

PINNACLE PLANNING**135 BROADWAY
NEDLANDS****DEVELOPMENT APPLICATION
ACOUSTIC REPORT**

JUNE 2019

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NEDLANDS

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FOR

PINNACLE PLANNING

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1.0 INTRODUCTION

Herring Storer Acoustics was commissioned by Pinnacle Planning to conduct a preliminary review of the proposed development at 135 Broadway, Nedlands.

This report has been based on the Development Application drawings provided.

2.0 PROPOSED DEVELOPMENT

The proposed development site is located on the western side of Broadway, Nedlands, to the south of the intersection of Broadway and Princess Road.

The development is predominantly residential apartments; however, the development also contains a ground floor café tenancy.

The following summarises the development:

Ground Floor

- Parking
- Café Tenancy.

First Floor

- Parking.

Levels 02 to 06

- Residential Apartments

3.0 CRITERIA

3.1 BCA PROVISIONS

For Class 2 or 3 buildings, Part F5 of the National Construction Code (NCC), outlines the minimum acoustic isolation of apartments and in this case, the hotel rooms. The following summarises the acoustic criteria:

3.1.1 Walls

Wet to wet	$R_W + C_{tr}$ not less than 50 dB.
Living to living	$R_W + C_{tr}$ not less than 50 dB.
Wet to living construction.	$R_W + C_{tr}$ not less than 50 dB plus discontinuous
Kitchens to living construction.	$R_W + C_{tr}$ not less than 50 dB plus discontinuous

Note: Where kitchens are part of an open living area, we consider the kitchen to be part of the living area and in these cases a discontinuous construction is required. This also includes cases where kitchens are back-to-back, however, discontinuous construction is only required on one side.

3.1.2 Floors

Floors $R_W + C_{tr}$ not less than 50 dB.

Impact Isolation $L_{n,w}$ not more than 55 dB is recommended.

Note: The impact isolation criteria under the BCA is an $L_{n,w}$ of not more than 62 dB. However, as a member firm of the Association of Australasian Acoustic Consultants, (AAAC) we recommend a criteria of an $L_{n,w}$ of not more than 55 dB be adopted for a development of this type.

3.1.3 Service Risers

to Habitable Rooms $R_W + C_{tr}$ not less than 40 dB.

to Non-Habitable Rooms $R_W + C_{tr}$ not less than 25 dB.

3.1.4 Hydraulics

The above requirements also apply to storm water down pipes.

3.1.5 Doors

Door (Connecting) R_W not less than 30 dB.

The development will be designed to comply with the requirements of Part F5 of the BCA.

3.2 ENVIRONMENTAL PROTECTION (NOISE) REGULATIONS 1997

The *Environmental Protection (Noise) Regulations 1997* stipulate the allowable noise levels at any noise sensitive premises from other premises. The allowable or assigned noise levels for noise sensitive premises are determined by the calculation of an influencing factor, which is added to the baseline criteria set out in Table 1 of the Regulations. The baseline assigned noise levels are listed in Table 3.1. For commercial premises, the allowable or assigned noise levels are the same for all hours of the day. Table 3.1 also lists the assigned noise levels for commercial premises.

TABLE 3.1 – ASSIGNED NOISE LEVELS

Premises Noise	Receiving	Time of Day	Assigned Level (dB)		
			L_{A10}	L_{A1}	L_{Amax}
Noise sensitive premises within 15 metres of a dwelling		0700 - 1900 hours Monday to Saturday	45 + IF	55 + IF	65 + IF
		0900 - 1900 hours Sunday and Public Holidays	40 + IF	50 + IF	65 + IF
		1900 - 2200 hours all days	40 + IF	50 + IF	55 + IF
		2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays	35 + IF	45 + IF	55 + IF

Note: The L_{A10} noise level is the noise that is exceeded for 10% of the time.
The L_{A1} noise level is the noise that is exceeded for 1% of the time.
The L_{Amax} noise level is the maximum noise level recorded.

It is a requirement that noise from the site be free of annoying characteristics (tonality, modulation and impulsiveness) at other premises, defined below as per Regulation 9.

“impulsiveness” means a variation in the emission of a noise where the difference between L_{Apeak} and $L_{Amax Slow}$ is more than 15dB when determined for a single representative event;

“modulation” means a variation in the emission of noise that –

- (a) is more than 3dB $L_{A Fast}$ or is more than 3dB $L_{A Fast}$ in any one-third octave band;
- (b) is present for more at least 10% of the representative assessment period; and
- (c) is regular, cyclic and audible;

“tonality” means the presence in the noise emission of tonal characteristics where the difference between –

- (a) the A-weighted sound pressure level in any one-third octave band; and
- (b) the arithmetic average of the A-weighted sound pressure levels in the 2 adjacent one-third octave bands,

is greater than 3 dB when the sound pressure levels are determined as $L_{Aeq,T}$ levels where the time period T is greater than 10% of the representative assessment period, or greater than 8 dB at any time when the sound pressure levels are determined as $L_{A Slow}$ levels.

Where the above characteristics are present and cannot be practicably removed, the following adjustments are made to the measured or predicted level at other premises.

TABLE 3.2 – ADJUSTMENTS FOR ANNOYING CHARACTERISTICS

Where tonality is present	Where modulation is present	Where impulsiveness is present
+ 5 dB	+ 5 dB	+ 10 dB

From a review of the development, the influencing factor for this development would be 4 dB, based on the following :

Secondary Roads within inner circle;

Broadway + 2 dB

Commercial Premises within the inner circle;

40 % + 2 dB

Commercial Premises within the outer circle;

10 % + 0.5 dB

Total IF +4.5 (Rounded down to 4 dB)

Hence the influencing factor would be + 4 dB and the assigned noise levels would be as listed in Table 3.3.

TABLE 3.3 - ASSIGNED OUTDOOR NOISE LEVEL

Premises Noise	Receiving	Time of Day	Assigned Level (dB)		
			L _{A10}	L _{A1}	L _{Amax}
Noise sensitive premises within 15 metres of a dwelling		0700 - 1900 hours Monday to Saturday	49	59	69
		0900 - 1900 hours Sunday and Public Holidays	44	54	69
		1900 - 2200 hours all days	44	54	59
		2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays	39	49	59

Note: L_{A10} is the noise level exceeded for 10% of the time.
L_{A1} is the noise level exceeded for 1% of the time.
L_{Amax} is the maximum noise level.

We note that noise emissions from the premises need to comply with the requirements of the *Environmental Protection (Noise) Regulations 1997*. This not only includes noise associated with mechanical services (ie air conditioning and ventilation systems), but also noise from commercial premises within the site.

3.3 NOISE INGRESS

Inbound Noise Levels

It is proposed to adopt an internal noise level design criteria, similar to other areas within Perth. The aim of the criteria is to design the residential building façade to achieve the following internal sound levels :

- L_{eq} 35 dB(A) in sleeping areas (bedrooms); and
- L_{eq} 40 dB(A) in living/work areas and other habitable rooms.

It is noted that these internal design sound levels are congruent with other noise ingress policies (such as the WAPC State Planning Policy 5.4 and the Town of Vincent Sound Attenuation Policy).

4.0 BCA REQUIRMENTS

The proposed development will be constructed to comply with the requirements of Part F5 of the NCC.

5.0 NOISE INGRESS

5.1 NOISE SOURCE IDENTIFICATION

The area of the proposed development was examined to ascertain the applicable noise sources.

Noise levels were recorded during peak hour traffic conditions to ascertain the most critical for the design of the development.

Residual breakout noise from entertainment venues were identified and quantified as a part of this process.

Traffic noise is considered to be the only significant noise source in terms of noise impact.

Given the above noise source identification, it was determined that noise levels during peak traffic were the most pertinent for the design of the development.

5.1 MEASUREMENTS

Noise level measurements were recorded on the 24th June 2019 at approximately 8:30am to quantify ambient noise in the area. Ambient noise was primarily traffic noise.

The measure noise levels, including octave band data, are listed below in Table 5.2.1.

Table 5.2.1 – Measured Noise level Data									
Noise Source	Octave Band Centre Frequency (Hz) / Noise Level dB								
	63	125	250	500	1K	2K	4K	8K	dB(A)
Traffic	74	61	59	58	57	54	48	43	61

The noise levels recorded were typical of the area, being noise associated with peak hour traffic.

Based on the measured noise levels, the traffic noise during peak hour dictates the acoustic design of the façade.

The criteria used for noise ingress was:

Bedrooms	-	L _{Aeq} of 35 dB(A)
Living and work spaces	-	L _{Aeq} of 40 dB(A)

To determine the acoustic requirements of the developments construction, preliminary calculations were undertaken to ascertain the typical façade treatment that may be required. Generally, this dictates the minimum glazing requirements of the development. Based on the results of the preliminary modelling, the acoustic rating for the glazing would be standard glazing (i.e. an R_w of around 22 – 25 dB), and it is considered highly likely that other design requirements, such as energy/thermal efficiency will dictate glazing requirements.

6.0 NOISE FROM DEVELOPMENT

The main source of noise from the proposed development will be from mechanical services consisting of a car-park ventilation fans and air-conditioning condenser units. Noise received at neighbouring premises from these items need to comply with the assigned noise levels as determined under the *Environmental Protection (Noise) Regulations 1997*.

Car park stacking systems are noted in the design of the building. The noise impact of the use of these systems are negligible, as the systems typically utilise a hydraulic lifting system, with the noise levels associated with their use less than that associated with an idling car.

6.1 COMMERCIAL TENANCIES

Noise emissions from the proposed café tenancy, would need to comply with the requirements of the environmental regulations. An assessment of these noise emissions will be undertaken when the details of the cafe are known. However, given the separation to the closest apartments and neighbouring premises, compliance with the Regulations should be easily achieved.

6.2 MECHANICAL SERVICES

The main source of noise from the proposed development will be from mechanical services consisting of a car-park ventilation fans and air-conditioning plant and condenser units. Noise received at residence (neighbours and residence within the development) from these items need to comply with the assigned noise levels as determined under the *Environmental Protection (Noise) Regulations 1997*.

As the mechanical services could operate during the night, noise emissions from the development needs to comply with the assigned L_{A10} night period noise level of 39 dB(A) at residential premises. Potentially, noise emissions from mechanical services could be tonal, in which case an +5 dB(A) penalty for a tonal component could be applied to the resultant noise levels. Therefore, the design level at the neighbouring residential premises would be 34 L_{A10} dB.

6.2.1 Café Tenancy

Noise emissions associated with the cafe tenancy associated with the project will be assessed and appropriate noise controls will be incorporated into the design to ensure compliance with the requirements of the *Environmental Protection (Noise) Regulations 1997*. However, we do not believe that compliance will be difficult to achieve, given the location of the tenancy and the separation to the apartments within the development.

6.2.2 Apartments

The air conditioning for the apartments is not yet known.

Once the design of the system is finalised, an acoustic assessment will be carried out of noise emissions from the mechanical plant and any noise amelioration required will be incorporated into the design to ensure compliance with the *Environmental Protection (Noise) Regulations 1997*. However, we believe that compliance would be easily achieved and any noise mitigation would be minimal, with the proposed design.

6.2.3 Car Park Exhaust Fan

Noise emissions from the carpark exhaust fan, will also need to comply with the Regulatory requirements. From previous projects, we believe that with careful fan selection and the incorporation of either 1D or 2D unpodded silencers, compliance with the *Environmental Protection (Noise) Regulations 1997* is normally achieved.

An assessment of noise emissions will be carried out once equipment has been selected and submitted for approval.



Assets | Engineering | Environment | Noise | Spatial | Waste

Waste Management Plan

135 Broadway, Nedlands

Prepared for Cedar Cove Pty Ltd ATF Coolbinia Trust

July 2019

Project Number: TW19066



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Ronan Cullen	Director and Waste Management Section Leader	TW19066 - Waste Management Plan.1a

Signature



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Executive Summary

Cedar Cove Pty Ltd ATF Coolbinia Trust is seeking development approval (DA) for the proposed mixed use development located at 135 Broadway, Nedlands (the Proposal).

To satisfy the conditions of the DA the City of Nedlands (the City) requires the submission of a Waste Management Plan (WMP) that will identify how waste is to be stored and collected from the Proposal. Cedar Cove Pty Ltd ATF Coolbinia Trust has engaged Talis Consultants (Talis) to prepare this WMP to satisfy the City's requirements.

A summary of the bin size, numbers, collection frequency and collection method is provided in the below table.

Proposed Waste Collection Summary

Waste Type	Generation (L/week)	Bin Size (L)	Number of Bins	Collection Frequency	Collection
Bin Storage Area					
Refuse	2,278	1,100	2	Twice each week	Private Contractor
Recycling	1,822	1,100	2	Once each week	Private Contractor

A private contractor will service the Proposal onsite, directly from the Bin Storage Area. The private contractor's waste collection vehicle will enter and exit the Proposal in forward gear via Broadway.

A caretaker will oversee the relevant aspects of waste management at the Proposal.



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Diagram 4-2: 8.0m Waste Collection Vehicle Manoeuvring – Forward Out

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1 Introduction

Cedar Cove Pty Ltd ATF Coolbinia Trust is seeking development approval (DA) for the proposed mixed use development located at 135 Broadway, Nedlands (the Proposal).

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The Proposal is bordered by residential properties to the north, south and west and Broadway to the east, as shown in Figure 1.

1.1 Objectives and Scope

The objective of this WMP is to outline the equipment and procedures that will be adopted to manage all waste (refuse and recyclables) at the Proposal. Specifically, the WMP demonstrates that the Proposal is designed to:

- Adequately cater for the anticipated quantities of waste to be generated;
- Provide suitable Bin Storage Area(s) including appropriate bins; and
- Allow for efficient collection of bins by appropriate waste collection vehicles.

To achieve the objective, the scope of the WMP comprises:

- Section 2: Waste Generation;
- Section 3: Waste Storage;
- Section 4: Waste Collection;
- Section 5: Waste Management; and
- Section 6: Conclusion.



2 Waste Generation

The following sections show the waste generation rates used and the estimated waste volumes to be generated at the Proposal.

2.1 Proposed Tenancies

The anticipated volume of refuse and recyclables were based on the number of serviced apartments and the floor area (m²) of the commercial tenancy at the Proposal. The Proposal consists of the following:

- Serviced Apartments – 26; and
- Café – 76m².

2.2 Waste Generation Rates

The estimated amount of refuse and recyclables to be generated by the Proposal is based on the City of Melbourne's *Guidelines for Preparing a Waste Management Plan* (2017).

Table 2-1 shows the waste generation rates applied to the proposed tenancies at the Proposal.

Table 2-1: Refuse and Recyclables Waste Generation Rates

Tenancy Type	Guidelines	Refuse Generation Rate	Recyclables Generation Rate
Serviced Apartments	City of Melbourne	35L/apartment/week	35L/apartment/week
Café	City of Melbourne	300L/100m ² /day	200L/100m ² /day

2.3 Waste Generation Volumes

Waste generation is estimated by volume in litres (L) as this is generally the influencing factor when considering bin size, numbers and storage space required.

2.3.1 Waste Generation

Waste generation volumes in litres per week (L/week) adopted for this waste assessment is shown Table 2-2. It is estimated that the Proposal will generate 2,278L of refuse and 1,822L of recyclables each week.

Table 2-2: Estimated Waste Generation

Serviced Apartments/Commercial Tenancy	Number of Apartments/Floor Area (m ²)	Waste Generation Rate	Waste Generation (L/Week)
Refuse			
Serviced Apartments	26	35L/apartment/week	910
Café	76	300L/100m ² /day	1,368
Total			2,278
Recyclables			
Serviced Apartments	26	35L/apartment/week	910
Café	76	200L/100m ² /day	912
Total			1,822



3 Waste Storage

To ensure that waste is managed appropriately at the Proposal, it is important to allow for sufficient space to accommodate the required quantity of bins within the Bin Storage Area. The procedures and bins to be used at the Proposal are described in the following sections.

3.1 Internal Bins

To promote positive recycling behaviour and maximise diversion from landfill, the Proposal will have two bins within each serviced apartment for the separate disposal of refuse and recyclables. Waste from these internal bins will be transferred by staff/cleaners to the Bin Storage Area and deposited into the appropriate refuse and recycling bins.

In addition, the commercial tenancy will have a minimum of two bins to facilitate the separate disposal of refuse and recyclables. The contents of these bins will be transferred by the tenant, staff or cleaners to the Bin Storage Area and be deposited into the appropriate bin.

3.2 Bin Storage Area

Waste materials generated within the Proposal will be collected in the bins located in the Bin Storage Area shown in Figure 2.

3.2.1 Bin Sizes

Table 3-1 gives the typical dimensions of standard bins sizes that may be used utilised at the Proposal. It should be noted that these bin dimensions are approximate and can vary slightly between suppliers.

Table 3-1: Typical Bin Dimensions

Dimensions	Bin Sizes			
	240L	360L	660L	1,100L
Depth (mm)	730	848	780	1070
Width (mm)	585	680	1260	1240
Height (mm)	1060	1100	1200	1300
Area (mm ²)	427	577	983	1327

Reference: SULO Bin Specification Data Sheets

3.2.2 Bin Storage Area Size

To ensure sufficient area is available for storage of the bins, the amount of bins required for the Bin Storage Area was modelled utilising the bin sizes in Table 3-1 and assuming collection of refuse twice each week and recyclables once each week from the Proposal.

Based on the results shown in Table 3-2 the Bin Storage Area has been sized to accommodate:

- Two 1,100L refuse bins; and
- Two 1,100L recyclable bins.

Table 3-2: Bin Requirements for Bin Storage Area

Waste Stream	Waste Generation (L/week)	Number of Bins Required			
		240L	360L	660L	1,100L
Refuse	2,278	5	4	2	2
Recycling	1,822	8	6	3	2

The configuration of these bins within the Bin Storage Area is shown in Figure 2. It is worth noting that the number of bins and corresponding placement of bins shown in Figure 2 represents the maximum requirements assuming two collections each week of refuse and one collection each week of recyclables. Increased collection frequencies would reduce the required number of bins.

3.2.3 Bin Storage Area Design

The design of the Bin Storage Area will take into consideration:

- Smooth impervious floor and evenly graded to an approved liquid waste disposal system;
- Fitted with wash down capabilities including a tap for washing of bins and Bin Storage Area;
- Adequate aisle width for easy manoeuvring of bins;
- No double stacking of bins;
- Doors to the Bin Storage Area to be self-closing and vermin proof;
- Doors to the Bin Storage Area are to be wide enough to fit bins through;
- Ventilated to a suitable standard so there is no nuisance for residence (e.g. odour);
- Appropriate signage for both the refuse and recyclable waste streams to assist cleaners, staff and tenants;
- Undercover where possible and be designed to not permit stormwater to enter into the drain;
- Located behind the building setback line;
- Bins concealed from view and conveniently located close to the vehicle access point; and
- Bins reasonably secured from theft and vandalism.

Bin numbers and storage space within the Bin Storage Area will be monitored by the caretaker during the operation of the Proposal to ensure that the number of bins and collection frequency is sufficient.

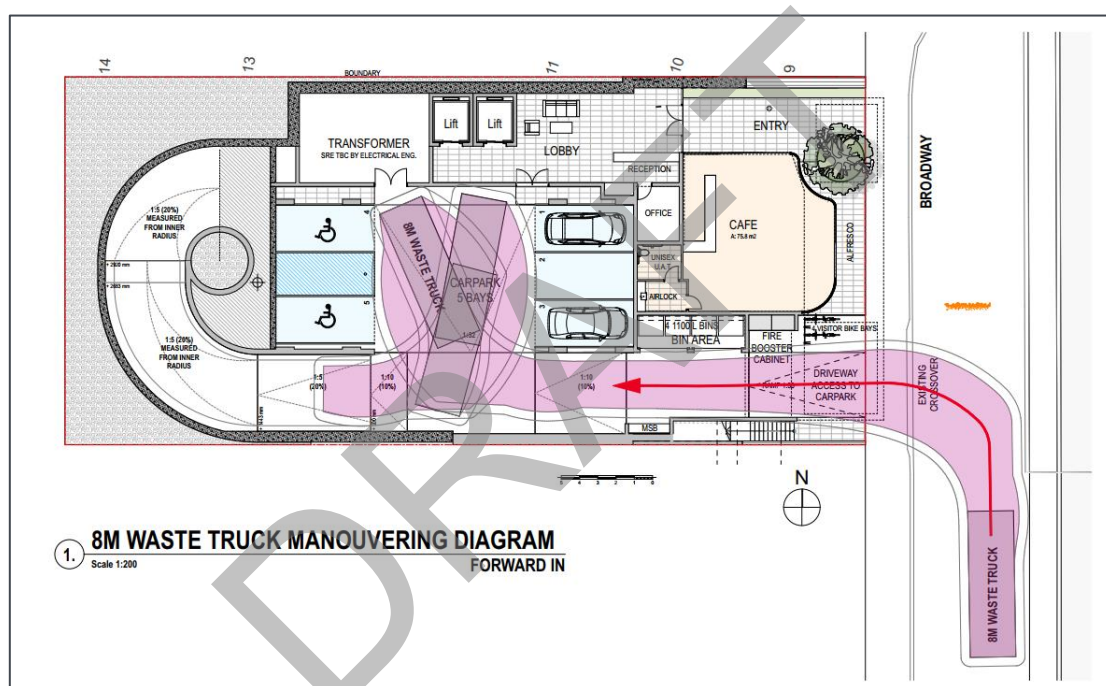
4 Waste Collection

A private contractor will service the Proposal and provide the serviced apartments and commercial tenancy with two 1,100L bins for refuse and two 1,100L bins for recyclables.

The private contractor will collect refuse twice each week and recyclables once each week utilising a rear loader waste collection vehicle.

The private contractor's rear loader waste collection vehicle will service the bins onsite, directly from the Bin Storage Area. The private contractors rear loader waste collection vehicle will travel with left hand lane traffic flow on Broadway and turn into the Proposal in forward gear, complete a multipoint turn within the Proposals carpark and pull up directly opposite the Bin Storage Area for servicing, as shown in Diagram 4-1.

Diagram 4-1: 8.0m Waste Collection Vehicle Manoeuvring – Forward In

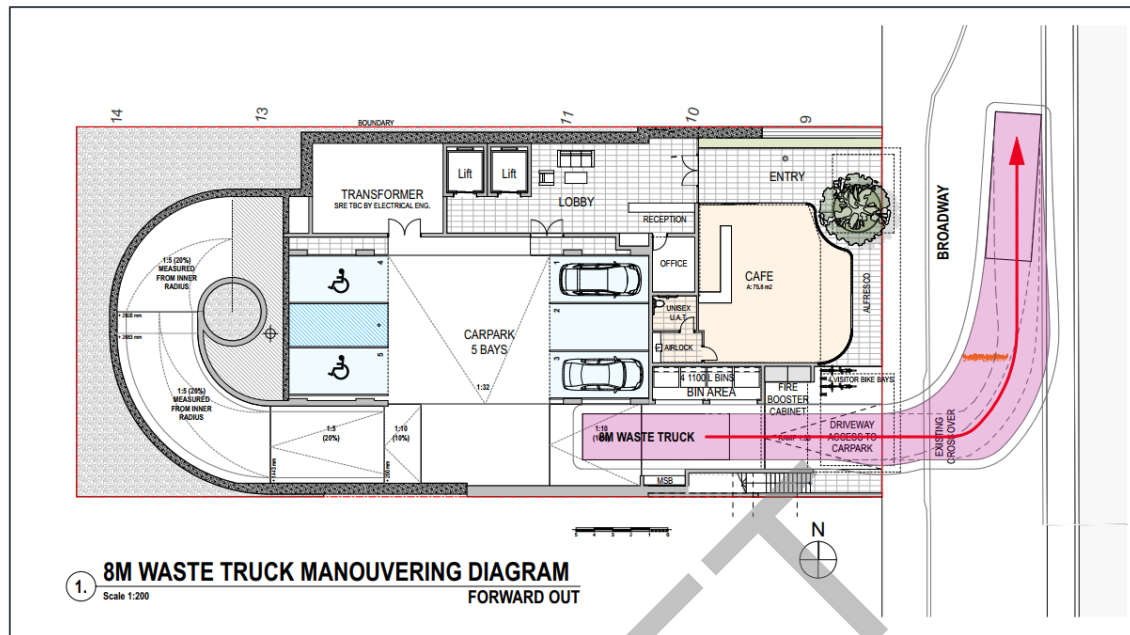


Reference: Mark Aronson Architecture, 25/7/19

Private contractor's staff will ferry bins to and from the rear loader waste collection vehicle and the bin storage area during servicing. The private contractor will be provided with key/PIN code access to the Bin Storage Areas and security access gates to facilitate servicing, if required.

Once servicing is complete the private contractor's rear loader waste collection vehicle will exit in a forward motion, turning left onto Broadway moving with traffic flow, as shown in Diagram 4-2.

Diagram 4-2: 8.0m Waste Collection Vehicle Manoeuvring – Forward Out



Reference: Mark Aronson Architecture, 25/7/19

The above servicing method will preserve the amenity of the area by removing the requirement for bins to be presented to the street on collection days. In addition, servicing of bins onsite will reduce the noise generated in the area during collection. Noise from waste vehicles must comply with the *Environmental Protection (Noise) Regulations* and such vehicles should not service the site before 7.00am or after 7.00pm Monday to Saturday, or before 9.00am or after 7.00pm on Sundays and Public Holidays.

The ability for the private contractors rear loader waste collection vehicle to access the Proposal in a safe manner has been assessed by qualified traffic engineers and be included within their traffic impact statement.

4.1 Bulk Waste and Greenwaste Collection

Bulk waste materials will be removed from the Proposal as they are generated. Removal of bulk waste will be monitored by the caretaker, who will liaise with staff, cleaners and tenants to assist with the removal of bulk waste, as required.

Greenwaste collection services will be provided by external contractors, as required. The caretaker will liaise with service providers to ensure an efficient and effective service is maintained.



5 Waste Management

A caretaker will be engaged to complete the following tasks:

- Monitoring and maintenance of bins and the Bin Storage Area;
- Cleaning of bins and Bin Storage Area, when required;
- Monitor bulk waste and greenwaste accumulation and assist with removal, as required;
- Regularly engage with tenants, staff and cleaners to develop opportunities to reduce waste volumes and increase resource recovery;
- Ensure all tenants, staff and cleaners are made aware of this WMP and their responsibilities thereunder;
- Monitor tenant, staff and cleaner behaviour and identify requirements for further education and/or signage; and
- Regularly engage with the appointed private waste contractor to ensure efficient and effective waste service is maintained.

