mailbox to Melvista Avenue, with a solid fence to Florence Road. The new home proposes a similar circumstance, whereby the entry to the dwelling fronts Melvista Avenue. However, the proposal incorporates a 9.0m front setback to Florence Road to provide consistency to that street and maintain the existing rhythm and streetscape.

The Melvista Avenue streetscape is more open than a standard residential streetscape, due to the Nedlands Golf Course opposite the subject site. As such, the entrance to the proposed dwelling and compliance with a secondary street setback (3.0m) to the southern boundary will be adequate and is reasonable. This also follows the pattern of existing development opposite the golf course, whereby lots have "secondary street" setbacks to Melvista Avenue.

The current proposal will improve the Florence Road frontage by replacing an existing solid fence with open aspect fencing and more than one third of the frontage with no fencing. The building is designed with large openings to Florence Road to provide an active frontage to that street.

The reduced rear setback to the ancillary accommodation is required to support the streetscape constraints.

Fill and Retaining

In relation to the additional fill and retaining adjacent to the western rear boundary, the neighbouring landowner object to the proposed variation based on the following:

- *It appears that the proposed 3m setback between the ancillary dwelling and the western boundary is intended for use by a vehicle that may well remain parked directly adjacent to the shared boundary at any, or all the time. Thus, the request to alter the ground level at all, and particularly a variation request for excess fill to and along this boundary (to raise the natural ground level, in excess of 500mm) means that a vehicle and its occupants would have the benefit of overlooking the client's property.*
- *The reasons for the proposed, raised slab level to the ancillary dwelling is understood. However, the need to raise the level of the ground between the dwelling and the client's boundary is not necessary and will contribute to some loss of amenity to the client.*
- *Access from the ancillary dwelling via proposed door (elevation 7) on the west side can be addressed with steps or moved to manage the difference in height from inside and outside level at this elevation only.*
- *The neighbouring landowner objects to allowing the natural ground level to be raised at the boundary without providing supplementary screening to prevent overlooking at no cost to the neighbouring landowner.*

The neighbouring has no objection to variation request for excessive height street boundary wall.

8. A standard height (1.8m) dividing fence is proposed above the retaining wall, which will ensure the neighbour retaining privacy. The fencing will also act as a screen to any

potential noise from the ancillary accommodation. As such, the neighbour's concerns are satisfied.

On the basis of the above, the proposed variation will be of no consequence in terms of maintaining a desirable level of amenity for adjoining residents and the streetscape. We look forward to a favourable response to the application. Please contact Webb & Brown-Neave should you have any queries.

Yours Sincerely,

A handwritten signature in grey ink, appearing to read 'L. Engelbrecht', is enclosed in a light grey rectangular box.

LISA ENGELBRECHT
MGA TOWN PLANNERS












PD11.16	Proposed Modifications to the Schedule of Planning Fees and Charges
----------------	--

Committee	08 March 2016
Council	22 March 2016
Officer	Andrew Bratley – Coordinator Statutory Planning
Director	Peter Mickleson – Director Planning & Development Services
Director Signature	
File Reference	ORN/116-04
Previous Item	Nil.
Attachments	<ol style="list-style-type: none"> 1. Proposed Modified Schedule of Planning Fees and Charges 2. Preliminary Planning Assessment Information Sheet 3. Requests to Amend an Approved Development Application Information Sheet

1.0 Executive Summary

The purpose of this report is for Council to consider whether to adopt proposed modifications to the schedule of Planning fees and charges (schedule). The modifications relate to the inclusion of new fees to be charged for the City to undertake:

- a) the preliminary assessment of proposed development; and
- b) to determine requests to amend an approved development application.

Refer to Attachments 1 to 3.

2.0 Recommendation to Committee

Council:

- 1. adopts the modifications to the schedule of Planning Fees and Charges, as highlighted on Attachment 1.**
- 2. instructs Administration to give local public notice of its intention to introduce the new fees and the date from which the fees will be imposed, in accordance with Section 6.19 of the *Local Government Act 1995*.**

ABSOLUTE MAJORITY REQUIRED

3.0 Strategic Community Plan

KFA: Natural and Built Environment
KFA Governance and Civic Leadership

Regular review of the City's procedures ensures that the level of customer service provided to the local community remains at a high standard.