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6 Conclusion

As demonstrated within this WMP, the Proposal provides a sufficiently sized Bin Storage Area for storage of refuse and recyclables, based on the estimated waste generation and a suitable configuration of bins. This indicates that an adequately designed Bin Storage Area has been provided, and collection of refuse and recyclables can be completed from the Proposal.

The above is achieved using:

- Two 1,100L refuse bins, collect twice each week; and
- Two 1,100L recycling bins, collected once each week.

A private contractor will service the Proposal onsite, directly from the Bin Storage Area. The private contractor's waste collection vehicle will enter and exit the Proposal in forward gear via Broadway.

A caretaker will oversee the relevant aspects of waste management at the Proposal.

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Figures

Figure 1: Locality Plan

Figure 2: Bin Storage Area

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LEGEND

Site Boundary

Cadastre

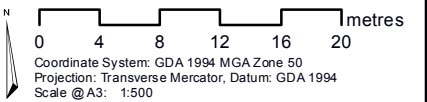
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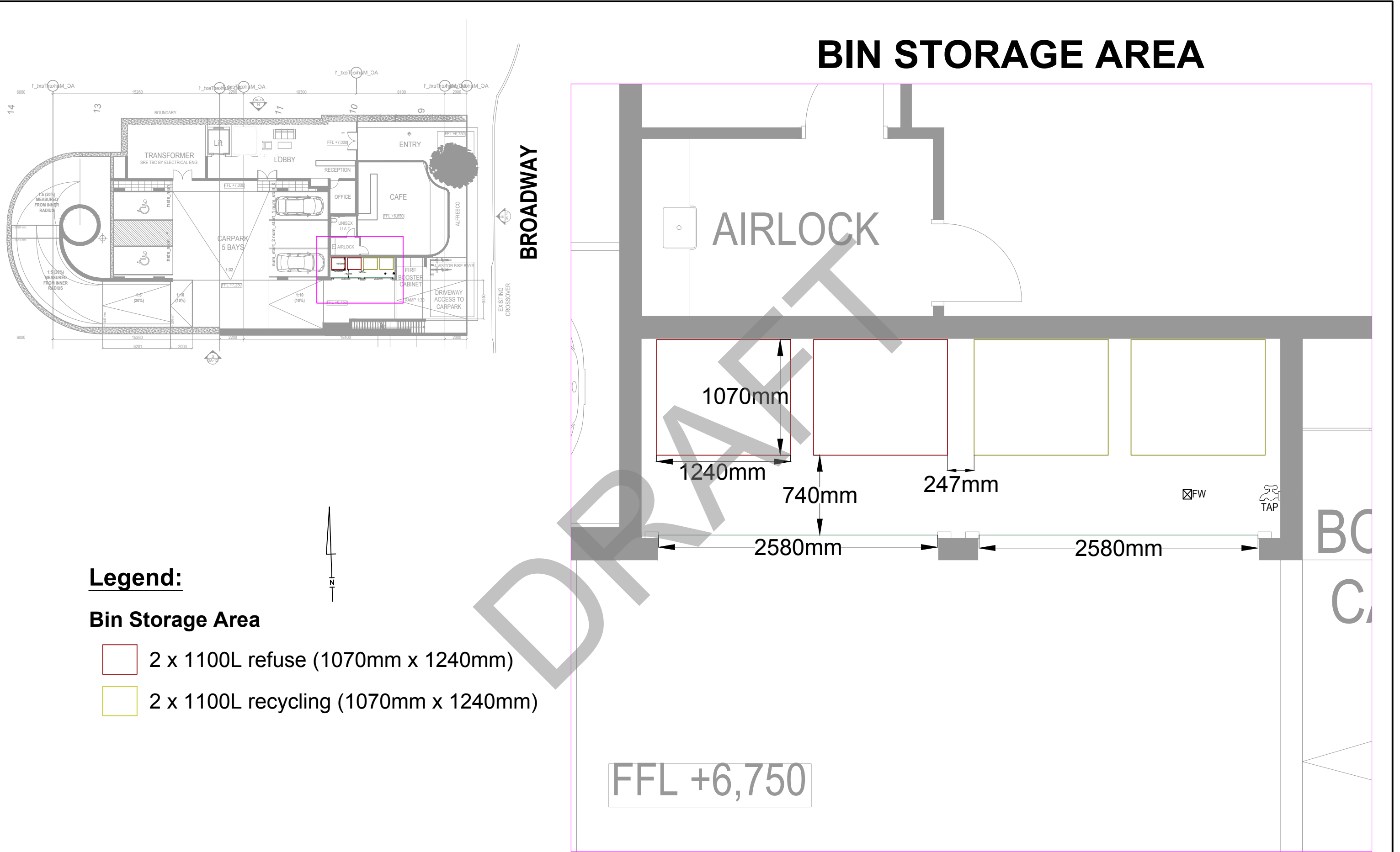
maarch*



Prepared: F Walker	Date: 25/07/2019
Checked: J Wroe	Project No: TW19066
Reviewed: R Hayton	Revision: A

The Talis logo, featuring a stylized 't' and the word 'talis' in a bold, sans-serif font, with the tagline 'delivering solutions' below it.

Figure 01



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State Planning Policy 7.0 – Design of the Built Environment (SPP 7.0)

The Applicant has provided a Design Intent Statement included in the planning report (see **Attachment 3**), which addresses the ten Design Principles of SPP 7.0. As noted previously, the City does not have a Design Review Panel which would ordinarily inform the assessment of SPP 7.0, however attempt has been made by officers of the City provided below.

Design Principle	Officer Response
1. Context and Character <i>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</i>	Partially supported The City acknowledges the architectural merits of the proposal, the increased landscaping and the architectural nod to local characteristics. However, the City is of the view that the development could be improved by making modifications to the side setbacks, which would provide a better amenity outcome for the adjoining properties and the streetscape.
2. Landscape Quality <i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</i>	Supported. The building includes ample space for residents and visitors to socialise and recreate within. It is noted that the applicant is seeking to integrate a tree within the design of the building, which will optimise the external amenity of the two-level parking area. Although the proposed landscaping plan will not provide the same level of habitat as that of the existing single house, it does provide sufficient areas of introduced and native flora that may provide habitat for wildlife. It is considered that the application provides an attractive delineation between the public and private realm by wrapping the ground floor café around the medium sized tree in the front setback area, which will provide shade to customers and an attractive streetscape presentation.
3. Built form and scale <i>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</i>	Not supported. The angled façade takes advantage of the northern aspect by staggering the balconies. However, the City does not believe that the development has successfully negotiated the existing development which and future development. The City is of the view that the development may shape future development by forcing other development to build up to the boundary (0m-600m) where it has done so and thereby creating an attached built form.
4. Functionality and build quality <i>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.</i>	Supported. The units generally locate the bathrooms/laundries adjacent to the communal hallways, thereby providing separation between the bedrooms/living spaces and the circulation areas. The façade has been angled to maximise the northern aspect of the site to provide a degree of solar access to the street facing balconies.

	<p>The café is located adjacent to the entry lobby, away from adjoining properties and is separated from the serviced apartments by a car parking area, minimising potential impacts of the café's on the units and adjoining properties.</p> <p>The proposed Colorbond cladding, painted render and limestone tiles are considered to be durable materials that will require minimal maintenance over the lifetime of the development.</p> <p>Services are incorporated into the design of the building and are not considered to detract from either the streetscape or the building appearance.</p> <p>The dual key units are considered to provide adaptable short-term accommodation, which may help to ensure the longevity of the development.</p>
<p>5. Sustainability <i>Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.</i></p>	<p>Not enough information to fully assess this Design Principle.</p> <p>In terms of energy efficiency the City is satisfied that the building will perform above the required standard (see Attachment X)</p>
<p>6. Amenity <i>Good design provides successful places that offer a variety of uses and activities while optimising internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.</i></p>	<p>The development provides a mix of uses that is considered to positively contribute to the local economy by providing short-term accommodation for tourists, professionals, and students on short courses etc. who will likely spend time in local restaurants and businesses. Over time, future development along Broadway will similarly provide active frontages thereby connecting the separated commercial areas along Broadway. The pedestrian experience will be vastly improved to what is currently.</p> <p>The development has been designed to avoid direct overlooking, and the amended plans now locate the terrace away from the rear residential lots.</p> <p>It is noted that some of the dual key units are less than what would traditionally be expected for a multiple dwelling, however they are suitable for the intended short-term accommodation, and provide flexibility in terms of accommodation.</p> <p>It is noted that the development casts significant overshadow to the southern property. Given the intended built form of the RAC-3 density code this level of overshadowing is considered appropriate with a medium-rise urban centre, to which this area relates.</p>

<p>7. Legibility <i>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</i></p>	<p>The building provides adequate legibility for a development of this size. The integrated design of the ground floor café and tree will provide an attractive landmark and entry.</p> <p>All internal and external common/circulation areas within the building are of a scale that makes clear their function and</p>
<p>8. Safety <i>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</i></p>	<p>Supported</p> <p>The development is consistent with the intent of this Design Principle, in so far as the development will encourage public transport use.</p>
<p>9. Community <i>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.</i></p>	<p>Partially Supported</p> <p>The development is consistent with the intent of this design principle, in so far as it provides universal access units. However it is noted that the purpose of the building is commercial in nature and by default is not able to achieve the remaining elements.</p>
<p>10. Aesthetics <i>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</i></p>	<p>Partially Supported.</p> <p>With the exception of the side boundaries, the development is considered to have architectural merit, being an attractive addition to the precinct.</p>

Comments raised in Objections	Respondents raised issue	Officer Response
<p><u>Building height</u> Objects to the total of 7-storeys proposed by the development</p> <p>Objects to the 7th storey as it exceeds the 6-storey height limit set out in the R-Codes, and will adversely affect privacy, natural light and create noise problems (noise associated with works, air conditioners, fans etc.)</p>	<p>1, 2, 4, 5, 7, 8, 9, 10, 10A, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 38, 39, 40, 42, 43, 44, 45, 46, 47, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 71, 72, 73, 75, 76, 77, 78, 79, 80, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 101, 103, 105, 106, 106, 108, 109, 110, 111, 112, 113, 114, 115, 118, 119, 120, 122, 123, 128, 130, 134, 135, 136, 137, 138, 139, 140, 147, 150 (Total: 116)</p>	<p>Noted.</p> <p>Refer to discussion in RAR. The development is consistent with the Acceptable Outcomes for building height as the top level is located further into the property so that the development is no more than 6-storeys at any given point above natural ground level. The development is also considered to achieve the element objectives for building height.</p> <p>In terms of the height of the development and its impact on amenity of the surrounding properties, the City acknowledges that the development is very different from the current built form permitted under the previous Residential R12.5 code and that there are different amenity expectations under each zone. Notwithstanding, the City is of the view that the development successfully transitions the built form the Mixed-Use R-AC3 zone on Broadway to the medium density R60 zone located to the rear, on Kingsway (which if redeveloped will take advantage of the 3-storey height limits).</p> <p>Should the application be approved, the City may recommend a condition requiring a construction management plan be imposed to address the residents' concerns around construction noise and dust.</p>
<p>Requests the development be reduced to 3-storeys / 4-storeys, measured from the primary street.</p>		<p>Not supported.</p> <p>The 'acceptable outcomes' for building height within the R-Codes is 6-storeys for R-AC3 density code, which the development is consistent with. The application was assessed in accordance with the element objectives and found to be achieve the element objectives as well.</p>

		Please refer to the discussion of Building height in the RAR.
The development does not observe town planning principles or the R-Code Design Guidance of responding to the natural topography or heritage elements and will block the river views enjoyed by the property to the rear.		Noted. Refer to Discussion of Building height and side setback in RAR.
Given that there is no adopted policy/precinct plan/local development plan, the desired future scale has not yet been agreed to.		Noted. The administration will soon begin work on developing Local Planning Framework (Policies/Development Plans/Precinct Plans) for the Broadway area. However, in the absence of local planning framework, the City must refer to the R-Codes Vol. 2 and Local Planning Scheme No. 3 regarding the intended built form for this site. This sets out the intended density for the locality in terms of height, plot ratio and other built form provisions.
The ground floor height is not the same as all the other floors		Not supported. The ground floor has been designed for a commercial tenancy, and as such exceeds the upper floor, residential floor to ceiling heights to allow for required building services.
The development does not transition the built form appropriately between the site and the properties with a lower density at the rear.		Noted. Administration does not support this concern, given that the development successfully transitions the built form down from the Mixed Use R-AC3 on Broadway to the medium density R60 zone located to the rear, which if redeveloped will take advantage of the 3-storey height limits. (6-7-storey to 3-storey). As provided in the applicant's plan set, the building can be 6-storeys at the rear, however the development only proposes 4-storeys at the rear with a larger than required setback.

The height of the development will create a wind tunnel on The Broadway.		<p>Noted.</p> <p>While the development, in and of itself, cannot create a wind tunnel, the development is articulated along the frontage, including a tree, which is considered to address this concern.</p>
The development should not exceed the building height of recently approved development along Broadway within the City of Perth.		<p>Noted.</p> <p>The site referred to in this submission is 150 Broadway, which is zoned Residential R80 and located within the City of Perth. The building height requirement at the time of approval, was 9m wall height, and 12m overall height. The approved development is 21.5m (six stories). The City of Perth recommended that the JDAP approve the development with almost double the prescribed building height as it met the discretionary criteria applicable to that development at the time.</p> <p>Regarding the subject application, an assessment of Building height is provided in the RAR. It is also noted that this side of Broadway in the City of Nedlands has a different zoning being Mixed Use R-AC3 which permits additional height. The subject property is also higher topographically than properties on the eastern side of Broadway.</p>
<p><u>Land Use</u></p> <p>Objects to the serviced apartment land use which will impact on the existing amenity.</p>	1, 2, 3, 5, 6, 7, 9, 10, 10A, 12, 13, 14, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 33, 36, 38, 39, 40, 41, 42, 43, 48, 51, 52, 53, 54,	<p>Noted.</p> <p>Refer to land use discussion in the RAR.</p>
Does not believe that Serviced Apartments land use is permitted in the Mixed-use zone.		<p>Noted.</p> <p>The land use permissibility for Serviced apartment is 'D', under LPS 3, which means that the use is not permitted unless the local government has exercised its discretion by granting development approval. Refer to land use discussion in the RAR.</p>

Concerned that the proposed serviced apartment land use will permit short-term 'tourist-development' or short-term accommodation (Air BnB), which does not meet the City's vision for high density development which would be possible with long term residents.	55, 56, 57, 58, 59, 62, 63, 64, 65, 66, 67, 68, 71, 72, 73, 75, 76, 77, 78, 79, 80, 82, 83, 84, 85, 87, 88, 89, 90, 91, 92, 93, 94, 95, 101, 103, 104, 105, 106, 108, 109, 110, 111, 112, 113, 116, 118, 119, 120, 121, 122, 128, 130, 137, 138, 139, 145, 147, 148 (Total: 98)	<p>Noted.</p> <p>Serviced Apartments are considered short-term accommodation, albeit a more traditional form of short-term accommodation than 'Airbnb'. The City does, however, support the objection to the lack of proposed residential dwelling. Refer to land use discussion in the RAR.</p>
Objects to the serviced apartment land use and the antisocial behaviour that will result from it. If problems arise there will be no one to address these issues.		<p>Noted.</p> <p>Should the development be supported by the JDAP, a condition of approval would require the applicant to provide and for the City to endorse a Short Term Accommodation Management Plan, which amongst other things will address antisocial behavior, noise management, booking and use of car parking, use of the development, check-in/out times, complaints management, expected behaviours etc.</p>
Objects to the café as there are already plenty of other cafes in the surrounding area.		<p>Not Supported.</p> <p>An objection to the café land use based on the existing number of café/restaurants is not a valid planning concern. The Café' land use is a 'P' land use and hence the use component is exempt from development approval.</p>
The café could obtain a liquor license and serve alcohol, resulting in loud noise and rowdy behavior and presents a lack of parking.		<p>Noted.</p> <p>The issuing of a liquor license does not form part of the subject application.</p>
The development is classified as a Tourist Development, not serviced apartments, and as such has a different land use permissibility and advertising requirement.		<p>Noted.</p> <p>The proposed land use is consistent with the serviced apartment definition, which is as follows:</p> <p><i>means a group of units or apartments providing -</i></p> <p><i>(a) self-contained short-stay accommodation for guests;</i></p> <p><i>and</i></p> <p><i>(b) any associated reception or recreational facilities.</i></p>

		<p>A tourist development is defined as follows: <i>means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide -</i> <i>(a) short-term accommodation for guests; and</i> <i>(b) onsite facilities for the use of guests; and</i> <i>(c) facilities for the management of the development.</i></p> <p>The City notes that despite having similar land use descriptions, they have a different land use permissibility. In terms of process, however, they both require discretion. The only difference between, D and A uses, is the advertising requirements, which in the case for A uses is as follows:</p> <ul style="list-style-type: none"> • a 14 day public consultation period • notification on the City's website • letters sent to all residents and occupants within a 100m radius of the site. <p>The application was classified as a Complex application, the requirements for a complex application are as follows:</p> <ul style="list-style-type: none"> • 21 day consultation period • letters sent to all residents and occupants within a 200m radius of the site. • Sign on site • Newspaper advertisement • Notice Board • Website notice • Community consultation session <p>The City does not support this objection. Refer to the land sue discussion in the RAR.</p>
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Concerned that a change of use of the serviced apartment development would permit AirBnB style accommodation or multiple dwellings.		<p>Noted.</p> <p>Should the development be supported by the JDAP, a condition of approval would require the applicant to provide and for the City to endorse a Short Term Accommodation Management Plan, which amongst other things will address antisocial behavior, noise management, booking and use of car parking, use of the development, check-in/out times, complaints management, expected behaviours etc.</p> <p>The City must consider what is being proposed, not potential future land uses.</p>
Requests that a caveat be lodged to prevent the serviced apartments from being used as a different use/ multiple dwelling.		<p>Supported.</p> <p>In the event the JDAP supports the development, a condition will be recommended by the City which will require a notification on the title, making future landowners aware that the units are limited to being serviced apartments (and hence tenure is limited to a maximum of 3 months), without further planning approval.</p>
<p><u>Side/Rear Setback</u></p> <p>Objects to the nil setback on the basis that it eliminates northern sun and restricts ventilation and privacy.</p> <p>Objects to the nil setback as it does not provide space for deep rooted trees, ventilation, separation and adversely affects natural sunlight, noise, environment, health and heritage.</p> <p>The nil setbacks will negatively impact on security, heat island effect, access for maintenance and safety (fire).</p>	<p>1, 2, 7, 10, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 31, 38, 39, 40, 41, 43, 44, 45, 46, 47, 48, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 71, 72, 73, 74,</p>	<p>Noted.</p> <p>Refer to RAR discussion of side setbacks. Administration would support nil side setbacks up to the third floor, to provide the space for the required vehicle access, parking and maneuvering areas, active land use at ground level, emergency exits and legible pedestrian entry. Adequate landscaping is provided within the rear setback.</p>

The 5-storey nil lot boundary setback and the 1m-2m setback of the remainder of the building is not supported as the southern elevation does not provide enough articulation to mitigate the impact of bulk on access to light and amenity of the adjoining southern property.	75, 76, 77, 78, 79, 82, 83, 84, 87, 88, 90, 92, 93, 99, 103, 104, 105, 106, 109, 111, 112, 113, 114, 120, 122, 128, 130, 139, 141, 145, 147, 150 (Total: 84)	Supported. Refer to discussion of side setbacks in RAR.
Requests that the development be modified by removing boundary walls above the third floor to: <ul style="list-style-type: none"> - provide for articulation and adequate separation; - reflect the fine grain lot configuration; maintain east-west view corridors/outlook/ sky views; - to achieve a medium-rise built form typology; and - to meet the element objectives for Plot ratio. 		Supported. Refer to RAR discussion of side setbacks
The proposed side setbacks forces future development to the south to mirror the building envelope.		Supported. Refer to RAR discussion of side setbacks
<u>Local Planning Strategy, Local Planning Scheme No. 3, Mixed Use zone and SPP7.3 -Residential Design Codes, SPP 7.0 – Design of the Built Environment.</u>	3, 6, 10, 13, 14, 18, 19, 26, 27, 28, 29, 30, 31, 33, 38, 41, 44, 45, 46, 47, 48, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 71, 72, 73, 74, 75, 77, 78, 79,	Noted. Refer to aims of LPS 3 and zone objective assessment in RAR discussion.
The development does not satisfy the objectives (a-m) of Local Planning Scheme No. 3 (LPS 3).		
The massing and height of the development is not appropriate to its setting as it does not negotiate between the existing built form and the desired future built form.		Noted. Refer to discussion of side setbacks and building separation in the RAR.

The development does not satisfy the Mixed-Use Zone objectives contained in Table 2 of LPS 3, particularly as it does not provide any residential development.	80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 97, 100, 103, 104, 105, 107, 109, 111, 112, 113, 119, 121, 122, 124, 128, 130, 134, 135, 136, 140, 144, 147 (Total: 85)	Noted.
		Refer to RAR discussion of zone objective.
The development does not satisfy the R-Code Policy Objectives, Element Objectives, Acceptable Outcomes and Design Guidance.		Noted.
		Refer to RAR discussion.
The development is inconsistent with the Local Planning Strategy, as it is identified as being in the Transition Zone, low to medium rise, and does not contain residential development.		Noted.
		Refer to RAR discussion of the Local Planning Strategy.
The development does not satisfy community expectations for sustainable residential development, infrastructure, community services, green spaces, maintaining the amenity, streetscape, infill target and appeal of Nedlands.		Noted.
		Refer to aims of LPS3 assessment in RAR.
Concerns regarding the precedent that will be set if the proposal is approved.		Partially supported.
		Refer to the discussion of setbacks and the assessment of land use in the RAR.
		In terms of the building height and plot ratio, these aspects of the development are supported as per the relevant sections within the RAR.
Given that there is no Local Planning Strategy to guide development, the development should be rejected.		Not Supported
		The City has an Approved Local Planning Strategy – refer RAR discussion. In terms of a local planning framework (Local Planning Policy, Local Development Plan or Precinct Plan), the City will progress this in the near future. The development is considered to compromise the future planning of the locality only

		in terms of setting an undesirable precedence for lot boundary setbacks.
<u>Traffic and Parking</u> Objects to the additional traffic and parking that would be generated by the proposal, given the traffic and parking constraints already experienced in the area and the impost this represents.	1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 82, 83, 84, 85, 87, 88, 89, 90, 92, 93, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 108, 109, 111, 112, 113, 118, 120, 122, 123, 128, 130, 133, 134, 135, 136, 137, 138, 139, 140, 145, 147, 150. (total 118)	Noted In terms of the impact the development on traffic, the Transport Impact Assessment has confirmed that the trip generation for a development of this size is not considered to adversely affect the local road network. Supported In terms of the proposed number of parking bays, the number of bays provided does not comply with the specific requirements of the City's Draft Local Planning Policy. The applicant's justification letter and TIS has not adequately demonstrated that the development is provided with enough car parking.

Requests the City to prepare a road, public transport and parking strategy to manage future infill.		The City is currently progressing a number of policies and strategies to guide future development within the City. The City will be developing a parking strategy in context with LPS3
Objects to the 50% parking bay shortfall and rejects the assertion that the cycle bays will make up for the deficit.		Supported. Refer to discussion of parking in RAR.
Objects to the 79% shortfall in bicycle parking bays and the lack of end-of-trip facilities.		Not supported. The application has been assessed under the planning framework and the amount of bicycle parking meets requirements as there is a significant portion of bicycle parking on the second level.
The single lane access and egress has constrained visibility and will adversely impact the safety of pedestrians, cyclists and users of the bus stop.		Noted The TIS and the City's Technical Services have confirmed that safe access and egress is provided.
Requests a Traffic Impact Assessment / Traffic Modelling to be undertaken.		Noted. TIS has been provided.
Car parking shortfall cannot be compensated by the Transperth Public Transport service due to the isolation of the site from Stirling Highway, a railway station and other nearby locations such as UWA, QEII or Perth City Centre		Supported. In terms of the proposed number of parking bays, the applicant's justification letter and TIS has not adequately demonstrated that the development is provided with sufficient car parking.
Traffic congestion and parking shortfall due to rubbish trucks, housekeeping services, truck deliveries, café staff and hotel staff.		Noted. In terms of the impact the development has on traffic, the Transport Impact Assessment provided by the applicant has confirmed that the trip generation for a development of this size is not considered to adversely affect the local road network. Supported.

		In terms of the proposed number of parking bays, the City agrees that the applicant has not demonstrated that sufficient parking has been provided.
Concerns regarding the current heavy traffic volumes on surrounding streets and intersections, namely The Avenue, Stirling Highway, Broadway and The Broadway/Stirling Highway intersection		Noted. In terms of the impact the development on traffic, the Transport Impact Assessment has confirmed that the trip generation for a development of this size is unlikely to adversely affect the local road network.
There will be minimal visibility for vehicles and pedestrians when there is a bus at the bus stop beside the development.		Not supported. The City has consulted with the PTA and they have no objections to the proposal.
The bus stop outside the subject lot would need to be removed.		Not supported. The City has consulted with the PTA and can confirm that the bus stop will not require relocation as a result of this development.
Requests the provision of 36 car parking bays and 19 bicycle bays, as there is not enough local public transport to make up the shortfall and UWA and QEII are not close enough to walk.		Partially Supported. The City agrees that the applicant has not adequately demonstrated sufficient parking has been provided.
The development compromises the benefits that the 'Safe Active Streets' on Elizabeth Street might provide.		Supported Refer to discussion of parking in RAR.
The parking shortfall of the development will represent a burden on the availability parking within the City for the duration of the development.		Supported Refer to discussion of parking in RAR.
<u>Bulk and Scale</u> Objects to the excessive bulk of the building and its domination of the landscape.	2, 3, 6, 7, 9, 12, 14, 24, 26, 27, 28, 29, 30, 31,	Partially supported. Refer to discussion of side setback in the RAR.

Objects to the number of apartments (26 proposed).	33, 34, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45,	Partially supported. Refer to discussion of side setback and parking in the RAR.
Objects to the bulk and scale that results in overshadowing, overlooking, noise and security problems.	46, 47, 48, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 82, 83, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98,	Noted. In terms of overshadowing, on east-west oriented lots the intended building envelope for R-AC3 will result in overshadowing to southern lots. The R-Codes Vol. 2 does not prescribe a maximum percentage of overshadowing permitted.
The building does not blend into the existing streetscape and building does not complement the existing character, amenity and streetscape, requests a streetscape perspective.	99, 102, 104, 105, 106, 107, 108, 109, 111, 112, 113, 114, 115, 116, 118, 119, 120, 122, 124, 128, 130,	Supported. In terms of the impact of the development on the amenity of the adjoining properties and streetscape. Refer to discussion of side setback in the RAR.
The cumulative impact of Building height, bulk, and setback does not provide an appropriate interface to the southern adjoining lot.	133, 134, 135, 136, 137, 139, 140, 145, 147, 150. (total 105)	Partially supported Refer to side setback discussion in the RAR.
The proposed development does not support a sustainable community and a close knit community.		Noted. However, this is not a relevant planning assessment matter.
There is no existing precedent for 6-storey development.		Noted. A precedent is not required. The subject site was rezoned from Residential R12.5 to Mixed Use R-AC3 in April 2019 with the gazettal of LPS3.
Requests that the bulk of the building be reduced by increasing setbacks, to better meet the element objective for Plot Ratio and to better meet the desired built form typology for the R-AC3 density code which is characterised by podium development at the lower floors and a centralized, detached 'tower' above.		Partially supported. Refer to the discussion of side setbacks in the RAR. Plot ratio provided is supported – refer to discussion of plot ratio in the RAR.

<u>Visual Privacy</u> Requests that all windows that overlook adjoining properties and the rooftop garden be removed from the plans due to the impact it will have in terms of loss in privacy, which will be exacerbated by the proposed serviced apartment land use, in which noisy parties and social gatherings are more likely to occur.	2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 18, 19, 20, 22, 25, 26, 27, 28, 29, 30, 31, 34, 38, 39, 40, 42, 43, 45, 46, 47, 48, 51, 52, 53, 54,	Noted Refer to discussion of visual privacy in the RAR.
Requests that the seventh-storey is located closer to the front of the building towards The Broadway.	56, 57, 58, 59, 61, 62, 63, 64, 65, 66, 68, 69, 71, 76, 80, 82,	Noted. The applicant has addressed this objection by reorienting the top floor to have the communal roof terrace to be facing Broadway.
Undesirable persons viewing children at the primary school from the viewing deck (7 th -storey).	83, 84, 87, 88, 89, 90, 91, 92, 93, 95, 97, 101, 104, 105, 106, 108, 109, 111,	Not supported. This is speculative and not supported, however, the applicant has relocated the sixth-floor terrace toward Broadway.
Visual privacy cone of vision is not correct.	137, 138, 139, 140, 145, 147, 150. (total: 77)	Noted. The cone of vision hasn't been added to the northern elevation of several units but can be addressed by way of a screening condition.
Requests the roof terrace to be removed from the plan or relocated to Broadway.		Noted. The applicant has addressed this objection by reorienting the top floor to have the communal roof terrace to be facing Broadway.
<u>Architectural style/Design</u> Objects to the architectural design, as it does not blend into the existing character of the neighbourhood.	2, 35, 49, 60, 84, 85, 87, 89, 137 Total: 9	Partially supported. Regarding side setbacks, please refer to discussion in the RAR. Regarding the design and surrounding character, the City acknowledges that the development represents a significant change in character from the single dwellings that the adjoin the site. LPS3 was adopted in April 2019 which has imposed a new zoning and density code. It should be noted that Broadway is not

		purely residential in nature (in terms of existing context) and exhibits a variety of modern commercial buildings. Further, the east of Broadway is dominated by multiple dwellings and university buildings. It should also be noted that the architectural review of the application was generally supportive of the design.
Requests that the building utilize darker colours to minimize glare.		Noted. The City supports the proposed colour palette. Dark colours may adversely affect the energy rating of the building.
Objects to glare caused from windows.		Noted. Windows are an essential part of occupant amenity. The City would not support reducing or removing windows.
<u>Plot Ratio</u> Objects to the proposed plot ratio that exceeds the Acceptable Outcomes, and represents an overdevelopment of the site and which contributes to a heat island effect	3, 6, 60, 65, 79, 80, 89, 91, 101, 104, 108, 114, 137, 145, 149 Total: 15	Noted. The plot ratio exceeds the default standard in the R-Codes Vol. 2. However, the plot ratio assessed of 1.78:1 is much higher due to due to the land use not being 'residential – multiple dwellings'. The plot ratio definition includes several common areas in commercial development that would have otherwise been excluded had the development been for multiple dwellings in lieu of serviced apartments. The development is considered to achieve the element objectives.
Given that there is no adopted policy/precinct plan/local development plan, the planned character referred to in the element objectives, has not yet been agreed to.		Noted. In the absence of a planning policy, the City must defer to the R-Codes and LPS3 to assess the development application. Further to this the development is not considered to substantially prejudice future development in the locality except for lot boundary setbacks.
Concerned with over-occupancy.		Noted.

		Occupancy rates are not a planning consideration, however, it is noted that this issue can be managed through a Short-Term Accommodation Management Plan.
The stated plot ratio is not correct.		<p>Noted.</p> <p>On balance, administration supports the proposed plot ratio, subject to a slight redistribution away from the side boundaries. The City is of the view that the development achieves the element objectives for Plot Ratio and provides significant landscaping (mature trees) which will improve canopy cover at the site.</p>
<u>Size and layout of Serviced Apartments</u> The size of the serviced apartments has little in the way of amenity.	3, 6 Total: 2	<p>Noted.</p> <p>This element of the R-Codes is not considered to apply to serviced apartments. Multiple dwellings and serviced apartments have different amenity expectations due to the length of tenure. The overall design of the proposal is considered adequate for its proposed use and was generally supported by the architectural review.</p>
The floor to ceiling height is not sufficient for this type of development.		<p>Not supported.</p> <p>The measured ground floor to ceiling height is in accordance with its intended café use and also meets the requirements of the R-Codes for upper levels.</p>
The development does meet the Acceptable outcomes.		<p>Supported.</p> <p>The element that do not achieve the element objectives are detailed in the RAR.</p>
<u>Street setback</u> Given that there is no adopted policy/precinct plan/local development plan, the desired future streetscape, landscaping character has not yet been agreed to.	65, 148 Total: 2	<p>Noted.</p> <p>However, In the absence of an approved local planning instrument the city must defer to the intended building envelope illustrated in the R-Codes Vol. 2. The R-Codes encourages a nil street setback in non-residential areas, as it replicates established street setback of a traditional high street. It also provides benefits in terms of street surveillance. Notwithstanding the façade of the</p>

		building is articulated, reducing the bulk on the streetscape and is therefore supported.
Requests a nil setback to reduce the impact of the development on the rear adjoining properties.		Noted The applicant has addressed this request by shifting the building toward Broadway, thereby increasing the setback at the rear by 1.6m.
<u>Building Depth</u> The development does not narrow on the upper levels in order to provide internal amenity.	65 Total: 1	Noted. Multiple dwellings and serviced apartments have different amenity expectations due to the length of tenure. The overall design of the proposal is considered adequate for its proposed use and was generally supported by the architectural review.
<u>Building separation</u> The building is not provided with the required building separation.	65, 114 Total: 2	Noted. Refer to the discussion in the RAR.
The development does not achieve the desired built form typology for the R-AC3 code, which is characterized by boundary wall development at the lower levels and a detached, centralised 'tower' above. Requests that the upper floors be setback to provide for appropriate separation and amenity outcomes for the southern lot.		Supported. Refer to side setback and building separation discussion in RAR.
Requests that the terrace comply with the Acceptable Outcome of 9m separation between it and the adjoining boundaries.		Not supported. Both the lodged application and amended plans satisfy the building separation acceptable development requirements.
Requests a condition of approval that requires all vegetative screening to be maintained by the owner to the satisfaction of the City.		Noted. Should the application be approved by the JDAP, a landscaping condition of approval will be recommended.

<u>Orientation</u> The development does not maintain the amenity of the southern and adjoining properties.	65, 149 Total: 2	Not supported The development satisfies the Acceptable Outcomes of the R Codes.
The area of overshadowing relative to the southern adjoining lot is 83% in lieu of the prescribed 50%.		Not supported Due to the intended built form of the R-AC3 code. there is no maximum amount of overshadowing relative to the lot area.
<u>Overshadowing</u> The development will impact northern sunlight/aspect.	65, 87, 89, 137, 150 Total: 5	Noted. Due to the intended built form of the R-AC3 code. there is no maximum amount of overshadowing relative to the lot area.
<u>Ventilation</u> The proposed building separation does not provide adequate ventilation.		Partially supported. Refer to side setbacks and building separation discussion in RAR.
The northern and southern openings will not provide ventilation if other similar development are approved.	65, 137, 150. Total: 3	Partially supported. Refer to side setbacks and building separation discussion in RAR. In terms of cross ventilation requirements, the development will meet the acceptable development requirements in this regard.
<u>Circulation and Common Spaces</u> The courtyard at the rear has poor amenity, with little sun or ventilation and are inaccessible. The rooftop is located at the rear instead of taking advantage of the river views. The rooftop terrace and top floor serviced apartments should be swapped.		Noted The applicant has addressed this request by re-orientating the top floor to have the communal roof terrace facing Broadway.
<u>Storage</u> Not enough storage is provided.	49, 65 Total: 2	Not supported. Given that the development is for short stay accommodation (maximum 3 months), storage is not required.

<u>Amenity</u> The variations proposed for setback, building height and plot ratio are not justified by the high-quality design (proposed materials, landscaping, finishes and responsiveness of the design to the topography). The applicant has not provided adequate detail specifically with regard to the resultant amenity to be experienced on the southern adjoining lot as a result of the development.	65 Total: 1	Noted. Refer to the discussion of building height, side setbacks, plot ratio and building separation in the RAR.
<u>Water management, Waste Management and Energy Efficiency</u> Requests an Australian Building Code Board assessment of the building.	114 Total: 1	Not Supported. The application will be assessed in accordance with the relevant building legislation at Building Permit stage.
Requests the development comply with the waterwise best practice and be energy efficient to the standards of the Australian Building Codes Board.	65, 69, 81, 84, 85, 89, 137, 149 (Total: 8)	Noted. Condition of approval will address stormwater runoff.
Requests information on energy efficiency and what measures are being taken to use water efficiently/ water runoff.		Noted. The City requested that the applicant provide a NATHERS Report which found the building had a rating of 7.
Concerns over water management/stormwater runoff.		Noted Should the application be approved, a condition addressing stormwater run-off will be recommended.
Requests further information on the and development's energy efficiency and compliance		Noted. As stated above, the City requested that the applicant provide a NATHERS Report which found the building had a rating of 7.

with efficient heating and cooling, natural air movement and natural lighting.		
Requests a finalised Waste Management Plan.		Noted. A waste management plan has been provided as part of the application.
<u>Landscaping and Vegetation</u> The development should incorporate a well-designed landscaping plan and trees are to be included in this plan.		Noted. The applicant has amended the proposed plans by including mature trees in the Landscaping Plan, which will provide additional screening along the rear boundary.
The development does not protect the nature in the area.	33, 35, 65, 79, 80, 84, 85, 89, 101, 102, 104, 111, 137	Not Supported Vegetation on the site is largely introduced invasive bushes or weeds. The landscaping plan is considered to improve the canopy onsite.
The development will reduce the amount of nature, greenery and leafy trees on the site.	(Total: 13)	Not supported Vegetation on the site is largely introduced invasive bushes or weeds. The landscaping plan is considered to improve the canopy onsite.
<u>Heritage</u> Development along Broadway will adversely impact the heritage homes in the area.		Not supported. Although the City acknowledges the character of the homes along Broadway, there are currently no homes with identified heritage value, that have been added to the City's heritage list.
The demolition of this house and future houses on Broadway will irreversibly remove important heritage fabric from the area.	84, 85 Total: 2	Not supported. See above comment.
Objects to the lack of consideration for heritage homes in the area		Not supported.

		See above comment.
<u>Miscellaneous</u> Requests that no development applications proceed until a Design Review Panel, is appointed as per WAPC Design Review Guide.	10, 10A, 13, 14, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 38, 39, 45, 46, 47, 48, 51, 52, 53, 54, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 70, 71, 74, 79, 80, 81, 82, 83, 84, 85, 87, 88, 89, 90, 91, 92, 93, 97, 99, 100, 102, 104, 105, 107, 109, 111, 112, 113, 118, 119, 122, 128, 130, 133, 135, 137, 138, (Total: 80)	Not supported. Administration referred a report to Council in April 2019 that sought to undertake the necessary work to appoint a DRP, however, Council resolved as follows: <i>Council did not believe that establishing a Design Review Panel was appropriate at this point in time and that it imposed on property rights.</i> The City did seek professional architectural design review, following a community consultation session. In terms of stopping development applications, Administration has sought legal advice which confirms that; <ul style="list-style-type: none"> • In accordance with the DAP Regulations, the City is unable to stop processing the application, as an extension of time must be agreed to by the applicant. • The City is bound to the statutory deadlines set out in the DAP Regulations. The City cannot refuse to accept a development application if it has all the relevant materials to complete an assessment as the City must carry out its functions in accordance with the relevant legislation..
Why there is no Architectural oversight?		Noted. Although the City has no formal Design Review Panel, the City did have the development reviewed by an architect which informed the City's Request for Further Information.

Requests that no discretion be exercised by the JDAP when determining the application.		Not supported. An assessment of the discretion being exercised is provided in the RAR. The City has an obligation to assess the application on its merits and exercise appropriate discretion.
Requests that the JDAP consider the application together with other development when making its decision.		Noted. There are currently no other complex development applications in the locality currently being considered by the City of Nedlands.
Requests that the JDAP defer the decision until the Western Australian Parliamentary Inquiry into Short-Term Accommodation is finalised and a Parking Policy has been adopted.		Not supported The Western Australian Parliamentary Inquiry into Short-Term Accommodation has been finalised and is not considered to have any bearing on the subject application. In accordance with the DAP Regulations, the City is unable to pause the application, as an extension of time must be agreed to by the applicant.
Requests an element objective summary be provided and questions whether the development satisfies all element objectives.		Noted The assessment of the application is provided in the RAR (building height, side setbacks, building separation, visual privacy plot ratio).
Requests the development be refused.		Noted.
Requests that an extension of time be granted.		Noted. In accordance with the DAP Regulations, the City is unable to pause the application, as an extension of time must be agreed to by the applicant and in this instance the applicant has advised that they do not consent to an extension of time.
Requests that the building remain in the ownership of one party, not strata titled.		Not supported

		This is not a valid planning consideration and therefore cannot form part of the application assessment by the City. Strata titling is subject to
Requests information on the covenants/conditions of approval that will ensure that the development continues to comply with the development approval.		Noted
Requires the Council to announce an immediate moratorium on the processing of DA's, until a Precinct Plan has been adopted.		The City has prepared an alternate recommendation as an addendum to the RAR.
Requests that the JDAP put the interests of residents ahead of the interests of the developer.		Not supported
Requests that the City development a coordinated plan with the City of Perth for the Broadway Precinct.		In accordance with the DAP Regulations, the City is unable to pause the application, as an extension of time must be agreed to by the applicant.
Objects to lack of emergency services access to the rear of the property. Requests a fire safety audit of the development.		Noted.
Concerned about the development's fire risk.		The planning process is designed to balance the interests of the wider community and individuals.
Objects to the lack of environmental impact studies		Noted.
		The City will request community input for the future local planning framework in due course.
		Noted.
		The application is required to obtain any necessary Department of Fire and Emergency Services (DFES) approvals prior to proceeding with a building permit.
		Noted.
		This is covered by the Building Permit process.
		Noted.
		A development of this type and scale does not require an Environmental Impact Assessment.

Justifies that the rationale for urban infill in the area was to allow for older residents to remain in the area by downsizing		<p>Noted.</p> <p>One of the strategy objectives was to provide diversity in housing stock such as aged persons dwellings but not solely for this reason. The provision of residential development is a key objective of the zone, the lack of residential dwellings forms a reason for refusal.</p>
Council should speak to the community directly instead of the architect or planner to explain how the development enhances local community which has a financial gain.		<p>Noted.</p> <p>The City advertised the application in accordance with LPP Consultation of Planning Proposals, which included a Community Consultation session for the community to discuss the application with City officers.</p>
The development will adversely affect the character of the City.		<p>Noted.</p> <p>Change is inevitable as a result of the changes in density coding and hence the existing character is going to change as a result. The City engaged an architect to review the application, which found that the development had architectural merit.</p>
The development will affect tranquility, peace to social wellbeing, noise, litter, dust, health, public health, pollution, education and crime- and will result in a concrete jungle.		<p>Noted.</p> <p>These issues have been addressed earlier in this summary.</p>
The development does not contribute to the street or community.		<p>Noted.</p> <p>This is a matter of subjectivity. The City engaged an architect to review the application, which found that the development had architectural merit. The operation of a serviced apartments development provides employment opportunities and economic development potential through tourism.</p>
There is no demand for serviced apartments.		Not Supported.

		This is not substantiated by the submitter and is a valid planning consideration.
The area has the potential of becoming a slum in the future.		Not supported.
The development indicates poorly conceived, greedy planning.		This comment is subjective and not supported by administration. Not supported.
The development will affect the structural integrity of surrounding houses/dwellings, including heritage properties.		This comment is subjective and not supported by administration. Noted.
Requests that the JDAP reject the development given the strong opposition of the Nedlands' residents.		A condition of approval will require a Construction management plan.
Requests that the City prepare a policy on how to exercise discretion, as it currently does not have practice doing so.		Noted. The City has given due regard to the submissions in accordance with clause 67(y) of the Deemed Provisions.
Requests that the applicant prepare a 3D model of what Broadway will look like if this development is repeated along Broadway.		Noted. Administration will continue to prioritise the development of policies and precinct plans in accordance with Council's direction.
The development will compromise the value of adjoining properties and affect rates of the land.		Not supported. There is no statutory requirement for the applicant to undertake the requested modelling.
The building is not attractive and uses materials of a low quality.		Not supported. This is not a valid planning concern.
		Noted. This is a matter of subjectivity. The City engaged an architect to review the application, which found that the development had architectural merit.

The developer expects concessions for excessive aspects of the proposal.		Noted. Please refer to the assessment of discretion in the RAR.
The development is too close to the Nedlands Primary School, which is also reaching capacity.		Noted. Due to the short term tenure of the serviced apartment land use, the development is unlikely to impact enrollments.
Apartment buildings are likely to result in defects much like the ones experienced recently in Sydney.		Noted. The building will be assessed in accordance with the relevant Building Codes.

Comments in support of Application	Submitter no.	City's response
Supports the higher density development due to negative implications of urban sprawl in Perth	x	Noted.



3 October 2019

Via Email: jscrutton@nedlands.wa.gov.au

Attention: Planning Services

Dear Sir/Madam

**Response for Further Justification
Proposed Serviced Apartment Mixed Use Development
35 Broadway, Nedlands**

Our Office received a request for additional information at the above mentioned subject site, after comments were received during the public consultation session.

COMMUNITY CONSULTATION

A community consultation was held on the 2 September 2019 at the City of Nedlands. The consultation session was open to the public, and invited a range of residents, ratepayers, councillors and staff to attend and address any concerns or thoughts they have in relation to the development at the subject site.

The summary of submissions was received by our Office on 18 September 2019, outlining the technical matters raised on the night by those who attended. The general concerns raised were in relation to the following:

- Impact on Amenity;
- Bulk and Scale;
- Plot Ratio;
- Roof Terrace;
- Privacy; and
- Adjoining Building Bulk.

However, we note, whilst the above issues were raised, it was apparent that the overall concern of those that attending the public consultation session was that the Nedlands locals simply did not have an appetite for the large scale design in the area.

Importantly, whilst the proposed development is for a commercial land use consisting of short stay accommodation, we note that the proposal has been designed with a high level of functionality and adaptability, to enable future residential conversion and use.

In addition to the above, the overall dwelling size for each of the serviced apartments has been designed to comply with the requirements for multiple dwellings, and overall to ensure a difference to for example hotel rooms, which are relatively smaller.

Given the high response of submissions received, our Office reached out to invite the local resident group of landowners, including the rear neighbours of 66 Kingsway and the surrounding properties. An invitation was circulated by our Office for a more intimate community session to discuss the specific concerns of the neighbours and to answer any questions or concerns they had with the development.

Of all the neighbours three groups of owners attended the session, noting that their main concerns were in relation to the roof terrace and privacy. The owners requested that the roof terrace be

moved forward, along with the entire building, also requesting if additional mature trees could be placed along the rear boundary for optimal privacy.

The neighbours were presented with a range of drawings which addressed the overall height impact the development at the subject site would have on their properties, looking at all the possible height sections and the plans in more detail.

It was evident, after listening to the constructive feedback of the neighbours that they were in fact open to the idea of the development, however lacked proper explanation of the site plans.

Overall, we believe that the session was a useful exercise, as we were able to cut through the white noise of objections, and instead focus on the concerns of those neighbouring properties directly affected by the development.

PROPOSED MODIFICATIONS

Our Office has reviewed each of the submissions received from the community consultation session, as well as the concerns raised by the directly impact neighbours, and as a result has identified a cohesive list of required changes to ensure the best outcome for the adjoining properties.

To assist in positively resolving some of the key concerns identified by the local residents, we have had the opportunity to mitigate the current impacts on site to the surrounding neighbouring properties, and alternatively have made additional modifications to the site plans.

The major amendments since the initial pre-lodgement meeting include the following:

- Shifting the entire building forward towards the Broadway frontage;
- Relocating the roof terrace to the front of the site along the Broadway frontage;
- Increase of the rear setback; and
- Including 1.2 metre raised garden beds along the rear boundary, along with mature tree planting.

The modifications suggested above have been carefully considered, based on the direct feedback provided to us from the adjoining neighbours, of which have been an important consideration, given that our Client is determined to work and assist the concerns of the neighbours as best as possible.

Importantly, each of the technical matters raised, we consider to be tangible and easily resolved, therefore the following sections of this letter will address additional proposed changes to the subject site in order to effectively deal with the concerns of the surrounding landowners to ensure a more conciliatory design outcome can be achieved.

Landscaping / Vegetation

To deal with the landscaping and vegetation concerns appropriately, the design was modified further to ensure a well-designed landscaping plan with mature trees has been incorporated into the amended plans.

The modifications include 1.2 metre raised garden beds along the rear boundary of the subject site. The raised garden beds will include five (5) mature magnolia trees, each approximately six (6) metres in total height.

Visual Privacy

In relation to concerns regarding visual privacy, the plans have been amended to ensure a more satisfactory level of privacy can be achieved for the neighbouring properties of the subject site.

The modifications include shifting the entire building forward towards the Broadway frontage, to effectively deal with the privacy issues at the rear of the site. In addition to moving the building forward, the roof terrace has been relocated to the front of the site also, to ensure optimal privacy to the rear neighbours and addresses the issues with noise.

As mentioned above, with the further setback to the rear of the subject site, along with the inclusion of the raised garden beds with mature 6 metre magnolia trees will also provide additional screening to the rear neighbour to eliminate privacy concerns.

Circulation and Common Spaces

With regard to the concern's in relation to circulation and common spaces, we can confirm that modifications have been made to the existing plans which propose to relocate the roof terrace from the rear of the site, to the Broadway frontage of the site.

Additionally, the landscaping and inclusion of mature trees along the rear of the site, along with the further setback to the rear will ensure a higher overall level of amenity, not only for the neighbours at the rear of the site, but also for the visitors staying within the short stay accommodation.

Bulk and Scale

Comments received in relation to the overall bulk and scale of the development raised concerns in relation to overshadowing, overlooking and lack of landscaping.

We can confirm, as mentioned above, that additional modifications have been made to the site plans to appropriately deal with concerns raised during the community consultation.

To resolve these issues, the proposal has increased the rear setback, by moving the entire building forward, also incorporating raised garden beds with mature magnolia trees to assist with providing additional privacy screening to the rear neighbour.

Additionally, the inclusion of mature magnolia trees assists in dealing with the comments in relation to lack of landscaping, of which has now been dealt with successfully. The roof terrace has been relocated and moved toward the Broadway street frontage to assist with overshadowing and overlooking concerns.

ADDITIONAL JUSTIFICATION

Architectural Style / Design

In the first instance, we note that an architectural review was undertaken by the City on the overall design of the proposal at the subject site. The review came to the conclusion that the proposal has provided a well-considered design.

In addition, further suggestions from the architectural review requested modifications such as relocating the roof top terrace from the rear of the site to address the Broadway street frontage. The recently amended plans have now taken on board this advice and relocated the roof terrace as per the request of the review.

We believe that the relocation of the roof terrace along with the additional setback to the rear of the site will assist in improving the overall ventilation, access to light, articulation and help in reducing the general bulk of the building and the bulk to the rear neighbouring property.

Notwithstanding the general feedback received during the public consultation, our Office is aware that planning staff at the City have questioned the overall design approach at the subject site, in particular, considering recommendations for a podium and tower design approach.

Whilst we acknowledge that this approach has been successful for high rise development such as the Ritz Carlton at Elizabeth Quay, and for large developments in Applecross and Scarborough, these sites have numerous pre-cursors such as, 10 plus storey height, larger sites, flat sites and square sites, all of which make the podium and tower approach appropriate.

However, we believe that this approach, given the nature of the subject site would not be appropriate and relatively difficult to build the proposed development on a site that is small, with a sloping topography and narrow lot.

We understand, that this was discussed by the City as a way to effectively eliminate concerns raised in relation to side boundaries, setbacks, bulk and scale, it would also have the potential to create additional variations, such as height, visual privacy and bulk and scale, which causes more problems with the design.

Built Form

To appropriately address the built form commentary, we note, that the proposal has been modified since the initial pre-lodgement with the City, to ensure that the development does not maximise the site.

Whilst we understand that the City has suggested that the site be designed as per the objectives of the RAC3 zoning to include a podium and tower design, we believe, that the proposal has been designed and conceived to a high standard, which has been created logically given the unique sloping topography of the site.