4.0 Legislation

- *Local Government Act 1995 (Act)*
- *Planning & Development (Local Government Planning Fees) Regulations 2009*
- *Planning and Development (Local Planning Schemes) Regulations 2015*

5.0 Budget / Financial Implications

The additional fees will be reflected in increased income from preliminary planning assessments and the receipt of requests to amend approved development applications.

In accordance with Section 6.16 of the *Local Government Act 1995*, fees and charges are to be imposed when adopting the annual budget but may be imposed during the financial year or amended from time to time during a financial year. An absolute majority is required.

6.0 Risk management

Nil.

7.0 Background

7.1 Preliminary Planning Assessments

In cases where a development application is necessary the City has developed a Preliminary Planning Assessment system (refer to Attachment 2) to assist landowners and applicants proposing any of the following forms of development, to identify any matters that may need to be addressed prior to lodging a formal development application:

- a) A new dwelling or commercial building;
- b) Additions/extensions to an existing dwelling or commercial building; or
- c) Ancillary accommodation.

This can help with providing more certainty as to whether a proposal is likely to be approved or refused.

A fee of \$400.00 is proposed to be charged for preliminary planning assessments. This is based on the current hourly rate stipulated in the schedule for structure plans and scheme amendments, multiplied by the typical amount of time it would take for the above forms of development to be assessed.

7.2 Requests to Amend Approved Development Applications

In accordance with Clause 77 Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), an owner of land in respect of which development approval has been granted by the City may make an application requesting the City to do any or all of the following:

- a) To amend the approval so as to extend the period within which any development approved must be substantially commenced;
- b) To amend or delete any condition to which the approval is subject; or
- c) To amend an aspect of the development approved which, if amended, would not substantially change the development approved.

Currently no process on how such requests are to be dealt with and no specific fee exists, therefore the attached information sheet has been prepared and modifications are proposed to be made to the schedule (refer to Attachment 1 and 3).

Currently a fee of \$147.00 is often charged regardless of the nature of the amendments proposed, however some amendments are required to be publicly advertised and/or referred to government agencies as part of the assessment process, and ultimately may need to be determined by Council. It is therefore important that this additional workload on City resources compared with more basic amendments, is reflected in the fee charged.

8.0 Consultation

Should Council adopt the proposed modifications to the schedule a notice will be published in a local newspaper advising the public of its decision and the date from when the fees will take effect, in accordance with Section 6.19 of the *Local Government Act 1995*.

9.0 Conclusion

Council is asked to adopt the modified schedule in accordance with Section 6.16 and 6.19 of the *Local Government Act 1995* so that the Preliminary Planning Assessment system can commence, and so that a fee can be charged that reflects the additional workload involved, in some cases, when dealing with requests to amend approved development applications.

Particulars		2015/16	GST
		Fees	Y/N
Planning Fees			
Fees are subject to change once the State Government introduce a new fee schedule for the 2015/16			
Development Application Fees (excluding an Extractive Industry)*	Not more than \$50,000	\$147.00	N
Estimated Cost Of Development	More than \$50,000 but not more than \$500,000	0.32% of the estimated cost of development	N
	More than \$500,000 but not more than \$2.5 million	\$1,700 + 0.257% for every \$1 in excess of \$500,001	N
	More than \$2.5 million but not more than \$5 million	\$7,161 + 0.206% for every \$1 in excess of \$2.5 million	N
	More than \$5 million but not more than \$21.5 million	\$12,633 + 0.123% for every \$1 in excess of \$5 million	N
	More than \$21.5 million	\$34,196.00	N
Determining a retrospective development application. Total is 3 times the normal amount as penalty			N
Determining a request to amend an approved development application	Minor	\$147.00	N
	Major	50% of the original development application fee paid to a minimum of \$147.00	N
Provision of a Subdivision Clearance (incl. Strata Survey)			
Not more than 5 Lots	First 5 Lots - per lot	\$73.00	N
More than 5 Lots but not more than 195 Lots	Each subsequent lot - per lot	\$35.00	N
More than 195 Lots		\$7,393.00	N
Scheme Amendments, Structure Plans and Outline Development Plans			
As deposit on lodgement - Scheme Amendment		\$2,400.00	Y