However, the subject site does not meet any of the pre-requirements in order to create a podium and tower design outcome. To address the built form concerns within the zoning, the design has taken into consideration alternative ways in ensuring that the site has not been over developed.

For example, the entire building has been relocated more towards the Broadway street frontage to allow for a greater rear setback of the site, along with partial and short boundary walls along the southern boundary of the site, which continue to reduce in overall size from the third to seventh storey of the development. Additionally, the roof terrace has also been relocated along the Broadway street frontage and away from impact to the rear neighbour.

The decision to relocate the building entirely towards the Broadway street frontage was made to ensure a clear divide can be achieved from the subject sites RAC3 zoning and the rear neighbouring properties R60 zoning.

Therefore, given the above, we believe that the built form outcome for the subject site has appropriately dealt with the concerns raised in relation to the transition of the lower density zoning to the rear of the site and overall is appropriate given that the development is only the second apartment style development along Broadway.

Plot Ratio

We understand that the submissions received during the community consultation questioned the calculations of the plot ratio for the proposed development, along with the suggestion that the subject site represents an over development.

However, a preliminary assessment was undertaken by the City, and received by our Office on 27 June 2019. Importantly, the assessment found that the plot ratio was satisfactory with the requirements of Design WA State Planning Policy 7.3 – Residential Design Codes: Volume 2 – Apartments. The comment received by the assessing Officer stated the following for the plot ratio:

“Notwithstanding the side setbacks, the bulk and scale of the building is consistent with the intended development type.

1699m² short stay unit area; and

144.3m² lobby and café plot ratio area.

Car parking is at or below NGL and hence not included in plot ratio area.

2.09 plot ratio area

If the development was a multiple dwelling development in lieu of serviced apartments, the lobby would be excluded hence the compliant plot ratio”.

It was to our knowledge, that the proposal was being assessed as a residential development, which explains how the above calculation was made at 2.09 plot ratio area. However, recent assessments conducted by the City indicate a 2.74 plot ratio, given that it is being assessed as a commercial development.

Whilst we are aware that the City does not have a plot ratio policy, we believe that this creates somewhat of an unfairly constrained calculation based on technicalities and no consistency which as a result has created this variation. Importantly, if such exclusions existed in the City’s planning framework, the plot ratio variation would not be as excessive

As defined in R-Codes Volume 2, the plot ratio area calculates the gross total area of all floors and buildings on a development site, including the area of any internal and external walls, however, does not include the following:

- *The areas of any lift shafts;*
- *Stairs or stair landings common to two or more dwellings;*
- *Machinery, air conditioning and equipment rooms;*
- *Space that is wholly below natural ground level;*
- *Areas used exclusively for the parking of wheeled vehicles at or below natural ground level;*
- *Storerooms;*
- *Lobbies, bin storage areas, passageways to bin storage areas or amenities areas common to more than one dwelling and*
- *Balconies, eaves, verandahs, courtyards and roof terraces*

We confirm, that the above definition, including the components which are not required to be calculated in the overall plot ratio are consistent with a range of Local Planning Policies, Town / Local Planning Schemes at the City of South Perth, City of Stirling, City of Subiaco and the Town of Victoria Park, as shown in the table below.

Local Government Area	Scheme or Policy	Plot Ratio	Exclusions
City of Subiaco	TPS No. 4	Means the ratio of the floor area of a building to the area of land within the boundaries of the lot on which that building is located, including the floor area of basements where more than 50% of the basement storey is above ground level	Lift shafts; Stairs; Stair landings; Machinery rooms; Air conditioning; Equipment rooms; Non-habitable floor space in basements; Areas used exclusively for the parking of wheeled vehicles at or below ground level or common lobbies.
City of Stirling	LPS No. 3	Means the ratio of the gross total of the areas of all floors of buildings on a site to the area of land within the site boundaries.	Lift shafts; Stairs or stair landings common to two or more dwellings; Machinery; Air conditioning and equipment rooms, non-habitable space that is wholly below natural ground level; Areas used exclusively for the parking of wheeled vehicles at or below natural ground level; lobbies; Amenities areas common to more than one dwelling, or balconies or verandahs.
City of South Perth	TPS No. 6	Means the plot of the gross total of the areas of all floors of a building, to the area of land within the lot boundaries excluding the area of any land proposed to be excised for road widening purposes, and in calculating the gross total of the areas of all floors.	Any area of the lift shaft; Toilets; Stairs; Plant room; Kitchen; Lunchroom; Storage room; Passage; and Any area within the building used for parking of vehicles or for vehicular access.
Town of Victoria Park	TPS No. 1	Non-residential development: the ratio of the gross total area of fully enclosed covered areas of a building(s) on a site to the area of land in the site boundaries.	Toilets and bathrooms; Lift shafts; Air conditioning; Storage; Equipment and plant rooms; Lobbies and circulation spaces common to two or more tenancies; Staff tea preparation, lunch areas of amenities; Staff changeroom locker facilities; Areas used for the parking of vehicles at or below ground level; Balconies, verandahs, terrace and courtyards; and space wholly below natural ground level.

Based on the above, it is clear that if the City had a list of the exclusions that numerous Councils above have, the identified plot ratio variation would not be as excessive as it is currently.

The City initially requested that the plot ratio of the proposed development have the potential to be adapted to future multiple dwellings. We believe, that the proposed development has incorporated

a robust planning approach to a number of development standards listed in the R-Codes Volume 2, and as a result is relatively close to being compliant.

More importantly, the R-Codes Volume 2 is not an appropriate fit for all document, as it would not be appropriate assessment for a range of different development types. Whilst we understand, that the subject site encourages a podium and tower design approach, given the unique site topography, we believe that the design is simply the best outcome for the site to avoid additional variations.

We believe, that the building has been designed functionally and adaptability to comply with potential future residential dwelling size uses, given that the proposed apartment sizes are relatively larger in comparison to most serviced apartments or hotel rooms.

Importantly, the building has been designed to ensure that it does not maximise the development standards and that the site in general is not over developed. It is evident that the site has not been over developed given the increased setback to the rear of the site and the fact that the height at the back of the development is well under the maximum height permitted on RAC3 zoning.

To further assist with the above, point cloud laser plans have been created which address the impact of the proposed development from the ground floor and first floor levels of the rear property.

Importantly, the laser images clearly demonstrate that the proposal is compliant in relation to the building height requirements. Additionally, Section 2 of the Street Scape and Elevation plans illustrate that the building is significantly setback, and overall underdeveloped at the rear of the site.

Please refer to attached Site Plans and Elevations.

Building Height

Initially the building height requirements were discussed with the City during the pre-lodgement meeting, of which confirmed that the development at the subject site is within the permitted building heights of the RAC3 zoning.

To further assist in demonstrating the height compliance, section 2 of the Streetscape and Elevation plans, clearly identifies the permitted RAC3 zoning height. It is clear, that the proposed development is entirely compliant with the height requirements of the City's zoning.

From our perspective, the development has been designed to ensure that it does not have a lasting impact on the abutting neighbours, and eliminates the potential for terracing. This has been achieved by the increase of the rear setback, side boundaries, and relocating the building forward towards the Broadway street frontage.

Importantly, the relocation of the proposal to the Broadway street frontage identifies the clear underdevelopment of the rear of the subject site.

The underdevelopment of the rear of the site was designed intentionally, to ensure a clear divide between the subject sites RAC3 zoning and the R-60 zoning to the rear of the site. Importantly, the site design as is, does not maximise the permitted building height, simply has been designed to consider the best outcome for the neighbouring sites and the most appropriate design outcomes for the unique topography of the site.

In addition to the layout of the development, the roof top terrace was also relocated to assist in ensuring that the rear neighbours visual privacy concerns were attended to appropriately.

Furthermore, images were captured from the rear neighbour at 66 Kingsway, which were used to demonstrate the impact of the permitted and the proposed height on the subject site, using a point cloud laser.

The laser imagery clearly demonstrates exactly how under height the proposed development is, and the views that the rear neighbour would have from the ground floor and first floor of their property. It is clear based on the images that the development will have less of an impact on the neighbouring properties given the compliant overall building height.

To further assist in providing optimal privacy to the rear neighbour, raised 1.2 metre garden beds were incorporated at the rear boundary of the subject site, which will include five (5) mature tree species, all of which will be approximately six (6) metres in height.

The images from the point cloud laser show the softening views once landscaping has been incorporated, with no impact from the ground level, and only a moderate impact from the first floor level of the rear property.

We reiterate, that the design of the proposed building has considered the best possible outcome for the surrounding neighbouring properties, and taken into consideration the height, setbacks and the bulk and scale to ensure minimal impact.

Given the above, we believe that the overall height of the proposal is acceptable and meets the requirements as mentioned in the R-Codes Volume 2 – Apartments.

Land Use

Given the high response of submissions received during the community consultation, we reiterate that the subject site is zoned 'RAC3 – Mixed Use'. The mixed use zone objectives include the following:

- “To provide for a significant residential component as part of any new development;
- To facilitate well designed development of an appropriate scale which is sympathetic to the desired character of the area;
- To provide for a variety of active uses on street level which are compatible with residential and other non-active uses on upper levels; and
- To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres and eating establishments which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents “.

In the first instance, we note that the proposal is for serviced apartments in the form of short stay accommodation on site, which in accordance with the City's LPS 3, is listed as a discretionary use within mixed-use zones.

More importantly, the design for the site has been chosen to ensure a high level of functionality and adaptability can be achieved, of which would enable the potential conversion to residential use.

This development was strategically designed based on the initial feedback provided by the City, which requested that an adaptable building was created to allow for potential future compliance as a multiple dwelling development.

For example, the overall size of the serviced apartments as per the plans consists of relatively larger rooms in comparison to standard serviced apartments or hotel rooms, which are generally much smaller.

Importantly, the proposal could provide short stay accommodation to cater for a range of visitors, including medical patients, students, medical professionals visiting or attending the nearby hospitals including the Sir Charles Gairdner Hospital (QEll) and the University of Western Australia (UWA).

The development provides an on street café along Broadway, along with balconies which address the Broadway frontage and assist in providing passive surveillance, whilst the roof top terrace will provide the opportunity for the visitors to interact.

The subject site is located within the City's Hampden/Broadway precinct, as noted in the City's Local Planning Strategy, which has been highlighted as an urban growth area that is suitable for apartments and in general encourages medium-density development to be the predominant development type. The development will provide a diverse range of dwellings, including, one, two and three-bedroom apartments.

As mentioned previously, in our view, it appears that unless new development proposals are for single residential dwellings, the residents do not have the appetite for infill development within Nedlands.

Side / Rear Boundaries

To address the concerns raised in relation to side and rear boundaries, the proposal includes a robust rear boundary set back, to create the desired separation between Kingsway and Broadway, which importantly separates the R60 zoning from the subject sites ARC3 zoning.

The initial pre-lodgement meeting with the City resulted in the request of ensuring that the boundary walls provided on site were partial and relatively short in length, not full length walls.

The side boundary separation continues to reduce from the third to seventh storey, which given the reduction towards the upper levels of the development, we believe that the separation to the southern lot is appropriate, given that only a portion of the side boundary wall is occupied.

In addition to resolving the concerns raised from the community consultation session, we add that the roof top terrace has been relocated to the Broadway street frontage to ensure appropriate separation is provided to the rear of the site, which will maximise the visual privacy to the rear neighbours.

The potential future development to the north and south is likely to be similar to this subject property and the setback provided to the rear provides a transition to the R60 at the rear which is permitted to be 3 storeys.

Therefore, we consider the proposal to be acceptable with respect to side boundary wall variations.

Side /Rear Setbacks

With regard to the side and rear setbacks, we note, during the initial pre-lodgement meeting with the City, our Office reach a mutual understanding as to what the City's requirements were in relation to side and rear setbacks.

Importantly, the main concerns the City had with the proposal was to ensure that the building provided an appropriately sized setback at the rear to assist in reducing the overall height at the rear of the site, and allow minimal impact to the rear neighbours.

We confirm, that based on the request of the City, the site plans were modified to allow for a greater setback to the rear of the site, with the inclusion of 1.2 metre raised garden bed along the rear boundary and five (5) of mature tree species, of approximately six (6) metres in height, which will assist in providing screening to the rear neighbours.

To assist in demonstrating the minimal impact to the rear neighbouring property, a point cloud laser has been undertaken with imagery from 66 Kingsway. The laser images clearly show that the inclusion of the proposed landscaping will have minimal impact from the ground floor of the rear property, and only moderate impact from the first floor.

However, this is with the proposal being under the permitted height, and given that the subject site is underdeveloped at the rear. Further laser imagery demonstrates the impact that the permitted building height, and minimal rear setback would have on the rear property. We reiterate, that the site has been designed to achieve the best outcome.

In addition to the above, the roof terrace being relocated to the Broadway street frontage has also allowed for a greater setback towards the rear of the site. We note, that the further reduction of the side setbacks would prove problematic, as it would then impact on the portion being removed having to be included somewhere in the development.

The above suggests that the increase to the side boundaries would simply raise additional variations with the overall height of the development, and therefore could result in building height variations, which are currently entirely compliant.

CONCLUSION

In considering the further justification above, we submit the following conclusions:

- The proposal has incorporated additional landscaping, along with raised garden beds with mature magnolia trees to improve landscaping and assist in additional privacy screening to the rear property;
- The roof terrace has been relocated from the rear of the site to the Broadway Street frontage to assist in addressing concerns of privacy and building bulk;
- The modifications and overall design of the development has been created to ensure the best possible design outcome is achieved, given the unique topography of the subject site;
- the proposal has been designed with a high level of functionality and adaptability, to enable future residential conversion and use;
- The proposed building height is wholly within the permitted building height of the RAC3 zoning; and
- The further setback to the rear of the subject site will assist in providing optimal privacy to the rear property as well as reducing the overall building bulk.

Taking the above points into account, we believe that the supporting justification will ensure that the City of Nedlands provide a positive recommendation for Approval at the subject site.

Should you wish to discuss any of the above in further detail, please do not hesitate to contact the undersigned.

Yours faithfully,

PINNACLE PLANNING

A handwritten signature in blue ink, appearing to read 'B. Carter', is displayed on a light blue rectangular background.

BEN CARTER

Encl.

Anjali Parmar

From: Jones, Rick <Rick.Jones@pta.wa.gov.au>
Sent: Monday, 9 September 2019 10:05 AM
To: Joshua Scrutton
Cc: Menegola, Janelle
Subject: PTA RESPONSE - Development application - 135 Broadway, Nedlands - Comments due 16/09
Attachments: nedlands traffic report.pdf; nedlands waste management plan.pdf; 190904 - LMS Nedlands.png
Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Joshua,

The PTA has reviewed the traffic report and waste management plan regarding the proposed development at 135 Broadway, Nedlands and offer the following comments.

- PTA hardstand boarding area is currently compliant to Disability Discrimination Act legislation. As such, construction of the driveway is not to impact the in situ barrier kerb or boarding area
- The current bus zone sign and pole is to remain a minimum of 1200mm from the bus stop post on the downstream side
- This stop is serviced by route 24 and services are approximately every 30 minutes in frequency. As such, the PTA notes that the collection vehicle will only access the site 3 times per week and has no objection to the truck accessing the embayment for entry to the property

Thanks Joshua. Should you require any further information please contact me.
Regards,

Rick Jones

Project Officer (Roadside Infrastructure)

Public Transport Authority of Western Australia
Public Transport Centre, West Parade, Perth, 6000
PO Box 8125, Perth Business Centre, WA, 6849
Tel: (08) 9326 2433 Mob: 0408 314 153
Email: rick.jones@pta.wa.gov.au | Web: www.pta.wa.gov.au



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From: Farminer, Harriet
Sent: Wednesday, 4 September 2019 3:30 PM
To: Jones, Rick
Cc: Cox, Simon; Holden, Brad
Subject: FW: Development application - 135 Broadway, Nedlands - Comments due 16/09

Hi Rick,



LOCAL PLANNING POLICY – CONSULTATION OF PLANNING PROPOSALS

1.0 PURPOSE

- 1.1 This policy provides guidance on the exercise of discretion under Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) and Local Planning Scheme No.3 (Scheme) in terms of when public consultation is undertaken for planning proposals, and the means and duration of public consultation periods where these are not prescribed by the Deemed Provisions or the Scheme. The policy also provides guidance on the exercise of discretion under the Regulations in terms of the means of public consultation for scheme amendments and strategic proposals (e.g. public open space strategy) where not expressly prescribed by the Regulations.

2.0 APPLICATION OF POLICY

- 2.1 This policy applies to all planning proposals within the Scheme area of the City of Nedlands and includes Strategic Planning proposals, Scheme Amendments, Activity Centre Plans, Structure Plans, Local Planning Policies, Local Development Plans and Development Applications.

3.0 OBJECTIVES

- 3.1 To recognise the importance of community and stakeholder engagement in the assessment of and determination of planning proposals.
- 3.2 To provide a consistent approach to the methodology in which the City undertakes engagement in relation to the form and duration of public consultation periods for planning proposals.
- 3.3 To recognise that discretion should be applied on a case-by-case basis given the varying degree of significance, scale and nature of planning proposals in the undertaking of public consultation with the community.

4.0 DEFINITIONS

- 4.1 For the purpose of this Policy the following definitions apply:

Complex Development Application	A Complex Development Application is defined by the following criteria: <ul style="list-style-type: none">(a) Involves multiple dwellings; or(b) Where the City deems there is wider community significance requiring a greater level of consultation.
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5.0 POLICY MEASURES

5.1 In addition to the requirements of Regulations, Scheme, Residential Design Codes (R-Codes) and any relevant Local Planning Policy, consultation of planning proposals shall be undertaken in accordance with Table 1.

Table 1 – Consultation of planning proposals

* Required under the Planning and Development (Local Planning Schemes) Regulations 2015

Planning Proposal Type		Minimum advertising period	Minimum advertising radius	Letters to owners and occupiers	Sign on site	Local newspaper notice	Notice boards	Website notice	Community information sessions	Social media
Strategic Proposals		21 days	#1	#1	#1	Yes	Yes	Yes	Yes	Yes
Structure Plans		Min. 14 days Max. 28 days*	200 metres	#2	#2	#2	Yes	#2	Yes	#1
Scheme Amendment	Basic	Nil* Unless directed by the Minister for Planning	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Standard	42 days*	100 metres	Yes	Yes	Yes*	Yes*	Yes*	#1	Yes
	Complex	60 days*	200 metres	Yes	Yes	Yes*	Yes*	Yes*	Yes	Yes
Local Planning Policy		21 days*	N/A	N/A	N/A	Yes*	Yes	Yes	#1	Yes
Activity Centre Plan		Min. 14 days Max. 28 days*	200 metres	#2	#2	#2	Yes	#2	Yes	Yes
Local Development Plan		14 days*	#1	#2	#2	#2	Yes	#2	#1	#1
Development Applications		14 days*	Refer to Clauses 5.2.3 & 5.3.1	#2	#2	#2	N/A	#2	N/A	N/A
Complex Development Application		21 days	200 metres	Yes	Yes	Yes	Yes	Yes	Yes	Yes

#1 At the Discretion of the City of Nedlands

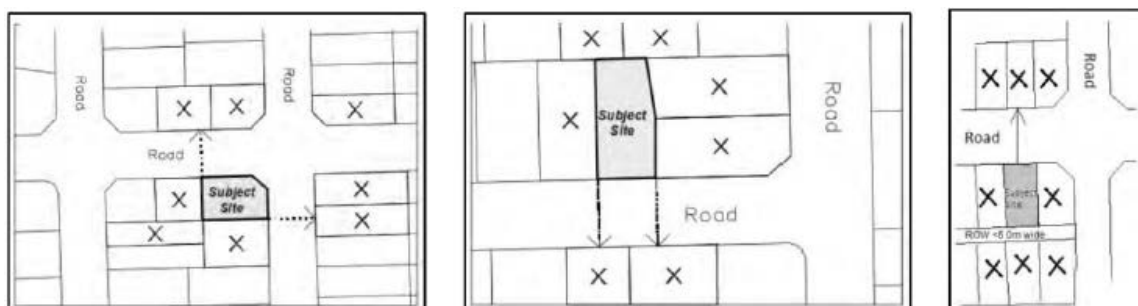
#2 A minimum of one consultation method is to be used - as prescribed by the Regulations

**Supplementary information to Table 1****5.2 Development applications (R-Codes)**

- 5.2.1 Where a development application is required to be assessed under the R-Codes, it will be advertised to only those properties, which in the opinion of the City, are likely to be directly affected by the proposal.
- 5.2.2 In respect to this, a planning assessment is a matter of technical opinion and where in the opinion of the City there is no adverse impact on an adjoining residential property owner/occupier, advertising will not be undertaken.
- 5.2.3 Table 2 and Figure 1 contains the method and distance for advertising in relation to R-Code proposals.
- 5.2.4 Where not specified in Table 2, Elements or Parts of the R-codes will not be advertised, unless in the opinion of the City, the proposal is considered to have an adverse impact on adjoining properties.

Table 2 – Development application advertising requirements R-Codes

Proposal	Advertising requirement
Boundary wall height/length	To affected adjoining owners only.
Building Height	To affected adjoining owners only.
Visual Privacy	To affected adjoining owners only.
Open Space	To affected adjoining owners only.
Boundary fence	To affected adjoining owners only.
Lot boundary setbacks	To affected adjoining owners only including diagonally to the rear if a rear setback variation is proposed.
Front setback	To affected adjoining land owner/s / occupiers in the same street, within 100m or 5 properties in either direction of the subject site, on both sides of the street.
Site works	To affected adjoining land owners/ occupiers directly adjacent and across the street if the site works variation is within the front setback area as per Figure 1 below.
Overshadowing	To affected adjoining owners only.
External fixtures and Utilities and Facilities	At officer discretion and to affected adjoining land owners/ occupiers directly adjacent and across the street as per Figure 1 below.

Figure 1 – Adjoining / adjacent landowners



5.3 Development applications (Other)

5.3.1 Development applications that require community engagement, other than those assessed under the R-Codes, are to be advertised for a minimum radius of 100m. These include (but are not limited to) the following applications:

- Changes to a non-conforming use;
- Variations to site and development requirements of the Scheme or a Local Planning Policy requirement;
- Uses not specified in the Zoning Table of the Scheme; and
- A proposed land use which is identified as 'A' in the Zoning Table of the Scheme.

5.4 Minor amendments to structure plans & activity centre plans

5.4.1 Under Schedule 2, Part 4, Clause 29(3) and Part 6, Clause 45 (3) of the Regulations, the City will consider an amendment to an approved Structure Plan or Activity Centre Plan as minor and not requiring consultation where the proposed amendment does not:

- (a) Materially alter the purpose and intent of the plan; and
- (b) Adversely impact on the amenity of adjoining landowners or surrounding area.

Note: Consent from the Western Australian Planning Commission (WAPC) is also required for amendments to Structure Plans and Activity Centre Plans to be considered minor and not require advertising.

5.5 Social media

5.5.1 In accordance with Table 1, the City will provide broadcast of a planning proposal via social media outlets. Comments or posts on Social Media are not considered submissions or formal responses.

5.6 Community information sessions

5.6.1 The City, where a proposal is deemed to be complex or of community significance, will undertake a Community Information Session for the community and elected members. The information session consists of the following:

- (a) 1-hour information drop-in session, held at the City of Nedlands Administration Building or otherwise designated location as agreed to by the City.
- (b) Plans and details of the proposal to be made available by the applicant for display.
- (c) City's technical officers to be available to answer any questions, take questions on notice and/or to explain and educate the community on specific details of an application.



- (d) Meeting to provide the community and elected members the opportunity to hear what the community has to say, to discuss issues and to direct questions towards the applicant (when present).
- (e) No presentations are required for Community Information Sessions.
- (f) Information session to be held outside of business hours, usually between 5pm-7pm on a nominated weeknight.

5.7 Signs on site

5.7.1 Table 1 references planning proposal types which require a sign to be placed on the subject site(s). Where this is required, the following shall apply:

- (a) The applicant is responsible for the cost of on-site signage as required by this policy.
- (b) The sign shall be erected wholly within the property boundaries in a prominent location that can be easily viewed by passers-by from the street(s). In the case of corner sites 2 signs may be required, one to each street frontage.
- (c) The sign shall remain on site for the entirety of the advertising period.
- (d) The dimensions of the sign shall be a minimum of 1500mm in length x 1500mm in width.
- (e) The sign shall be removed within 7 days of the conclusion of the consultation period.

General requirements

5.8 Advertising period

- 5.8.1 The commencement date of consultation is to be two days after the date notification letters are sent to the community.
- 5.8.2 Submissions are deemed to have closed at 5pm (close of business) on the date shown on the notification relating to the planning proposal.
- 5.8.3 The minimum number of days for consultation specified in this Policy are taken to be days in succession and not to be taken as business days.
- 5.8.4 A development application may not be progressed until the consultation period has ended regardless of whether submissions have been received from neighbours, stakeholders or other affected parties.

5.9 Additional public notice of proposal previously advertised

5.9.1 Additional public notice may be given where:

- (a) A planning proposal is subsequently modified prior to its final determination (including under Section 31 requests for reconsideration) and additional variations arise from the modifications; or



- (b) An application to amend an existing planning approval is received under clause 77 of the Deemed Provisions, and additional variations arise from the proposed amendments.
- 5.9.2 Additional public notice shall be given in the same manner under the provisions of this policy as if the modified/amended proposal was received as a new development application.
- 5.10 Form and content of submissions
 - 5.10.1 For comments to have validity, submissions shall be in the following format:
 - (a) Submissions must be in writing, either submitted in electronic format in a “Your Voice” submission (preferred by the City) or an email or in hard copy format delivered in person to the City’s offices or via the post; and
 - (b) Submissions must be legible, signed by all submitters, dated and include the submitters full name, impacted property address, email address and/or the capacity in which they make the submission (e.g.: visitor/business owner/resident) and postal address (if different to the impacted property address).
 - 5.10.2 The City has a duty to take into account all valid planning considerations and to ensure that any irrelevant considerations do not influence the decision. Valid planning considerations include:
 - (a) matters to be considered by the City under Clause 67 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations); and/or
 - (b) The requirements of Local Planning Scheme No.3 or applicable Planning Instrument (Structure Plan, Local Development Plan or Planning Policy which requires the decision maker to exercise judgement; and/or
 - (c) Any development standard requiring the decision maker to exercise judgement against the Design Principles of the R-Codes.
- 5.11 Applicant opportunity to respond to submissions
 - 5.11.1 Where submissions are received on a planning proposal, the City’s officers will compile a summary of submission themes which upon request will be provided to the applicant and invite the applicant to provide a response to submissions and/or revised plans to address any issues raised during the consultation. If the applicant elects to provide a response to the submissions and the application is referred to Council for determination or referral to JDAP or WAPC (where applicable), this response will be included in the report to Council (as either report content or an attachment).
- 5.12 Submission reporting
 - 5.12.1 Where an application is referred to Council or JDAP for determination the officers report or Responsible Authority Report (RAR) will include an attachment summarising the submissions received and officer comments



relating to the issue / theme raised. The authors personal details will not be identified. Full copies of submissions will be made available to Elected Members as a confidential attachment but will not be available to members of the public unless required by law.

5.13 Holiday periods – consultation exclusion period(s)

5.13.1 The City will not undertake consultation of planning proposals during the following dates:

- December 15th – January 15th
- Between one (1) week prior to, and (1) week after, Easter Sunday.

5.13.2 Where advertising is due to commence during these periods, consultation will begin at the last day of the exclusion period. No advertising time frames will be permitted to close or commence during the exclusion period(s).

5.13.3 An exception to this requirement may be applied at the discretion of the City upon receipt of a request for extenuating circumstance. In such circumstances the advertising period may begin before the exclusion period and recommence once the exclusion period has lapsed. Days during the advertising period will not be counted towards number of days advertised.

5.13.4 Where a consultation period falls over a declared public holiday, additional advertising days shall be added to the prescribed period, equal to the number of public holidays.

5.14 Landowners and occupiers

5.14.1 The City will send correspondence to both landowners and occupiers in accordance with the requirements of Table 1 of this policy.

Note: Landowners and occupiers can register to receive electronic notifications only by subscribing to electronic community engagement via the City of Nedlands Planning Department.

5.15 Late submissions

5.15.2 The City will consider late submissions only where these are received in sufficient time to allow for their reporting. Where this occurs the City will note submissions which have been received after the closing of the advertising period.

5.16 Availability of documents for viewing by the public

5.16.1 Plans and documents (including technical reports) are subject to Copyright laws, as such, the reproduction (including photographs and screenshots) of plans or reports is not authorised.

5.16.2 Plans and relevant documents to a planning proposal will only be made available during the consultation period. Such plans and documents will not



be available to the public after the consultation period unless they appear on a public agenda or minutes.

- 5.16.3 Requests for copies of plans must be accompanied with written and signed approval from the author of those plans or documents and/or consent from the current property owner of the site in question.

6.0 VARIATIONS TO POLICY

- 6.1 Variations to this Policy shall be assessed against the objectives of this Policy.
- 6.2 Applicants seeking variations to this Policy are required to submit a detailed written statement addressing each of the objectives of this policy for the City's assessment.

7.0 ADDITIONAL DEVELOPMENT APPLICATION REQUIREMENTS

- 7.1 Notwithstanding the above, the city may waive the consultation requirements in respect of residential planning applications involving the exercise of discretion under the R-Codes or this policy in cases where:
- (a) The applicant provides a copy of the plan including a certification by the owners and occupiers of the adjoining property stating that they have no objections to the proposal. Signatures should include all persons shown as owners on the Certificate of Title. The certification must include:
 - The full name of the owner/s and occupier/s certifying non-objection clearly printed with their signature;
 - A printed statement of no objection to the proposal;
 - A copy of the proposed development plans signed by the owner/s and occupier/s; and
 - A current contact address and a contact telephone number.
 - (b) As part of assessment of the application, the assessing officer will confirm by phone to verify the non-objection.

8.0 RELATED LEGISLATION

- 8.1 This policy has been prepared in accordance with Schedule 2 Part 2 Clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015.
- 8.2 This policy should be read in conjunction with the following additional planning instruments and its requirements apply unless specifically stipulated elsewhere in any of the below:
- Planning and Development (Local Planning Schemes) Regulations 2015
 - Planning and Development (Development Assessment Panels) Regulations 2011
 - City of Nedlands Local Planning Scheme No. 3
 - State Planning Policy 7.3 – Residential Design Codes
 - City of Nedlands – Community Engagement Policy



Council Resolution Number	SCM Item 6
Adoption Date	02/05/2019 Special Council Meeting
Date Reviewed/Modified	28/05/2019



LOCAL PLANNING POLICY – PARKING

1.0 PURPOSE

- 1.1 The purpose of this policy is to define standards for car parking for residential and non-residential developments.

2.0 APPLICATION OF POLICY

- 2.1 This policy applies to all residential and non-residential development on land that is reserved or zoned under Local Planning Scheme 3 (LPS 3), within the City of Nedlands.
- 2.2 This policy is to be read in conjunction with LPS 3 and State Planning Policy 7.3 – Residential Design Codes Volumes 1 & 2 (R-Codes).
- 2.3 Where this policy is inconsistent with the provisions of a specific Local Planning Policy, Precinct Plan or Local Development Plan that applies to a particular site or area, the provisions of that specific Local Planning Policy, Precinct Plan or Local Development Plan will prevail.

3.0 OBJECTIVES

- 3.1 To facilitate the development of sufficient parking facilities for cars and other wheeled vehicles.

4.0 POLICY MEASURES

4.1 Minimum parking requirements

- 4.1.1 All development shall provide car parking on-site in accordance with Table 1, unless otherwise approved by the City.

Table 1: Parking Requirements

Land Use	Minimum no. of Car Parking Bays Required
Amusement parlour Art gallery Betting agency Cinema/theatre Club premises Exhibition centre Recreation – private	1 per 2 persons.
Animal Establishment	1 per employee; and 1 drop off/pick up bay per 6 animals.
Bed and breakfast Holiday accommodation	1 per guest bedroom, in addition to any bays required under the R-Codes for the dwelling (if applicable).



Holiday house	
Hotel Motel	2 spaces per 5 guest rooms.
Bulky goods showroom Garden centre Motor vehicle, boat or caravan sales Trade display Trade supplies Warehouse/storage	2.2 per 100m ² net lettable area <u>or</u> 1 per employee (whichever is greater). 1 space in every 3 to be set aside for employees.
Child care premises	1 per employee; 1 per every 6 children in attendance; <u>and</u> 1 drop off/pick up bay per 30 children (or part thereof).
Civic use Community purpose Funeral parlour Place of worship Reception centre	1 per 4 persons.
Consulting rooms Hospital Veterinary centre Medical centre	12 <u>or</u> 1 per every 4 beds (whichever is greater).
Convenience store Liquor store – small Market Shop	8.3 per 100m ² of net lettable area. 1 space in every 5 to be set aside for employees.
Lunch bar Restaurant/café Fast food outlet	1 per 2.6m ² of restaurant seating area <u>or</u> 1 per 2 persons (whichever is greater).
Educational establishment - Pre-primary/ Primary - Secondary/ Tertiary/ Technical	1.2 per employee. 2 of every 10 spaces (or part thereof) to be set aside for visitors. 2 per employee; 1 per rostered canteen worker <u>and</u> an additional 2 for each 10 provided (or part thereof). Additional spaces to be set aside for visitors.
Family day care	1 bay in addition to the requirements of the R-Codes for the dwelling.
Home business	Additional spaces as required by the number of staff and customers coming to the property, in addition to the requirements of the R-Codes (where applicable).
Industry - light	2.2 per 100m ² of net lettable area <u>or</u> 1 per employee (whichever is greater). 1 space in every 3 to be set aside for employees.



Motor vehicle repair Motor vehicle wash Service station	5 per working bay and 1 per employee.
Office	4.75 per 100m ² of net lettable area. 2 spaces in every 3 to be set aside for employees.
Residential aged care facility	12 or 1 per every 4 beds (whichever is greater).
Serviced apartment	1 per unit and 1 per 2 employees.
Small bar Tavern	1 per 1.3m ² of bar and public areas (excluding toilets); and 1 per employee.
Residential	2 spaces per dwelling unit 3 spaces per dwelling unit on lots greater than 1000 square meters

Notes:

- a) **Persons** means the number of persons for which a building has been designed or for whom seating is provided. **Employee** means any person employed in the building.
- b) Where spaces are to be set aside for visitors or employees, they must be clearly marked as such.

4.2 Land uses which are not listed within Table 1

- 4.2.1 Where a land use is not listed within Table 1 of this Policy, the parking ratio will be determined having regard to the objectives of this policy, similar uses and surrounding uses. This is the same as 'Uses not Listed' within LPS 3.

5.0 VARIATIONS TO THIS POLICY

- 5.1 Where a proposal does not increase an existing approved shortfall of car parking (in accordance with the car parking requirements in Table 1) then the proposal is not considered a variation to this Policy.
- 5.2 Variations to this Policy shall be determined in accordance with the objective of this Policy.
- 5.3 Applicants seeking variations to this Policy are required to submit a detailed written statement addressing the objective of this policy for the City's assessment.

6.0 RELATED LEGISLATION

- Planning and Development Act 2005
- Planning and Development (Local Planning Schemes) Regulations 2015
- Local Planning Scheme No. 3
- State Planning Policy 7.3 – Residential Design Codes



Council Resolution Number	PD39.19
Date Adopted	24 September 2019 Council Meeting



LOCAL PLANNING POLICY – SHORT TERM ACCOMMODATION

1.0 PURPOSE

- 1.1 The purpose of this policy is to provide guidance and development provisions for operators seeking to establish short-term accommodation within the City of Nedlands.

2.0 APPLICATION OF POLICY

- 2.1 This policy applies to all short-term accommodation proposals captured by the following land use categories as defined in Local Planning Scheme No. 3, within all zones:
- Bed and breakfast;
 - Holiday house;
 - Holiday accommodation; and
 - Serviced Apartments.
- 2.2 Where this Policy is inconsistent with a Local Development Plan or Local Planning Policy that applies to a specific site, area or R-Code, the provisions of that specific Local Development Plan or Local Planning Policy shall prevail.

3.0 OBJECTIVES

- 3.1 To ensure the location and scale of short-term accommodation uses are compatible with the surrounding area.
- 3.2 To maintain a high standard of amenity for the surrounding neighbourhood through required management controls.
- 3.3 To ensure properties used for a short-term accommodation uses do not have an undue impact on the residential amenity of the area by way of noise, traffic, or parking.
- 3.4 To establish a clear framework for the assessment and determination of applications for short-term accommodation.

4.0 POLICY MEASURES

Holiday house

- 4.1 Applications for Holiday House where a keeper resides on-site are generally supported in all zones where allowed under the scheme.
- 4.2 Applications for Holiday House, where a keeper does not reside on-site may be supported where:
- (a) The number of guests is limited to 6 persons; and
 - (b) Bookings must be for a minimum stay of 2 consecutive nights.

Notes: A Holiday house land use relates to short term accommodation within a single house. Where a variation is sought, Clause 11.1 of this policy applies.

Holiday accommodation



- 4.3 Applications for Holiday Accommodation where a keeper resides on-site are generally supported in all zones where allowed under the scheme.
- 4.4 Applications for Holiday Accommodation, where a keeper does not reside on-site may be supported where:
- (a) The occupancy is limited to 6 persons or less; and
 - (b) Bookings must be for a minimum stay of 2 consecutive nights.

Notes: *A Holiday Accommodation land use relates to short term accommodation within grouped or multiple dwellings.*

Where a variation is sought, Clause 11.1 of this policy applies.

Bed and Breakfast Requirements

- 4.5 Management:
- (a) The keeper of the bed and breakfast accommodation must always reside at the premises while the Bed and Breakfast is in operation;
 - (b) Breakfast is required to be provided to guests;
 - (c) Breakfast (and other meals if provided) are provided to bed and breakfast guests only;
 - (d) Access to a separate bathroom must be provided for bed and breakfast guests; and
 - (e) Access to a dining area and laundry facilities should be provided for bed and breakfast guests.

Serviced Apartments

- 4.6 Design:
- (a) Applications for Serviced Apartments shall be subject to the siting and design requirements applicable to the site for Multiple Dwellings under the Residential Design Codes (excluding Plot Ratio requirements), and any relevant Precinct Policy, Local Planning Policy or Local development Plan applicable for the area; and
 - (b) Applications for Serviced Apartments shall include within the entrance, foyer or lobby a reception desk which shall always be attended by staff when apartment check-ins and check-out can occur.



4.7 Servicing Strategy:

4.7.1 In addition to the Management Plan in accordance with Clause 7.1, all applications for Serviced Apartments shall include a Servicing Strategy detailing the level of servicing containing, but not limited to the following:

- (a) Opening hours for guest check-ins and checkouts;
- (b) Method of reservations/bookings;
- (c) Means of attending to guest complaints;
- (d) Cleaning and laundry services, where available;
- (e) Company name and relevant experience of management/operator; and
- (f) Management and accommodation of servicing vehicles within the context of the overall car parking for the development.

5.0 CAR PARKING

5.1 Car parking is to be in accordance with the requirements of the Parking Local Planning Policy including but not limited to the following parking ratios:

Land Use	Minimum no. of Car Parking Bays Required	Minimum no. of Bicycle Parking Bays
Bed and breakfast Holiday accommodation Holiday house	1 car bay per guest bedroom; in addition to the number of car bays required under the R-Codes for the dwelling.	Nil
Serviced Apartments	1 car bay per unit; and 1 car bay per 2 staff members.	1 bicycle space per 5 guest rooms. (minimum 1 space per serviced apartment)

SIGNAGE

5.2 Signage is limited to, 1 x Name Plates and wall signs and 1 x Portable sign (within property boundary) and is to be in accordance with the requirements of the Signs Local Planning Policy.

6.0 CONSULTATION

6.1 Consultation with affected landowners will be undertaken in accordance with the City's Consultation of Planning Proposals Local Planning Policy.

6.2 Applications where a short-term accommodation uses are listed as 'A' in the Zoning Table of the Scheme or where a variation is proposed to this Policy are to be advertised in accordance with the requirements of the Consultation of Planning Proposals Local Planning Policy.



7.0 MANAGEMENT PLAN

7.1 The Management Plan report is to include the following, **as a minimum**:

- (a) Establishing the maximum number of guests which will stay, in addition to (if applicable) those which reside at the property on a permanent basis.
- (b) Establishing a code of conduct detailing the expected behaviour and obligations of guests. The code of conduct shall be displayed in a prominent position within the premises.
- (c) Details of how complaints regarding anti-social behaviour, car parking and noise, amongst other matters, will be managed by the landowner(s).
- (d) The contact details of the landowner(s) if a neighbour wants to lodge a complaint.
- (e) Details regarding guest check-in and check-out procedures (i.e. days and times).
- (f) Details of how car parking for those staying at the property and (if applicable) those residing at the property on a permanent basis, will be managed by the landowner(s). The measures proposed are to ensure vehicles will always have easy access to on site car parking spaces.
- (g) Details of how the guests will be informed of the requirements for parking.
- (h) Details regarding how guests are expected to maintain the property.
- (i) Details whether pets and guests associated with those staying at the property will be permitted, and if so, how this will be managed.
- (j) Details of compliance with Strata By-laws (if applicable) in the form of a Statement of Compliance.
- (k) To provide details of waste disposal.

Notes: An example of a Management Plan is shown in Appendix 1.

8.0 BUSHFIRE MANAGEMENT

8.1 Where a property is within a designated Bushfire Prone Area, applications for Development approval will be required to comply with State Planning Policy (SPP 3.7) Planning in Bushfire Prone Areas, and any building requirements as required by the Building Code of Australia.

8.2 Short term accommodation is a vulnerable land use under SPP3.7 and may require a Bushfire Management Plan (BMP) submitted by a certified Level 2 or 3 Bushfire Management Consultant to the satisfaction of the City. Where a property is within a Bushfire Prone Area the application may require a referral to the Department of Fire and Emergency Services (DFES). The City will take into consideration comments from DFES in making their determination.

9.0 OTHER CONSIDERATIONS – HEALTH AND BUILDING APPROVAL

9.1 The applicant is advised to consult with the City's Building Services & Environmental Health Services to determine if a Building Permit, Food Business Registration or Aquatic facilities approval is required for a short-term accommodation use.



10.0 APPROVAL PERIOD

- 10.1 The City may grant temporary development approval for short-term accommodation uses for an initial 12-month period.
- 10.2 Following this initial 12-month period, a subsequent development approval will be required to be submitted for the renewal of the approval for the short-term accommodation which may then be on a permanent basis.
- 10.3 As part of considering a renewal, the City will give regard to any substantiated complaints against the operation of the short-term accommodation in accordance with the conditions of its development approval. Should a subsequent approval be granted, this may also be for a time limited period if the City is not satisfied that the use has not caused amenity impacts on neighbouring properties.

11.0 VARIATIONS TO POLICY

- 11.1 Where a variation to this policy is sought, consideration shall be given to objectives of the policy.

12.0 ADDITIONAL DEVELOPMENT APPLICATION REQUIREMENTS

- 12.1 In addition to the general requirements for an application for development approval, the following are required:
 - (a) Detailed management plan, as per clause 9.1.
- 12.2 In Strata Title situations the consent of the Strata Company is required in accordance with the provisions of the Strata Titles Act 1985 and associated By-Laws. The Strata Company are to complete and sign the landowner section of the City's Development Application Form prior to lodgement.

13.0 RELATED LEGISLATION

- 13.1 This policy has been prepared in accordance with Schedule 2 Part 2 Clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015.
- 13.2 This policy should be read in conjunction with the following additional planning instruments and its requirements apply unless specifically stipulated elsewhere in any of the below:
 - Planning and Development (Local Planning Schemes) Regulations 2015
 - Local Planning Scheme No. 3
 - State Planning Policy 7.3 – Residential Design Codes
 - State Planning Policy 3.7 – Planning in Bushfire Prone Areas
 - Parking Local Planning Policy
 - Consultation of Planning Proposals Local Planning Policy
 - Signs Local Planning Policy

**14.0 DEFINITIONS**

14.1 For this policy the following definitions apply:

Definition	Meaning
Bed and breakfast	Means a dwelling - (a) used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than 4 adult persons or one family; and, (b) containing not more than 2 guest bedrooms.
Grouped dwelling	As per the R-Codes, being, a dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate otherwise and includes a dwelling on a survey strata with common property.
Guest	Means a person who accommodates a short-term accommodation for a fee.
Keeper	Means a person who permanently resides on site and is responsible for its upkeep and management of the accommodation.
Holiday accommodation	Means 2 or more dwellings on one lot used to provide short-term accommodation for persons other than the owner of the lot.
Holiday house	Means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.
Multiple dwelling	As per the R-codes, being, a dwelling in a group of more than one dwelling on a lot where any part of the plot ratio of the dwelling is vertically above any part of the plot ratio area of any other but: <ul style="list-style-type: none"> • does not include a grouped dwelling; and • includes any dwellings above the ground floor in a mixed-use development.
Serviced Apartment	Means a group of units or apartments providing- (a) self-contained short stay accommodation for guests; and (b) any associated reception or recreation facilities.
Single house	As per the R-Codes, being, a dwelling standing wholly on its own green title or survey strata lot, together with any easement over adjoining land for support of a wall or for access or services and excludes dwellings on titles with areas held in common property.
Self-contained	Means accommodation having its own kitchen, bathroom and bedroom facilities.
Short term accommodation	Means temporary accommodation provided either continuously or from time to time with no guest/s accommodated for periods totalling more than 3 months in any 12-month period.
Strata Company	Means a body corporate constituted under section 32 of the Strata Titles Act 1985 whether for a strata scheme or a survey-strata scheme. Council of Owners means an elected representative council of a strata company constituted or deemed to have been constituted under the Strata Titles Act 1985.

Council Resolution Number	PDX.XX
Adoption Date	Date and Item Number of Council Meeting
Date Reviewed/Modified	DD MM YYYY



Appendix 1 – Management Plan Template

Note: When developing a Management Plan, the headings below are to be followed as a minimum guide in terms of level of detail required by the City of Nedlands.

1.0 Introduction

Property address and overview of the short-term accommodation you wish to conduct at the property.

2.0 Check In

Check in time for guests.

3.0 Check out

Check out time for guests.

4.0 Complaints Management

How will you deal with complaints how do you wish for complaints to be received and whom to?

5.0 Use of Premises

How many people will the property be rented to at any given time and for how long?

6.0 On-Site Register

An onsite register should be provided for all residents to provide their full name, usual place of residence and check in and out dates.

7.0 Maintenance

Refers to both maintenance of the gardens and the buildings.

8.0 Guest Guide

Information to be provided in the Guest Guide e.g.:

- *Manager and contact details*
- *Code of Conduct*
- *Wi-Fi Device name and password*
- *Key lockbox code*
- *TV Information*
- *Air Conditioner operation*
- *Location of the first aid kit*
- *Extra towels and sheets*
- *Hot water systems operation*
- *Rubbish bin location*
- *Check in time*
- *Check out time*
- *Local restaurant and shopping*



- *Local parks and recreation services*
- *Important contact numbers*
- *Other major attractions*
- *Any other information required*

9.0 Managers Guide

A guide shall be prepared for the manager and kept in a folder by the manager, documenting tasks and processes for the following:

- *General hosting (Including liaisons with clients, providers and Local Government)*
- *Cleaning information between occupants*
- *Laundry requirements*
- *Garden preventative maintenance*
- *Building preventative maintenance*

10.0 Code of Conduct for Guests and Visitors

Provide information under all below headings to show how each of these requirements will be adequately managed.

10.1 General Principles

Short term Accommodation is a unique experience and the guiding principles of this Code of Conduct are as follows.

10.2 General Requirements

General Requirements Guests must adhere to.

10.3 Noise and Residential Amenity

Noise requirements for guests.

10.4 Visitors

Will visitors other than those who have booked be able to stay or visit the property?

10.5 Gathering or Functions

Are gatherings or functions allowed at the property?

10.6 Parking

How much parking is provided for guests?

10.7 Garbage and Recycling

How will rubbish and recycled goods be disposed of?



10.8 Security

What security measures will be at the property?

10.9 Smoking

Will smoking be tolerated at the property?

10.10 Pets

Will pets be allowed at the property?

10.11 Damages and Breakages

How will damages and breakages be dealt with at the property?

10.12 Compliance

How will breaches of this code of conduct be dealt with?

DRAFT



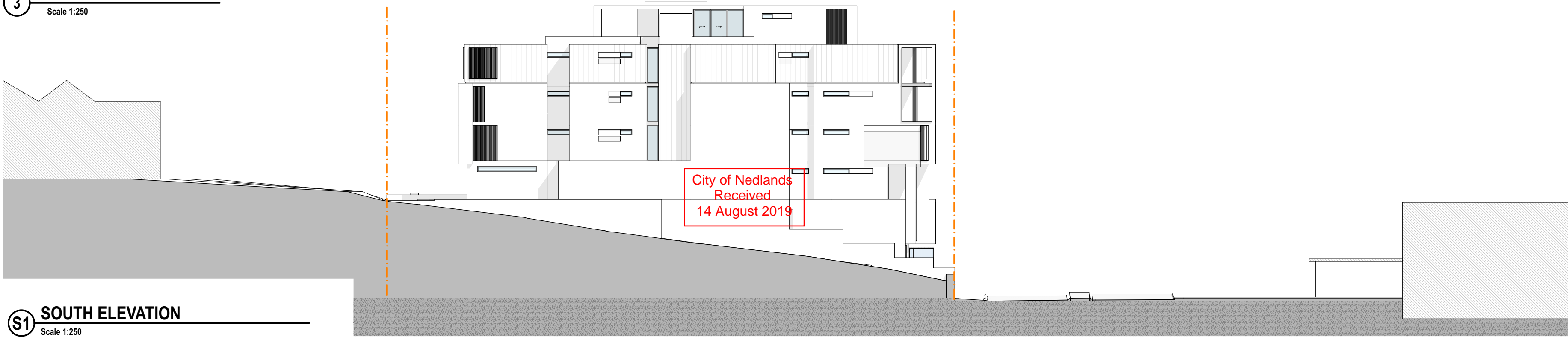
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135 BROADWAY PERTH