Particulars		2015/16	GST
		Fees	Y/N
As deposit on lodgement - Structure Plans and Outline Development Plans		\$15,000.00	Y
Hourly rates for scheme amendments, structure plans and outline development plans			
Director	Per Hour	\$88.00	Y
Manager/Senior Planner	Per Hour	\$66.00	Y
Planning Officer	Per Hour	\$36.86	Y
Other Staff e.g. Environmental Health	Per Hour	\$36.86	Y
Secretarial/Administrative	Per Hour	\$30.20	Y
Other Planning Fees			
Section 40 Certificate		\$115.00	N
Issue of Zoning Certificate		\$73.00	N
Property Settlement Questionnaire response		\$73.00	N
Issue of Written Planning Advice		\$73.00	N
Change of Use	Initial application where use has not commenced.	\$295.00	N
	Determining a retrospective application for a change of use	\$885.00	N
Home Business	Initial application where use has not commenced.	\$222.00	N
	Determining a retrospective application for home business.	\$666.00	N
	Renewal where application is received before approval expires (per annum)	\$73.00	N
	Renewal where application is received after approval expires (per annum)	\$219.00	N
Publications	Town Planning Scheme Text	\$62.50	Y
	Town Planning Scheme Maps	\$115.00	Y

Particulars		2015/16	GST
		Fees	Y/N
DAP Fees			
Fees payable in addition to Local Government Development Application Fee for planning applications required to be determined by a development assessment panel.	Not less than \$3 million and less than \$7 million	\$3,503.00	N
	Not less than \$7 million and less than \$10 million	\$5,409.00	N
	Not less than \$10 million and less than \$12.5 million	\$5,885.00	N
	Not less than \$12.5 million and less than \$15 million	\$6,053.00	N
	Not less than \$15 million and less than \$17.5 million	\$6,221.00	N
	Not less than \$17.5 million and less than \$20 million	\$6,390.00	N
	\$20 million or more	\$6,557.00	N
	Minor amendment application	\$150.00	N
Other Fees			
Subdivision Crossover Clearance Bond		\$3,000.00	N
Preliminary Planning Assessment		\$400.00	N
Crossover Clearance Inspection Fee	This fee will be deducted from Subdivision Crossover Clearance Bond	\$140.00	Y



City of Nedlands

Preliminary Planning Assessment

nedlands.wa.gov.au

The *Planning and Development (Local Planning Schemes) Regulations 2015* lists development that does not require development approval, subject to meeting certain criteria such as the following:

Development for which development approval not required	Subject to:
<p>The erection or extension of a:</p> <ul style="list-style-type: none"> • Single dwelling; • Outbuilding; • External fixture; • Patios; • Pergolas; • Verandahs; • Swimming Pools; and/or • Ancillary Dwelling. 	<p>Satisfying the deemed-to-comply requirements of the Residential Design Codes; and</p> <p>Not being located in a place that is entered in and/or is not subject of an order under the Heritage of Western Australia Act 1990; and</p> <p>Not being on a property included on a heritage list in the City's local planning scheme; and</p> <p>Not being within 100 metres of a Bushfire Prone Area and having either a moderate or high bushfire risk rating for lots less than 1000m²;</p> <p>Not within the Controlled Development Area; and</p> <p>Not also requiring a development approval under an adopted Council or Local Planning Policy</p>
<p>The demolition of a building or structure</p>	<p>Not being located in a place that is entered in and/or is not subject of an order under the Heritage of Western Australia Act 1990; and</p> <p>Not on being a property included on a heritage list in the City's local planning scheme</p>
<p>Temporary works or a use which is in existence for less than 48 hours or a longer period agreed to by local government</p>	<p>Not also requiring a development approval under an adopted Council or Local Planning Policy</p>
<p>The erection or installation of temporary or permanent advertisement(s)</p>	<p>Being in connection with an election, referendum or other poll conducted under the Commonwealth Electoral Act 1918 (Commonwealth), the Electoral Act 1907 or the Local Government Act 1995; and</p>



	<p>The primary purpose of the advertisement is for political communication in relation to the election, referendum or poll</p> <p>Not being on a property included on a heritage list in the City's local planning scheme; and</p> <p>Not being required to specifically require a development approval under an adopted Council or Local Planning Policy</p>
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All forms of development **not** listed above, or listed above but do not meet the criteria, require development approval from the City.