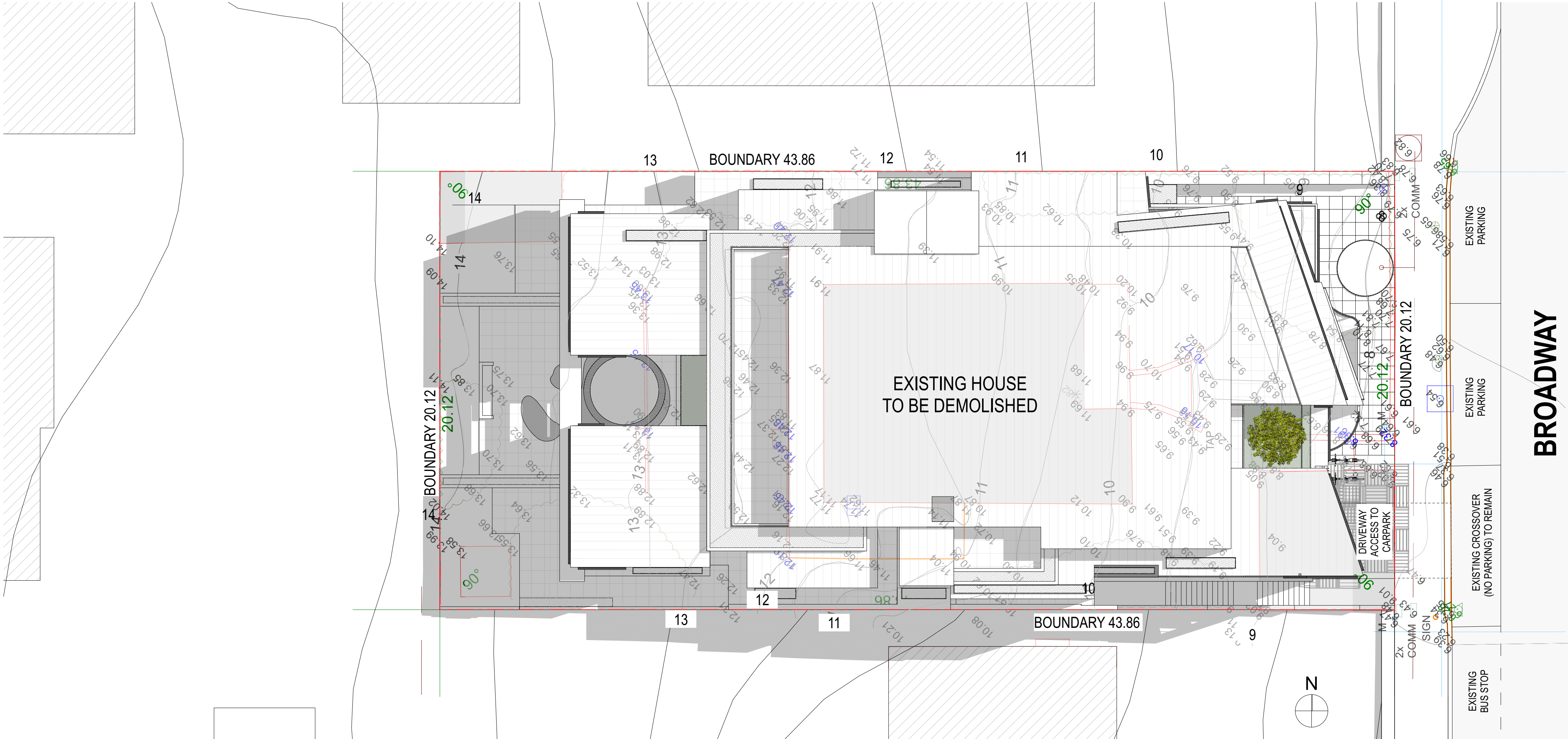
25/7/19



3 LOCATION PLAN
Scale 1:250



S1 SOUTH ELEVATION
Scale 1:250



10 SITE PLAN
Scale 1:125

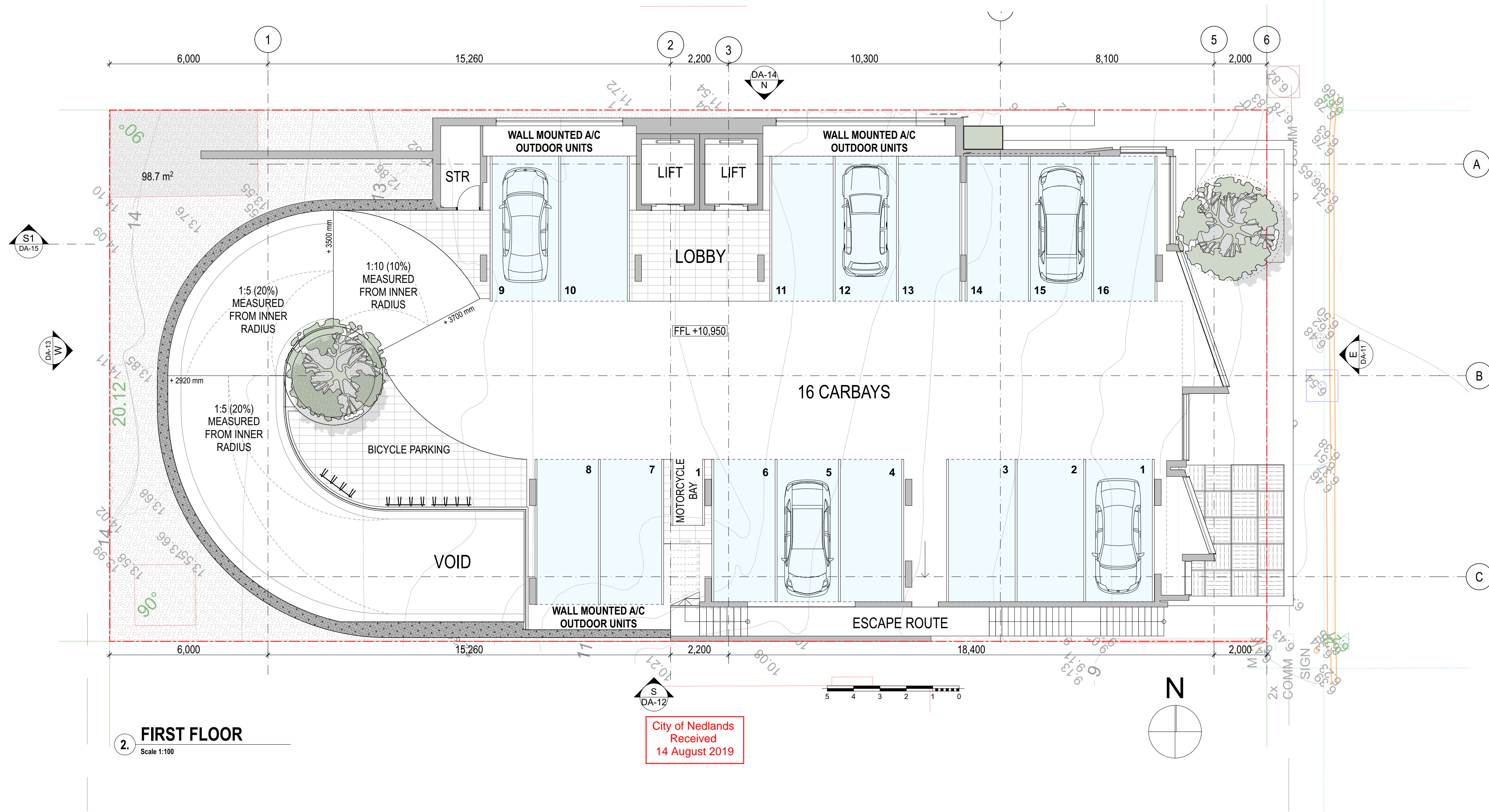
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PLOT RATIO	2.0
BUILDING HEIGHT	6 STOREYS
BOUNDARY WALL H	3 STOREYS
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MIN SIDE SETBACK	NIL
MIN REAR SETBACK	NIL

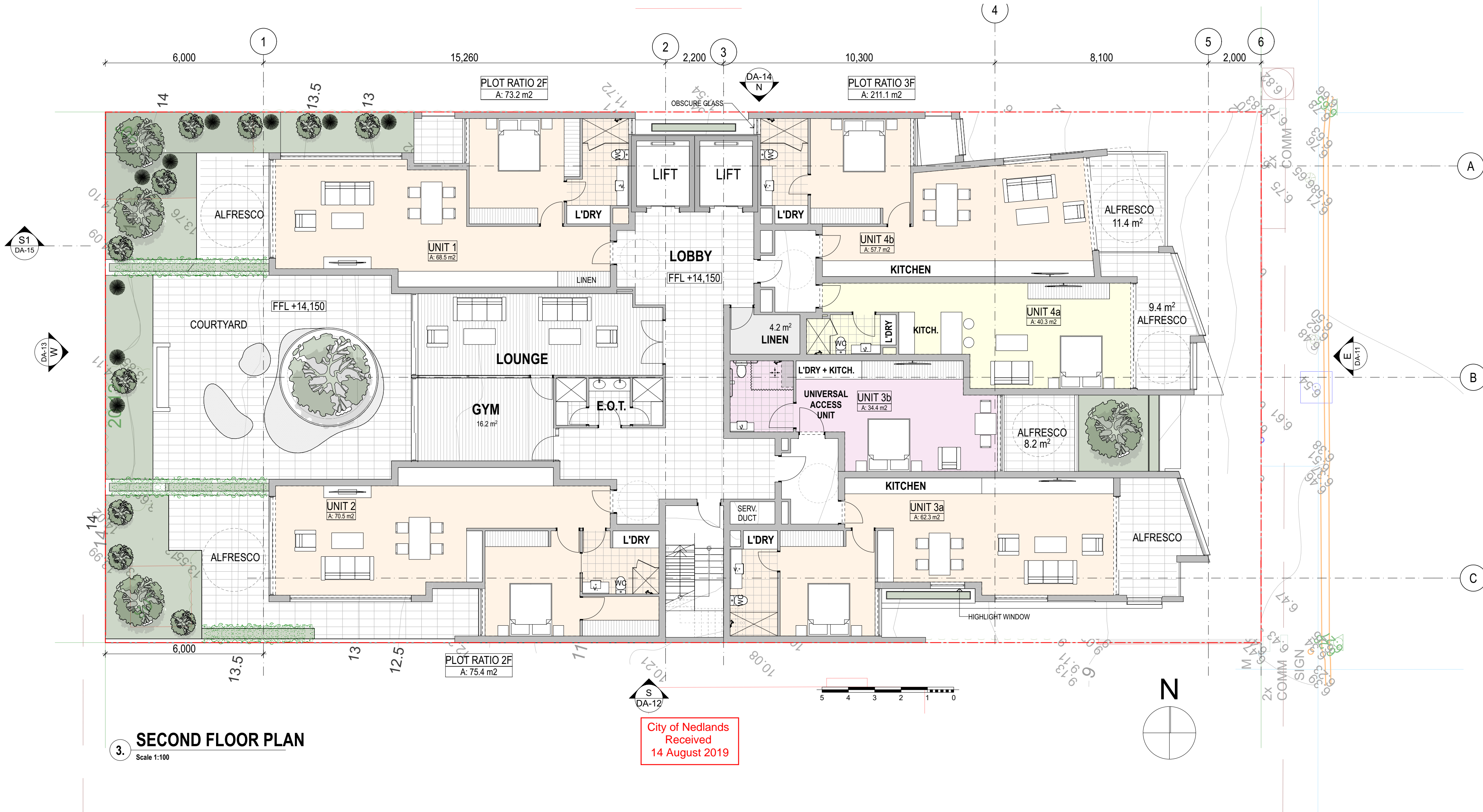
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FLOOR	PLOT RATIO AREA
SECOND	359
THIRD	382
FOURTH	383
FIFTH	375
SIXTH	143
	1,642 m ²

APPROXIMATE AREAS	
UNIT	AREA
UNIT 1	68
UNIT 2	70
UNIT 3a	62
UNIT 3b	34
UNIT 4a	40
UNIT 4b	58
UNIT 5	80
UNIT 6	80
UNIT 7a	63
UNIT 7b	35
UNIT 8a	40
UNIT 8b	58
UNIT 9	80
UNIT 10	80

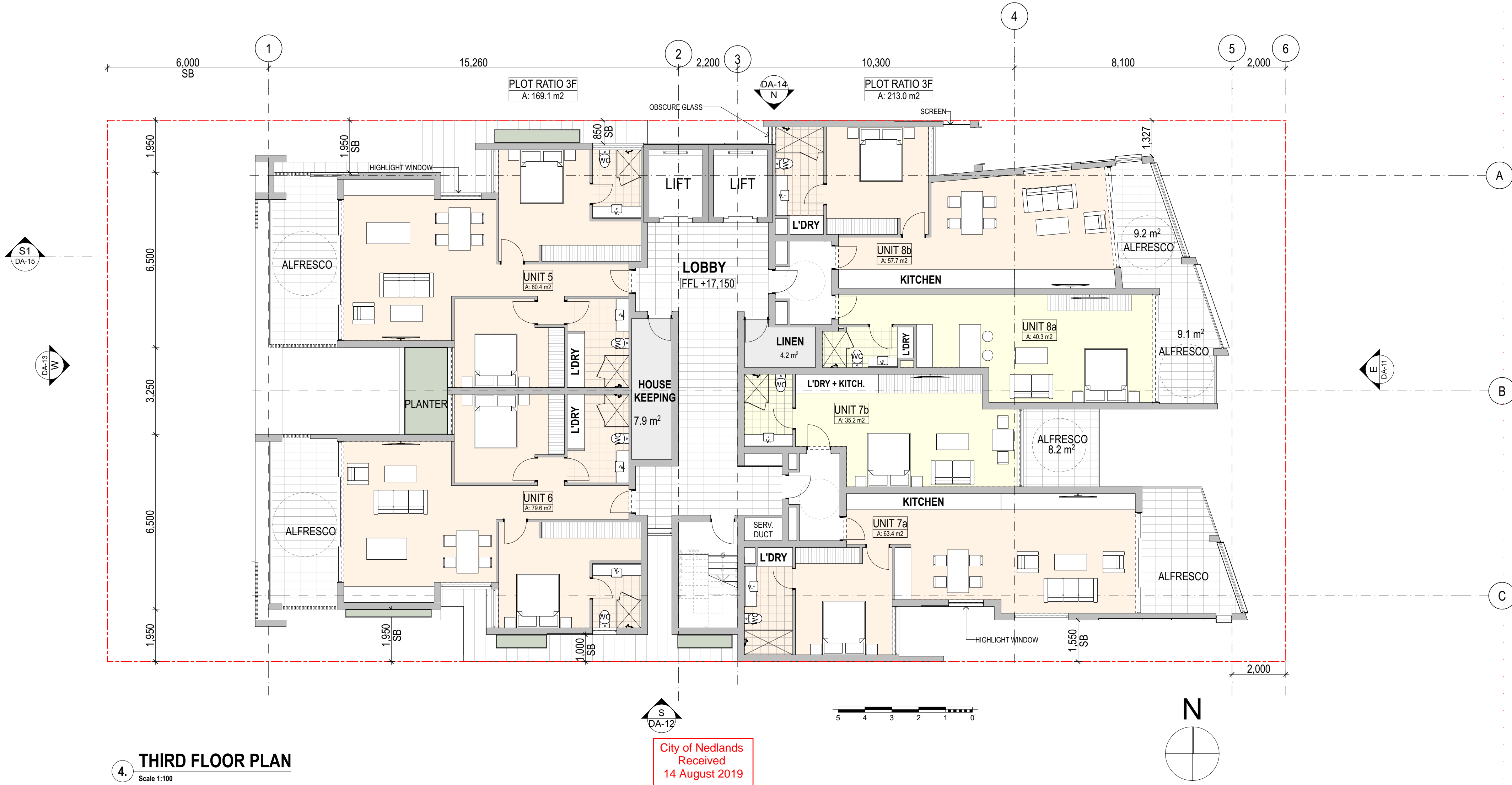
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UNIT	AREA
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UNIT 11b	35
UNIT 12a	42
UNIT 12b	58
UNIT 13	80
UNIT 14	80
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UNIT 16a	39
UNIT 16b	55
UNIT 17a	89
UNIT 17b	47
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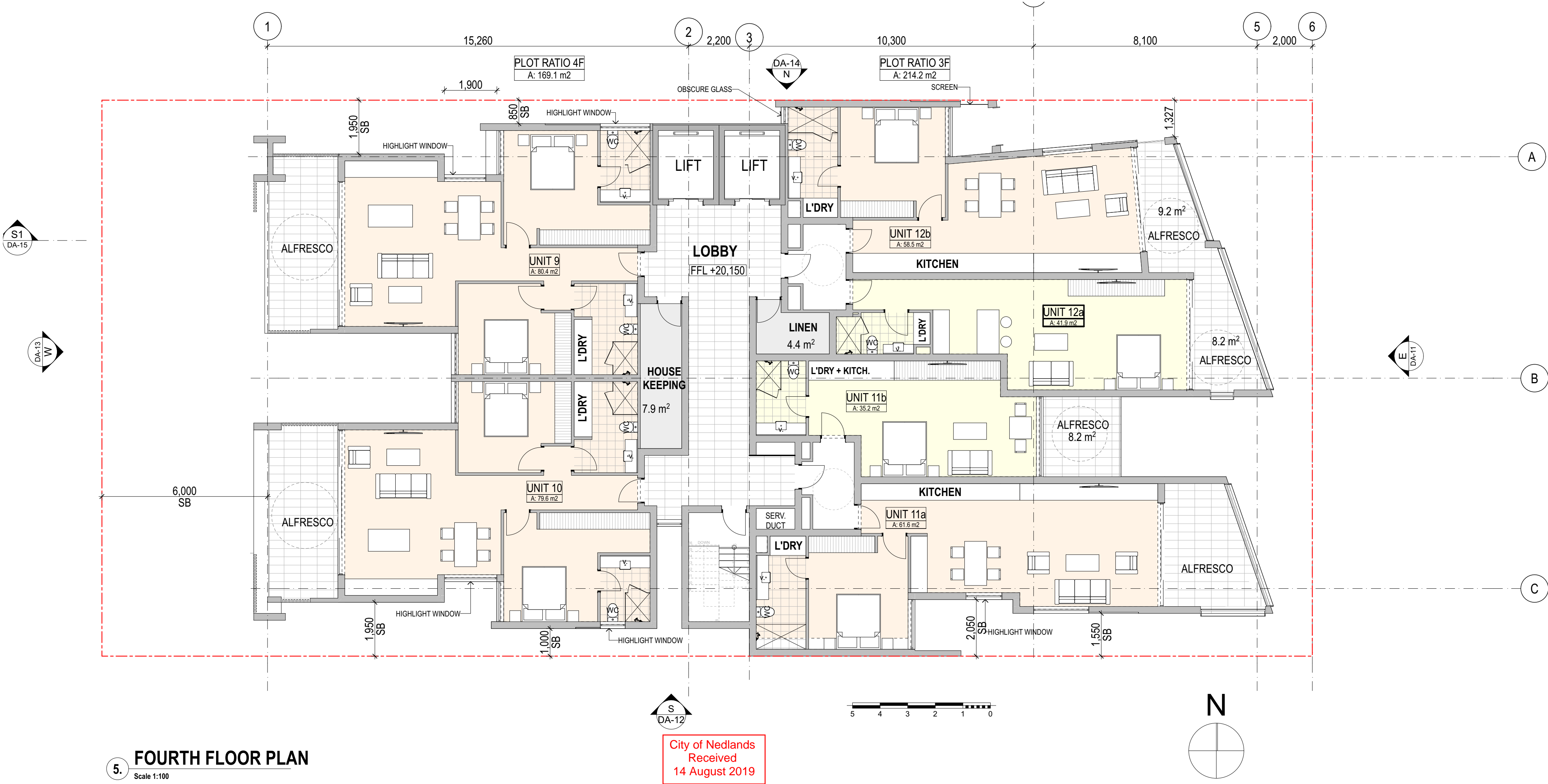


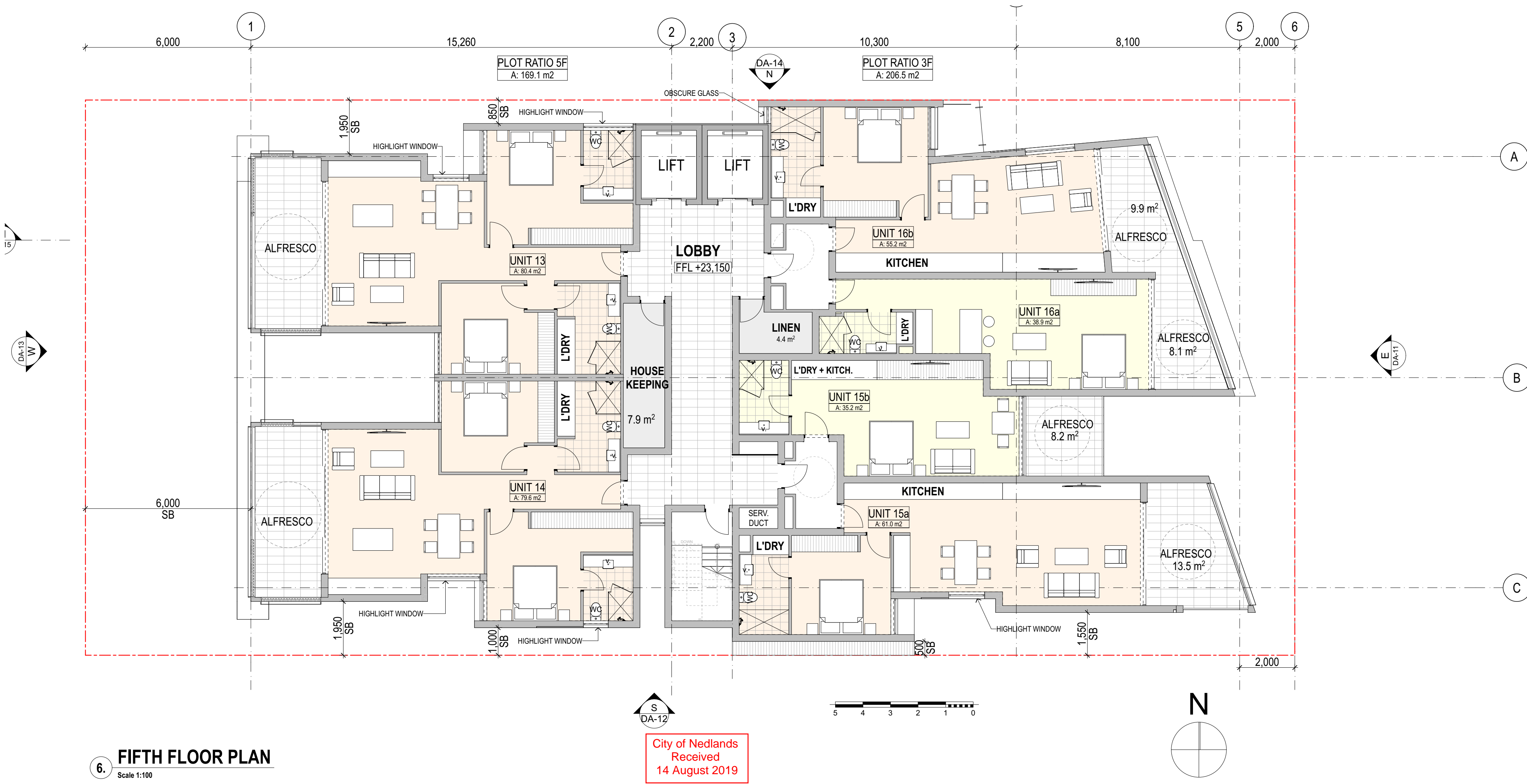
City of Nedlands
Received
14 August 2019



4. THIRD FLOOR PLAN
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City of Nedlands
Received
14 August 2019

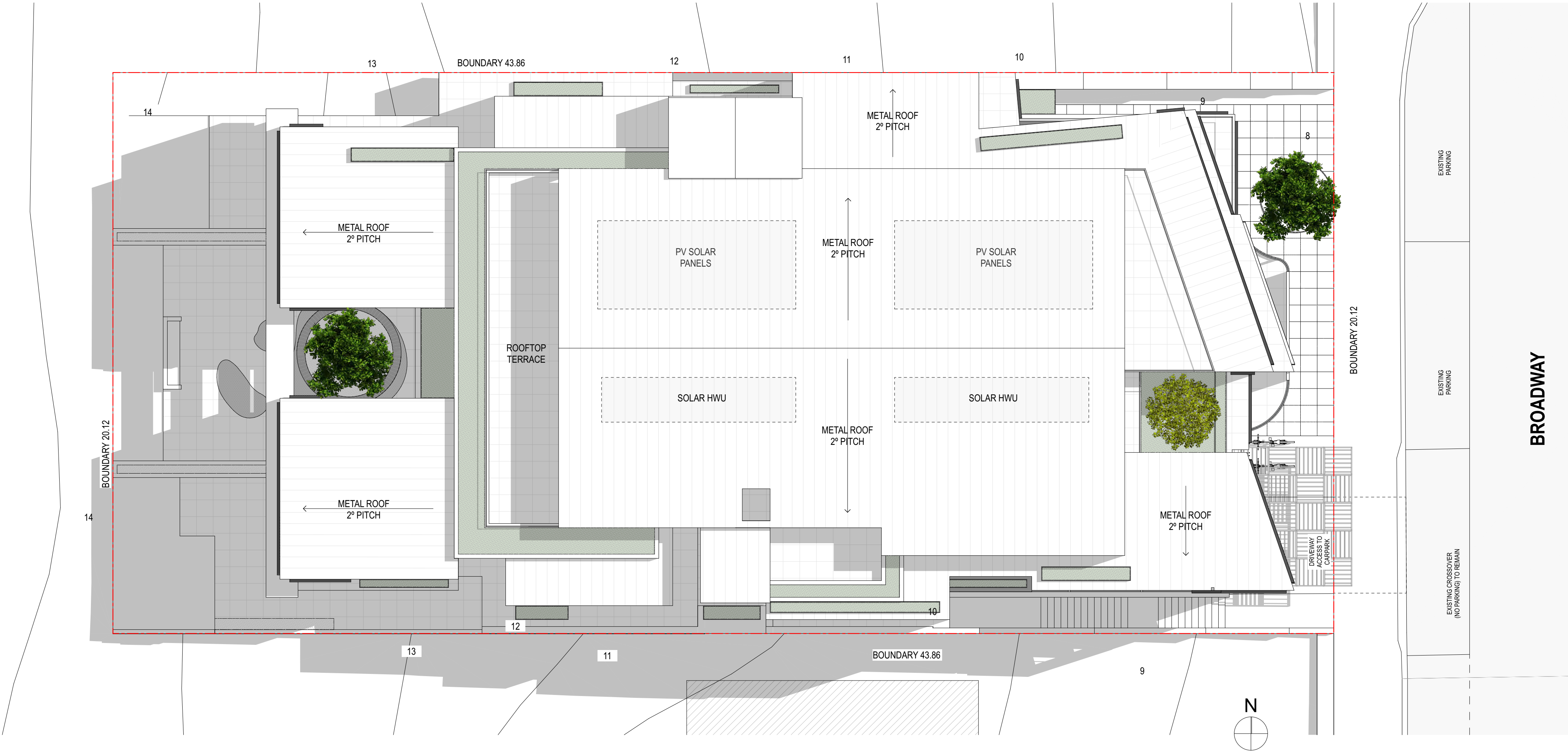




6. FIFTH FLOOR PLAN
Scale 1:100

City of Nedlands
Received
14 August 2019





City of Nedlands
Received
14 August 2019



Painted White
Render

Metal Cladding to
architect's selection
Colorbond Matt Finish

Limestone Wall
Tiles



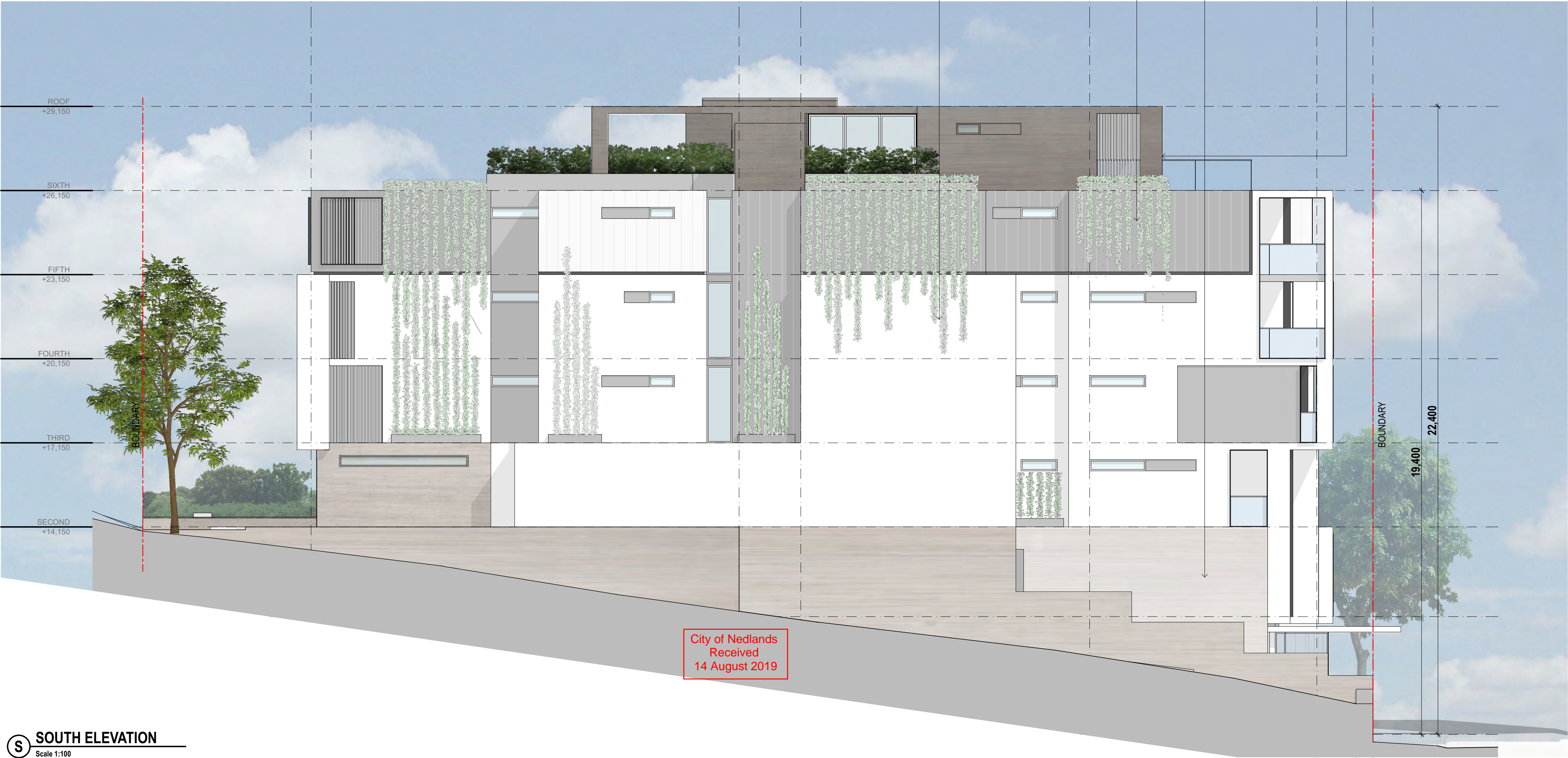
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Metal Cladding to
architect's selection
Colorbond Matt Finish

Limestone Wall
Tiles



S SOUTH ELEVATION
Scale 1:100



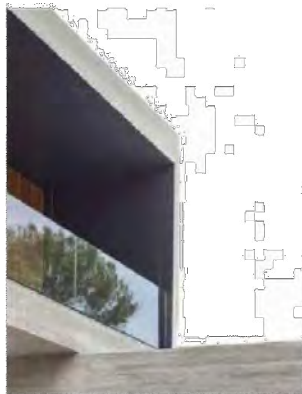
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Metal Cladding to
architect's selection
Colorbond Matt Finish



Limestone Wall
Tiles



W WEST ELEVATION
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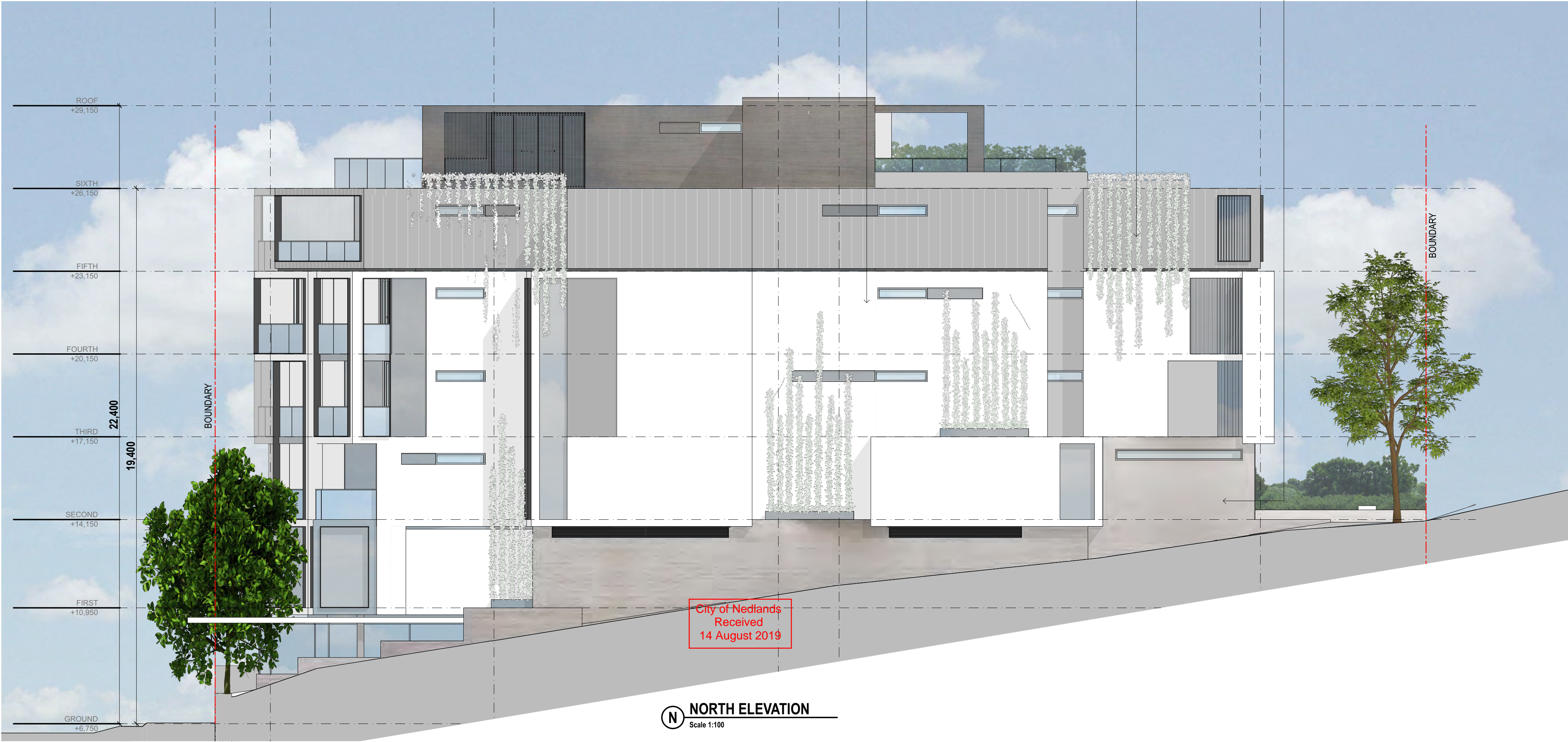
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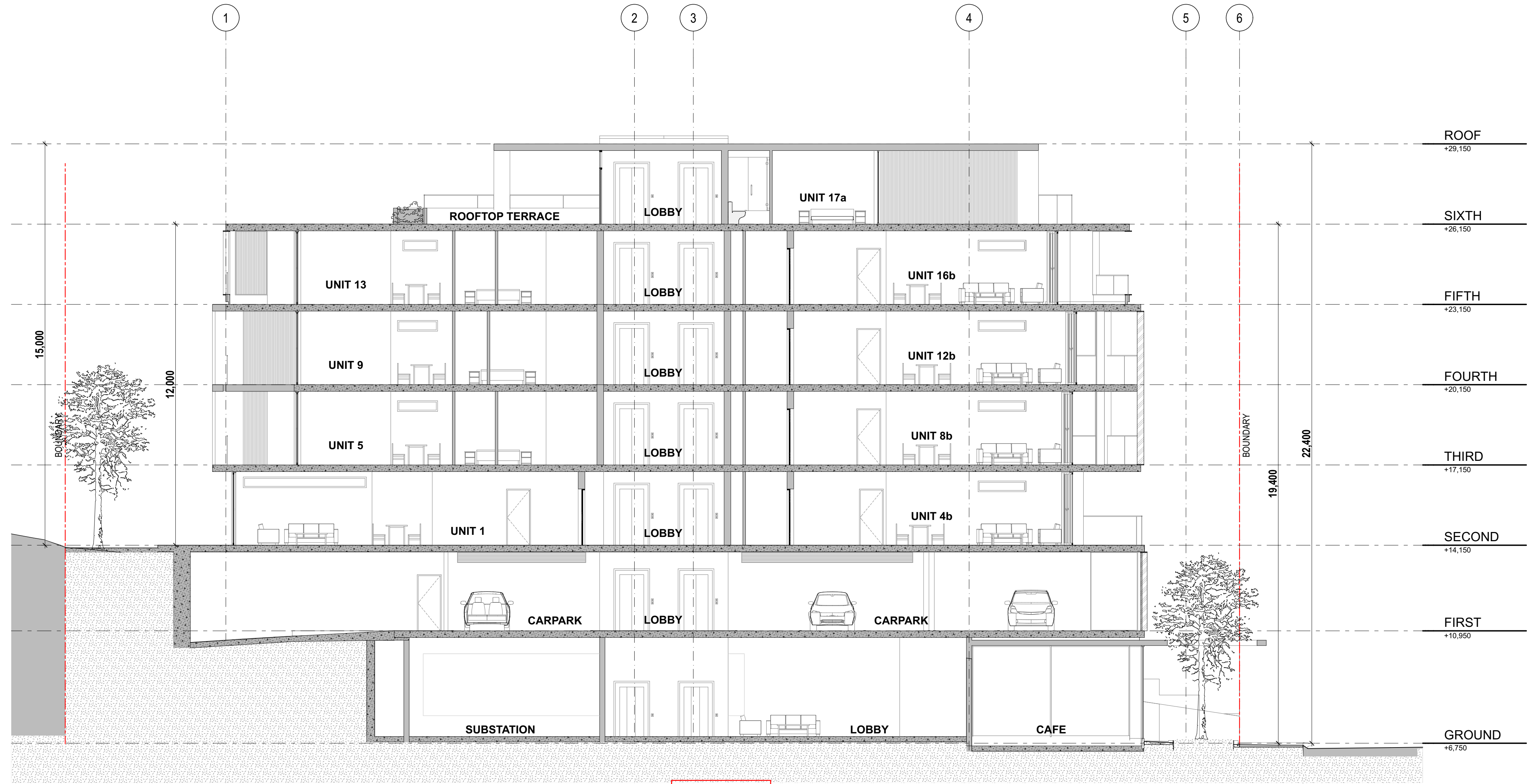
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Metal Cladding to
architect's selection
Colorbond Matt Finish

Limestone Wall
Tiles



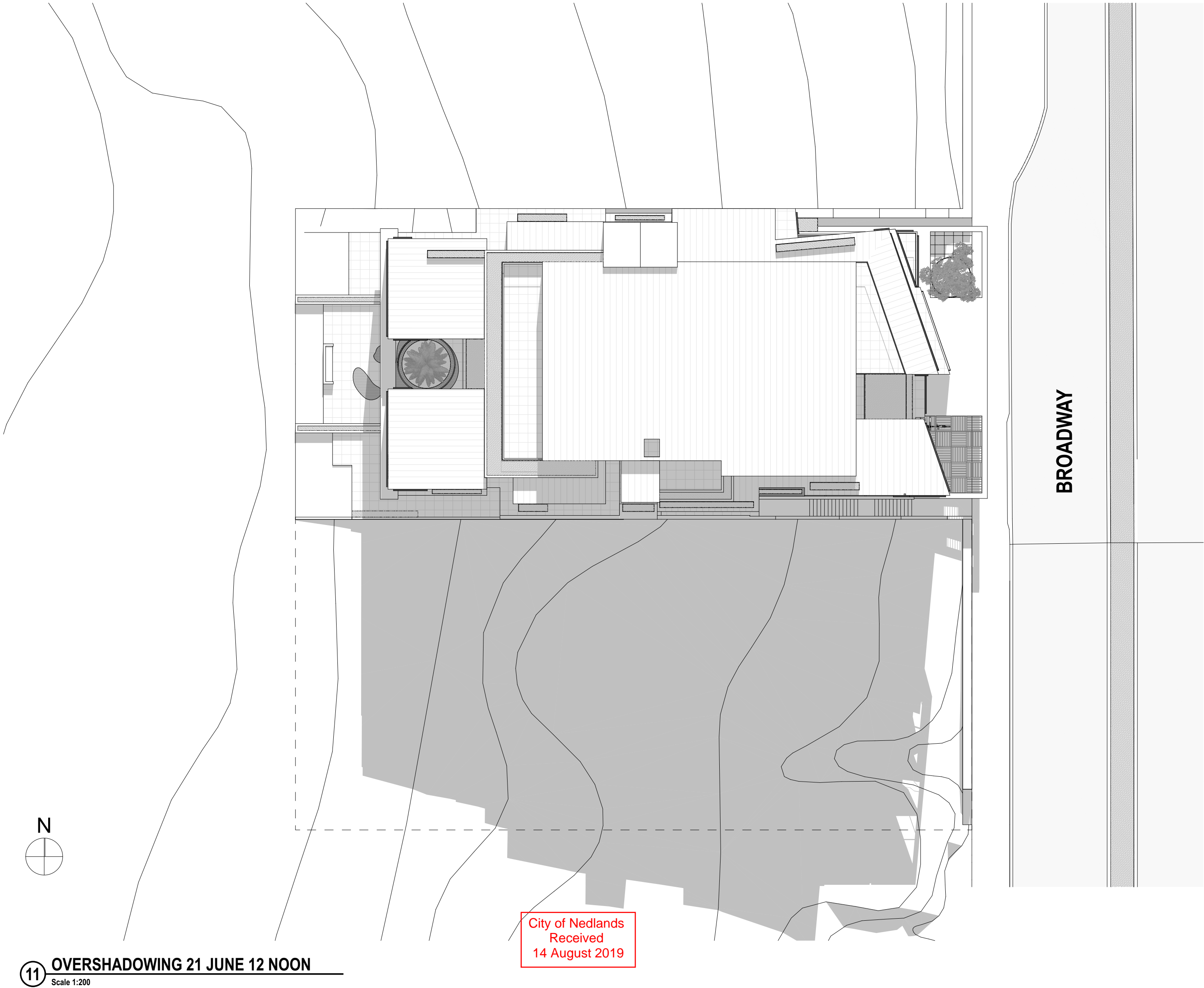
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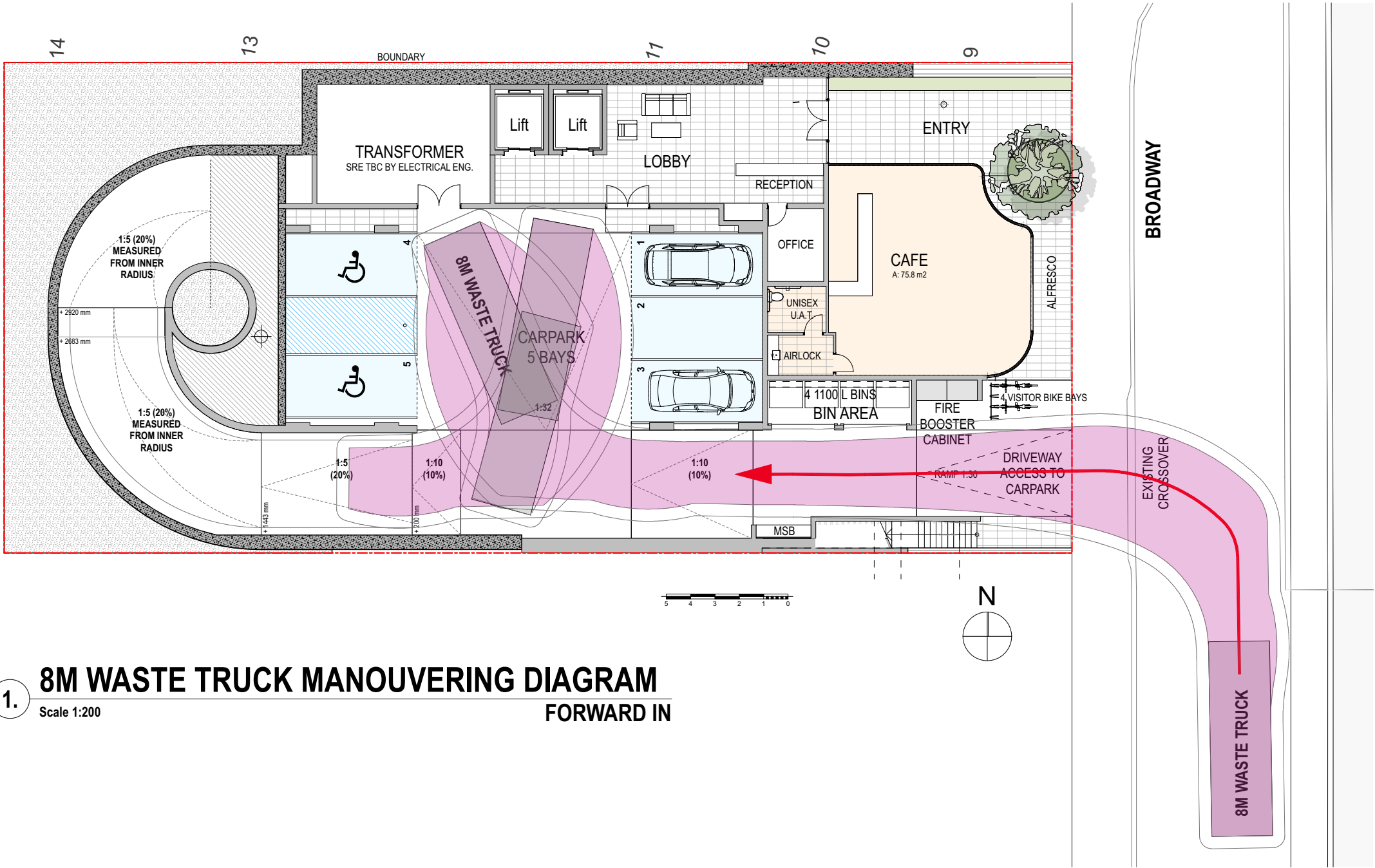


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14 August 2019

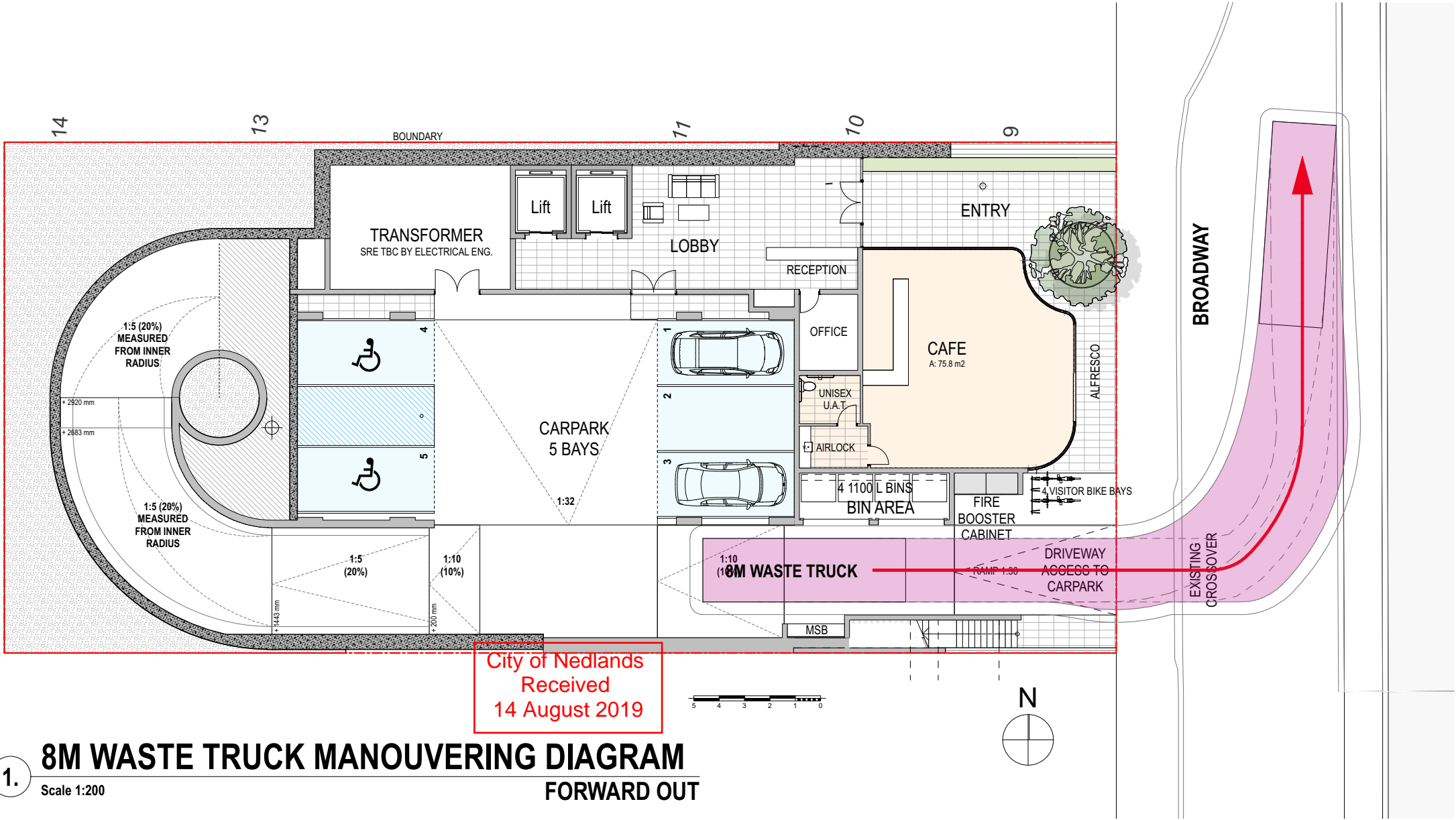
S1 SECTION 1
Scale 1:100

maarch* <small>Mark Aronson Architecture</small> MARK ARONSON ARCHITECTURE L1, 41 Hampden Road, Nedlands, WA 6009 E: info@maarch.net.au • T: +61 8 6262 8189	PROJECT BROADWAY APARTMENTS	CLIENT CLIENT	ADDRESS 135 BROADWAY PERTH	DATE 25/7/19	SCALE: 1:100@ A3	DRAWN MC/JM/MA	DRAWING SECTION 1	REV A	PROJECT NO. 19006	DRAWING ID DA-15
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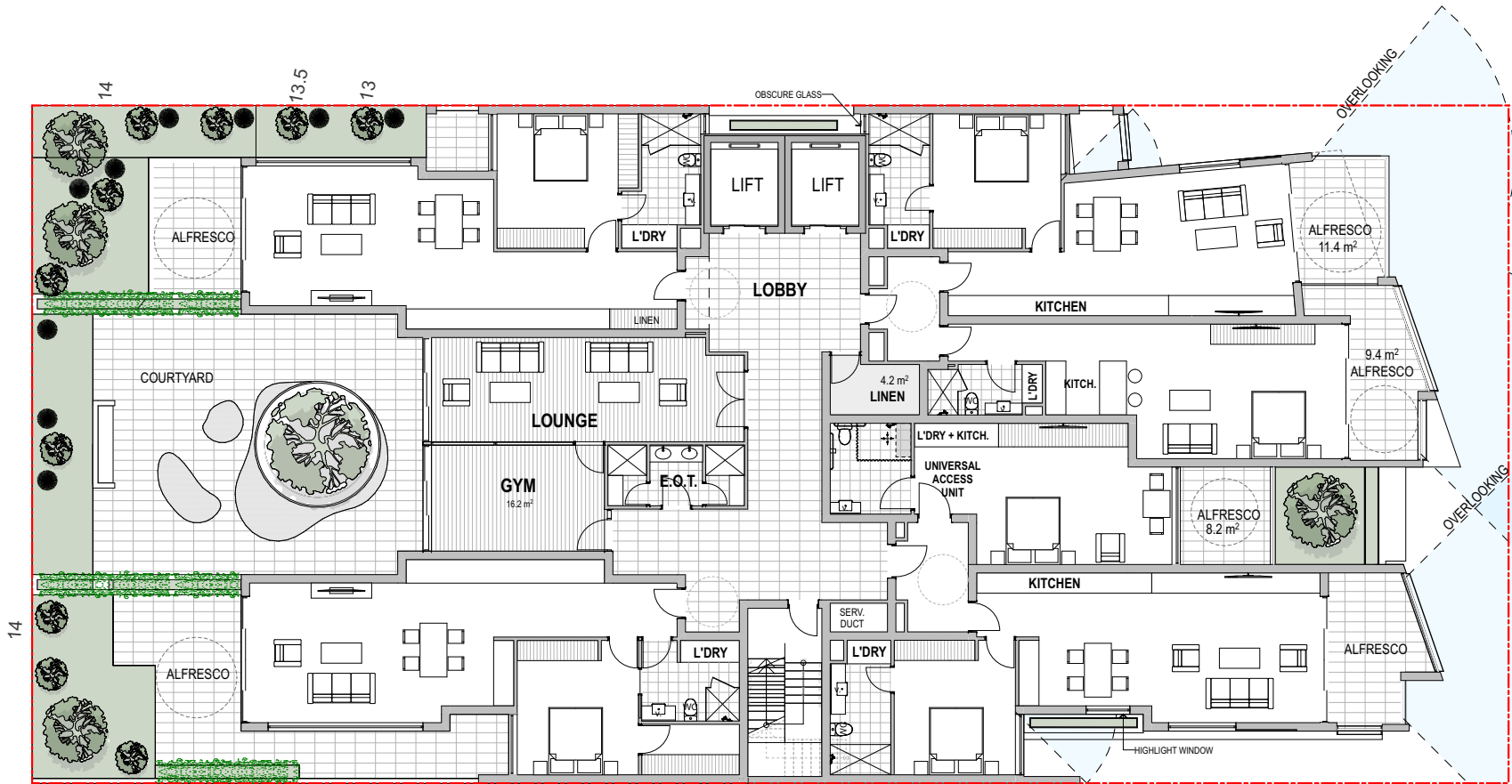