The City has developed a **FastTrack Certification** system to assist landowners and applicants working with any of the above forms of development to certify whether or not a development application is necessary. Please refer to the City's Fast Track Certification information sheet available on its website (www.nedlands.wa.gov.au).

In cases where a development application is necessary the City has developed the **Preliminary Planning Assessment** system to assist landowners and applicants proposing any of the following forms of development, to identify any matters that may need to be addressed prior to lodging a formal development application.

- a) A new dwelling or commercial building;
- b) Additions/extensions to an existing dwelling or commercial building; or
- c) Ancillary accommodation.

This can help with providing more certainty as to whether a proposal is likely to be approved or refused.

Applicants should note that these services are not intended to fast track the formal Development Application process.

Landowners and applicants will not be charged by the City if enquiring about general requirements such as, but not limited to, a property's zoning/density coding, the setback requirements, and the building and/or wall height requirements.

What information do I include in my preliminary assessment request?

	<i>Tick if provided</i>
A completed 'Preliminary Assessment of Development Applications' form (attached).	
The preliminary planning assessment fee of \$400.00 .	
Two sets of the following plans (where applicable) drawn to a scale of 1:100 or 1:200:	
A site plan which shows all existing and proposed development, driveway(s), crossover(s), natural and finish floor levels, proposed street and/or boundary setbacks, easements, dividing and street fencing, screening measures to address any visual privacy (overlooking), street name(s), the north point, and (if applicable) the location, top and bottom of wall heights of retaining walls.	
An internal floor plan showing the purpose and dimensions of each area.	
Elevations showing the external dimensions and appearance of any structure/building proposed, the natural and finish floor levels, and (if applicable) the location, top and bottom of wall heights of retaining walls.	

How do I lodge my preliminary planning assessment request?

Email, Post or in person

The preliminary planning assessment request and fee is submitted by the applicant to the City:

- **Via** the applicable email address (preliminaryplan@nedlands.wa.gov.au) which is to include the applicable credit card details for payment of the fee, or
- **Via** the post, which includes a cheque or the applicable credit card details for payment of the fee, being sent to City of Nedlands, PO Box 9, NEDLANDS WA 6909, or
- **In person.**

Note: As an alternative to providing credit card details in writing, the applicant can pay the required fee by telephoning the City on 92733500.

How and when will the preliminary comments be provided?

The City will provide comment on the preliminary plans within 10 working days of the application and fee being received. The confirmation will be emailed or posted unless specifically requested to be collected by the applicant. If the applicant wishes to collect the confirmation in person, an appointment will need to be made with the City prior to collection.

Note: The Preliminary Planning Assessment fee of \$400.00 is required to be paid in full **prior** to the plans being assessed by the City.

Please ensure that all of the necessary information is provided otherwise the City cannot guarantee that a decision will be made within 10 work days.

Further Information

If you have any queries please do not hesitate to contact the City's Statutory Planning Team.

In person: 71 Stirling Highway, Nedlands
Tel: 9273 3500.
Email: preliminaryplan@nedlands.wa.gov.au

REQUEST FOR PRELIMINARY PLANNING ASSESSMENT

Development Details:	Property Address (in full):		
	Proposed development:		
Method of City Response:	<i>Please crossout/delete which is <u>not</u> desired</i> In person (by prior appointment) Via mail Via email		
Owners Details:	Name:		
	Postal address:		
	Phone No.:	Mobile No.:	
	E-mail :		
	Signature(s):		Date:
Applicants Details:	Business name:		
	Contact person:		
	Postal address:		
	Phone No. (P):	Mobile No. (M):	
	E-mail (E):		
	Signature:		Date:
<p>Note:</p> <ul style="list-style-type: none"> The signatures of all landowners are required on all applications. If a deceased estate, executor's probate required. Other authorisations (such as a building contract) to sign on behalf of the landowner will not be considered. Applications will NOT be processed until this form has been correctly signed, and all of the required information has been provided. 			
OFFICE USE ONLY			
Planning Fee	Date:	Receipt No:	
References	File No:	Amount: \$	