1. 8M WASTE TRUCK MANOEUVERING DIAGRAM
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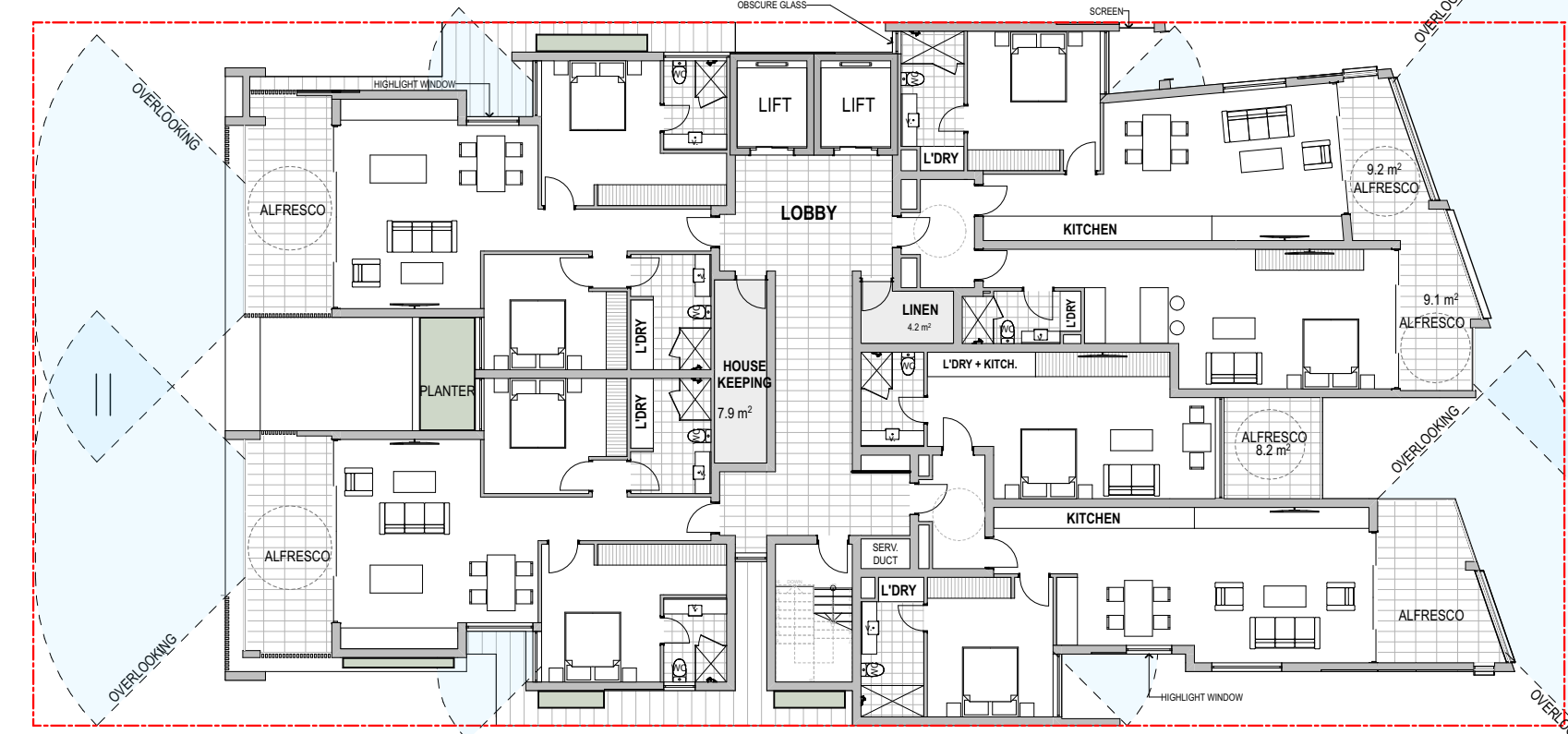


1. 8M WASTE TRUCK MANOEUVERING DIAGRAM
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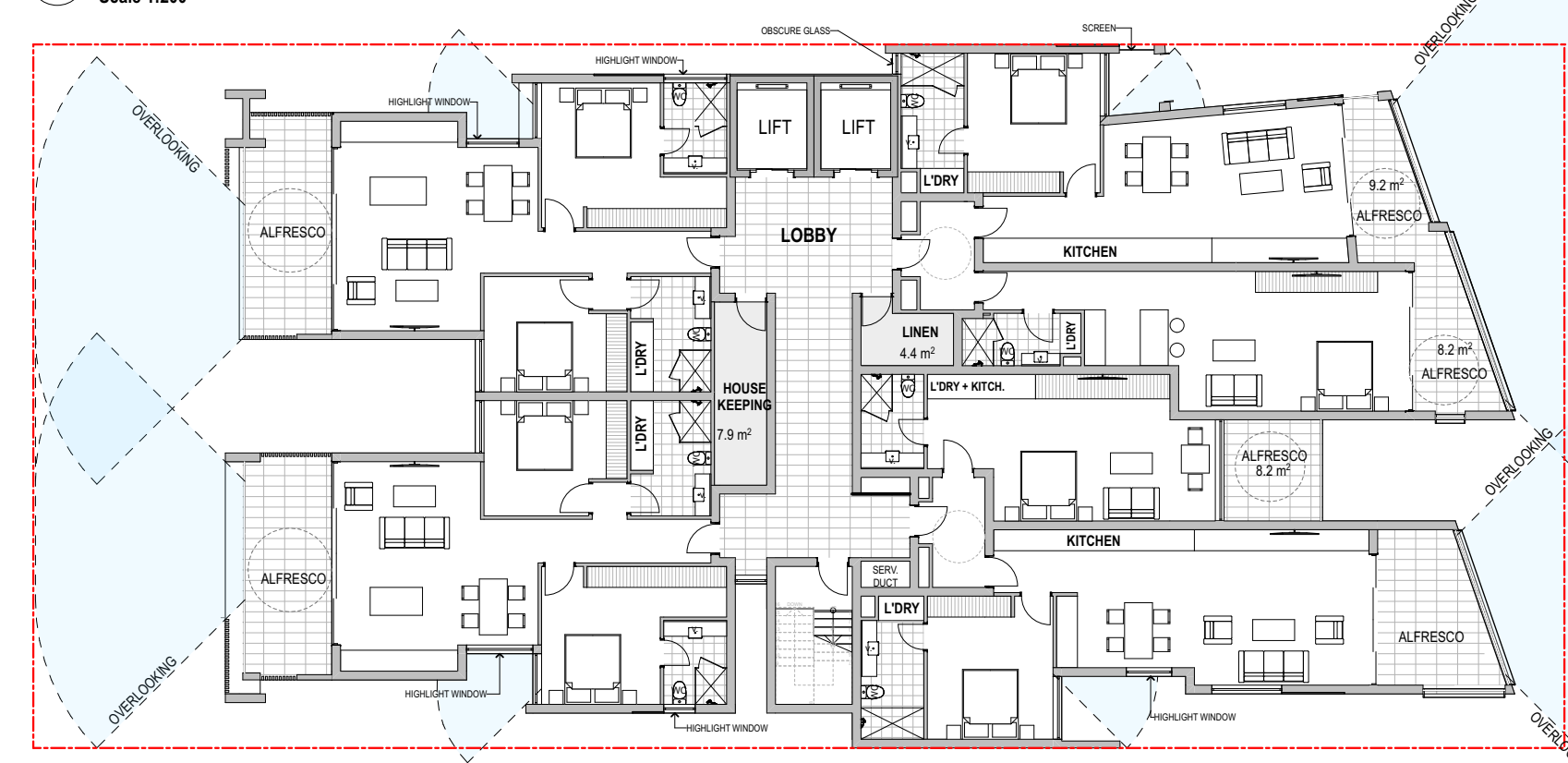
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Received
14 August 2019



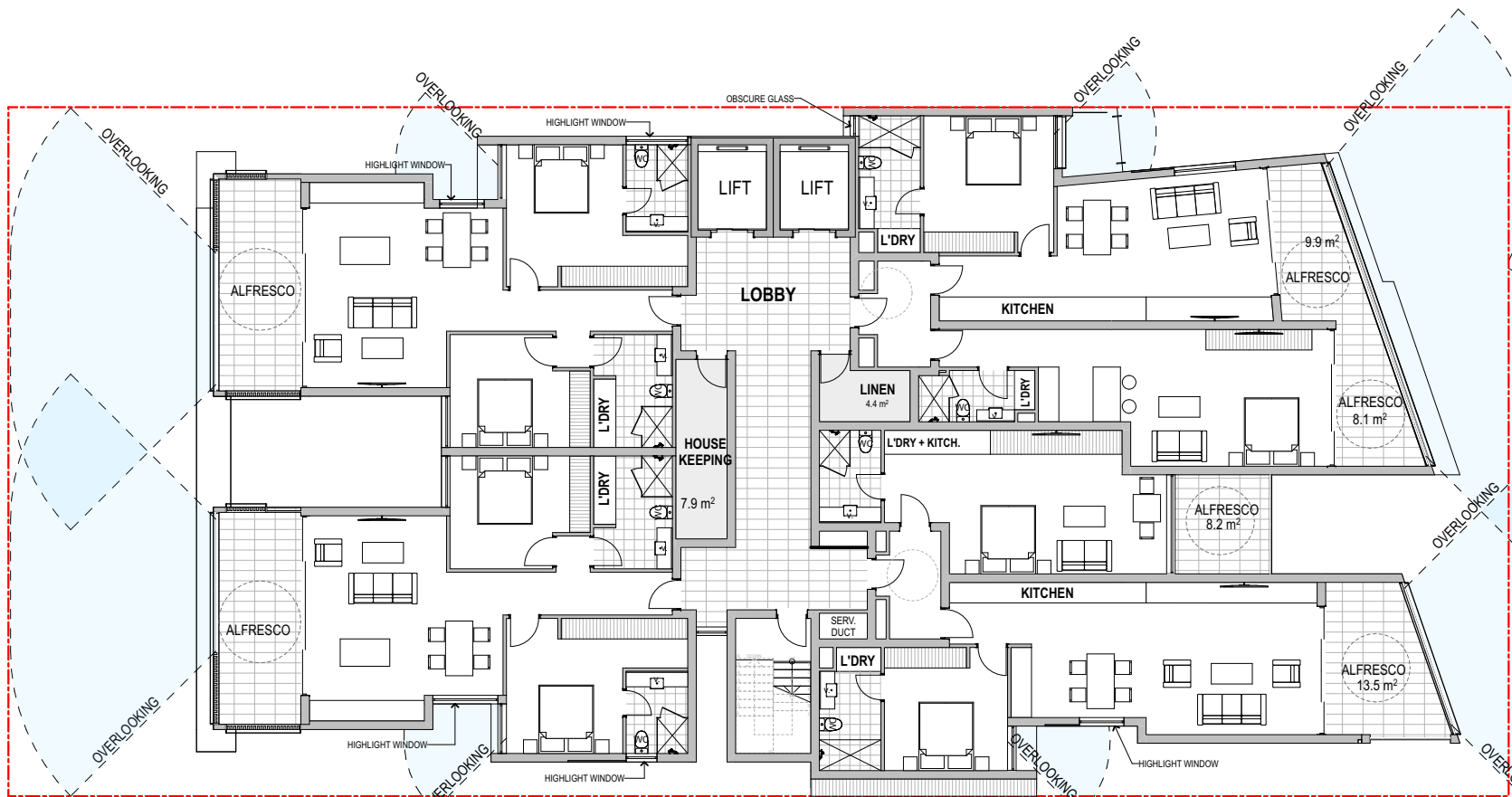
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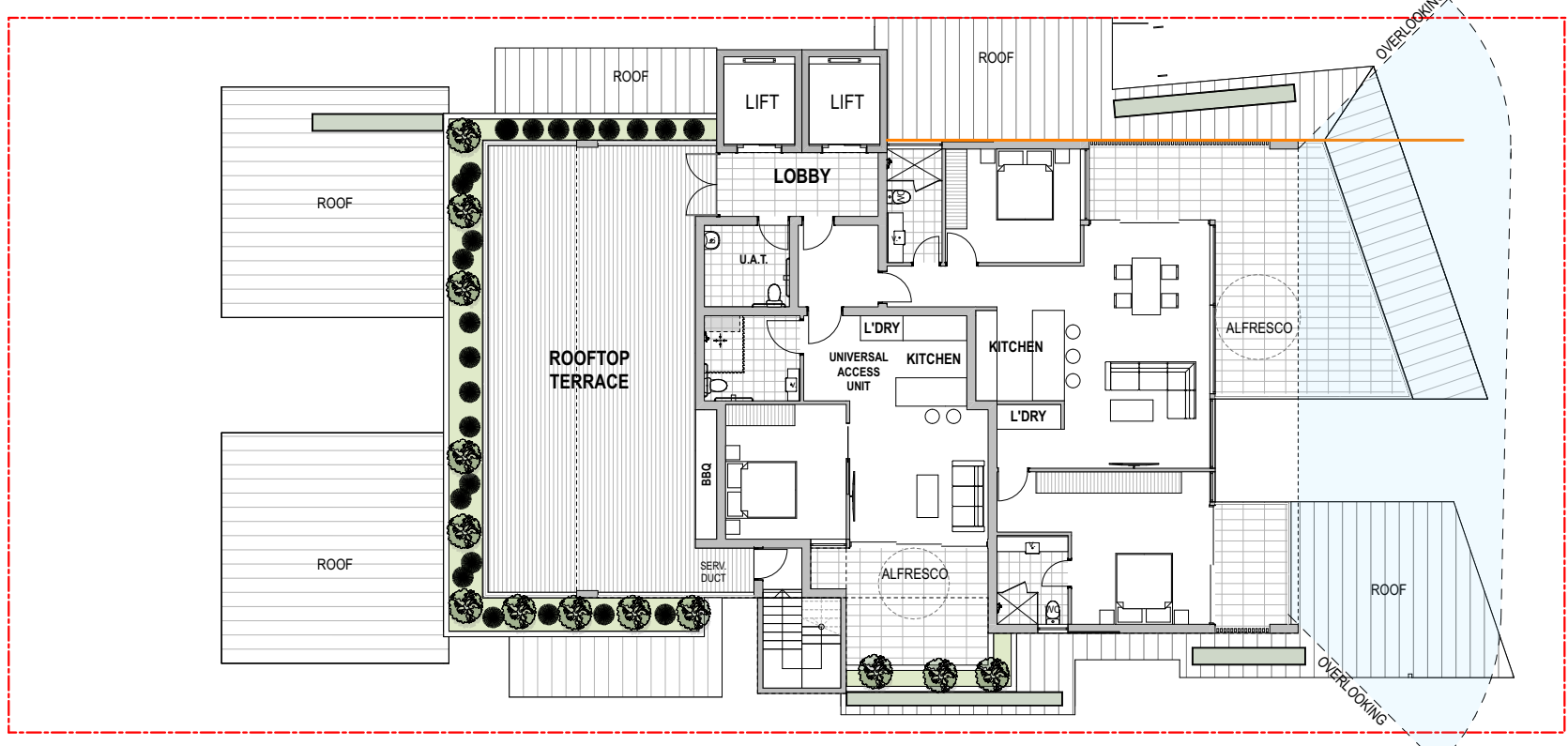
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5. **FOURTH**
Scale 1:200

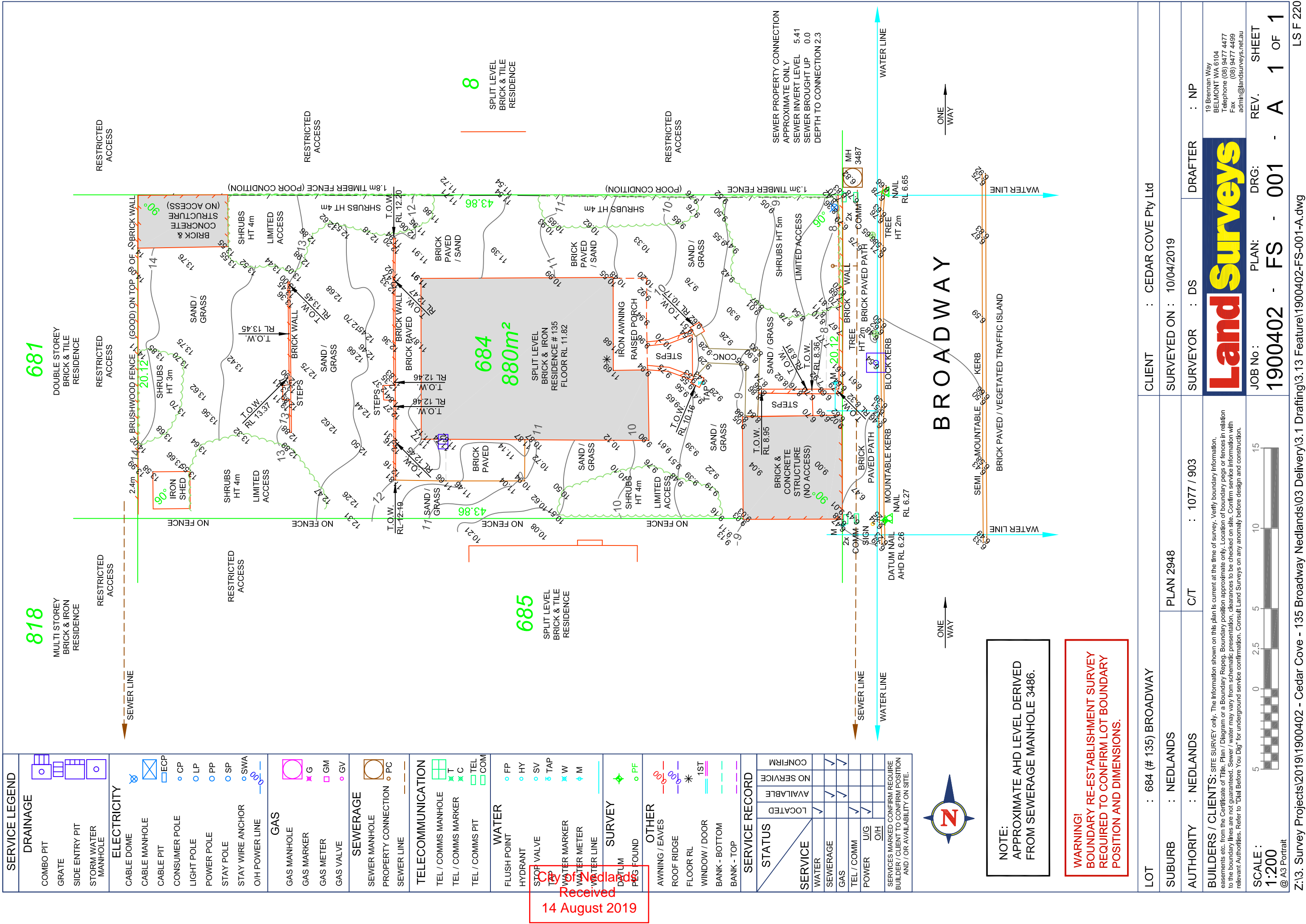


6. **FIFTH**
Scale 1:200



7. **SIXTH**
Scale 1:200

City of Nedlands
Received
14 August 2019



Department	Comment based on plans dated 14 August 2019	Comment based on plans dated 3 October 2019	Officer response
Technical Services	Bus bay turning encroachment – For the rubbish truck to turn inside, it will need to cross the bus bay. Applicant to send plans to PTA and seek approval for this. If PTA support it, Technical Services support it. Applicant to provide written advice to the City's Technical Services Department confirming this.	Technical Services acknowledges that the PTA are satisfied.	Assessing Officer referred the application to the PTA - no objection to the proposed development.
	Rubbish truck crashing into structures – entry and exit – this needs to be reviewed.	Technical Services have assessed the sweep path for an 8.8m service vehicle, the turning movements can be performed	Noted
	Waste Services to provide comments on truck size and movements especially in relation to horizontal and overhead and vertical ramp clearance and rubbish serviceability. Inside turnaround is demonstrated that turning is over parking bays and this is not supported.	See below	N/A
	Parking bay removal – have discussed the removal of the parking bay on the street to facilitate waste truck exit is conditionally supported. A NSW A will be required for this. The applicant will need to discuss this with Technical Services.	No change to previous comment.	This comment can be addressed by an advice note.
Waste	Submitted swept path analysis is not achievable in practice (truck operational process encroaching with the car bays and entry walls)	Proposed rear loader waste collection from bin loading area deemed (as per amended plans dated 3/10/) to blocking the driveway. The City's preference is all bins to be serviced from bin storage area (next to Transformer room). However, there is no requirement to utilize the City's waste	A condition of approval will ensure that the development will not be used for residential purposes, without planning approval.

		services for commercial properties. The responsibility is entirely relying upon on the developer, how they provide and manage commercial waste services in a safe manner.	
	Confirmation of compliance with a clearance height for rear lift waste trucks of 4.0m (minimum)	It is also noted that applicant was unable to provide the City's minimum clearance height requirement for rear lift waste truck of 4m (minimum)- highlighted in green	A condition of approval will ensure that the development will not be used for residential purposes, without planning approval.
	Proposed bin storage area is not in a safe location –please provided alterative location (This is due to occupational health and safety concerns to collection staff and other stakeholders). Service apartment waste needs to have a separate area from café waste.	As per my previous comments, please ensure total area of 9m ² (minimum) has been allocated for the Bin storage area (next to Transformer room)- highlighted in yellow.	This comment has been addressed. The plans were amended to reduce the size of the Transformer room, and provide a 13.9m ² bin store area.
	Unable to confirm the bin storage visibility. Ensure Bin storage shall be screened from public view with a quality material compatible with the building design.	No further comment was provided by Technical Services on this matter.	Condition of approval can address this comment.
Health	The applicant is advised to consult the City's <i>Acoustic Advisory Information</i> in relation to locating any mechanical equipment (e.g. air-conditioner, swimming pool or spa) such that noise, vibration 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 the applicant is advised to consult the online fairair noise calculator at www.fairair.com.au and use	Waste collection services are not to occur prior to 7.00 am or after 7.00 pm Monday to Saturday, and/or prior to 9.00 am or after 7.00 pm on Sundays and Public Holidays;	The waste management plan will address this requirement.

	<p>this as a guide to prevent noise affecting neighbouring properties;</p>		
	<p>As the proposal consists of more than 3 dwellings the City's <i>Health Local Laws 2017</i> require an enclosure for the storage and cleaning of waste receptacles to be provided on the premises, per the following requirements:</p> <ol style="list-style-type: none"> 1. Sufficient in size to accommodate all receptacles used on the premises; 2. Constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness approved by the City; 3. Walls not less than 1.8m in height and access of not less than 1.0 metre in width fitted with a self-closing gate; 4. Smooth and impervious floor not less than 75mm thick and evenly graded to an approved liquid refuse disposal system; 5. Easily accessible to allow for the removal of the receptacles; 6. Provided with a ramp into the enclosure having a gradient of no steeper than 1:8 unless otherwise approved by the City; and 7. Provided with a tap connected to an adequate supply of water. 8. Adequately ventilated, such that they do not create a nuisance to residences (odour). 9. The location of all exhaust systems, ductwork and any <ol style="list-style-type: none"> a. other mechanical service is not b. to be such that it will cause a c. nuisance for residents. 	<p>The proposed <i>Bin Loading Area</i> is to be utilised for the purpose of enabling access to routine waste collection services only, and not for the storage of waste or waste receptacles. Waste receptacles are to be placed in this area no earlier than 24 hours prior to the routine waste collection time and removed no later than 24 hours post collection. The area is to be constructed such that it can be effectively cleaned (smooth impervious floor/hardstand) and is to be managed such that an odour nuisance is not generated for nearby residences.</p> <p>The bin storage area is to be constructed as per the above conditions previously provided – these details can not be confirmed from the amended plans.</p>	<p>An advice note will address these requirements.</p>
	<p>Additional information is to be supplied (in relation to the acoustic consultant's report) that</p>	<p>No further comment provided on this.</p>	<p>A condition of approval will address this requirement.</p>

	accurately quantifies noise levels likely to be associated with the proposed food tenancies and other noise generating activities within the building so that a more accurate and fulsome assessment of noise impacts can be undertaken in accordance with the <i>Environmental Protection (Noise) Regulations 1997</i> . This includes noise associated with the large plant room this located on the boundary of the property		
	Laundry facilities to be provided in accordance with the Building Code of Australia, and adequately ventilated to reduce condensation, in accordance with AS1668.2 The use of mechanical ventilation and Air-conditioning in buildings.	No further comment provided on this.	An advice note will address this requirement.
Building	<p>General Comments</p> <ul style="list-style-type: none"> - Suggest dilapidation reports on immediate adjoining properties be undertaken prior to development occurring. - BA20 forms will likely be required from two side neighbours or potential adverse affects of basement construction. - Noted that the DA plans indicate a UAT for the café on the ground floor. Staff and patrons may share facilities however the provision of facilities will limit the maximum occupancy for the premises. Based on a single UAT and 50/50 ratio of male to female, occupancy of café would be maximum of 50 persons a maximum of 10 person of whom can be employees. <p>Generally, the design appears good with the specifics to be ironed out on lodgement of the BP. No major concerns with the design as proposed.</p>	No further comment	Noted - Conditions and advice notes to address these comment.

	<p>Comments on NatHERS – 09/10/2019</p> <p>The NatHERS rating provided indicates a 7-star rating. The star rating is generated through inputting data about the proposed building and construction method and the relevant star rating it will achieve if the building is built in accordance with these specifications. The minimum rating applicable is 6 star, whilst the report provided indicates 7 star. In this regard it appears that the Acceptable Outcome has been met. A significant energy efficiency initiative could be to add solar panels to the development.</p> <p><i>Note: The applicant is only required to achieve 6 star or greater as part of their submission for a Building Permit and compliance with Section J of NCC BCA Vol.1. it is suggested details of planning compliance are cross referenced with the BP when/if it is submitted.</i></p>		
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