City of Nedlands

nedlands.wa.gov.au

Requests to Amend Approved Development Applications

In accordance with Clause 77 Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), an owner of land in respect of which development approval has been granted by the City may make an application requesting the City to do any or all of the following:

- (a) To amend the approval so as to extend the period within which any development approved must be substantially commenced;
- (b) To amend or delete any condition to which the approval is subject; and/or
- (c) To amend an aspect of the development approved which, if amended, would not substantially change the development approved.

Extending the Term of a Development Approval

Under the Regulations the term 'substantially commenced' is defined as being:

"Means that some substantial part of work in respect of a development approved under a planning scheme or under an interim development order has been performed."

Development must be substantially commenced within 2 years of the development (planning) approval being granted, unless otherwise specified in the notice of approval. Where development has not substantially commenced an extension to the development approval can be requested from the City.

The City may grant time extensions for an additional 12 months. If the work has not substantially commenced within the 12 month extension, a new development application is required to be lodged with the City

Request to Amend or Delete Conditions

If the request involves amending or deleting a condition(s) which was originally imposed as a result of a decision of Council, the request to amend or delete will be determined at a Council meeting.

Types of Amendments

The City considers minor and major amendments to approved development applications. Requests **not** resulting in the proposed development having to be (re)advertised for public comment and/or referred to a government agency for comment are deemed to be **minor**. Major amendments being contrary to this.

If the use of the building is proposed to differ to that previously approved, and/or the proposed amendments potentially result in a significant increase in noise, odour and/or traffic in the City's opinion, compared with that approved previously, the development will be deemed to have been substantially changed and therefore a new development application will be required.

It is recommended that you liaise with the City's Statutory Planning Department (tel: 9273 3500) before making your request, to ascertain whether the amendment is deemed to be minor, major or substantial. This will ensure that the correct fee is paid and any unnecessary delays are avoided.

Making Requests to Amend an Approved Plan

Requests to amend a plan(s) which was approved as part of a development application, are required to include the following:

- a) A completed Application Form 1 (attached to this information sheet);
- b) The prerequisite planning fee;
- c) Two copies of the amend plan(s) drawn to a scale of either 1:100 or 1:200, the amendment(s) being **clearly** marked on the plan(s); and
- d) Written confirmation on, and the reason(s) for, the proposed amendment(s). If a variation(s) is proposed to any Scheme and/or Policy requirement(s) justification is to be provided as to why the proposal should be supported. With regard to residential development, justification on how the variation(s) satisfies the Design Principles of the Residential Design Codes is to be provided.

Making Requests to Extend the Term of a Development Approval or Amend/Delete Conditions

Requests to amend/delete a condition or extend the term of a development approval, are required to include the following:

- a) A completed Application Form 1 (attached to this information sheet);
- b) The prerequisite planning fee; and
- c) Written justification for the request.

Note: The correct fee is required to be paid in full, and all of the necessary information provided, **prior to your request being processed by the City.**

Further Information

If you have any queries with regard to the information provided in this information sheet please contact the City's Statutory Planning Department.

Tel.: 9273 3500

Email: council@nedlands.wa.gov.au



REQUEST TO AMEND DEVELOPMENT APPROVAL

Development Details:	Property Address (in full):	
	Proposed development:	
	City's Reference: (Obtained from the top of the development approval cover letter)	
Summary of Proposed Amendment(s):		
Owners Details:	Name:	
	Postal address:	
	Phone No.:	Mobile No.:
	E-mail :	
	Signature(s):	Date:
Applicants Details:	Business name:	
	Contact person:	
	Postal address:	
	Phone No. (P):	Mobile No. (M):
	E-mail (E):	
	Signature:	Date:
Note:		
<ul style="list-style-type: none"> The signatures of all landowners are required on all applications. If a deceased estate, executor's probate required. Other authorisations (such as a building contract) to sign on behalf of the landowner will not be considered. Applications will NOT be processed until this form has been correctly signed, and all of the required information has been provided. 		
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